



**Seven Queer Brothers**  
Narratives of Forbidden Male Same-Sex Desires  
from Modernizing Finland 1894-1971

Sandra Hagman

Thesis submitted for assessment with a view to  
obtaining the degree of Doctor of History and Civilization  
of the European University Institute

Florence, January 2014



European University Institute

**Department of History and Civilization**

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**Examining Board**

Professor Giulia Calvi, (EUI)

Professor Laura Downs, (EUI)

Professor Matti Peltonen, (University of Helsinki)

Professor Jens Rydström, (University of Lund)

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**ABSTRACT**

From 1894 to 1971, “same-sex fornication” was a crime in Finland. However, a wide variation can be seen in the degree to which same-sex relations were controlled during the existence of the law. From the 1930s onwards, the number of convictions started to rise, reaching its peak in the early 1950s and dropping sharply in the latter half of the 1960s.

This research studied the ways in which male same-sex desire was perceived, controlled and lived through during the first seventy years of twentieth-century Finland. The longitudinal-type analysis provided the perspective to view the transformations in discourses on male sexual practices and their impact on actual policing. The research question was elaborated through the microhistorical narratives of seven men who had been convicted of same-sex fornication in different decades of the twentieth century. The theoretical basis of the dissertation was queer theory.

The main sources were same-sex fornication court case documents which were read together with legal, medical and moral writings, and newspaper and tabloid articles. By combining micro- and macro-dimensions, the research was able to reveal the changing attitudes towards male sexual intimacy in Finnish society, and by comparison to European historiography the study showed the roots of these attitudes.

Until the late 1920s, the Hirschfeldian view on male sexual intimacy was dominant in Finland as well as in other Nordic countries. However, the dissertation shows how in the 1930s Finnish medical and legal authorities adapted the Nazi German perception of homosexuality as a transmittable disease, which increased control over male-male sexual practices in Finland at the same time that they became decriminalized in other Nordic countries.

In Finnish agrarian society, male sexual practices were tolerated and not labeled, and boys were not viewed as possible victims of sexual abuse. Men who exclusively and extensively sought sex with other men or boys were called *manlovers* until the Second World War and the immediate post-war period, when sexual presentations of Finnish men were nationalized, and homosexual practices were constructed as unmanly and dangerous. Homosexual emancipation took place fast alongside the “sexual revolution” in the latter part of the 1960s.

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In snowless Helsinki, on January 7, 2014

Sandra Hagman



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## SEVEN QUEER BROTHERS

Narratives of forbidden male same-sex desires  
from modernizing Finland, 1894-1971

*“A thousand flaming goblins! Hasn’t a man the right to live his own life as he likes in peace, when he stands in no one’s way, tramples on no one’s rights? Who’ll forbid that? But I say once again: parsons and officials with their books and papers are the evil spirits of mankind.”*

Juhani in KIVI, ALEKSIS. *Seven Brothers*. Translated by Alex. Matson. Tammi Publishers, Helsinki 1952:101. Originally published in Finnish in 1870.

### Introduction

In 1870, Aleksis Kivi published his first and only novel, *Seven Brothers*. This was the first important novel written in Finnish, and is still considered one of the most significant works in Finnish literature. *Seven Brothers* is a developmental novel of seven brothers who needed to survive and adapt to the Finnish countryside milieu without the guidance of their parents. Kivi used the motif of the seven brothers to write about Finnish civilization: the seven illiterate, unmanageable, and wild young men finally find their way to respectable life in Finnish society. Ultimately, most of them fulfill the demands of society by becoming literate, getting married, having children and quitting drinking.

My research, too, involves seven Finnish men who did not fulfill the requirements of Finnish society. I found these seven men in court documents that were produced in the process of control over their sexual behavior. The seven men were all convicted of a crime called *same-sex fornication*, which stood in the very first Finnish penal code from 1894 till 1971. Though these men were not biological brothers, born as they were in different parts of Finland in different decades

from the 1880s to the 1930s, they were brothers in the experience of societal control over their sexuality. The “brotherhood” also refers to one of the main themes of this research, that of *manhood*, whose presentations were negotiated in different discourses throughout the twentieth century. In addition, I call them ‘queer’ because their sexuality did not fit their era’s perception of normality, but instead they were out of place because of their sexual behavior. Queerness also refers to the queer theory that is employed in this research.

The seven brothers of this research are named after the brothers in Kivi’s novel. This decision was driven by two reasons, the first relating to privacy. Second, and more to my point, I wish to show that Kivi’s seven Finnish brothers could have been portrayed differently. By giving the names of Kivi’s seven brothers to the seven men in this study, I hope to awaken the reader to the idea that the story of the Finnish nation and Finnish manhood can also be written from another, queer, perspective.

While study focuses on seven men, there were many others of their kind in Finnish society. Indeed, during the period of the same-sex fornication Section over one thousand men were convicted of that crime. Significant for this research is that there were only a couple of same-sex fornication convictions made during the first two decades of the twentieth century, whereas the number of the convictions started to increase from the 1930s onwards reaching its peak after the Second World War. In fact, half of the all same-sex fornication convictions were given in the ten-year period following the war. The same-sex fornication Section was actively employed till the late 1960s, and few convictions were made even on the eve of the decriminalization of same-sex relations in 1971.

This research describes control over male same-sex intimacy. The control over female same-sex relations is not treated because it seemed that a different logic was at work in the former. In practice, there was no legal control over female relations before the 1950s, although the criminal code had equally criminalized them in the same-sex fornication Section.<sup>1</sup> Female cases started to appear only after the Second World War. Antu Sorainen’s (2005) study on female same-sex

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<sup>1</sup> Many of the convictions that were categorized as the same-sex fornication crime in the criminal statistics were prostitution-related crimes and not same-sex relations at all. For instance, the Helsinki city court convicted only four women in two trials during the existence of the same-sex fornication Section, both in the late 1950s. One case took place in jail where two women (after being arrested for drunkenness) were playing “flat pussy” (*lättäpillu*) which was seen by the police, whereas in another case a woman came to inform on herself regarding these activities after having a religious awakening. Helsinki City Court 3rd department II section. 5.11.1958 and 10.12.1958. and Helsinki City Court 3rd department, II section. 26.6.1957.

fornication convictions in the 1950s Eastern Finland treats the issue comprehensively.<sup>2</sup> Moreover, this research focuses on themes of masculinity and perceptions of proper manhood rather than the remarkably different discourses around female same-sex relations.

In this study, homosexuality/-ies is seen as a modern historical construct, created in scientific discourses in the late nineteenth century; this idea was first proposed by Michel Foucault and Jeffrey Weeks in the late 1970s.<sup>3</sup> Weeks, a sexual historian of longstanding reputation, has pointed out that the history of homosexuality can be seen as a *complex process of definition and self-definition*.<sup>4</sup> As a result, historians should trace the social, cultural and political forces that shaped the definitions of homosexuality. Weeks defined different instances which interacted in this process, such as religion, law, state activities, family ideologies, class consolidation, and popular prejudice, the institution of medicine, psychiatry, and, finally, sexology. In addition, Weeks calls for an investigation on the forces of resistance: individual struggles and subcultural developments.<sup>5</sup> Week's "list" is impressive and indeed guides the direction of this study. However, this research veers more into a queer-study approach, meaning that the pluralities of sexual identities and practices are recognized and homosexuality as a category denaturalized and deconstructed.<sup>6</sup> Moreover, this research considers that there are, and have been, many non-normative sexualities, identities, and practices which are not referable to in terms of homo- or hetero-categories.<sup>7</sup>

During the period of the study, Finnish society totally transformed from an agrarian society to a modern one in one of the fastest modernizing experiences in the western world.<sup>8</sup> Simultaneously, Finland went from being an autonomous part of the Russian Empire to being an independent but socially unstable country, and then to a structured bureaucratic state that formed the basis for the later welfare state policy. Coincident with the modernization process same-sex intimacy became recognized in Finland. Timing was perfect for adaption of medical discourses that were created from the late nineteenth century onwards mainly in Germany. Until the 1930s same-sex intimacy

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<sup>2</sup> SORAINEN, ANTU. "Rikollisia sattumalta? Naisten keskinäistä haureutta koskevat oikeudenkäynnit 1950-luvun Itä-Suomessa." University of Helsinki, Helsinki 2005.

<sup>3</sup> FOUCAULT, MICHEL. *History of Sexuality, vol 1. An introduction*. Translated by Robert Hurley. Vintage Books, New York 1990; WEEKS, JEFFREY. *Coming Out: Homosexual Politics in Britain from the Nineteenth Century to the Present*, Quartet Books, London and New York 1977.

<sup>4</sup> WEEKS, JEFFREY. *Making Sexual History*. Polity Press, Cambridge 2000: 7.

<sup>5</sup> WEEKS, 2000: 7.

<sup>6</sup> SEDGWICK, EVE KOSOFKY. *Epistemology of the closet*. University of California, Berkeley 1990. HALPERIN, DAVID. *How to do the History of Homosexuality*. University of Chicago Press, Chicago and London 2003. and *One hundred years of homosexuality. And other essays on Greek Love*. Routledge, New York and London 1990.

<sup>7</sup> CORBER, ROBERT J. and VALOCCHI, STEPHEN. *Queer Studies, An Interdisciplinary Reading*. Blackwell, Malden, MA 2003.

<sup>8</sup> HELSTI, HILKKA et al. *Modernisaatio ja Kansan kokemus Suomessa 1860-1960*. Suomalaisen Kirjallisuuden Seuran toimituksia 1101. Tampere, 2006: 9.

did not have cultural significance in Finland, as agrarian people did not put much stock in sexual actions in their presentations of masculinity or femininity.<sup>9</sup> The issue first studied by Jan Löfström gets supported by this study with new source material that provides insight into rural communities' perceptions of same-sex intimacy.

In this research the seven brothers are struggling with the demands of Finnish society in their own ways, in different decades from 1910s to 1960s. Through the stories of *Juhani*, *Tuomas*, *Aapo*, *Simeoni*, *Timo*, *Lauri*, and *Eero* this research shows how male same-sex sexuality was *perceived*, *controlled*, and *lived through* in Finland during the twentieth century. These three elements form the core of this study:

First, the *perceptions* of same-sex intimacy changed dramatically during the decades that this study covers because of the above-mentioned scientific discourses. Thus the first interest of the study is in the processes in which different, even contradictory, discourses, which tried to name and define same sex practices, were adapted and developed in Finland during the twentieth century, and why. Using the terms of Foucault, the transformation of male-sex from “temporary aberration of sodomy” to “homosexual species”<sup>10</sup> was not a linear process, but was “precarious and fragile”.<sup>11</sup> In addition, these discourses were conflated with traditional understandings and beliefs.

Second, the study examines the processes and tensions of *control* over same-sex intimacy. I want to understand why male sexual behaviour became an issue to discuss and to control in some historical contexts and in some others did not. In other words, this research asks how the control worked and how it was legitimized.

Third, the focus is put on the self, to men whose desires were illegal. I want to show what kinds of *self-perceptions* or identities people were able to take. On the one hand discourses started to live in individual bodies, but on the other, people were able to find their own meanings and understandings outside the norms.

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<sup>9</sup> LÖFSTRÖM, JAN. *Sukupuoliero agraarikulttuurissa. Se nyt vaan on semmonen*. Suomalaisen Kirjallisuuden Sauran toimituksia 757. SKS, Helsinki 1999.

<sup>10</sup> FOUCAULT 1990:43.

<sup>11</sup> Foucault's idea of history of the present: “In my opinion, recourse to history is meaningful to the extent that history serves to show how that-which-is has not always been; that the things which seem most evident to us are always formed in the confluence of encounters and chances, during the course of a precarious and fragile history.” FOUCAULT, MICHEL. *Structuralism and post structuralism: An interview with Gerald Raulet*. *A quarterly Journal of Critical Thought* 55 (spring) 1983: 206. pp. 195-211.



These three themes cannot be understood separately, because each has an impact on the others and each is dependent on the others in the same way that Foucault explains power/knowledge relation. Whereas the political power has access to the discourses and to “truth”, the discourses also change politics and policies. Further, individuals can understand themselves within the limits of available discourses. However, the discourses can be developed in marginal positions too as repression creates resistance. This in turn may alter the existing policies and discourses.<sup>12</sup>

I will use as sources the court-case documents which were produced in the trials that controlled people’s same-sex sexual behavior. In the narratives of the seven men I use the methods of microhistory. The most important feature of the microhistorical approach is the reduction of the scale of observation. Through the microscopic scale, the researcher is able to reveal previously unknown factors from history and give a voice to people and experiences that otherwise would remain silent.<sup>13</sup> Giovanni Levi sees microhistory as an inquiry wherein a historian is concerned with defining ambiguities of the symbolic world and the plurality of the possible interpretations of it, rather than just concentrating on wider social structures. This means that microhistory ascribes importance to people and sees, in contrast to the view of structuralism, that people have a certain power and freedom in every system, how narrow it may be, to find their own way to deal with social norms.<sup>14</sup> Therefore, in this research, microhistory opens up a plurality of histories, agents and actions. The microhistorical approach reveals how it was possible to live a queer life in modernizing Finland and how the given social norms affected people, that is, how they acted, felt and perceived themselves.

I do not remain on the level of these individuals, but rather intensively examine other same-sex fornication trial documents, which form the basis of the generalizations made in this research. Together with these legal sources the statistics on criminality and population are studied and analyzed, as well as large number of medical, juridical and newspaper writings.

The subtitle of the thesis “Narratives of forbidden male same-sex relations from modernizing Finland” suggests many aspects of this research, which are to be elaborated in the next part of the introductory chapter. Thus, the rest of the introduction is divided into four sections by following the words of the subtitle: the first “*Narratives of*” tells about the microhistory approach and the way in

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<sup>12</sup> FOUCAULT, MICHEL. *Power/Knowledge. Selected interviews and other writings 1972-1977*. Pantheon Books, New York 1980.

<sup>13</sup> LEVI, GIOVANNI ”On Microhistory” in *New perspectives on historical writing*. Edited by Peter Burge. Polity Press, Cambridge and Oxford, 2001. 99, 101.

<sup>14</sup> LEVI 2001:98-99.

which the sources are used in this research. The second section, “*Forbidden*”, focuses on legal control over same-sex intimacy in Europe and Finland, from sodomic crime to twentieth-century decriminalization processes. The third section, “*Male same-sex intimacy*”, introduces the historiography of the history of homosexuality and places this piece of work into the existing research tradition. The fourth and the last section of the introductory chapter, “*From modernizing Finland*”, presents a general context to the particular country under the focus of this study, to Finland, which in fact underwent a lightning-speed modernization during the twentieth century.

## 1. Narratives of...

As a type of inquiry, *new microhistory* started to appear in the 1970s as a result of cultural change in humanist studies, meaning abandonment of big narratives and statistical research. Instead, researchers such as Natalie Zemon Davis and Carlo Ginzburg focused on small dimensions, people and their lives instead of national historical writing or analyzing huge population statistics. The most important features of the microhistorical approach are the reduction of the scale of observation and an intensive study of sources. The microscopic scale enables the researcher to unearth previously unknown factors from history.<sup>15</sup>

Giovanni Levi writes in his article “On microhistory” (2001) that “microhistory has tried to construct a more fluid conceptualization, a less prejudicial classification of what constitutes the social and cultural, and a framework of analysis which rejects simplifications, dualistic hypotheses, polarizations, rigid typologies and the search for typical characteristics.”<sup>16</sup> Levi sees microhistory as an inquiry where the historian is concerned with defining ambiguities “of the symbolic world, the plurality of the possible interpretations of it”, rather than just concentrating on wider social structures. At any given time, there are coexisting realities, many discursive universes, where people act, and where discourses act in them. Through the microhistory approach one is able to reveal the heterogeneousness of culture and politics, and the given possibilities for different actions.<sup>17</sup>

Though microhistory accentuates individual lives and experiences; its purpose is to reveal more general phenomena through individual, even exceptional, cases.<sup>18</sup> Ginzburg emphasizes the

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<sup>15</sup> LEVI 2001: 99, 101.

<sup>16</sup> LEVI 2001: 114.

<sup>17</sup> PELTONEN. MATTI. *Mikrohistoriasta*. Gaudeamus, Helsinki 1999:26.

<sup>18</sup> LEVI 2001:112-113.

importance of “peace between micro and macro dimensions”.<sup>19</sup> I agree with him in this: the finest points in this study result from alternations of microhistorical close-ups and macrohistorical panoramas.<sup>20</sup> This could be called a contextualization of certain microhistorical events. In addition, in this study some macrolevel statistical analysis is also done, in order to place the microhistorical stories into a wider context.

Agency, that is, in this case, how people lived through their sexualities, is an important element in microhistorical research. In microhistory the historian grants importance to the individual actors, who have, according to Levi, their “freedom” under every system, how narrow it may be, to find their own way to deal with social norms.<sup>21</sup> Therefore, in this research, microhistory opens up a plurality of histories, agents and actions, by showing how it was possible to live a queer life in modernizing Finland, and further, how the given social norms affected people, how were they able to act, feel and perceive themselves. Through this way I am able to search for answers to the third question of this research, that of the individual experiences.

To modern and contemporary historians court records are no longer only a way of obtaining knowledge about everyday life in history, but rather have become a way of knowing about the parts of life which remain hidden in other sources.<sup>22</sup> Sexuality is one of these parts of life: Sex, sexual norms, morals, and practices, as well as categorizing sexualities would not by their nature have left many written sources for the historians, but because sexuality has been controlled in different ways, we have many court records that tell stories about sex in the past. These records are, as Michel Foucault put it a “*great archive of the pleasures of sex*”.<sup>23</sup> Without careful reading of court case documents from the beginning of the twentieth century rural Finland, we would not have any information about people’s sexual habits or norms. One court case document with dozens of informants creates a window to their understandings and beliefs.

The main sources of this research are the court case documents that were produced under the Finnish criminal code’s section 20.12,1, called same-sex fornication section, during the period of 1894-1971. The sources are therefore products, or leftovers, of institutionalized control machinery. They are part of “the oppression archive”, and one could easily criticize the sources as overly

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<sup>19</sup> GINZBURG CARLO. ”Mikrohistoriasta” in *Johtolankoja*, translated by Aulikki Vuola. (”Microstoria: due o tre cose che so di lei”, 1993). Gaudeamus, Tampere 1996:186.

<sup>20</sup> GINZBURG 1996:186.

<sup>21</sup> LEVI 2001: 98-99.

<sup>22</sup> Court records have been used by microhistorians, and in particular early-modernists because they are one of the few existing documents which can offer information on ordinary people’s life that would otherwise remain unknown. Early-modernists have used court case documents for many purposes; many times their interest has not been in the crime itself, but rather in the information it provides about the broader contemporary culture as explained before.

<sup>23</sup> FOUCAULT 1990:63.

distorted due to their origin. For instance, Rydström has reminded us that court case documents are not a window to history but rather a narrow hole that produces a distorted picture about history. By this he means that court case documents represent only a fraction of human activity during the period under focus. Second, Rydström reminds that as a historian one has to be careful with not judging the past when analyzing the court records.<sup>24</sup> However, by asking different kinds of questions than asked by the sources, one can surmount the problem.<sup>25</sup> On the other hand the microhistorical sources have to be compared with other research, other sources and with more quantitative data.

Ginzburg, who uses a metaphor a police detective, showed that by following clues and by focusing on particularities, even conventional sources tell many stories. For instance, in the first chapter of the thesis we are dealing with an exceptional case of a teacher who abuses his pupils and servants. At first sight, twenty-first-century-reader would put this kind of a document aside as “a disgusting case of a pedophile”. However, the source is so rich that it opens a window to a village in 1912 with power structures, relations, and quarrels. It shows how the teacher’s sexual behavior had been known and tolerated for decades. Indeed, the teacher was a highly respected member of his community. It shows that boys were not seen as victims of sexual abuse, and that there was no interest whatsoever on known male relations that the teacher had with other men of his own social strata and many other things that tell about male same-sex intimacy in a new way. This information offers totally new perspectives and raises several new questions.

It was not an obvious decision to choose microhistory as a methodological tool for this research. In fact, I had gone to archives with an idea to collect a major part of the 1074 “same-sex fornication” trial documents, after which I planned to categorize them and make the wide discursive changes visible. The starting point for the research was the criminal statistics that showed radical changes in numbers of convictions in different decades of the twentieth century. I reasoned that the impetus for the changing tensions of control could only be found in the court case documents, and so I tried to classify and categorize the cases to different groups. It seemed to be a fairly reliable method as the

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<sup>24</sup> RYDSTRÖM, JENS. *Sinners and citizens. Bestiality and Homosexuality in Sweden, 1880-1950*. The University of Chicago press, Chicago and London 2003:17-19.

<sup>25</sup> As in his famous microhistorical work, Ginzburg used conventional sources, such as court case documents and inquisition documents, but asked new questions from the sources previously studied which made his study exceptional. In *Cheese and worms* (1976) Ginzburg abandoned the traditional way of researching witchcraft from inquisition sources but, instead, used the sources for understanding ideas and perceptions of life of an unknown 16<sup>th</sup> century miller. Through careful analysis of the limited source material, Ginzburg was able to show social relations between different social strata, and reveal belief and moral structures of the people of Menocchio’s time in Italy. The new way of reading the old sources opened up a totally new perspective on history. In GINZBURG 1996:180-181. PELTONEN 2007:14-16.

court case documents formed a coherent source series, from which big discursive changes and wider explanations were found. However, after having read the stories of hundreds of men, I felt it would be unfair if their stories became only a roster of models and numbers. In this research both methods are used: I have categorized and even done extensive quantitative analyses on court case records, but I have not remained on that level. Through this kind of method I was able to reveal different strategies that people used within the normative structures of society. In the research, thanks to the microhistory approach, I was able to show how individuals suffered, struggled, found their own ways and strategies, or created emotional spaces for their forbidden wills under the changing social structure of twentieth century Finnish society.

This research consists of seven narratives, each of which tells a story of one of the queer brothers.<sup>26</sup> Different degrees of access to the sources have resulted in each case being uniquely constructed. Whereas from the 1930s and 1960s I was able to collect only a small share of the cases tried in the period, from other decades I had an access to the majority of the cases. Thanks to Kati Mustola, I gained access to nearly all the cases tried around Finland in the post-war period (1945-1959). I chose the story of Lauri, because it had the elements common to that period. In this chapter I chose to do an extensive quantitative analysis in which the big picture of the 1950's conviction peak was researched. A significant finding was that despite the wide-ranging source material, the cases were extremely similar in cities from Lapland to Helsinki. This method was also used when constructing the chapter on war-related "soldier love". I had access to 11 cases from the total of 24 that were tried in court martial, thanks to Tiina Vatanen's (2010) master's thesis. As both the war-time homosexuality and the postwar conviction peak have been studied in Finnish historiography, I choose to research the overall picture instead of the particular.

The other five narratives are studied by using a classic microhistory approach. From the 1930s and 1960s I was able to collect only few court case documents,<sup>27</sup> and therefore I was not able to categorize the material into different types as regarding the war and the 1950s. However, the cases that I found were very rich, leading me to other interesting sources about the men who were

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<sup>26</sup> In microhistory narrative can be understood in three different levels. The sources are offering narratives, when people tell about the events, and in doing so make sense about the world around them. Secondly, court case sources do have a narrative on the legal process, which produced the sources. Thirdly, the historian when doing microhistory, collects fragmented "left overs" of the history and reconstructs a narrative, or a thick description out of the findings. More about this in: DAVIS, NATALIE ZEMON. *Fiction in the archive. Pardon tales and their tellers in the 16<sup>th</sup> century France*. Stanford university press, Stanford Calif. 1987; TELSTE, KARI. "A tale of courtship or immorality? Some reflections on court records as narratives" in Solvi Sogner (ed.) *Fact, fiction and forensic evidence. The potential of judicial sources for historical research in the early modern period*. University of Oslo, Oslo 1997.

<sup>27</sup> I was able to collect the cases that were tried in Helsinki and in Tampere, in addition some cases from countryside of Tavastia area.

convicted, such as newspaper writings, their own literary products, other court cases, television programs, pictures and so on. Though I was able to find all the same-sex fornication cases from the first two decades, I chose to use a microhistorical approach. I chose the cases in which I was able to find material that would offer answers to the questions. Thus, I strongly rely on the other court cases when constructing explanations, even though the focus is on stories of two men only (Juhani and Tuomas). The story of the castrated homosexual, called Simeoni, is exceptional because I found it in National Health Board documents. I came across Simeoni's case in an article that was written by psychiatrist Martti Kaila in 1940. Kaila discussed the meaningfulness of the sterilization law of 1935 by showing from a list of castrated sexual criminals, indicating the crime that led to castration. In the list of over 30 sexual criminals there were two castrations because of the same-sex fornication crime.<sup>28</sup>

## 2. ...Forbidden...

In this section of the introductory chapter I elaborate on the legal control over same-sex relations in European history. I will start from sodomic sin, which was the basis of the legal control over homosexuality in Christian Europe. Next, I will show the different traditions in Europe regarding penalization of same-sex relations in secular laws, and show Finland's position on the European developments. Finally the section shows how the same-sex fornication Section was used in Finland.

The first criminal codes written in Europe were based on the Bible, which meant that all over Christian Europe same-sex relations were criminalized as "sodomic sins".<sup>29</sup> The common interpretation of the story is that the sin of Sodomites was homosexuality, yet the story contains no

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<sup>28</sup> KAILA, MARTTI. "Sterilisoimislain kastratiota koskevien säännösten ja niiden täytäntöönpanon tarkoituksenmukaisuudesta." In *Lakimies*, vol 38. Suomalainen lakimiesten yhdistys. 1940: 84-107.

<sup>29</sup> There is a story about two Palestine cities in the biblical book of Genesis. According to the story, the cities, Sodom and Gomorrah, in which people had done 'grievous sin'. Because of the sins, God was about to destroy these cities, but before doing so he had to determine whether people's complaints about the cities were true. So it happened that he sent two angels to Sodom, to whom Lot, Abraham's nephew, offered a room over the night in the city. Before the sleeping time all the men of Sodom, from youngest to oldest came to the Lot's house, insisting to see the two strangers who had arrived to Lot's house, so that they "may know them" (Bible 1890) or "may have sex with them" (Bible 2000). Lot resisted and offered his two virgin daughters instead, and said that the men could do with them whatever he wished, if they just would not take the men who were his guests. The angels blinded the men of Sodom and said to Lot that he should leave the city with his relatives. Lot resisted, but the angels carried him away as the God wanted to save Lot. The following day, the God let rain sulfur and fire on Sodom and Gomorrah, and so destroyed both cities and people who lived there. Genesis, 17-19. Darby Bible, 1890. In Finnish Bible from the year 1774, is the same: "*tuota heitä meidän tykömme tutaksemme heitä*". World English Bible, 2000. In Finnish translation of the year 1992, the same was said as clearly: "*tuota heidät tänne, me haluamme maata heidät!*" ("bring them here, we want to lay them!"). In 1933/8, the translation "*tuota heidät tänne meidän luoksemme ryhtyäksemme heihin*" is much more ambiguous.

specific references to homosexual acts. Indeed, the story has been seen as a reaction against the rise of paganism and Greek culture.<sup>30</sup>

Based on the story in Genesis a new character, that of *a sodomite*, was born in early modern Europe, as the number of sodomy trials peaked in Southern European countries in the 15<sup>th</sup> century. Swedish historian Jonas Liliequist has shown that the anti-sodomy attitude reached England and Netherlands too,<sup>31</sup> but did not, however, reach Scandinavia, and it was only in the Swedish Law Book of 1608 that same-sex sexual actions were mentioned explicitly for the first time. All the same, the law was not much used: during the seventeenth and eighteenth centuries, only twenty sodomy trials took place in Sweden (Finland was part of the Swedish kingdom until 1809).<sup>32</sup>

A sodomite of the early modern period was typically a male individual who was accused of sexual acts with another man or a boy. Sodomy could also indicate anal intercourse between a man and a woman as well as lesbian relations and bestiality. Sodomites were described with biblical metaphors, as “sodomite hunters” who would bring God’s wrath down onto the country. This supernatural cultural image of the sodomite was, according to Liliequist, the reason why there were only few sodomy trials held in the eighteenth century Sweden. This means that it was impossible to identify a monstrous sodomite in everyday life, although the practices that were supposed to be “sodomitical” were practiced. Liliequist states that homosexual actions were practiced within the patriarchal structure, in households and in the educational system. For example, the master of the household could sexually exploit his servants and maids without provoking any reaction from society, just as schools tutors could exploit their pupils. Liliequist follows other sexual historians by saying that sexuality did not occupy the central position in a person’s self-definition as it does nowadays. In Liliequist’s opinion, then, homosexual acts were kept at a distance as occasional and undefined. They were therefore not associated with an individual’s personality or with the cultural concepts of the sodomite.<sup>33</sup> As this thesis will show, this attitude typical of eighteenth-century Sweden continued in Finnish countryside until late 1910s when the rural poor became more aware of their rights.<sup>34</sup>

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<sup>30</sup> CONRAD, PETER and SCHNEIDER, JOSEPH W. *Deviance and Medicalization. From Badness to Madness*. Temple University Press, Philadelphia 1992: 173-174.

<sup>31</sup> LILIEQUIST, JONAS. ”State Policy, Popular Discourse, and the Silence on Homosexual Acts in Early Modern Sweden.” in *Scandinavian Homosexualities, Essays on gay and lesbian studies*. Edited by Jan Löffström. The Haworth Press, Inc. New York and London 1998. pp. 15-52.

<sup>32</sup> LILIEQUIST 1998:16.

<sup>33</sup> LILIEQUIST 1998: 22-24.

<sup>34</sup> This issue will be discussed in *Juhani’s story*.

The first main transformation regarding legal control over same-sex sexual relations took place after the Enlightenment and Napoleon's victorious wars. At the turn of the nineteenth century the Napoleonic penal code, called *Code Napoléon*, spread all over western and southern Europe<sup>35</sup>, and, as the aim of the code was to secularize the law, it lifted the general ban on biblical 'sodomic crime'. However, at the time of the Code Napoléon same-sex sexuality had not yet gained the attention that it would after less than hundred years, when sexual deviances came to be an object of medical, psychiatric, anthropological, and criminological study, and so the reasons for legalizing same-sex actions lay more in anti-religious ethos of the code than in favorable attitude towards such relations.

After the revolutions of 1848, many European countries started to modernize their criminal codes.<sup>36</sup> At this point, all those European countries, except those within the Ottoman Empire<sup>37</sup>, criminalized male same-sex acts and also some same-sex acts between women.<sup>38</sup> Regarding sexuality in general, the new penal codes were puritan, allowing sexual relations only in wedlock. Except Germany and England, where the new laws against same-sex relations were purposely enrolled against already emerging same-sex subcultures, in northern Europe homosexual relations were criminalized, first, because the basis of the new secular laws had notions against same-sex relations;<sup>39</sup> and second, because the lawmakers of the time relied on the puritan moral code.<sup>40</sup>

The group of European countries that had criminalized same-sex relations in the nineteenth century's codification processes split into two groups at the turn of the twentieth century when Nordic countries started to decriminalize homosexual relations. In most of the Nordic countries,

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<sup>35</sup> Countries that adapted Code Napoleon and therefore decriminalized same-sex sexual relations were France 1791, Netherlands 1811, Belgium 1843, some cantons of Switzerland 1798, Luxemburg 1795, northern parts of current Italy 1804, Spain 1822, and Portugal 1852.

<sup>36</sup> Austria 1852, Sweden 1862, Denmark 1866, Iceland 1869, Germany 1871, Hungary 1878, Finland 1894, Norway 1902.

<sup>37</sup> Ottoman Empire lifted the general ban on same-sex relations in the 1858's criminal code. The code was based on French criminal code. In OZIL, AYSE, *Orthodox Christians in the Late Ottoman Empire. A study of communal relations in Anatolia*. Routledge, New York 2013:91.

<sup>38</sup> Countries where same-sex relations between women were criminalized were Finland, Sweden, Austria, and Greece and some cantons of Switzerland.

<sup>39</sup> The basis of the German and Austrian criminal code was *Constitutio Criminalis Carolina*, which was from the year 1530, and considered male sexual relations severe crimes, whose committers should be "executed by fire from life to death". In, HOFFMAN, RAINER et al. "Germany" in *Sociolegal control of homosexuality: a multi-nation comparison*. Edited by Donal James West and Richard Green. Plenum Press, New York 1997:255-266. 257. Also Swedish historian Jens Rydström argues that Swedish and Finnish criminal codes would have been influenced by *Constitutio Criminalis Carolina*. In RYDSTRÖM 2003:32-37.

<sup>40</sup> Amendment Act of 1885 in England made the sexual crime punishments more severe and was influenced by puritan morals. In GREENBERG, DAVID F. *Construction of Homosexuality*. The University of Chicago Press, London and Chicago 1988, 400; and COOK, MATT. *London and the culture of homosexuality, 1885-1914*. Cambridge university press 2003:40-47. Finnish penal code was established by supporting and protecting the absolute sexual moral, according which all the other forms of sexuality except marital, were outlawed.



homosexual acts between consenting adults were decriminalized during the period from 1933 to 1944.<sup>41</sup> Although Norway decriminalized male homosexuality only in 1972, the Norwegian penal code's Section against such relations was not strict, allowing prosecution against homosexuals only "if public interest so demanded", and actually the law was hardly ever used and it has been said that, in practice, Norway was the first Nordic country to lift the general ban on homosexuality.<sup>42</sup> Among Nordic countries, then, Finland stands as a rare bird, having decriminalized same-sex fornication only in 1971, and the Section was actively employed till the later part of the 1960s.

Simultaneous with the Nordic decriminalization process many other European countries started to control homosexual behavior strictly. In fact, in this study I will show how Finland went along with these countries, such as Germany, England, and many Eastern European countries. While Germany continued instituting stricter laws against same-sex relations in the 1930s, Finland and England also increased control over same-sex fornication, thus causing an exponential peak in numbers of convictions in both countries in the postwar period.<sup>43</sup> In this thesis the postwar period is studied in the sixth chapter.

The differences in tension of control show that not only the criminal code can show the actual attitude towards same-sex practices. For instance, France and Italy had strict policies against homosexuality in the 1930s even though they did not have any particular laws that prohibited male sexual relations. Indeed, France, the first country to decriminalize homosexual actions at the end of the Revolution of 1789, underwent the same developments as the other European countries, such as purity movements, fear of decadence and demographic concerns, all of which interacted with homosexuality. Since the Victorian age in France, public homosexual behavior had been highly controlled by the police, and sanctions were harsh. This, in turn, meant that there was little freedom to follow a homosexual lifestyle, since those practices were culturally seen as criminal. This attitude lasted in the third republic as well, and many people were convicted by the law of *offences against*

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<sup>41</sup> Homosexual relations between adults were decriminalized in Nordic countries as follows: Denmark 1933, Iceland 1940, Sweden 1944, Finland 1971, and Norway 1972.

<sup>42</sup> HALSON, MARTIN SKANG. "Norway 1842-1972. When Public Interest Demands." In *Criminally Queer: Homosexuality and Criminal Law in Scandinavia, 1842-1999*. Edited by Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007:91-117.

<sup>43</sup> HEKMA, GERT. "Same sex relations among men in Europe 1700-1990" in *Sexual cultures in Europe. Themes in Sexuality*. Edited by Eder, Franz X et.al. Manchester University press, Manchester, 1999:94. Hekma indicates the years from 1933 to 1955. MUSTOLA, KATI. "(Re)Production of Silence by Production of Limited Noise. The Social Control of Homosexuality through Criminal Court Process and Medical Surgery in the 1950's in Finland." In *Silence, Discourse and Deprivation*. Edited by Sakari Hänninen, 50-58. Stakes Jyväskylä: 1994,52. HOULBROOK MATT. *Queer London. Perils and Pleasures in the Sexual Metropolis 1918-1957*. The University of Chicago Press, London 2005: 33-34.

*public decency*.<sup>44</sup> The same happened in Italy during the Fascist period. Although the law did not consist of any explicit anti-homosexual laws, homosexual conduct militated against the cultural moral norms and homosexuals were prosecuted by different laws.<sup>45</sup>

The following seems to work as a generalization regarding European history: the more totalitarian the country, is the more controlled is same-sex intimacy. In Eastern Europe, the Soviet Union and socialist dictatorships developed their own practices in relation to deviant sexual relations. Homosexual acts were decriminalized in these countries only after the Soviet Union collapsed and the countries turned to democracy and changed their penal codes. Interestingly, Russia had decriminalized homosexual relations after the Bolshevist revolution in 1917, but these were re-criminalized in 1934 during Stalin's dictatorship.<sup>46</sup> During the Nazi regime, Germany tightened Paragraph 175 to include all male-male sexual practices, because homosexuals were seen as a threat to German society and its success.<sup>47</sup> Dictatorship can also be seen as a factor contributing to the Spanish and Portuguese developments: influenced by the Code Napoleon, both countries had decriminalized homosexual actions, but in later decades, re-criminalized these actions. Portugal and Spain decriminalized homosexuality when they turned to democracy after their right-wing dictatorships ended and when they set up their new civil codes.<sup>48</sup>

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<sup>44</sup> COPLEY, ANTONY. *Sexual moralities in France 1780-1980. New ideas on the family, divorce and homosexuality*. Routledge, London and New York 1989: 99-107, 135, 152-154.

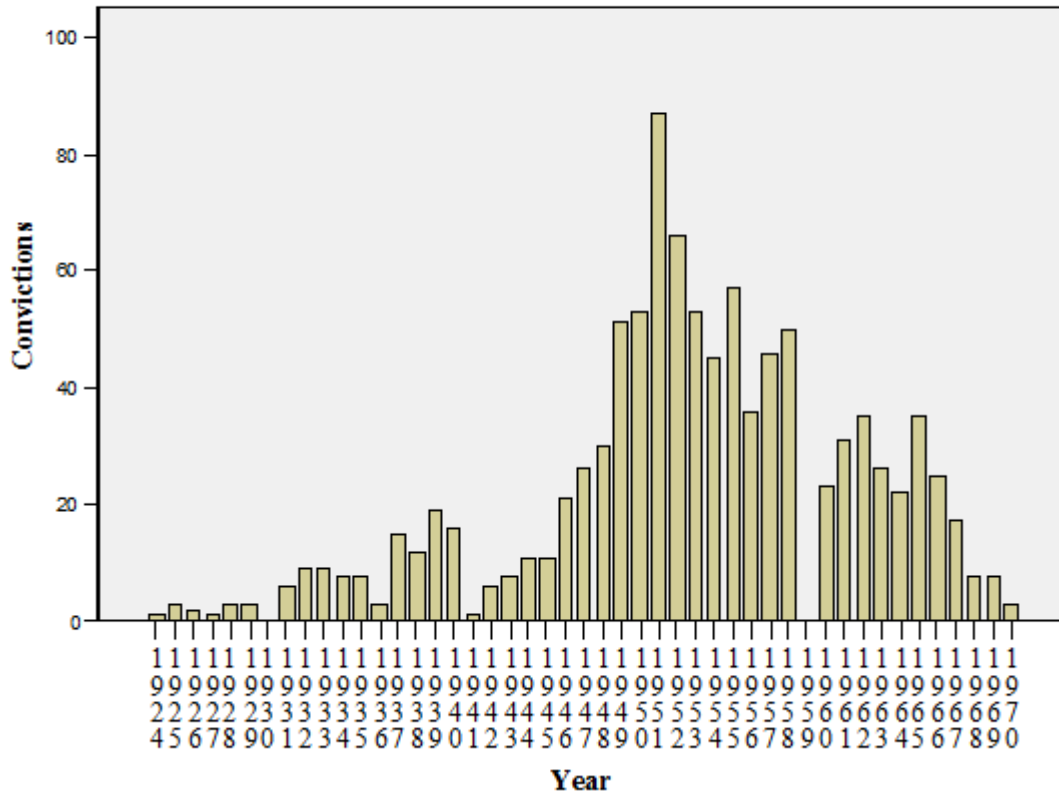
<sup>45</sup> BENADUSI, LORENZO. *Il nemico del uomo nuovo, l'omosessualità nell'esperimento totalitario fascista*. Feltrinelli, Milano 2005.

<sup>46</sup> TAMAGNE, FLORENCE. *A history of homosexuality in Europe. Berlin, London, Paris 1919-1939*. Algora, New York 2004: 280.

<sup>47</sup>For example in, GOESCHEL, CHRISTIAN. *Suicide in Nazi Germany*. Oxford University Press, Oxford 2009: 87-88.

<sup>48</sup> GERT, FRANZ EDER et al. *Sexual cultures in Europe: Themes in Sexuality*. Manchester University Press, Manchester 1999: 94-95.

Figure 1.1. The number of same-sex fornication convictions given in Finnish lower courts. 1924-1970.



Made from the statistics of Mustola.<sup>49</sup> The number for the year 1959 is missing.

Finland kept same-sex fornication in its criminal code until 1971. According to the Finnish Penal Code, *if someone commits fornication with a person of the same sex, both should be punished by imprisonment for not more than two years.*<sup>50</sup> This same-sex fornication Section (20:12, 1)<sup>51</sup> was placed in the Criminal Code under the topic *Illicit interference and other fornication*. The old image about sodomites was still included in the new criminal code as same-sex fornication was encoded in the first subsection and bestiality in the second subsection of the article.

The same-sex fornication Section was employed differently in different years, as we can see from Table 1. During the period from 1894-1971, 1,074 people, mainly men (1023), were sentenced to

<sup>49</sup> MUSTOLA, 1994: 52.

<sup>50</sup> Finnish Penal Code 1889/1894 20:12,1 ”Jos joku harjoittaa haureutta toisen samaa sukupuolta olevan kanssa; rangaistakoon kumpikin vankeudella korkeintaan kahdeksi vuodeksi”. *Suomen Suuriruhtinaanmaan Rikoslaki siihen kuuluvine asetuksineen*. E. W. Edlund, Helsinki 1906:59.

<sup>51</sup> **20** indicates *the chapter*, which gathered together all sexual crimes. **12** is *the section*, under which both same-sex fornication and bestiality were placed. **1** indicates the exact *subsection* that illegalized same-sex fornication.

imprisonment.<sup>52</sup> Before the 1930s only a few same-sex fornication convictions were given, but the number started to rise slowly from the 1930s to the beginning of the 1950s, after which the number of convictions peaked. While the law was effective, well over half (664) of all the court decisions made were given during the short period of 1946–1958. The two years that really stand out are 1951 and 1952, when the number of convicted reached 87 and 66.<sup>53</sup>

Changes in the number of convictions indicate changing attitudes towards same-sex intimacy. Finnish legal historian Heikki Pihlajamäki has shown that changes in the Finnish criminal code were made on the basis of political interests and societal challenges. That is, the new ideas provided the opportunity to change the criminal code for political needs.<sup>54</sup> Thus it was the political atmosphere that was responsible for the changes in the Finnish criminal legislation during the first half of the twentieth century. For instance, before Finnish independence (in 1917) when the social democrats were in power, punishments for abortion were mitigated. After the civil war, instead, the political force went to the right, and this revealed itself in harsher legislation, and indeed the 1930s can thus be seen as a decade of strict control policy.<sup>55</sup> If we look at Table 1 (previous page), we can see that the 1930s was also the first decade during which the number of convictions for same-sex fornication started to multiply.

Criminal policy tightened after the Second World War. In 1950, many punishments became more rigorous. For example, punishments for sexual offences against children were made more severe and a coercive castration law was tightened.<sup>56</sup> All sexual crimes peaked in the postwar period as can be viewed from the statistical ledgers. While in 1938, 83 people were convicted of *sexual offences involving a minor*, 80 individuals received a conviction for the same offence in 1951. Convictions for other sexual offences (excluding same-sex sexual fornication offences and bestiality) rose from 142 convictions in 1938 to 506 convictions in 1951. The year 1951 was also a peak year for same-sex fornication convictions, with 87 people convicted.<sup>57</sup> Thus control over sexual behavior in general, became increasingly accurate in the post-war Finland.

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<sup>52</sup> SORAINEN 2005:2, 6.

<sup>53</sup> MUSTOLA 1994: 52.

<sup>54</sup> PIHLAJAMÄKI, HEIKKI. "1900-luvun rikosoikeudellisia kehityslinjoja. –Kalssisesta rikosoikeudesta uusklassiseen." in *Suomen oikeushistorian pääpiirteet. Sukuvallasta moderniin oikeuteen*. Edited by Pia Letto-Vanamo. 270-283. Gaudeamus, Jyväskylä. 1992: 270-274.

<sup>55</sup> PIHLAJAMÄKI 1992: 276-277.

<sup>56</sup> PIHLAJAMÄKI 1992: 280.

<sup>57</sup> Juridical statistics relating to Criminal Proceedings 1951 and 1952. Suomen virallinen tilasto. Helsinki 1956: 10.

The notion that there existed a differing tension of control over same-sex intimacy evoked my interest to study the topic. The Finnish developments were similar to many other European countries, even though in Nordic context they were unique. The developments in other European countries' legislations and control mechanisms over same-sex intimacy form a base for comparison when analyzing the Finnish case. The reasons for differing policies towards same-sex intimacy are found in different population policies, political settings and different perceptions of same-sex intimacy. Next, the introductory chapter focuses on the history and the historiography of same-sex intimacy in Europe and Finland in order to place this research in the existing research tradition.

### 3. ...Male same-sex desires...

Before Eve Kosofsky Sedgwick's influential book *Epistemology of the Closet* (1990),<sup>58</sup> the history of male intimacy had been studied from either the essentialist or constructivist point of view. Whereas essentialists viewed homosexuality as a more-or-less timeless entity and homosexuals as a minority group,<sup>59</sup> constructivists were more loyal to the notions of Foucault and Weeks among others, who had treated homosexuality as a historical construct. Whereas for essentialists it was possible to study the history of "gay ancestors" in different historical contexts, the constructivists viewed that "something we know as homosexuality" was developed only in the latter part of the nineteenth century.

Jeffrey Weeks, Mary McIntosh, Kenneth Plummer and Michel Foucault viewed homosexuality as a social construct. As early as 1969, McIntosh wrote in her article "Homosexual role" about the

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<sup>58</sup> SEDGWICK 1990.

<sup>59</sup> Some scholars working on the history of homosexuality saw homosexuality as a more-or-less universal and stable entity. These "essentialists" can be characterized mainly by its political objectives. The first wave of gay studies by this group was published in the late 1970s. The purpose of these was, on the one hand, to produce emancipatory writings about homosexual lifestyles in different historical contexts and, on the other, to write stories about the 'gay ancestors' of the past. Publications dealt with long timelines and different cultures, as well as with political movements and persecutions. Homosexuality was not treated as a historical cultural construct and therefore the subtitles of the books like these were, for example, *Gay People in Western Europe from the Christian era to the Fourteenth Century*. Most scholars supported the constructivist approach, reflecting a general approach to the conceptualization of homosexuality, and, in fact, the essentialist view began to recede little by little. Indeed, according Rydström the contribution made by David Greenberg's book *Construction of Homosexuality* (1988) ended the debate on the field. Greenberg took the constructivist approach when constructing the history of the perception of homosexuality in different historical societies. He was aware of the debate at the time of his book and he was skeptical about the ways in which gay history can be said to be the gay people's history. BOSWELL, JOHN. *Christianity, Social Tolerance and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century*. University of Chicago Press, Chicago 1980. Some of the other pioneer works: STEAKLY, JAMES. *The Homosexual Emancipation Movement in Germany*. Arno Press, New York 1975; DOVER, K. J. *Greek Homosexuality*. Harvard University Press, Cambridge 1978; KATZ, JONATHAN N. *Gay American History, Lesbian and Gay Men in the U.S.A.* Avon Books, New York 1976. About the shift from essentialism to constructivism in WEEKS, 2000: 130. RYDSTRÖM 2003: 5.

problem of defining homosexuality. She referred, for example, to the *Kinsey reports*<sup>60</sup> and wanted to show how difficult it was to put people into homo- and hetero- categories. With this she wanted to express the idea that homosexuality was *a role* that one takes on.<sup>61</sup> However, the constructivist approach to homosexuality became widely adopted after Foucault's and Weeks' groundbreaking works in the late 1970s. Plummer's outstanding work *The Making of the Modern Homosexual* (1981) took the same critical constructivist approach with its collection of articles. Plummer discussed the labeling aspect of homosexuality, in which he described the cultural specificities in relation to same sex-sexual actions. The book also discussed how and why people define themselves as homosexuals and what they mean when they do this.<sup>62</sup>

The queer-study approach was developed from a constructivist view on homosexuality. The above-mentioned Sedgwick appended to her analysis in the *Epistemology of the closet* the notion that gay studies having treated the homosexuality-heterosexuality binary in a too-fixed and simple way. According to Sedgwick, the constructivist view on homosexuality had forgotten to "denaturalize" and "deconstruct" homosexuality, and sexual categories altogether. Following Sedgwick there is no "homosexuality as we understand it today", in other words, there is no natural type of homosexuality to be sought from history. Sedgwick employed feminist theories and stated that co-existing homosexualities of today are to be viewed as culturally constructed as the ones in the past.<sup>63</sup>

Weeks on his part was not satisfied with the queer approach. He stated in 2000 that "we" (meaning constructivists of the 1970s and 1980s) have used a similar approach for over 25 years, and that the queer study approach does not add anything new to the field.<sup>64</sup> However, in my view, queer studies offer a more-explicit and better-formulated way to look beyond the hetero- homo dichotomy to the diversity of different sexual actions, desires and sexualities. From the queer-theoretical point of view, even constructivist studies tried to handle homosexuality as a cultural construct: that is, they still implicitly reconstructed the category and treated homosexuality as a fixed entity with a

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<sup>60</sup> Alfred Kinsey and colleagues studied a massive amount of data on sexual behavior in the United States in the 1940s and he found that homosexual experiences were much more common than commonly thought. Thirty-seven percent of males had had at least one homosexual experience in their lives. In KINSEY, ALFRED et al. *Sexual Behavior in the Human Male*. Indiana University Press 1998: 610-667. Originally published in 1948.

<sup>61</sup> McINTOSH, MARY. "The Homosexual Role" in Plummer Kenneth, *The Making of the Modern Homosexual*. Hutchinson, London 1981.

<sup>62</sup> Especially in the article PLUMMER, KENNETH. "Homosexual categories: some research problems in the labeling perspective of homosexuality". in Plummer Kenneth, *The Making of the Modern Homosexual*. Hutchinson, London 1981. pp. 53-75.

<sup>63</sup> About the essentialism/constructivism debate in WEEKS 2000:130. RYDSTRÖM 2003.

<sup>64</sup> WEEKS, JEFFREY. *Making sexual history*. Polity press, 2000:53-54.

heterosexual counterpart, even though the purpose was to deconstruct these categories, not to reconstruct them.<sup>65</sup> According to queer studies there are and have been many non-normative sexualities, identities and practices which are not referable to in terms of homo- or hetero-categories. Queer scholars have been very strongly influenced by the work of Louis Althusser, Jacques Derrida, Jacques Lacan, and Foucault. The main names in this area are Judith Butler, Sedgwick and David Halperin, the last two of whom focus on homosexuality.<sup>66</sup> In their book, *Queer Studies, An Interdisciplinary Reading* (2003), Robert J. Corber and Stephen Valocchi state that from the queer studies' point of view, gay and lesbian desires, practices, and identities are provisional and contingent. Following Foucault, they state that in the queer studies sexuality is seen as a historically specific organization of power, discourse, bodies and affectivity.<sup>67</sup>

A queer-study approach would ask why male same-sex intimacy formed an identity category and why for instance the figure of the turn-of-the-twentieth century masturbator, did not.<sup>68</sup> Jens Rydström has studied this in his thesis by comparing homosexuality and bestiality. Coming from the same root of "sodomy," bestiality disappeared totally whereas homosexuality formed an identity category during twentieth-century Sweden. Rydström argues that this happened when the sexual discourse changed from a penetration paradigm to a masturbatory paradigm, which was closely connected to the creation of homosexual identity. The identity then was by and large built following the scientific knowledge among those who desired people of their own sex.<sup>69</sup>

Rydström's notion of scientific knowledge and sexual identity leads to the big narratives that are told in the connection of the history of same-sex intimacy. The most important paradigm is based on Foucault's notion about "homosexuality becoming species". Another important paradigm in twentieth-century historiography is the "coming out" narrative. Let us analyze these narratives a bit: Foucault noticed that in the latter part of the nineteenth century male same-sex intimacy started to attract scholarly attention, creating a situation in which homosexuality became an object of scientific knowledge and analysis.<sup>70</sup> The development can be epitomized by word combinations,

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<sup>65</sup> SEDGWICK 1990: 9-12.

<sup>66</sup> SEDGWICK 1990. SEDGWICK, EVE KOSOFKY. *Tendencies*. Duke University Press, Durham 1993. HALPERIN, DAVID. *How to do the History of Homosexuality*. University of Chicago Press, Chicago and London 2003. and *One hundred years of homosexuality. And other essays on Greek Love*. Routledge, New York and London 1990.

<sup>67</sup> CORBER and VALOCCHI 2003.

<sup>68</sup> SEDGWICK 1990: 9.

<sup>69</sup> RYDSTRÖM 2003: 316-317.

<sup>70</sup> FOUCAULT, MICHEL. *History of Sexuality 1. An introduction*. Translated by Robert Hurley. Vintage Books, New York 1990: 43.

such as “sin, sickness, identity”, or “freedom, oppression, emancipation”. This big narrative has been elaborated around the world in different historical contexts from three earlier-mentioned perspectives: essentialist, constructivist and queer, depending how same-sex intimacy is viewed as an object of research. There is no need to claim that the big narrative of this research would be any different. However, the big narrative is tested in the Finnish context through the queer-study approach and through an intensive reading of contemporary sources.

Another big narrative of the twentieth-century history of homosexuality is that of repression and liberation, in which the narrative *the closet* plays an important role: thus homosexuals were *closeted* at the time of repression, and *came out* from it through liberation. In Finnish research the works of Juvonen, Mustola and Stålström have shared this paradigm and view on homosexuality.

Juvonen’s analysis of 1950s magazines and the discourses on homosexuality deconstructs the discourses on homosexuality but keeps homosexuality an unchangeable object, towards which the attitude was hostile in the post-war years. Juvonen uses also oral sources, in which the informants recalled their lives as homosexuals in the 1950s and 1960s. Oral sources of Juvonen’s informants are not analyzed through the “coming out narrative”, even if it is evident that this narrative affected their stories about the closeted homosexual life in 1950s and 1960s Finland.<sup>71</sup> Repression is a strongly present notion in Olli Stålström’s dissertation “The end of the sickness label of homosexuality” (1997), in which he writes about the repression of homosexuality through psychiatric, mainly psychoanalytic, power.<sup>72</sup> Further, sociologist Kati Mustola has analyzed the criminal statistics, as they would tell about the control over “homosexuality” in Finland.<sup>73</sup> Equally, when she studied war-time male sexual relations through memorials of some war veterans, she viewed the practices timelessly as “homosexuality”.<sup>74</sup>

It seems that twentieth-century history on male same-sex intimacy needs the stories of being closeted and suppressed. They work as “war legends” and reminders for the “later gay generations”, but when doing so they limit our view on seeing the multiply existences of male intimacy and

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<sup>71</sup> In oral history the current situation affects the view on the past. When recounting about the homosexual life before the emancipation in the 1990s, one easily sees causation between the past and the present.

<sup>72</sup> STÅLSTRÖM, OLLI. *Homoseksuaalisuuden sairausleiman loppu*. Gaudeamus, Tampere, 1997.

<sup>73</sup> MUSTOLA, KATI. "(Re)Production of Silence by Production of Limited Noise. The Social Control of Homosexuality through Criminal Court Process and Medical Surgery in the 1950's in Finland." In *Silence, Discourse and Deprivation*, edited by Sakari Hänninen, Stakes Jyväskylä 1994.

<sup>74</sup> MUSTOLA, KATI. "Homoseksuaalisuus ja sota." In *Ihminen sodassa*, edited by Tiina Kinnunen and Ville Kivimäki. Minervakustannus oy, Helsinki 2006.



sexual behavior. If chasing after only familiar or desired types of homosexuality from historical sources, the diversity and “queerness” of sexual practices, appreciations and desires are left without voice and the historical perspective is determined exclusively by the contemporary view. Repression and liberation and the metaphor of the closet are important, but they should be used in a more flexible way. Thus, one can be closeted only when he or she knows that there is a space outside “the closet”, and is aware of the power structures that marginalize him or her in the closet. For being able to emancipate one has to have a sense of the self that is repressed and in a need of liberation. These notions, too often forgotten in the historiography, are shown in this research in many different examples.

The repression paradigm has been contested in different studies of the twenty-first century as the queer- studies approach has become more common. For instance, Matt Houlbrook argued against the “witch hunt” discourse, according to which homosexuals were witch-hunted in post-war London. He shows that the increasing control of homosexuals in the public sphere did not happen as an order coming from up to the grassroots level, but the opposite: the police gained knowledge about the park life through their work experience, which led to a more-aware patrolling of the city sphere. Houlbrook says that no orders from above were given. Already in 1994, Löfström took the same stance regarding the Finnish developments. He questioned the conviction peak and said that there had been little interest on the part of the medical authorities to control homosexuality. Löfström took a constructivist view in his analysis of homosexuality in Finland, as the title of the unpublished dissertation suggests: “Social construction of homosexuality in Finlannish society”.<sup>75</sup> In this research it is shown that the conviction peak was a result of many coincidences, from which the increased police patrolling in parks, the perception of homosexuality as an antisocial element of the urban sphere, and the Summer Olympics of 1952, which created the pressure to “clean the city” from unwanted elements, each played a part.

In this study the narratives of repression and liberation, and of closeted and post-closeted, are acknowledged and tested. Especially the last chapter of the thesis shows in a clear way how in the latter part of the 1960s more widely shared group identities started to get established in Helsinki. This led to the awareness of legal injustice and repression. Role models about “life outside the closet” were taken from other European countries that had decriminalized homosexual relations and in which homosociability was active and open. The thesis also shows the limits of the sensation of

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<sup>75</sup> LÖFSTRÖM, JAN. “The social construction of homosexuality in Finnish society, from the late nineteenth century to 1950s” PhD Diss. University of Essex, 1994.

repression and “being closeted”. Simeoni, the castrated “homosexualist”, was repressed, if looking at his position from the post-closeted perspective. However, for Simeoni that was the only possible reality and he no idea that another kind of life “outside the closet” could exist for him. Simeoni consented to the castration because that or suicide were his only means of “liberation.”

Let us now move from the theoretical level to content and see what has been studied in Finnish gay and queer history and how the current research fits into the literature. The studies on same-sex sexual intimacy in Finland form a rich but a scattered bunch of historiography, starting to appear in the early 1990s, and after a short pause, at the turn of the new millennium reappeared. The increasing interest in historical studies on homosexuality can be explained by the overall interest towards homosexuality in the Finnish cultural sphere.<sup>76</sup>

The ground-breaking study in the field was done by Jan Löfström in 1994.<sup>77</sup> He studied the social construction of homosexuality in Finland in the first half of the twentieth century. The double-thrust of the thesis is that homosexuality as a category was established in Finnish culture only in 1950s, and that homosexual behavior did not have cultural significance in Finnish rural culture. Löfstöm worked at a time when the field was quite virgin, and so he was able to check all the possible source types without concentrating on any of them particularly. He mainly relied on folklore material, especially when he studied agrarian culture. Löfström drew a picture of Finland as an exceptional country regarding gender roles, which also kept same-sex sexual relations in a culturally marginal position. His study is as much about gender roles as it is about homosexuality. In fact, the outcome of the dissertation was book titled “Gender difference in Finnish agrarian culture”<sup>78</sup>, which discussed gender division and used the homosexual category as a tool to explain it. In general, I find his arguments plausible. However, even though Löfström writes a chapter on agrarian homosexuality, his argumentation about ‘the silence’ around homosexuality is based on the fact that

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<sup>76</sup> In 1999, the criminal code was changed to be sex-orientation neutral. In 2002, the law of ‘registered partnership’ was passed. In 2006, the law of assisted insemination allowed treatments for female couples. In 2009, the right for internal adoption for registered same-sex couples was instituted. Overall, homosexuality as an issue has been established to form one of the leading moral-political questions in political debates. This happened for instance in parliamentary elections in 2011 and again in presidential elections in 2012 when another of the main candidates was openly gay. 2013 has been a year of debate over a gender-neutral marriage law that has been passed already in many parts of western and Nordic Europe.

<sup>77</sup> LÖFSTRÖM 1994.

<sup>78</sup> LÖFSTRÖM, JAN. *Sukupuolihero agrariakulttuurissa. ”Se nyt vaan on semmonen”*. Suomalaisen Kirjallisuuden Seuran Toimituksia 757. Vaasa, 1999.

he did not find “homosexuality” in his folklore sources. In this research, with previously unstudied sources, we are able to see what this ‘silence’ meant in practice.<sup>79</sup>

Because of Löfström’s notion about the importance of the 1950s, evidenced also in the conviction peak of the same-sex fornication, the latter Finnish scholars have focused on that period and on the Second World War. Sorainen, in her above-mentioned doctoral dissertation studied five female-fornication cases in East Finland in the 1950s. She used a legal and gendered approach in her study.<sup>80</sup> In 2002, Juvonen studied the cultural atmosphere of homosexuality in postwar Finland. She concentrated on one Finnish city and its homosexual subculture, and also on discussions in the media, mainly in tabloids, about the ‘Swedish disease’, as homosexuality was called at that time.<sup>81</sup>

From my point of view, the most important and most contested theory of Finnish historiography is that of Juvonen’s about war-time homosexuality and its connection to the post-war same-sex fornication conviction peak. Juvonen claimed in her article in 2006, that because of the assumingly common homosexual practices during Second World War, the heterosexuality of a Finnish man had to be reconstructed in the post-war period.<sup>82</sup> This in turn, according Juvonen, caused the negative atmosphere towards homosexuality prevalent at the time. Mustola relied on Juvonen’s theory when she wrote two articles, one about war time homosexuality (2006)<sup>83</sup> and another about the history of Finnish homosexuality (2007).<sup>84</sup>

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<sup>79</sup> The history of homosexuality is mainly an urban history. However, one ground-breaking study on rural homosexuality comes from the United States, where John Howard studied Mississippian queer life in the post-war period. He showed how queer practices were part of village life, in that part of the United States, which was known by its traditional values. Neighboring boys or cousins practiced homosexual acts at home, without this ever being labeled as homosexuality in the sense that it had taken on in the big American cities at that time. HOWARD, JOHN. *Men Like That. A Southern Queer History*. University of Chicago Press, Chicago 1999.

<sup>80</sup> SORAINEN, ANTU. ”Rikollisia sattumalta? Naisten keskinäistä haureutta koskevat oikeudenkäynnit 1950-luvun Itä-Suomessa.” University of Helsinki, 2005.

<sup>81</sup> JUVONEN 2002.

<sup>82</sup> Juvonen followed John D’Emilio’s writing on the effects of the Second World War on homosexuals in the United States, where in the post-war period, homosexuals became more visible, associations were founded, their lifestyles were discussed in the press, and novels were written about them. D’Emilio sees the reason for this lied in the social disorder that the war had created. The war is portrayed as a state which shakes up traditional values and ways of living. When young people are moved away from their heteronormative living environments to same-sex living conditions, many different sexual practices come into being, the argument goes. D’EMILIO, JOHN. “Capitalism and Gay Identity” in *Culture, Society and Sexuality*, Ed. Perker, Richard and Aggleton, Peter. UCL Press, London 1999:243. First published in 1983.

<sup>83</sup> MUSTOLA 2006. American self-made historian, Allan Bérubé has also written about homosexual experiences during the Second World War through interviews with over 9,000 Americans who went to fight. In her article, Mustola was inspired by Bérubé’s work. BERUBE, ALLAN. *Coming Out Under Fire, The History of Gay Men and Women in World War Two*. Free Press, New York 1990.

<sup>84</sup> MUSTOLA, KATI “Finland, a turbulent past 1894-1971” in *Criminally Queer. Homosexuality and criminal code in Scandinavia 1886-1999*. Edited by Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007.

In this study the importance of the war is recognized, but it is viewed as one of the many arenas in which new discourses on same-sex intimacy were produced and disseminated. Moreover as the previous studies concentrated only on the war or post-war periods, it is difficult to see that these processes that had actually started already in the 1930s. With its longitudinal-orientation and comparative perspective, this research shows that the 1950s' heightened control over same-sex practices had started long before the Second World War and that the same kind of developments were experienced in many parts of conservative 1930s Europe.<sup>85</sup> Further, Juvonen does not fully take into account that Finnish history is replete with examples of mobility and gender-segregated groups, and therefore the war as such was not exceptional.<sup>86</sup> Nonetheless, her work was remarkable, as it showed that homosexual practices were practiced by only a small minority group we tend to call homosexuals. The second and fourth chapters of the thesis tell about these things: the second about the prisoner camps of the 1918 civil war and the fourth about work-camp sexuality. Thus, this study shows that long before the World War Two, sporadic "pseudohomosexual" actions in gender segregated groups were considered common and harmless. Only on the eve of the war did these relations start to be viewed as dangerous, because of the new discourses on homosexuality.

A number of undergraduate-level studies on the history of homosexuality in Finland have enriched this work. Johanna Virtanen wrote on the specification of homosexuality in Finland in 1880-1920<sup>87</sup>, where she mainly followed Löffström's sources and arguments, but more than Löffström, Virtanen concentrated on writings of educated people, and mainly on moral pamphlets. In the area of legal

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<sup>85</sup> In many European countries, the policies toward sexual minorities were tightened up from the 1930s onwards. A perfect example is that of Sweden, where the number of convictions rose as dramatically as it did in Finland, but it happened ten years earlier than in Finland. Germany changed the law for homosexuality in its law reform of 1935. Before this only the *para-coital* act (intercourse-like, penetration) with another man had been illegal. After the reform any acts of indecency with another man, as well as passive acquiescence to indecency, were punished with imprisonment. This shift had an effect on Finland, too. For instance, in that same year Finland introduced a new sterilization law that made it possible to castrate homosexuals, as well as sexual offenders. In HIETALA, MARJATTA. "Tutkijat ja Saksan suunta." *Tutkijat ja sota, suomalaisten tutkijoiden kontakteja ja kohtaloita toisen maailmansodan aikana*, edited by Marjatta Hietala. Suomalaisen Kirjallisuuden Seura, Historiallinen arkisto 121, 30-142. Gummerus kirjapaino Oy, Jyväskylä, 2006; KAILA, MARTTI. "Sterilisoimislain kastraatiota koskevien säännösten ja niiden täytäntöönpanon tarkoituksenmukaisuudesta." In *Lakimies*, vol 38. Suomalainen lakimiesten yhdistys. 1940: 84-107. GILES, GEOFFREY J. "Legislating Homophobia in the Third Reich: The Radicalization of Prosecution Against Homosexuality by the Legal Profession." *German History*; Vol. 23:3, (2005): 339-354.

<sup>86</sup> Finnish labour history is full of gender-segregated living conditions: Men went to the forests, and worked as lumberjacks, or went to the cities for the winter months, and returned home for the summer cultivation or worked in the railway work and roadwork. In agrarian Finland men were very mobile and had long periods without access to women. In WARIS, HEIKKI. *Työläisyhteikunnan syntyminen Helsingin pitkänsillan pohjoispuolelle*. Helsinki 1932: 127-128. According oral sources among lumberjacks homosexually tinged performances were common and initiative traditions included performances which demonstrated anal penetration. In *Jätkät sen kun porskuttaa*. Edited by Timo Holtari and Urpo Vento. Weilin+Göös, Helsinki 1970. In addition Finland had its bloody civil war, after which tens of thousands people lived in prisoner camps. The second chapter shows how Tuomas engaged in same-sex intimacy exactly in one of the prisoner camps in 1918.

<sup>87</sup> VIRTANEN, JOHANNA. "Luonnotonta haureutta, samaan sukupuoleen kohdistuneen halun määrittäminen Suomessa vuosina 1880-1920." Master thesis. University of Jyväskylä, 2008.

studies, Marjukka Hägström studied the life cycle of certain sections of the criminal law, namely prohibition, vagrancy, and homosexuality.<sup>88</sup> Hägström carefully combed through the developments of the same-sex fornication Section, and described it as a development of secularization of society. Juvonen's war theory was followed by two undergraduate master's theses, on which one concentrated on different sexual crimes in the court martial<sup>89</sup> and the other on homosexual crimes in the post-war period.<sup>90</sup> In addition, three master's theses were used in my construction of the last chapter of this thesis, because they all focused on homosexual emancipation at the turn of the 1970s on both legal and organizational levels.<sup>91</sup>

As this research will connect the Finnish developments to wider European and Western developments regarding same-sex intimacy in the twentieth century, a few words are in order about the most influential research in the field. The works of Jens Rydstöm<sup>92</sup> in Sweden and Matt Houlbrook<sup>93</sup> in England have been especially influential. Rydstöm gives us a Swedish history of homosexuality from the late nineteenth century to 1950s. He makes use of court records in his analysis of the now-familiar perception of homosexuality in its move from sin to identity, simultaneously writing a history of homosexuality and a history of bestiality. This gives us the interesting possibility of seeing how these sexualities were once considered equally sodomic sins and of how this perception was transformed. Bestiality was the first to become controlled, and the control of homosexuality followed. The findings of this research will be compared with those of Rydstöm's, because they cover almost the same time-span and the same kind of sources. Houlbrook used police records to study control of male homosexuality in 1950s London. This offers good ground for comparison, especially in the fifth chapter of this thesis, which focuses on the emerging urban homosexual culture in Helsinki and on the conviction peak. In fact, there were many similarities between these two fast-growing capital cities of Europe. When studying Helsinkian

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<sup>88</sup> HÄGSTRÖM, MARJUKKA. "Kriminalisointien elinkaari säätämisestä dekriminalisointeihin: Mikä muuttui ja miksi?" Master thesis. University of Lapland, 2010.

<sup>89</sup> VATANEN, TIINA. "Moitteetonta käytöstä sotatoimialueella? Suomalaisotilaiden seksuaalirikokset Karjalassa jatkosodan aikana 1941-1944." Master thesis. University of Eastern Finland, 2010.

<sup>90</sup> HAGMAN, SANDRA. "Miesrakastajat tuomiolla. Tutkimus homoseksuaalisuuden kontrolloimisesta rikoksena toisen maailmansodan jälkeisessä Suomessa." Master thesis. University of Joensuu, 2007.

<sup>91</sup> PIRTTIJÄRVI, ANSSI. "Asiallisen tiedon antaja. Seksuaalinen tasavertaisuus, Seta ry, 1974 -1981." Master thesis of political science, Turku University, 2011. SUOMINEN, HELI ILONA. "Homoseksuaalisuus poliittisena kysymyksenä Suomessa. Kansanedustajien argumentaatio 1970 dekriminalisaatiokeskustelussa ja vuoden 1996 homoparisuhdedebatissa." Master thesis on political science. Helsinki University, 1999. HAKALA, ANU "Rikollisen raskas leima. Homoseksuaalisuuden dekriminalisointi ja siitä käyty keskustelu 1960-1970 –lukujen taitteessa." Master thesis on History. Tampere University, 2011.

<sup>92</sup> RYDSTRÖM 2003.

<sup>93</sup> HOULBROOK 2005.

male sexual culture, other studies that have concentrated on urban homosexualities in the twentieth century form a basis for comparison.<sup>94</sup>

From the early stages of this study I was fascinated about the scientific contacts between Finland and Germany and their impact on the Finnish understanding of homosexuality in the 1930s, as many sources hinted that the two countries shared the same kind of discourses on homosexuality. In addition, the works of Marjatta Hietala has shown the tight scientific relations between Nazi-Germany and Finland.<sup>95</sup> These hypotheses are confirmed when compared with the recently published research of Clayton J. Whisnant on *Male Homosexuality in West Germany* (2012)<sup>96</sup>. The present research offers a full view of the similarity of the discourses used in the two countries, and that the discourses used in the postwar era were actually the legacy of the Nazis, both in West Germany and in Finland.

#### 4. ...from Modernizing Finland

Finland transformed greatly during the period (1894-1971) that this research treats. At the beginning of the twentieth century Finland had been an agrarian estate society under Russian empire, where the living of the poor depended on uncertain harvest, whereas by 1970s it had changed to an urban, democratic European welfare state, whose transformation can be the best described by the term modernization. In the case of Finland the transformation was fundamental: fast urbanization and emergence of a service sector and bureaucratic state; improvements in education and living conditions; changes in family structures and ways of living, as well as in values and morals, all took place in the twentieth century Finland. In this section of the introductory chapter I focus on modernization both on a theoretical level regarding population politics, sexuality, and masculinity, and on a historical level, showing what modernization meant in a Finnish context.

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<sup>94</sup> TAMAGNE, FLORENCE. *History of homosexuality in Europe. Berlin, London, Paris 1919-1939*. I&II Volume. Algora, 2006. CHAUNCEY, GEORGE. *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940*. Basic Books, 1994.

<sup>95</sup> HIETALA, MARJATTA. ”Tutkijat ja Saksan suunta.” *Tutkijat ja sota, suomalaisten tutkijoiden kontakteja ja kohtaloita toisen maailmansodan aikana*, edited by Marjatta Hietala. Suomalaisen Kirjallisuuden Seura, Historiallinen arkisto 121, 30-142. Gummerus kirjapaino Oy, Jyväskylä, 2006. HIETALA, MARJATTA. “From race hygiene to sterilization: the eugenics movement in Finland” in *Eugenics and the welfare state: Sterilization policy in Denmark, Sweden, Norway, and Finland* edited by Gunnar Broberg, Nils Roll-Hansen. Michigan state university press, Michigan 2005.

<sup>96</sup> WHISNANT, CLAYTON J. *Male Homosexuality in West Germany. Between persecution and freedom 1945-1969*. Palgrave Macmillan 2012.

Michel Foucault's theory on *biopolitics* opens an interesting vista on modern control mechanisms of population that were established from the nineteenth century onwards. For Foucault biopolitics means political change that placed population at the core of the political interest. Previously the rulers had had a right to kill their people, which in biopolitics, was replaced with a right to govern their lives. Reasons for this change include, for instance, industrialization and the need for labour in the western world and new population statistics, which became important factors when power relations among states were negotiated. According Foucault this meant that the state became interested in its population, its wellbeing, fertility and strength. The factors that may have weakened the population were considered threats to society at large.<sup>97</sup>

In biopolitics the lives of people are protected through "knowledge" and "truth" about the ways in which a good life should be lived.<sup>98</sup> According Foucault the tightened control over individuals for the sake of the nation became manifested in stricter norms, when juridical institutions functioned together with medicine and psychiatry in order to eliminate the elements that could harm the health of the population.<sup>99</sup> In this sense, biopolitics normalizes as it sets the limits for appropriate ways of living and, in doing so, sets the limits for every individual.<sup>100</sup> Sexuality and gender are areas of human life in which the mechanisms of biopolitics can be well viewed: people are guided to heterosexual marriages, to reproduce in a certain way and to control their sexuality for the sake of the nation.<sup>101</sup>

Increasing power of scientific knowledge is generally viewed as being one of the main shifts in the modernization process since the French Revolution. To Foucault, scientific knowledge meant the possibility to govern people through knowledge about them, for instance about their sexuality. As it is, in the nineteenth century an entire discursive change took place in the fields of psychiatry and sexology regarding same-sex intimacy. Before the new scientific discourses, according to Foucault, same-sex intimacy was viewed as a set of physical actions, which did not set in any way the person doing these apart from others. Afterwards, however, people who practised same-sex intimacy were presented as entirely different from others, namely, as a specific group, that of homosexuals.<sup>102</sup>

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<sup>97</sup> FOUCAULT, MICHEL. *Seksuaalisuuden historia I*. Translated by Kaisa Sivenius. Eurooppalaisia ajattelijoita – sarja. 1998:98-99. FOUCAULT 2003:242-243.

<sup>98</sup> HÄNNINEN, SAKARI and KARJALAINEN, JOUKO *Biovallan kysymyksiä. Kirjoituksia köyhyyden ja sosiaalisten uhkien hallinnoimisesta*. Gaudeamus, Helsinki 1997:12.

<sup>99</sup> FOUCAULT 1998:104.

<sup>100</sup> VÄHÄMÄKI, JUSSI. "Elämänpolitiikka ja biopolitiikka." In *Elämänpolitiikka*. edited by Roos, J-P and Hoikkala, Tommi. Series 2000-luvun kirjasto. Gaudeamus, Tampere 1998:128-129.

<sup>101</sup> FOUCAULT 1998:101-102.

<sup>102</sup> FOUCAULT, MICHEL. *History of Sexuality. Volume 1*. (1976) Translated by Robert Hurley. Penguin 1990: 43.

Foucault's notion is important even though it does not take into account that there were several coexisting homosexual discourses that viewed male intimacy differently. Actually, there were two different discourses on the field of this discussion in the late nineteenth century: there were those who considered homosexuality an inborn and normal variant of human sexuality<sup>103</sup> and those who considered it pathological. In addition, with the pathology discourse, for the first time, appeared the question of etymology. Some psychiatrists saw homosexual desire as degenerative disease, and thus as something physical, whereas others saw it as cultural, learned in the course of life, and thus as a mental illness.<sup>104</sup> Scientists such as Magnus Hirschfeld<sup>105</sup>, Havelock Ellis,<sup>106</sup> Richard von Krafft-Ebing,<sup>107</sup> Albert Moll<sup>108</sup> and Sigmund Freud,<sup>109</sup> among others, had a huge impact on perceptions of same-sex intimacy in the following decades.

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<sup>103</sup> One was a German jurist, **Karl Heinrich Ulrichs**, who in 1862 wrote about “urnings”, which was a name he gave for men who desired other men. Ulrichs' purpose was to decriminalize homosexual actions in the new German Criminal Code, and his considerations of homosexuality were more political than medical. However, for him, homosexuality was an inborn quality and therefore a natural expression of sexual drive. Together with him, in the field of human rights in Germany, worked Hungarian, **Karol Maria Kertbeny**, who coined the word homosexuality in his anti-criminalization pamphlets in 1869.

<sup>104</sup> DE CECCO, JOHN P. *Gay personality and sexual labeling*. Routledge, New York 1984: 2.

<sup>105</sup> In 1897, Magnus Hirschfeld, a German medical doctor founded The Scientific Humanitarian Committee, whose purpose was to produce scientific research on sexuality, and more particularly on intermediate sexes. Hirschfeld developed the theory of the third, intermediate sex that was in-between male and female. The third sex would include all sexualities that were feminine and masculine were mixed (e.g., transgender, intersex, bisexual). According to Hirschfeld, the homosexual had “a woman's soul in man's body”. In BROOKEY, ROBERT ALAN. *Reinventing the male homosexual, the rhetoric and power of the gay gene*. Indiana University Press, Bloomington Ind. 2002:26-27; CLARKE, VICTORIA et al. *Lesbian, Gay, Bisexual, Trans and Queer Psychology, an introduction*. Cambridge University Press, Cambridge 2010:7.

<sup>106</sup> English psychiatrist, Havelock Ellis joined to the same group in the end of the nineteenth century. In his writing on “Sexual inversions” Ellis considered homosexuality an inborn anomaly of some people, like colour-blindness, and thus according to Ellis it was natural part of human sexuality. In BAYER, RONALD. *Homosexuality and American psychiatry, the politics of diagnosis*. Princeton University Press, Princeton 1987:21; CLARKE 2010:8.

<sup>107</sup> In 1886, German psychiatrist Richard von Krafft-Ebing published his notorious book on sexuality, titled *Psychopathia sexualis*, which moved homosexuality to a pathological discourse. In his book, Krafft-Ebing used the word *homosexual*, which, because of the success of the book, became the commonly used term for same-sex intimacy in the field of sexual studies. Krafft-Ebing saw homosexuality as a sexual perversion which was caused by degeneration. For Krafft-Ebing, homosexuality was an inheritable disease, a physical malfunction of the nervous system, which could develop as a result of masturbation. Anyhow, Krafft-Ebing considered homosexuality a disease, not a sin or a crime, and it is said that he himself would have supported homosexual rights. However, he regarded all unproductive forms of sexual behavior as diseases. Perceiving homosexuality as a pathology remained unchallenged, even though the theories of Krafft-Ebing were later questioned. In BOYD, STEPHEN BLAKE et al. *Redeeming men, religion and masculinities*. Westminster John Knox Press, Louisville, Ky 1996:108-109; CLARKE 2010:8-9.

<sup>108</sup> Albert Moll, a medical doctor who founded the International Society for Sex research was the first to distinguish between congenital and learned homosexuality. He talked about “contrary feeling” when referring to homosexual desire in 1891. According to Moll, homosexuality was mainly learned in life because of unhealthy sexual experiences, whereas only a small minority was born as such. In TAMAGNE 2006:154.

<sup>109</sup> Sigmund Freud was strongly influenced by Moll's work. To Freud, all people were constitutionally bisexual. According to Freud, children would develop to heterosexuality if the stages of development were not disturbed. Different disturbances would create a homosexual orientation that later would be impossible to cure. However, Freud held that every human is capable of both homosexual and heterosexual desire, thanks to a universal bisexual childhood. In ZILNEY, LAURA J. and ZILNEY, LISA ANNE. *Perverts and predators, the making of sexual offending laws*. Rowman&Littlefield, Lanham 2009: 14,15; DE CECCO 1984: 2; BAYER 1987:24.



Masculinity is a relevant concept as the focus in this work is on male sexuality. According to George L. Mosse, masculinity too changed with the onset of modernization. Masculinity and appropriate manhood are cultural categories with changing values, as Mosse has theorized in his books *The Nationalism and Sexuality* (1985) and later in *Image of the Man* (1996). He writes about modern masculinity, which was from the second half of the nineteenth century onwards the new stereotyped form of understanding an appropriate manhood in the modern world. His particular focus fell on the transformation of this stereotype into a normative one, such that the stereotyping of manhood meant that men and women were “homogenized,” no longer considered as individuals but as gender types.

The clear and stereotyped idea of men needed a counterpart, a negative image of failed men. This is where, in my view, masculinity becomes interesting. Manliness represented society, and because of this the forms of manliness that did not fit into this picture provided reasons for marginalizing groups such as homosexuals, Jews and gypsies.<sup>110</sup> In her book *Masculinities* (1995), Reawyn Connell wrote about hegemonic masculinity, which seems quite similar, in my opinion, to Mosse’s stereotyped masculinity.<sup>111</sup> Connell borrowed the hegemony concept from Anthony Gramsci’s analysis of class relations. She describes how masculinity not only constitutes a hegemony over women but also that there within masculinity exists a competition-based kind of subordination. Hegemonic masculinity is the culturally desirable image of a man with which every man is forced to identify. Other masculinities are subordinated, for example, homosexual masculinity, which in Connell’s opinion is the weakest form of masculinity. Connell also claims that weaker masculinities are always connected to femininity.<sup>112</sup>

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<sup>110</sup> MOSSE, GEORGE L. *The Image of Man. The Creation of Modern Masculinity*. Oxford university press, Oxford 1996: 3-8. and *Nationalism and Sexuality. Respectability and Abnormal Sexuality in Modern Europe*. H. Fertig, New York 1985.

<sup>111</sup> John Tosh has also discussed hegemonic masculinity in his work, although he distances himself from Connell’s work. He sees hegemonic masculinity as political and straightforward, even while supporting the importance of the concept for studies of masculinity and manhood. Concerning homosexuality, Tosh, like Connell, believes that an interpretation of dominant masculinity is always constructed in opposition to many subordinated masculinities. Sometimes, Tosh claims, these subordinated masculinities are totally demonized, such as homosexuals, and sometimes only one specific behavior is singled out, such as domestic violence of “wife-beaters”. In TOSH, JOHN. *Manliness and Masculinities in Nineteenth-Century Britain. Essays on gender, family and empire*. Pearson Longman, Harlow and New York 2005: 41-36. and TOSH, JOHN. “Hegemonic masculinity and the history of gender” in *Masculinities in politics and war. Gendering modern history*. Edited by Stefan Dudink, Karen Hagemann, John Tosh. Manchester University Press, Manchester and New York, 2004: 41-58.

<sup>112</sup> CONNELL, REAWYN L. *Masculinities: knowledge, power and social change*. University of California Press. Berkeley and Los Angeles, 1995: 76-79.

In sum, it is clear that Foucault's idea of biopolitics and its normalizing and controlling aspects is in line with the changes that took place in the scientific conceptualization of homosexuality and in the cultural perception of a proper masculinity. In this study these notions are taken into account when the developments of Finnish society are analyzed. Let us now move to the Finnish context, and see the major shifts of the country during its modernization.

Since the middle ages Finland had been part of the Swedish realm but in 1809 it was an autonomous part of Russia, called the Grand Duchy of Finland. However, the long-shared roots with Sweden still influenced Finnish culture after 1908. Swedish remained the language of educated and public professions. The commoners spoke Finnish, but the rich and educated minority, and the administrators spoke Swedish.<sup>113</sup> Culture in turn-of-the-twentieth-century Finland was quite divided; the Swedish-speaking minority was more likely to take part in European cosmopolitanism than the agrarian Finnish population. This division had an impact on cultural options, studies and social attitude. Nineteenth-century nationalism, however, bridged the gap. The educated minority started to become fascinated by the countryside, and Finnish became the official language the early twentieth century.<sup>114</sup>

Compared to other Nordic countries the urbanization process started slowly in Finland. In 1910 nearly ninety percent of the population lived in rural districts, whereas in the neighboring country of Sweden, at the same time every third citizen lived in an urban district, a level of urbanization Finland reached only after the Second World War. Moreover the cities were relatively small in Finland, some of them with only slightly more than 1,000 inhabitants.<sup>115</sup> In 1930, Helsinki was clearly the biggest city with its 243,500 inhabitants, at the same time Turku had 66,000, Tampere 56,000 and Vyborg 55,700 inhabitants.

During the 1920s and 1930s many socially important reforms were made. The Folk school system was established and the landless farmers gained the possibility to purchase the land on which they worked.<sup>116</sup> Whereas in 1880 only eleven percent of ten-year olds were fully literate, in 1920 the

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<sup>113</sup> SINGLETON, FRED. *A short history of Finland*. Cambridge university press, Cambridge 1989:76.

<sup>114</sup> HIETALA, MARJATTA. "From race hygiene to sterilization: the eugenics movement in Finland" in *Eugenics and the welfare state: Sterilization policy in Denmark, Sweden, Norway, and Finland*. Edited by Gunnar Broberg, Nils Roll-Hansen. Michigan state university press, Michigan 2005. 195-196.

<sup>115</sup> WARIS, HEIKKI. *Suomalaisen yhteiskunnan sosiaalipolitiikka, johdatus sosiaalipolitiikkaan*. WS, Helsinki 1968.44-45.

<sup>116</sup> HIETALA 2005:196-197.

percentage of fully literate fifteen-year olds was already 65.<sup>117</sup> However, compared to a European level the school system was established late, and the literacy rate was low.

Finland faced several great challenges during the first half of the twentieth century. Before 1906 it had been an estate society, where the power had been in the hands of a small minority of the population.<sup>118</sup> However, the parliamentary reform in 1906 gave to every Finnish adult the right to vote. As mentioned above, Finland was an autonomous part of the Russian empire, but gained its independence in 1917, with no bloodshed, because of the revolution in Russia. In the following year, 1918, Finland faced a bloody civil war between socialists (the reds) and non-socialists (the whites). Though Finland was at that time a non-industrialized country, a working class ideology was popular among the numerous poor and landless population of the countryside. After the whites won the war and harshly punished the rebellions, the country's politics shifted to the right.

After the First World War, Finland's economy started to grow fast because of the great need for sawn timber in Europe. This economic boom lasted until the year 1928.<sup>119</sup> The depression was caused by domestic and foreign reasons: the harvest had been poor, the building markets were saturated and the money markets were tightened.<sup>120</sup> The depression most strongly affected those who were already poor.<sup>121</sup> It was the impetus for the migration from the country to the cities, and started to change the social structures. However, Finland remained an agrarian society until the late 1960s.

The Second World War was not easy on Finland either. Finland fought against Russia twice during the Second World War: in the Winter War of 1939 and the Continuation War from 1941 to 1945. After these wars, Finland found itself in a difficult situation. An ally of Nazi Germany, Finland lost the war, and paid a high price for peace. The war indemnities included ceding important parts of south-east Finland to Russia, as well paying large war reparations.

We may say that population created "problems" to the society at least three times during the period of this study. First, in the civil war of 1918, the poor developed a sense of communal self-

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<sup>117</sup> HJERPPE, RIITTA. *Finnish economy 1860-1985, growth and structural change*. Bank of Finland. Government printing center, Helsinki 1989:104.

<sup>118</sup> Less than 30 percent of the population belonged to any of the estates, while 70 percent of the population was not included to the political sphere. In KIRBY, D. G. *Finland in the twentieth century*. C. Hurst company, London 1979:7.

<sup>119</sup> SIIPI, JOUKO. *Ryysyrannasta hyvinvointivaltioon*. Tammi, Helsinki. 1967: 56–57.

<sup>120</sup> HJERPPE 1989:48.

<sup>121</sup> PELTOLA, JARMO. *1930-luvun lama teollisuuskaupungissa I-III*. Tampere University Press, Tampere 2008.

consciousness and became mobilized for the first time. The civil war for its part left a continuous fear of communism in the Finnish politics. The second “problem” with the population surfaced after the Great Depression, when the rural poor took refuge in the cities. At this point the long-debated issue of active population policy became more acute and new laws against vagrancy and prostitution were established, as well as the first sterilization law. After the Second World War the population created problems for the third time, now manifested in hundreds of thousands of war soldiers, in a half-million Karelian evacuees, in orphaned children and single mothers, and in the hundred thousand fallen young men. In this context, population politics created in the pre-war period were put into action at a previously unseen rate.<sup>122</sup> Only when the social policy changed its strategy from exclusion to inclusion were the dangerous elements of society assimilated into it through normalization.

Finnish society underwent a transformation during the post-war years. As allude to above, as a consequence of the war, Finland lost twelve per cent of its areas to the Soviet Union and had to pay back massive war reparations.<sup>123</sup> The country struggled with political instability and with shortages of food and housing. Society had to find a place, not only for the hundreds of thousands soldiers who came back home from the front, but also for those over 400,000 Karelian evacuees who were forced to leave their homes in the lost area. In the post-war years, Finland was many decades behind the modernization compared to other Nordic countries, and indeed resembled some small Eastern European countries.<sup>124</sup> In 1950 more than half of the population still lived in the countryside, ten years later only one-third, and in 1970, only 18 per cent of the whole population earned their living from agriculture. The foundation of the welfare state system is also placed to the post-war years.

Sociologist Pertti Alasuutari includes in the changes of the 1960s a mental shift: whereas the 1950s was a period of “moral economy” the 1960s was that of “planning economy”, according to which societal problems can be best solved through rational planning and scientific knowledge.<sup>125</sup> Agriculture also developed quickly, causing a situation where the numerous small farms, which had been established in the post-war period for war veterans and Karelian evacuees, could no longer offer work or daily bread for the post-war baby-boom generation. Indeed, the Finnish baby boom

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<sup>122</sup> The sterilization law was widened and different pro-family laws were passed.

<sup>123</sup> The war reparations were paid back in 1952. Partially thanks to the war reparations the Finnish steel industry developed greatly during those years and was to become an important reason for later economic growth as the Soviet Union continued to buy Finnish products. MEINANDER 2011, 166-167.

<sup>124</sup> KARISTO et. al. 1997:60.

<sup>125</sup> ALASUUTARI, PERTTI. *Toinen tasavalta. Suomi 1946-1994*. Vastapaino, Tampere 1996:245-246.

generation was remarkable; in the late 1940s over 100,000 babies were born each year. This generation would enter adulthood in the late 1960s, causing a precipitous migration from countryside to cities and abroad, mainly to Sweden, as the rural areas did not have sufficient work for the population. Urbanization had an enormous impact on lifestyle: women worked for wages and children had more freedom, factors that spelled the demise of the traditional patriarchal family structure.<sup>126</sup> The alterations in lifestyle eventually affected the cultural value structure.

## 5. The composition of the thesis

As stated above in this introduction, the three elements around which the whole study is based on are perception, control and self-perception. (The question: “*How male same-sex intimacy was perceived, controlled and lived through in Finland during the twentieth century?*”) The thesis follows the established paradigm of “homosexual becoming species” in a Finnish context, although contesting the theory with empirical source material and a micro-historical approach and with a queer-study approach. The long time-span analysis benefits from a great deal of previous research done in the field in Finland. Thus the purpose is to fill the gaps and find continuities and contextualization to the earlier findings in the historiography. In the study, Finland is not viewed as an independent unit and thus the Finnish developments are compared with research done in other parts of Europe. When analysing the policies and control mechanisms, comparison is made to other countries, and the theories of masculinity, heteronormativity and biopolitics are employed in the analysis.

Because of the transformation of Finnish society and the transformation of the perceptions given to male same-sex practices, this thesis is divided to three parts, set in chronological order. Each of the three parts starts with an introduction, which introduces to the themes of the part by showing the central changes in the Finnish society and in tension of control over male same-sex practices. The parts are:

*PART I* focuses on the early decades of the twentieth century showing that male same-sex relations were not defined as problems in Finland. **The first chapter** will show through the story of Juhani, (who was a school teacher in the eastern Finnish countryside and who had sexual relations with his

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<sup>126</sup> JULKUNEN, RAIJA. “Suomalainen sukupuolimalli -1960-luku käänteenä”. *Naisten hyvinvointivaltio*. Edited by Anttonen, Anneli et. al. Vastapaino, Tampere 1994:184-185.

schoolboys, with his male servants, and with men of his own social position), that the criminal law was not easily employed in these rural communities, even though illegal sexual relations existed. Boys were not considered victims of sexual crimes, and sexual practices were not problematized. It shows that the rural poor were in an ignorant position regarding their legal rights as Juhani had had strongly abusive sexual relations over several decades with many of the villagers. Indeed, only alongside the political awakening of the Finnish poor did they dare to open a case against their long-tolerated teacher. **The second chapter** focuses on the 1920s urban sphere through the case of Tuomas, who was an unemployed bootlegger and ex-Red-prisoner of the Finnish civil war. The case shows that in the urban sphere same-sex relations became visible to the police only sporadically, and that the police were rather at a loss about what to do with men who had sex with each other. The story shows that the only type of same-sex intimacy the police were able to acknowledge were the random relations practiced by working-class men in public places. At the same time male love was appreciated in upper class circles, but this remained as uncontrolled as the upper-class alcohol consumption during the prohibition law. The case of Tuomas shows that same-sex intimacy was thought of being a result of immoral nerve-damaging sexual behavior. All in all, the first two chapters draw a picture of Finland where same-sex sexual actions were not culturally acknowledged, where sexual autonomy as well as possibilities for sexual identity were very dependent on one's social position.

*PART 2* focuses on the period from 1930s to the end of the Second World War, which was the period in which same-sex relations started to be noticed by authorities and common people in different arenas of society. Sexual relations between males started to be defined especially as a sickness called *homosexualism* that was transmittable through seduction. The 1930s was the time of the economic depression, which made the issue of a healthy and strong nation more topical. The Second World War at the turn of the decade concretized the meaning of population policy. In Part two the increased knowledge over same-sex relations is examined in three different arenas: the depression and the social class, medical circles and the establishment of population policies, and the military environment and the making of the modern man. **The third chapter** shows through Aapo's story how the Great Depression increased visibility of same-sex relations because many young men practiced same-sex relations for survival purposes. Further, the chapter shows how implications of same-sex relations were dependent upon social class. Aapo, as an educated older man who had travelled around Europe and had experienced the Romantic nationalist era had a homosexual identity that he as a nationalist anyhow was ashamed of. At the same time the poor youngsters who engaged with same-sex relations were not ashamed at all, as for them, sex with rich men was an

easy way of earning money. Moreover the third chapter shows that Helsinki police had started to be more aware of homosexual cases, which were scandalized in working class newspapers because they underscored the immorality of the upper-class. **The fourth chapter** discusses abnormality through the case of Simeoni, who was one of the men who was castrated because of his being “homosexualist”, the treatment that was made possible by the 1935 sterilization law. Firstly, the case shows the increased knowledge in medical circles regarding same-sex relations, labeled homosexuality that had feminine connotations. The case also reveals the narrowed definitions of normality as well as reduced tolerance towards differences. Simeoni’s story is a sad story of a man who flitted around Finland with his ‘homosexual secret’. He never found a kindred spirit, tried to commit suicide, and, in the end, consented to be castrated. **The fifth chapter** discusses through the case of Timo the perceptions of same-sex relations in the Finnish Second World War and in the military system. It shows that the war was a space where new knowledge about same-sex intimacy increased, but, where, at the same time the attitude towards it became increasingly hostile. This hostility was caused by the hierarchical military structure and by the tightened definitions of masculinity and manhood. However, there are many accounts found in post-war court records, court-martial records as well as from previous research that tells that military was also a place where same-sex relations could develop between soldiers. All in all, Timo’s story shows how in the military system the different perceptions of male sexual relations were mixed and how the knowledge about such relations increased in military male communities and marked an end to the undefined and unimportant, let us say “innocent” same-sex practices.

*PART 3* starts from the post-war period and ends with the decriminalization of the homosexual acts in 1971. In this period homosexuality started to be a well-defined quality of some people, not only an action, and it started to be explicitly controlled and discussed in the media. This coincided with the building of the foundations of the Finnish welfare state. In **the sixth chapter** we deal with urban male-sex culture that started to interest the police especially in Helsinki. Through the case of Lauri, I show that male sexual relations were viewed as a threat to society in three fields. First, it was against family policy that required an increase in birth rates. Secondly, it seemed that homosexual behavior was about to increase in Finland because of homosexual seducers, and therefore they had to be eliminated. Thirdly, homosexuals were strongly connected to child molesting crimes, meaning that every homosexual was seen as a possible child molester. The comparison with Finland and other Nordic countries show that Finland had a different perception of homosexuality as a transmittable disease that had not yet reached other Nordic countries. The chapter shows that despite the general attitude against homosexuality manifested in newspapers and in police activity,

the Helsinki city court had a relatively liberal view on homosexuality that resulted in arrests not leading to accusations and where convictions were given with probation. **The seventh chapter** concentrates on the homosexual emancipation and decriminalization process through Eero's story from late 1960s Helsinki. Eero was a pioneer in the Finnish homosexual emancipation movement. He was "proud to be gay" and openly discussed the issues related to homosexuality in the media. The new gay identity was built through reading foreign gay magazines and in subcultures that had been established in some restaurants and parks. After the sexual liberation of the late 1960s any western country, if desiring to belong to the developed western world, had to modernize their attitudes towards sexual freedom in legislation, a pressure Finnish politicians felt too. Within this development the church felt its position to be endangered and it started to promote very conservative sexual morals. In this connection homosexuality was labeled as a sin, a label it had not previously had.



# Part 1

## –No Problem, 1894-1924

*“The current [Finnish] penal law of 1894 says, of course that whoever engages in indecent sex acts with a person of the same sex will be sentenced to up to two years in jail; however, as far as I know, this paragraph has never been enforced, at least not in municipal courts. Now and then, of course, in the country an unfortunate man is sentenced to a few months in jail, thanks to some ambitious district attorney filing a claim, but even this occurs very rarely.”*

Fritz Wetterhoff in Magnus Hirschfeld: *The Homosexuality of Men and Women*, 1914:610.

## Introduction

For his 1200 some-odd page book on homosexuality (*Die Homosexualität des Mannes und des Weibes*, 1914), German sexologist and sexual activist Magnus Hirschfeld interviewed over ten thousand homosexuals around the world. He strove to write on homosexuality in different cultures at the turn of the new century. Hirschfeld’s work was part of a wider homosexual emancipation movement in Germany which had from the late nineteenth century onwards focused on sexuality and homosexuality from a scientific point of view.<sup>127</sup> The above-cited quotation is from the part of the book in which a Finnish informant, Fritz Wetterhoff,<sup>128</sup> describes early twentieth century

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<sup>127</sup>OOSTERHUIS, HARRY (Ed.). *Homosexuality and male bonding in pre-Nazi Germany. The youth movement, the gay movement and male bonding before Hitler’s rise*. The Haworth Press, New York 1991.

<sup>128</sup>Fritz Wetterhoff was a German born lawyer who had moved to Finland as a child. He studied and worked in Hämeenlinna, and served as mayor of the city until 1912. His exaggerated lifestyle and sexuality created problems for him in the city and he moved first to Helsinki and then to Germany. In Germany he met Hirschfeld to whom he gave information about the conditions of “homosexuals” in Finland. Wetterhoff is remembered from his efforts for the Jäger movement, which during the First World War trained volunteer Finnish men in Germany to become Finnish soldiers against Russia. In MUSTOLA, KATI. “Fritz Wetterhoff” in *Sateenkaari Suomi. Seksuaali- ja sukupuolivähemmistöjen historiaa*. edited by. Kati Mustoja and Johanna Pakkanen. LIKE, Helsinki 2007.

Finnish views towards same-sex intimacy.<sup>129</sup> Wetterhoff was quite right regarding legal proceedings: from the year 1894, the Finnish Penal Code had qualified same-sex sexual relations as criminal, with a punishment of up to two years' imprisonment.<sup>130</sup> However, in practice, these were rarely controlled through the penal code during the first decades of the twentieth century. Same-sex practices were not problematized in Finland, as they were not even called 'homosexuality,' a term already being used in bigger European countries thanks to people like Hirschfeld who had started to become interested in examining more closely same-sex relations. Homosexual "had become a species"<sup>131</sup>, quoting Foucault, in late nineteenth-century Germany and Hirschfeld's ambitious project was a part of a wider movement, whose purpose was to gain legal rights for homosexuals through scientific investigation. Hirschfeld had developed theories about 'the third sex', which included intermediate sexualities between heterosexual woman and heterosexual man. He viewed homosexuality as an innate quality, and thus made an equation between legal rights for homosexuals and general human rights.<sup>132</sup>

In Finland, however, male same-sex intimacy did not gain such attention. Instead, in the agrarian society that Finland was, issues related to sexuality remained by and large unnamed. Thus, Part 1 focuses on early-twentieth century attitudes towards male same-sex desire. The most important notions of the Part 1 are: First, that same-sex intimacy remained practiced in different patriarchal power structures and therefore remained unaddressed and uncontrolled; second, that there were no names for such relations; third, no pronounced opposition towards such relations existed among the general population; and fourth, the nature of same-sex fornication crimes varied across urban and rural spheres, as in the rural sphere only notable members of the community got convicted as a result of many social quarrels, whereas in the urban sphere the control was pointed towards poor, working class men and upper-class 'Greek love' remained totally uncontrolled.

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<sup>129</sup> HIRSCHFELD, MAGNUS. *The homosexuality of Men and Women*. Prometheus Books, Amherst NY 2000: 608-612.

<sup>130</sup> Finnish Penal Code 1889/1894 20:12,1. "if someone commits fornication with a person of the same sex, both should be punished by imprisonment for not more than two years" In Finnish: "Jos joku harjoittaa haureutta toisen samaa sukupuolta olevan kanssa; rangaistakoon kumpikin vankeudella korkeintaan kahdeksi vuodeksi". *Suomen Suuriruhtinaan-maan Rikoslaki siihen kuuluvine asetuksineen*. E. W. Edlund, Helsinki 1906:59.

<sup>131</sup> FOUCAULT, MICHEL. *History of Sexuality. Volume 1*. (1976) Translated by Robert Hurley. Vintage Books, New York 1990:43.

<sup>132</sup> BROOKEY, ROBERT ALAN. *Reinventing the male homosexual, the rhetoric and power of the gay gene*. Indiana University Press 2002:26-27; CLARKE, VICTORIA et al. *Lesbian, Gay, Bisexual, Trans and Queer Psychology, an introduction*. Cambridge University Press, Cambridge 2010:7.

### **Finnish society at the beginning of the twentieth century**

Indeed, while Hirschfeld developed his theories about homosexuality, Finland was still an undeveloped agrarian society with eighty percent of the population living in the countryside and earning their living from the land.<sup>133</sup> A remarkably high number of people were extremely poor. This segment of society was made up of families without permanent housing, called parasites (*loiset*).<sup>134</sup> In addition about one-fifth of the population leased the land they cultivated. It is said with reason that agrarian poverty was the biggest social problem facing turn-of-the-century Finland. Poverty was deep and intergenerational, and it was nearly impossible for an individual to change the conditions into which he or she had been born.<sup>135</sup> Approximately six people lived together in a single household, but the differences between social classes and regions were wide.<sup>136</sup> Living conditions were modest in both countryside and city. Forty percent of countryside houses consisted of only one room, and in the fast-growing cities several families would typically share a single small apartment. Approximately six children were born per mother, but child mortality was high.<sup>137</sup> The mortality rate, in particular the child-mortality rate, paints a picture of an undeveloped country where people died young from simple infections.<sup>138</sup>

Industrialization, which was based on the lumber industry, began in the latter part of the nineteenth century and was concentrated in the southern parts of the country. Much industrial production still happened in the countryside as the main product was wood.<sup>139</sup> Living conditions of the rural and the urban workers continued to be poor, but some improvements were made at the beginning of the twentieth century, and for the first time the workers had some disposable income.

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<sup>133</sup> ALAPURO, RISTO. "Yhteiskuntaluokat ja sosiaaliset kerrostumat 1870-luvulta toiseen maailmansotaan." in *Suomalaiset. Yhteiskunaan rakenne teollistumisen aikana*. Edited by Tapani Valkonen et al. WSOY, Juva 1983:40-41. pp. 36-101.

<sup>134</sup> ALAPURO 1983:54-55. Nearly half of the rural population belonged to the group of rural workers at the beginning of the new century. Areal differences were wide. In Kuopio district, to which the first chapter is situated the the percentage of rural workers was higher, 57 per cent.

<sup>135</sup> KARISTO, ANTTI et. al. *Matkalla nykyaikaan. Elintason, elämäntavan ja sosiaalipolitiikan muutos Suomessa*. WSOY, Helsinki 1997: 29.

<sup>136</sup> JUNTTO, ANNELI. "Asuminen" in *Suomen vuosisata*. Ed. Kristiina Andersson and Vesa Helin. Tilastokeskus, Helsinki 2000: 134.

<sup>137</sup> KARTOVAARA, LEENA. "Perheet" in *Suomen vuosisata*. Ed. Kristiina Andersson and Vesa Helin. Tilastokeskus, Helsinki 2000: 17.

<sup>138</sup> PITKÄNEN, KARI. "Kuolemansyyt", in *Suomen vuosisata*. Ed. Kristiina Andersson and Vesa Helin. Tilastokeskus, Helsinki 2000: 20.

<sup>139</sup> ALAPURO 1983: 63-65.

The improvement in living standards at the beginning of the twentieth century continued until the First World War, but, these, overall, did not increase people's contentment. The roots of the discontent are located in the erosion of estate society. Previously, the poor did not compare their life to the wealthy life of the estates, as the system was viewed as timeless and stable. Thanks to the socialist movements, the working class no longer viewed their poverty as an eternal necessity but became aware of the economic structures behind their condition. Class awareness developed quickly, as shown in the number of workers' houses that were established around the country: whereas in 1905 there were 47 people's halls, only five years later there were nearly seven hundred people's halls around the country.<sup>140</sup>

Agrarian poverty and the hardscrabble living conditions of the North explain the Finnish gender structure, which was constructed in a very different way compared to Southern European countries, even if the societal system was patriarchal. In a rural household, the relationship of a man and wife was based on work.<sup>141</sup> As the country was sparsely populated, socialization happened in people's homes, where there were both men and women. In Finland, compared to many Southern European countries, the bifurcation between the male public sphere and female private sphere never developed.<sup>142</sup>

Though the vast majority of the population was poor, because Finland was still was an estate society, cultural, political and economic power was held by the minority. In the late nineteenth century over 70 percent of the population did not belong to any estate and only 3,5 percent belonged to the three most important estates (aristocrats, clergy, and the bourgeoisie). Until the late nineteenth century the estates were homogenous groups, whose lifestyles and values were similar, and who were culturally sophisticated. Most of the members of the estates spoke Swedish. The group comprised bureaucrats, military officers, clergy, lawyers, pharmacists and university teachers. Later, in a so-called capitalist turn, economic wealth began to determine one's position in society. This meant the birth of a new middle class whose members tried to improve their positions in life, mostly through education.<sup>143</sup>

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<sup>140</sup> KARISTO, ANTTI et al. *Matkalla nykyaikaan. Elintason, elämäntavan ja sosiaalipolitiikan muutos Suomessa*. WSOY, Helsinki 1997:40-41.

<sup>141</sup> NIEMINEN, ARMAS. *Suomalaisen aviorakkauden ja seksuaalisuuden historia. Avioliitto- ja seksuaalikäytännöksiä suomalaisen hengenelämän ja yhteiskunnan murroksessa sääty-yhteiskunnan ajoilta nykypäivään*. Väestöntutkimuslaitos, Väestöliitto Helsinki 1993:7.

<sup>142</sup> RANTALAIHO, LIISA. "Sukupuolisopimus ja Suomen malli" in *Naisten hyvinvointivaltio*. Edited by Anneli Anttonen et al. Vastapaino, Jyväskylä 1994.

<sup>143</sup> ALAPURO 1983:66-67. KARISTO et al. 1997:13.

As universal suffrage was implemented in 1906, the Finnish social structure transformed rapidly from an old-fashioned estate society to a modern democracy. At the time, Finland was an autonomous part of the Russian empire. The parliament therefore, until the Russian Revolution in spring 1917, was dependent on the favor of the Tsar. When the Tsar was deposed in March 1917, as a consequence the Finnish parliament declared the country's independence in December 1917. At the beginning of the year 1918, the Bolsheviks granted Finland its independence. The Russian revolution affected the situation in Finland too, widening the discourse between the poor and the rich. Because of the different disagreements how the new country should be led, Finland also slipped into a civil war that began in January 1918. The fighting continued until May of that year, when the "Whites" (conservative Senate) beat out the "Reds" (Social democrats and socialists). Thousands of Reds died during the summer and autumn of 1918 in prison camps. The war widened the gap between the different social classes for many decades. For the better-off of the country the civil war was a reminder of the power of the poor, but at the same time the war intensified hostilities towards the latter group. In the 1920s society attempted to reach a level of consensus such that the basic fabric could not be torn apart. New laws were instituted, such as Prohibition and land reform, which offered land for landless population.<sup>144</sup>

### Same-sex fornication crimes 1894-1924

During the first thirty years of the Finnish criminal code (1894 to 1924) only nine men were sentenced to prison for violations of the same-sex fornication paragraph.<sup>145</sup> This number is even lower than previously thought from a reading of the prisoner statistics,<sup>146</sup> because apparently until the year 1919 the Vaasa county prison had incorrectly registered prisoners of bestiality under the same-sex fornication paragraph in their prisoner files. This interesting statistical mistake had already given rise to some hypotheses such as whether the Swedish-speaking Vaasa-region had

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<sup>144</sup> HIETALA, MARJATTA. "From race hygiene to sterilization: the eugenics movement in Finland" in *Eugenics and the welfare state: Sterilization policy in Denmark, Sweden, Norway, and Finland* edited by Gunnar Broberg, Nils Roll-Hansen. Michigan state university press, Michigan 2005:196-201. ALAPURO 1983:73-78.

<sup>145</sup> The explanation for the lack of 11 people is following: Firstly, in Vaasa county prison, people convicted by bestiality were marked under the same-sex fornication paragraph. This was the case until the year 1913 when they finally started to separate these two different crimes. Therefore, eight men convicted by bestiality were marked under same-sex fornication crime in the national criminal statistics. Secondly, two of the convicted served time in prison at the turn of the year, and therefore they were marked to the statistics twice, once to both year. Thirdly, the only woman marked to the statistics under the same-sex fornication paragraph, was supposed to do her punishment in Hämeenlinna county prison, but no files about her were found. I found only one woman who was convicted for "fornication", but closer study showed that the crime was related to prostitution.

<sup>146</sup> Suomen Virallinen Tilasto XII. *Vankeinhoitohallituksen kertomus*. Vankeinhoitohallitus, Helsinki. Years 1886-1924.

adopted the homosexual category faster than the rest of the country, as it seemed to be the only region where someone was imprisoned for homosexual crime each year. Interestingly, the truth was exactly the opposite: In Vaasa, the statistics of the county prison were totally unclear as to whether a prisoner was there for bestiality or homosexuality.

In 1903 the first of the nine same-sex fornication trials of this period was tried, and the last was tried in 1921. Apart from one case, only the most active member, that is the protagonist, was sentenced to imprisonment, which means that their more passive partners were not convicted. The first case was *The Fond Farmer's case 1903*,<sup>147</sup> which took place in a small village, where an old freeholder was accused of touching another men's genitals whenever possible. The second case was *The Guest-house case 1906*,<sup>148</sup> where a working man satisfied his sexual drive with three adolescent worker-boys in Tampere. In *The Shop-owner's case 1910*,<sup>149</sup> an old shopkeeper tended to touch and fondle boys (from 10 to 16 years old) in his shop. Boys always came back to the shop because the shopkeeper gave them some sweets or coins. In East Finland, a folk-school<sup>150</sup> (*kansakoulu*) teacher was convicted of having several sexual relations with different villagers and pupils in *The teacher's case 1912*.<sup>151</sup> In 1916, in the East Finnish countryside, a landowner was prosecuted of flirting with and fondling other men when drunk. As he sang love-songs to other men, the case can be called *The Flirting villager's case 1916*.<sup>152</sup> In the same year, in Helsinki, a worker was convicted for his immoral sexual habits. He frequented local parks and public toilets to look for sex partners, who he paid for their services. One of the men from whom he bought sexual services was also sentenced. As this case has all the characteristics of an urban case,<sup>153</sup> I will call it *The Helsinki case 1916*.<sup>154</sup> The seventh case was *The Tailor's case 1917*,<sup>155</sup> in which a wife brought her tailor-husband to the court and accused him of having sexual relations with men. The tailor's colleagues and other villagers had all been subjected to his attempts to seduce them. In 1920, in a port city called Kotka, a working man had, after a long and alcoholic night, gone with his friend to a local park to

<sup>147</sup> Närpiö jurisdiction. 1903. C1a:18, 79§. and Vaasa court of appeal. Siviili- ja rikosasiain yhteiset pöytäkirjat. 1903. I osasto. Ce:47).

<sup>148</sup> Tampere city court. Riita- ja rikosasiain tuomiokirjat. 1906 loka-joulukuu, I osasto Ca:183, 16.10.1906, 1355§. Tampere City Archive.

<sup>149</sup> Tampere city court. 1910 loka-joulukuu, I osasto Ca:199, 13.10.1910, 1538§. Tampere city archive.

<sup>150</sup> Folk-school (*kansakoulu*) system was a special kind of basic public education system that was established in Germany (*volks Schule*), and in Scandinavian countries, Norway and Denmark (*folkeskole*), and in Sweden (*folkskola*).

<sup>151</sup> Senaatin oikeusosaston arkisto. Anomus- ja valitusaktit 1914. Pag. 287.

<sup>152</sup> Senaatin oikeusosaston arkisto. Anomus- ja valitusaktit 1916. Pag. 161.

<sup>153</sup> For example, at the same time in London, the most common meeting places for homosexual relations were public toilets and parks. In HOULBROOK, MATT. *Queer London. Perils and Pleasures in the Sexual Metropolis, 1918-1957*. University of Chicago Press, Chicago and London 2005.

<sup>154</sup> Helsinki city court. Cb:IV:115. 26.2.1916.

<sup>155</sup> Kontiolahti jurisprudence. Winter court 1917, CIA:109, 43§. Joensuu County Archive, later (JoA).

masturbate one another; they were spotted by two policemen and been later arrested. Because of the significant role played by alcohol, the case will be called *The Drunk in Kotka case 1920*.<sup>156</sup> The last case of the first period was that of another folk-school teacher. He mostly formed relationships with his pupils, who were forced to have violent sex with him. The teacher offered money and some small items, such as pencils, as payment for his victims. The case can therefore be called *The Violent Teacher's case 1921*.<sup>157</sup>

While same-sex fornication crimes were rare, so, too, were other sexual crimes. Before the 1910s, only about ten people per year were imprisoned for any kind of sexual crime. The number of sexual crime prisoners increased around the issue of prostitution-related crimes, because the previously allowed “regulated prostitution” was made illegal in 1908.<sup>158</sup> At the turn of the decade the number of convictions for child abuse also began to slowly rise.<sup>159</sup> From around 1910 to 1930 some ten men were imprisoned each year on bestiality charges and some ten women were imprisoned for prostitution. Other sexual crimes were rare, virtually nonexistent.<sup>160</sup> This tells us about two things that are also evident in the sources: first, sexuality was not problematized, and second, the poor were ignorant of their legal rights.

In the context of social instability, Part focuses on perceptions of same-sex intimacy through two cases. As the urban sphere and rural sphere thus far produced such different types of court cases, the first of the chapters discusses the urban sphere of control over *malelove*, and the second chapter discusses the urban sphere control over poor *self-polluters*.

## Juhani

The first chapter will focus on an Eastern Finnish rural district where in 1912 a local folk-school teacher was prosecuted for “using other male persons as his wives”. This twisted case collected together dozens of locals from different social and geographical parts of the locality, whose stories about the teacher and his sexual behavior went back in time even to the late nineteenth century. The

<sup>156</sup> Kotka city court. Varsinaisasiaain pöytäkirjat 1920. 17.11.1920, 1248§.

<sup>157</sup> Alavuden tuomiokunnan arkisto. Lappajärvi jurisprudence. Varsinais- ja ilmoitusasiain pöytäkirjat 1921. C3a:68.

<sup>158</sup> BACKMAN, EERO. *Rikoslaki ja yhteiskunta. Teoreettinen erittely rikosoikeuden tieteenkäsityksistä 1800-luvulla ja sen konkretisointi moraalien, uskonnon ja rikoslain suhteisiin Suomessa vuosina 1894-1917*. Suomalainen lakimiesyhdistys, Helsinki 1976: 267-272.

<sup>159</sup> Before 1909 there was only one person per year imprisoned for the crime. But during the 1910s there were about ten men imprisoned every year on children's sexual abuse crime. The number anyhow went down after the end of the decade.

<sup>160</sup> Suomen Virallinen Tilasto XII. *Vankeinhoitohallituksen kertomus*. Vankeinhoitohallitus, Helsinki. Years 1886-1924. Appendix 1.

case against Juhani, the teacher, was tried twice in the local court (22.3.1912 and 3.10.1912), after which he appealed the decision to the Vyborg Court of Appeal and finally, to the Court of the Tsar's Finland Senate, which was the highest court at the time of Finnish autonomy. I try show the rationality of this rural community. That is, why at one point they wanted to prosecute their village teacher whose sexual behavior had already been obvious in the previous century. I interpret the changed attitude towards the teacher in the locality in connection to a transformation in rural society. I trace the mechanisms of control, class issues, and meanings given to same-sex sexual behavior in Finnish rural community. I will also discuss the case of the teacher in relation to other same-sex fornication trials tried in Finnish rural courts during the period of 1894-1924.

Jan Löfström's research on agrarian gender roles and homosexuality (1999) constitutes the most important reference in the first chapter. Löfström read through mainly folklore sources and held that homosexuality did not form an issue of discussion in turn-of-the-century rural societies. He explained this having been caused by the fact that gender roles were not yet that polarized in the country, a dichotomy that was later boosted with unmanly figures, such as homosexuals. Löfström's notions get largely verified in this study too, which as such is the first study to shed light on how in practice malelovers were treated in rural communities.<sup>161</sup>

Pasi Saarimäki's and Kirsi Pohjola-Vilkuna's studies on common people's attitudes towards sexuality in the countryside at the turn of the century also inform this research, even their studies focused on heterosexual relations. They demonstrate clearly that while the elite of society supported absolute sexual morals, the commons lived in a totally different reality, where children were born out of wedlock and where masters exploited their maids as they were under their rule.<sup>162</sup>

## **Tuomas**

Tuomas' case brings the reader to an industrial port city, called Kotka. Tuomas was an ex-Red soldier and a Red prisoner, a current bootlegger, who was prosecuted for self-pollution in 1912, because he was found mutually masturbating with his drunken friend in a local park. The case of

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<sup>161</sup> LÖFSTRÖM, JAN. *Sukupuoliero agraarikulttuurissa. Se nyt vaan on semmonen*. Suomalaisen Kirjallisuuden Sauran toimituksia 757. SKS, Helsinki 1999.

<sup>162</sup> POHJOLA-VILKUNA, KIRSI. *Eros kylässä - maaseudun luvaton seksuaalisuus vuosisadan vaihteessa*. Suomalaisen Kirjallisuuden Seura, Helsinki 1995. SAARIMÄKI, PASI. "Avioliitto-odotuksiin kytkeytyvät naimattomien ihmisten seksuaalisuus ja sen seurauksest. Normit, performatiivisuus ja sukupuoli keskisuomalaisessa maaseutuyhteisössä ja käräjillä 1800-luvun jälkipuoliskolla." Diss. University of Jyväskylä, 2006. SAARIMÄKI, PASI. "Naimisen normit ja käytännöt. Esiaviollinen ja aviollinen seksuaalisuus 1800-luvun lopun keskisuomalaisella maaseudulla." PhD dissertation. Jyväskylän yliopisto, 2010.



Tuomas shows how little-discussed same-sex relations were during the first two decades of the twentieth century Finland. Same-sex intimacy was connected to masturbation, if to anything.

Sources used in the chapter are the court cases that were produced in Finnish city courts before 1924. The discourses that arise from the sources are connected to other writings of the period. To this purpose, dozens of early twentieth-century moral pamphlets were combed for discussions on homosexuality. Medical and legal discussions were reviewed as well.<sup>163</sup> In addition, newspaper writings on same-sex intimacy were searched from the period before 1912.<sup>164</sup> All these sources together draw a picture of a society in which male intimacy did not have much cultural importance.

The chapter shows that Finnish society was divided into two different groups, each of which perceived male sexual intimacy differently. Whereas in some upper-class circles male love was even admired, among the working class it remained unnamed and unimportant. Too, this latter group was targeted for control of same-sex relations.

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<sup>163</sup> *Lakimies* and *Duodecim* magazines, the first is a legal and the later a medical publication.

<sup>164</sup> I searched for words "miesrakastaja", "miehimys", "sotilasrakkaus", "poikarakkaus" "homoseksuaalisuus", "samasukupuolisuus".



# 1. *Manlover* and his *male-wives* in rural community

## –*Juhani's story Tuusniemi 1912*

### 1.1. Setting the scene for the case of Juhani

This chapter will focus on an Eastern Finnish rural district where in 1912 a local folk-school teacher was prosecuted for “using other male persons as his wives”. This twisted case collected together dozens of locals from different social and geographical parts of the locality, whose stories about the teacher and his sexual behavior went back in time even to the late nineteenth century. The case against Juhani, the teacher, was tried twice in the local court (22.3.1912 and 3.10.1912), after which he appealed the decision to the Vyborg Court of Appeal and finally, to the Court of the Tsar’s Finland Senate, which was the highest court at the time of Finnish autonomy. I show the rationality of this rural community. That is, why at one point they wanted to prosecute their village teacher, whose sexual behavior had already been well-known in the previous century. I interpret the changed attitude towards the teacher in the locality in connection to a fast change in the rural society. I trace the mechanisms of control, class issues, and meanings given to same-sex sexual behavior in Finnish rural community. I will also discuss the case of the teacher in relation to other same-sex fornication trials tried in Finnish rural courts during the period of 1894-1924.

Juhani’s story is situated in a rural parish called Tuusniemi in Eastern Finland, in the Kuopio district. Kuopio was a city of 20,000 inhabitants at the time of our case. In 1910, about 7,500 people lived in the Tuusniemi parish, which in fact consisted of many small villages (see map 1.2). Of the 7,500 inhabitants, over 7,000 earned their living from agriculture. This calculation counts whole families, including servants who lived in family households.<sup>165</sup>

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<sup>165</sup> Väestötilasto. Väestö elinkeinon mukaan luokiteltuna.



Picture 1.1. The center of Tuusniemi parish at the beginning of the 1920s.

In the case of Juhani we are dealing with Finnish rural community that was held together by different kinds of social and economic relations. A few words about the overall social structure may help to situate the villagers of the court case within a larger picture of power relations in rural communities. In general, there were three kinds of people in rural communities, all of whom would fall into the above-mentioned category of “living from agriculture”. The groups were *rural workers*, *tenant farmers* and *landowners*.<sup>166</sup> The rural workers formed the biggest group, as more than half of the rural population belonged to this group. The rural workers, or the “*movable population*” (*irtain väestö*) as their contemporaries called them, did not cultivate land, but worked for tenant farmers and land-owners. Many of them lived inside these farmers’ households. This group was thus strongly dependent on the landowners.<sup>167</sup> Citing Matti Peltonen, they were “movable” –in other words, “not fastened” to a means of production, to a house or to possibilities of influence.<sup>168</sup> *Cottagers* (*mäkitupalaiset*, *mökkiläiset*), *servants* (*palkoilliset*) and *parasites* (*loiset*) were more nuanced categories inside the group, of which the parasites were at the bottom of the social hierarchy. The second group, the tenant farmers (*lampuodit* and *torpparit*), rented a piece of a land

<sup>166</sup> PELTONEN, MATTI. *Talolliset ja torpparit, vuosisadan vaihteen maatalouskysymys Suomessa*. SHS, Helsinki 1992:266-275

<sup>167</sup> PELTONEN 1992:268.

<sup>168</sup> PELTONEN 1992:30.

from a landowner for cultivation. The rent of a farm was paid in working days (*taksvärkki*) to the owner of the land. The third group was the landowners, the rural capitalists. In many cases their everyday life and living standards did not differ from some tenant farmers. However, they owned their land, which gave them stability, and they also wielded power in the community.<sup>169</sup>

In the early decades of the twentieth century the social structure in Tuusniemi was in transformation. The population had grown fast: in 1910 the number of people living in the parish was higher than ever before or after in the history of Tuusniemi. This demographic change meant social challenges, as there was not enough land, housing, or jobs for all. In 1920, nearly half of the Tuusniemi population were “parasites.”<sup>170</sup>

Together with landowners, tenant farmers, and parasites, in every rural parish there were also craftsmen, a doctor, a vicar, and folk school teachers. In fact, Juhani, the protagonist of the first chapter, was a folk school teacher in Juurikkamäki, which was one of the villages of Tuusniemi parish. Juhani’s father was a landowner, which meant that his upbringing had been relatively comfortable. Juhani had worked as his village’s schoolteacher from the founding of the Juurikkamäki folk-school in 1896.<sup>171</sup> This, in fact, was the period when folk-schools were founded in rural villages because of the new basic education law. Folk-school was the first non-religious school system for children, established in Finland from 1856 onwards, when the Senate rather tentatively made it possible for local councils to organize a basic type of education (up till then this had been in the hands of the Church). However, during the first decades after the law not that many schools were established, because they were considered too expensive. Because of this in 1898 a new folk-school law forced municipalities to offer a basic school education in every parish where there were more than thirty children (9 to 16 year-olds) living in a parish. In addition, no child was expected to travel more than five kilometers to school. However, even though society now offered this kind of system, no obligatory education was enforced before 1921. Because of this, only half of the rural children went to school in 1910.<sup>172</sup>

At the time, Juhani did not have a training program for the teacher’s position, a common problem at the time. Consequently, new teacher training institutions were founded around Finland and one also in Kajaani in 1900. Juhani was accepted in the Kajaani training institution in 1902,<sup>173</sup> and graduated

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<sup>169</sup> PELTONEN 1992: 272.

<sup>170</sup> RÄSÄNEN, MATTI. *Tuusniemen pitäjän kirja*. Tuusniemen kotiseutuyhdistys ry. Pieksämäki 2000: 84.

<sup>171</sup> RÄSÄNEN 2000:216.

<sup>172</sup> NUMMINEN, JAAKKO. ”Suomen kansanopetuksen historia” in *Koko kansan koulu -80 vuotta oppivelvollisuutta*. Suomen kouluhistoriallisen seuran vuosikirja 2001. Gummerus, Jyväskylä 2001. pp. 101-112.

<sup>173</sup> KÄÄRIÄINEN, Fr. (ed.) *Kajaanin seminaari 1900-1950, muistojulkaisu*. Helsinki, 1950:258.

from there in 1906.<sup>174</sup> The seminar was for men only and initially the students were apparently fairly old, as was Juhani too, already 35 years-old when enrolling in the course. Teacher training also started relatively late in Finland. Whereas in other Scandinavian countries and Germany teacher training had been introduced in the early nineteenth century, in Finland the first teacher training establishment was founded in 1866 in Jyväskylä. Because of the fast population growth of the nineteenth century and because, at the same time folk education became topical, the rural schools were for many years short of educated teachers. However, well-educated teachers were seen to be the foundation of good-quality schools and therefore new training institutions were established all over Finland at the turn of the century.<sup>175</sup>

The Juurikkamäki folk-school seemed to having been the mission of Juhani's life. Juhani had been the first and only teacher of the school, whereas Juhani's wife taught handicrafts for girls. Although his wife had worked there as a girls' handicrafts teacher. Juhani had also been one of the founding fathers of the school, present in the first assembly of the school in 1896 and had fought for economic support for the school from the Tuusniemi commune.<sup>176</sup> In addition, in the first years before the construction of a school building, the school was held in Juhani's house in Juurikkamäki.<sup>177</sup>

Juhani was definitely different from the socialist and poor population of the village. He had some property, as we know that many villagers worked as his farm-hands throughout the years. He had inherited half of his childhood's farm and bought another part of it from his paternal uncle. The deal was important enough to be mentioned in the biggest newspaper of the region *Savon Sanomat*.<sup>178</sup> Juhani was the founder of the local cooperative shop organization and active in many other fields too.<sup>179</sup> He had, for instance, held summer-schools for people of the region, who wanted to prepare themselves for higher education.<sup>180</sup> Juhani was, indeed, a well-known person in his village and in the whole Tuusniemi parish.

While everything should have been straightforward in Juhani's life with regard to his property and respect for him in the village, some gossip did circulate about him. He was said to be 'immoral' and

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<sup>174</sup> Names of the graduated were mentioned in newspaper *Otava* 14.6.1906.

<sup>175</sup> HEIKKINEN, REIJO (ed.) *Kasvatusta ja koulutusta korven kaupungissa. Kajaanin opettajankoulutuslaitos 90 vuotta*. University of Oulu, 1990:3-4.

<sup>176</sup> As the commune did not want to invest on the school's fountain and cellar constructions, Juhani appealed the issue to the governor. As a result, Tuusniemi commune had to build new fountains and cellars to the school. In *Savon Työmies* 24.8.1909.

<sup>177</sup> RÄSÄNEN 2000:216.

<sup>178</sup> In *Savon Sanomat* 20.10.1909.

<sup>179</sup> In *Otava* 3.6.1909

<sup>180</sup> In *Savon Työmies* 15.4.1909

that he ‘used other men as his wives’. The issue had popped up now and then throughout the years, but had each time largely calmed down. However, now, in 1912, the rumors around Juhani started to accumulate thick and fast. This was because two local brothers, who were angry with their former teacher, had begun to speak openly about their old teacher’s sexual behavior. Juhani’s sexual taste and behavior had been common knowledge to all the locals, but it had previously been tolerated, or at least not spoken about openly in the community.

The whole issue became official after two men reported the teacher to their local police officer. These were not the men who had started the gossip about Juhani, but their friends. The men were from the same village as Juhani. One of them was a shoe-maker and the other was a “parasite”. They informed the village police officer that the teacher had “already for a longtime”<sup>181</sup> “used other male persons as his wives”<sup>182</sup>. In addition, about the same time “the local clergy”<sup>183</sup> had indicated “some worry” over the situation; consequently, the local police officer brought the case against the teacher. The police started to collect the information from other villagers for their parish’s<sup>184</sup> following winter courts.<sup>185</sup> No police interrogation documents were written beforehand, but instead, the issue was officially discussed for the first time in the trial, which was held in the center of Tuusniemi parish on March 22, 1912.<sup>186</sup>

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<sup>181</sup> In Finnish: ”on jo pidemmän aikaa”.

<sup>182</sup> In Finnish: ”käyttänyt miespuolisia henkilöitä vaimonaan”.

<sup>183</sup> The vicar of the Tuusniemi church was August Laaksonen. He had been in his position from the year 1908, and in Tuusniemi from 1.5.1907. He had born in 1852 in Paimio, South-West Finland, but worked around the country. In Tuusniemi church there were no other clergy than the vicar. In GODENHJELM, HUGO. *Suomen Evankelis-Luterilaisen Papiston Matrikkeli*. Sortavala 1927:86, 226.

<sup>184</sup> Tuusniemi parish.

<sup>185</sup> Autumn courts 1912.

<sup>186</sup> Tuusniemi winter court 1912. 22.3. §52.



Map 1.1. Tuusniemi parish divided to villages. Numbers indicate how many people came to testify to the court from each village. The map is from Räsänen, Matti. *Tuusniemen asuttamisesta*. Räsänen sukuyhdistys ry:n julkaisuja. Tampere 1984: 3.

At the beginning of the twentieth-century, the Finnish rural courts (*käräjät*) assembled only twice a year (in winter and autumn). In some special cases, the trials were also held in-between these two periods, in so-called extra-courts (*välikärajät*). The country was divided into nearly three hundred independent courting regions. As it would have been impossible to have an educated judge in each of them, the judges travelled around on a bigger circuit in order to hold the required two courts in each region. These trained judges made the decisions in rural courts together with lay judges, who were some respected locals, and whose purpose was to give a local perspective on the judgments.



Juhani's case was tried twice in the rural court, after which it was sent to the Court of Appeal and in the end to the Highest Court. All these four levels opened up new aspects to sexual relationships between Juhani and his locality. As a consequence, I will divide the case into three parts in which one level of the legal proceeding per part. The themes are sexual relations with minors, class juxtaposition, and male-bonding.

## 1.2. The first trial and sexual relations with minors

There was a mixed pack of people in the court when the case against Juhani was tried for the first time on March 22, 1912. First, there was the jury, which consisted of local lay judges and the judge who came to Tuusniemi from Kuopio to hold court. There was also the prosecutor, a local police officer, who had subpoenaed seven people from Tuusniemi to testify against the teacher. On the defense's side were Juhani with his legal assistant and three men who Juhani had asked to support him at the trial. Finally, there were the two informers.

The most important witnesses of the first trial were the two local brothers who had gossiped about their teacher's behavior. They were sons of a local tenant farmer (*lampuoti*). They both told in detail how the teacher "had used them as his wives". The first of the brothers testified that two years earlier the teacher had come to sleep in their house and had slept next to him. In the night the teacher had first fondled him and told him that he just wanted to "teach [him] how to be with a girl".<sup>187</sup> The teacher had lied on top of the boy and satisfied his lust in-between his thighs. The other brother testified that he had experienced the same several times, first as a schoolboy and later on in different places, such as in saunas or in Kuopio, from where the teacher had found a job for him. The brother said that he "as a pupil of the teacher partially did not dare and partially did not understand how to resist him".<sup>188</sup>

Three other witnesses, who were much older, testified to similar events having taken place when they were younger. One, a cottager, described how this had happened to him some fifteen years earlier when he had shared a bed with Juhani. To another witness, who was a tenant farmer, the same had happened eleven years earlier, when he had worked as the teacher's farm-hand. The third witness said that eight years earlier when he went to the teacher's school the teacher had done this

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<sup>187</sup> In Finnish: "miten ollaan tyttöllä".

<sup>188</sup> In Finnish: "Ettei hän vastaajan oppilaana osaksi uskaltanut, osaksi ymmärtänyt tehdä vastarintaa".

to him too, “without the testifier having had any possibility of preventing the teacher from doing this”.<sup>189</sup>

At the time it was common for pupils to remain at school for long periods because of the long distances between school and home and poor infrastructure. Staying at school was especially necessary for the children from Juojärvi village (see map 1.1.) during the frost heave period.<sup>190</sup> This offered possibilities for the teacher to seduce his pupils, who had to stay in the school because of the difficulties in transportation. In other rural same-sex fornication cases, too, the transport difficulties together with crowded living conditions offered possibilities for same-sex intimacy. In the countryside, the living conditions tended to be poor, although, regional differences were great. While in some regions in East and North Finland 2.3-2.5 people lived in one room, in South-West Finnish countryside the number was only around 1.5 people per room. In 1930, a chimneyless hut was still typical in East and North Finland (30-40 per cent of all houses).<sup>191</sup> The living conditions mean that sexuality could not have been practised in private and that many non-related adults shared the same beds, which made different sexual practices possible. In fact, the statistics record from the year 1938, from which I took these numbers, briefly discusses the immoral possibilities that confined living could cause.<sup>192</sup>

Thus, the issue that pops out from Juhani’s court case is the teacher’s sexual relations with his minor boy pupils. There was also another same-sex fornication case within the total nine, in which a teacher was convicted of same-sex relation with his pupils. The case was even more aggravated, as the teacher basically raped the school boys and then quieted them with threats and gifts. Jens Rydstöm’s study on Sweden shows that many of the early same-sex fornication crimes took place in schools or poorhouses.<sup>193</sup> One may then ask what this tells about the history of ‘homosexuality’. In fact, it tells a lot: as in the four same-sex fornications of the nine that were tried in between 1894-1924, minors were involved. This means that same-sex relations between adults did not have social significance in the first decades of twentieth-century Finland. The reason why these cases were tried under the same-sex fornication paragraph is that in this period, no paragraph in the Finnish Penal

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<sup>189</sup> In Finnish: ”todistajan voimatta estää opettajaa tätä tekemästä”.

<sup>190</sup> RÄSÄNEN 2000:217.

<sup>191</sup> HAATAINEN, PEKKA. *Suomen maalaisköyhälistö tutkimusten ja kirjallisuuden valossa*. WSOY, Porvoo 1968: 196, 204-205.

<sup>192</sup> *XXXII Sosiaalisia erikoistutkimuksia. Maaseudun asunto-olot vuonna 1937*. Suomen virallinen tilasto, Helsinki 1938.

<sup>193</sup> RYDSTRÖM, JENS. *Sinners and citizens. Bestiality and homosexuality in Sweden. 1880-1950*. University of Chicago press, Chicago and London 2003: 96-97.

Code explicitly criminalized sex with minor boys. The penal code recognized abuse only when girls under 17 years old were involved.<sup>194</sup> It was only in 1926 that “the interfering with minors’ section” was changed to gender-neutral form.<sup>195</sup>



Picture 1.2. The folk-school in Juurikkamäki village was founded in 1896. Picture is from the year 1907. The picture is from *Oekeihen immeisten Tuusniemi valokuvien*. Tuusniemen kotiseutuyhdistys r.y. Pieksämäki 1997:65.

In 1956, Inkeri Anttila researched sexual crimes involving minors, showing that as early as in 1908, the Finnish parliament announced its intention to change the 20:7 Section, (*illicit intercourse with minors*). The Section as it stood was no longer viewed as appropriate enough in terms of length of sentences and division of the victims by age and sexual experiences, and it was also stated in the

<sup>194</sup> With girls younger than 12 years, punishment was a minimum of two years and a maximum of eight years of hard labor. With girls over 12 but not yet 15 years old, and who had not have sex before, the minimum punishment was three months’ imprisonment and a maximum of two years’ hard labor. And lastly with girls over 15 but not yet 17 years and who had not have sex before, the punishment was fines or maximum three months’ imprisonment. In *Suomen Suuriruhtinaanmaan Rikoslaki* 1906: 57.

<sup>195</sup> The new law form said: “If someone interferes with a child under 15 years old or practices other forms of fornication with the child, he or she should be punished by hard labor for not more than ten years, and if the circumstances are highly mitigating the imprisonment should be for no fewer than six months.” The new paragraph continued: “If the child was 15 but not 17 years old and was not previously introduced to immorality the punishment may not be more than two years hard labor or imprisonment or fines.” SALMIALA, BRUNO A. (ed.) *Suomen Rikoslaki. Muutoksineen ja lisäyksineen kesäkuun 1 päivään 1950 saakka*. Suomalaisen kirjallisuuden seura, Helsinki 1950: 33.

parliament that also boys should be protected from sexual crimes.<sup>196</sup> This shows that some changes had occurred in the understanding of same-sex sexuality. However, at the time, the parliament had very limited clout, as Finland was under Russian jurisdiction, and all the new bills went through the Tsar. In addition, 1908 marked the time during which the latter period of *Russification* of Finland began, which meant that the Tsar repeatedly overturned the bills prepared by the Finnish parliament.

So, we may say that some interest towards the protection of minor boys occurred at the beginning of the twentieth century, but for political reasons no new laws were passed before the early years of Finnish independency. However, if we take a look at the lengths of the sentences given to men in the four same-sex fornication cases in which minors were involved, (*The Guest-house case 1906*, *The Shop-owner's case 1910*, *The Teacher's case 1912*, and *The Violent Teacher's case 1921*), we will notice that the crimes were not considered serious even though the boys involved were minors: the sentences were two months in two cases<sup>197</sup> and one year in the two cases where teachers had interfered with their schoolchildren.<sup>198</sup> Although in three of the four cases age was discussed briefly, the boys were not considered victims nor were the sentences long, from which we can assume that sexual relations between adult men and adolescent boys were not considered as detrimental to a boy as to a girl.

The day after the first trial, the region's left-wing newspaper *Savonia Worker* (*Savon Työmies*) reported the trial. In this report the teacher was said to have had "pederast intercourse with his schoolboys".<sup>199</sup> The day after the first report, there was another report in the newspaper, in which the testimonies of these boys were briefly referred to. In this article, the previous day's foreign concept "pederast" had been given its Finnish definition 'boylove', (*poikarakkaus*).<sup>200</sup> *Savonia Worker* newspaper reported the trials altogether four times.<sup>201</sup> It is remarkable that it only focused on relations where the teacher had "practiced unnatural intercourse" with his pupils. Same-sex relations between adults did not interest the newspaper at all, which also indicates the low news value of adult male same-sex relations.

<sup>196</sup> ANTTILA, INKERI. *Alaikäisiin kohdistuneet siveellisyysrikokset ja niiden tekijät. Kriminologinen tutkimus.* Suomalaisen lakimiesyhdistyksen julkaisuja, A-sarja, 50. Vammala, 1956: 24.

<sup>197</sup> *The Guest-house case 1906*, *The Shop-owner's case 1910*

<sup>198</sup> *The Teacher's case 1912*, and *The Violent Teacher's case 1921*

<sup>199</sup> In Finnish: "pederastiaa sukupuoliyhteyttä poikaoppilaitensa kanssa". In *Savon Työmies* 23.3.1912.

<sup>200</sup> *Savon työmies* 24.3.1912.

<sup>201</sup> *Savon työmies* in 23.3.1912, 24.3.1912, 30.3.1912, and 8.10.1912.

After the first trial, the police officer was ordered to inform the supervisor of the folk-school about the court discussions. As a consequence, Juhani was fired and the Juurikkamäki folk-school was closed. The school remained closed until the new teacher started his work at the school after the Easter holiday.<sup>202</sup>

### 1.3. Second trial and the class juxtaposition

In the second trial, which was tried seven months after the first one, on October 3, 1912, the crime started to take on a new tone. The “boy-love” case turned out to be something else in addition, as twelve new witnesses came to the court to testify against the teacher Juhani. The most important testimony of the second trial was that of a parasite man who had worked as Juhani’s farm-hand during the years 1910-1911. The farmhand described how Juhani had often satisfied his sexual needs with him, sometimes by following the farmhand to the fields, to the sauna or even to the farmhand’s bed. Juhani had given him some extra money afterwards, 25 or 50 pennies, but if the farmhand dared to resist, Juhani had become angry, upset for days, and threatened to kick the farmhand out of his job and home. In fact, this had been the reason why he did not dare to defend himself against Juhani.

There were six other new witnesses who had personally experienced the teacher’s seduction or sexual act at some point of their lives. Some of them had not allowed Juhani to continue, whereas some of them did not *understand or dare* to resist him. However, these witnesses were adults or young adults whose relation with Juhani was based on work being mainly his farmhands, his tailors of his father’s farmhands.

Altogether twelve men testified that they had had sexual relations with Juhani. To five of the twelve this had happened when they went to the teacher’s school, whereas the other seven had been adults at the time of the sexual interaction. When taking into account not only the age of the witnesses, but also their socio-economic position, we notice many interesting issues:

First, people who wanted to make the teacher take responsibility for his actions were mainly from lower social strata. Thirteen out of nineteen were people who did not own land, whereas only three landowners accused the teacher. And speaking in the teacher’s defense, that is, being on his side, were five landowners but only one “parasite” and two tenant farmers.

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<sup>202</sup> *Savon työmies* 30.3.1912.

Juhani did not enjoy good relations with the three key witnesses, who were all from lower social order than him, two of them having been his former pupils and one his farmhand. Juhani had even accused the farmhand in the same courts of dishonesty<sup>203</sup>, because as Juhani claimed, the farmhand had stolen his knife. Apparently Juhani had dropped the case against the farmhand only after hearing of the same-sex fornication accusation. In this way he tried to prevent his former farmhand to bear witness against him in court. In addition, Juhani wanted to prevent the two brothers from testifying against him, because according to Juhani they had spread rumours about him for years in the locality. These elements show that Juhani's relationship with the three key informants was conflictual. The sporadic case-dropping also shows that the legal machinery was used when people of the rural community wanted to clarify their relations.<sup>204</sup>

Of the nineteen witnesses, twelve had sexual interaction with the teacher. If we take a look at their social background we will notice that they came mainly from the lowest social strata and that none of them was a landowner. At the same time, when looking closely at those who had been schoolboys at the time of the sexual act, we will see that they were the children of landowners and tenant farmers. These interesting points are worth some consideration.

It would seem that the teacher seduced people who did not dare or know how to resist him, whereas Juhani did not have the power to seduce local landowners. If anything of the kind had happened between him and some landowner, it would have been consensual and therefore was not discussed in the court either. All the men that Juhani had seduced, and who wanted to discuss it in the court were his employees. As in the story of the teacher's farmhand from 1910-1911, these were people who were economically dependent on him. The farmhand did not have many choices when Juhani came to look for sex from him as Juhani could have kicked him out at any moment if he was not compliant.

This closer look at Juhani's same-sex relations can be complemented by the work of Kirsi Pohjola-Vilkuna (1995) and Pasi Saarimäki (2010), who both found that in nineteenth-century rural communities it was apparently common and acceptable for landowners and their sons to sexually exploit their maids and other female employees of the household.<sup>205</sup> In these cases, the young poor women found it very difficult to resist these advances; as a consequence, the child support trials were often tried between maids and their landlords after children were born of these relations.

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<sup>203</sup> Tried in Tuusniemi parish court 21.3.1912, §36.

<sup>204</sup> Same kind of elements were also found from the flirt farmer's case. The man was prosecuted by his neighbors of mistreating of his horse. Besides the same-sex sexual act there were neighbor quarrels of other kind.

<sup>205</sup> POHJOLA-VILKUNA 1995; SAARIMÄKI 2006; SAARIMÄKI 2010.

Juhani used the same liberty that the superior position had given him in the rural community, the only difference was that his objects were male.

If, then, considering the schoolboys, we may say that as long as they did not understand that what the teacher was doing was illegal and as long as they did not talk about it, it did not matter to the teacher from which social background they came. According to the testimony of a son of a tenant farmer, the teacher had taught them in class that in these kinds of crimes the partner in crime cannot testify against each other.<sup>206</sup> If the children thought that they were partners in crime, it worked as an effective deterrent, as the boys thought that they had done something criminal too. The reason why only one “parasite” schoolboy was involved in this kind of case is explained by the fact that in 1912 only half of the children in the village went to school. Most often those who did not go were precisely those from the lowest social order, and the reason was as simple as they did not own a pair of shoes to walk to the school.

The question is: why did the local poor invoke the legal institution only in 1912, even though the teacher’s relations were common knowledge long before? Several of the statements show that the teacher’s behavior had in fact been long-discussed in the locality. The earliest mention of rumors dated back to the year 1902, when a “parasite” mother heard from other villagers that the teacher used his son as his wife. This became an issue for discussion in the community after the teacher had tried to have sex with the boy, but suddenly the bed had broken and in the accident the boy had hurt himself. The boy had talked about this accident to other villagers, from whom the mother had later heard about this. This is all the story tells, but from it we can also understand that the mother did not know how to defend her child. It also highlights that this event was not considered particularly serious. If the villagers would have considered it to be serious, they would have reacted. That is to say, the mother did not say anything in court that makes us think that the relationship between her son and the teacher had given rise to any strong reaction in the community at the beginning of the century. It was simply something to gossip about.

It can therefore be concluded that these kinds of relations were probably previously not considered grievous enough for people to want to bring them in the court. In addition, the case needed people like the angry brothers, the sons of a tenant farmer, to present the teacher’s behavior as a problem for the community. It was the brothers who openly discussed the teacher’s behavior, spread stories about him and even accused him to his face of immorality.<sup>207</sup> They were the people who verbalized

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<sup>206</sup> The court case documents. second session 3.10.1912. Witness n:o 13.

<sup>207</sup> In the teacher’s friends’ letters to the Court of Appeal. Appendixes 1 and 3.

this previously unmentioned experience, labeling it as immoral and wrong. The brothers also mobilized people around the village to show up at court with their stories. The brothers were youngsters who had experienced their teacher's sexual actions only recently. The teacher called them his "worst and most bitter enemies",<sup>208</sup> without indicating from where the hate that these youngsters felt may have come.

According to many testimonies, the brothers also urged Juhani's farmhand to testify in court. For his part, the farmhand would probably have not been aware of this legal possibility. The teacher described him as being "brainless".<sup>209</sup> Although the farmhand was illiterate and had not gone to school, the term "brainless" tells more about the teacher's attitude towards his "parasite" farmhand, than the man's actual abilities.

But what made these individuals, the brothers and the farm-hand, talk, and how we can explain the fact that twenty-one people came into the court to talk about this issue? One answer to this question is that we can also see it as an example of wider social change. The big rural masses, the landless rural population, had slowly become more conscious of their own rights –the rights that they did not have. In the late nineteenth century the number of tenant farmers in Tuusniemi had grown fast, but declined rapidly in the first decades of the twentieth century (from 297 tenant farms in 1907 to 236 tenant farms in 1915).<sup>210</sup> This development in Tuusniemi was part of a wider development in the whole country. The lease contracts between landowners and tenant farmers were often strict and checked regularly. Because of this, the tenant farmers were under continuous evaluation. The possibility that the contract would not be renewed created a sense of insecurity, as one's whole livelihood was based on work in the rented farm.

However, in the first decade of the twentieth century the tenant farmers got organized and started to fight for their rights. For instance, the first tenant farmers' meeting was held in 1906 and the tenant farmers' union was founded in 1910.<sup>211</sup> In 1909, a new tenant farmers' law was established. Its purpose was to stabilize the tenant farmers' position; the land-leasing contracts were required to be written out, and the shortest rental period was set at fifty years. However, at the same time, due to developments in the global food markets and the growing rural population (i.e. a cheap labor force), the dependence of landowners on tenant farmers diminished. This conflict between hopes and needs of tenant farmers and landowners resulted in many contracts not being renewed after the law of

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<sup>208</sup> In Finnish: "pahimpain ja katkerampain vihamiesten".

<sup>209</sup> In Finnish: "lyhytjärkinen".

<sup>210</sup> RÄSÄNEN 2000:83, 103.

<sup>211</sup> PELTONEN 1992:278.



1909. In practice this meant that many tenant farmer families lost in one fell swoop their home and livelihood. Hundreds tenant farmer evictions took place in the country, which obviously caused bitterness toward landowners.<sup>212</sup> In Tuusniemi, 59 tenant farmers' families lost their house and land during the period of 1907-1915.

As the population exploded, tenant farmers were under threat of eviction and other uncertainties. This new situation enabled, for the first time, the rural poor to stand up against the landowners and others better-off than they in the community. Socialist ideology had spread, and the poor began to think in terms of egalitarianism. This kind of a social consciousness, coupled with bitterness created the grounds for cases like the one in Tuusniemi in 1912.

The class juxtaposition had also grown in Tuusniemi. We have to keep in mind that Tuusniemi was a parish full of itinerants and in addition it was the most socialist-oriented parish of the Kuopio region. According to a left-wing newspaper, Juhani belonged to the Young Finnish Party, which was a nationalist-liberal party. At the time, it was the second-biggest party in the parish.<sup>213</sup> Over half of the Tuusniemi voting public voted for socialists in the parliamentary elections of 1909.<sup>214</sup>

The above-mentioned contract problems with tenant farmers increased tensions between landowners and the rest of the population. These evictions of the tenant farmers from their homes was perhaps the pivotal phenomenon in the creation of the gap between classes in the whole Finnish countryside. A glance through the socialist newspaper of the region, *Savonian Worker* will reveal that Juhani was one of these evicting landowners.

On January 22 1910, there an article in the newspaper told about Juhani evicting his tenant farmer. Juhani had just bought his childhood home from his paternal uncle and inherited the other part of it, and had, according to the newspaper:

“Straight after becoming a landowner [Juhani] started to behave like a real member of the Agrarian League,<sup>215</sup> and evicted his lessee [N.N.]. [...] It's a pity that these tenant farmers are not required to write written contract, but have trusted in the said word instead. This is how they pay back your trust.”<sup>216</sup>

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<sup>212</sup> PELTONEN 1992:280.

<sup>213</sup> In *Savon Työmies* 3.8.1909

<sup>214</sup> In *Savon Työmies* 8.5.1909

<sup>215</sup> *Savon Työmies* 22.1.1910.

<sup>216</sup> In Finnish: ”Mutta kohta isännäksi päästyään kävi herra (Juhani) osoittamaan ”maahengellä” täytetyn tosimaalaisliittolaisen isännän syhdetta alaiseensa. Hän hääti torppari (the name of the tenant farmer) torpastaan (...)

The article promotes the conflict between classes and between different political groups. Juhani is portrayed as one of “the lords” who always cheat on the poor in the end. In fact, Juhani had done something that was an extremely burning question in the socialist movement; he had evicted a tenant farmer from his home. This may have been a turning point in Juhani’s popularity. Another newspaper only a year before had written how Juhani was celebrated in Juurikkamäki. The schoolchildren had woken him up in his name day by singing to him and bringing him presents. The presents were “an expensive wall mirror and a book”.<sup>217</sup>

It is possible that it was this particular action that ended Juhani’s good times. This politically unacceptable move may have tightened the screws of tolerance towards Juhani’s sexual behavior too. For, otherwise, a respected man such as Juhani would receive some dispensations.

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*Pahinta waan on, etteiwät torpparit ole aikanaan huoltaneet warmasti sitowia kirjallisia kontrahteja, waan owat lupauksiin luottaneet. Näin karwaasti se luottamus aina maksetaan.*” In *Savon Työmies* 22.1.1910.

<sup>217</sup> In *Savon Sanomat* 14.4.1909. In Finnish: ”*arvokkaan seinäpeilin sekä erään kirjateoksen*”.

#### 1.4. Vyborg court of appeal and male bonding

After the second trial, Juhani was sentenced to one year's imprisonment. Juhani appealed this sentence to the Vyborg Court of Appeal. Some new documents were produced in that process that revealed a third kind of relation between Juhani and local men. The documents were the letters written by the local people who wished to support Juhani. The letters are interesting, because, first we will see who Juhani's friends were and, secondly, we will read their side of the story. The third interesting issue in this regard concerns the signatures on the letters. From these signatures we will note a particular person, a carpenter named Juho. His signature was on three of the letters, which makes me think that he was the person who helped the teacher to collect the material for the Court of Appeal. Juho's name was also mentioned in many connections during the two trials. Next, I will concentrate on what emerges in Juhani's case: the concept of male bonding.

Juho's name had already been mentioned in the first trial by a local seamstress. The seamstress recounted how, about three years earlier, she had helped the teacher's wife to write a letter to the Kajaani teacher training institute.<sup>218</sup> She went on to say that Juhani's wife had known about her husband's fornicating with other men, especially with Juho, who had at the time applied to the Kajaani Institute. The wife, according to the seamstress, wanted to let the Institute know what kind of a person Juho was. In addition, the seamstress claimed that the wife did not allow Juho to sleep at their house, because of the sexual relationship between Juhani and Juho. Also the local tailor told the court about the relationship between Juho and the teacher. The tailor recounted how after he had had sex with Juhani, he had asked Juho about it: The tailor claimed that Juho had told him about having been frequently in the same situation with the teacher as well.

Juhani had apparently supported Juho's application for the Kajaani teacher training institute, which was his own former school. Why would he have suggested this school to his lover? Juhani studied there from 1902 to 1906. The institute was founded especially for peasant men from the peripheral parts of Eastern and Northern Finland even though, while situated in the isolated city of Kajaani, the school took its models from the Enlightenment and national Romanticism. The school offered an easy and fast way to climb up the social ladder.<sup>219</sup> According to the tailor, the teacher had told him after they had had sex that "sophisticated people no longer use women to satisfy their sexual needs".<sup>220</sup>

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<sup>218</sup> The Kajaani training institution was one of the eight institutions where teachers were given their education in Finland. It was founded as the last seminar in 1900.

<sup>219</sup> KÄÄRIÄINEN 1950: 27-29.

<sup>220</sup> In Finnish: "*sivistyneiden ihmisten ei enää käyttävän naishenkilöitä himojensa tyydyttämiseen*". The witness no. 19.



Picture 1.3. The first year class of Kajaani teacher seminar in 1902. Juhani is one of the men in the picture. KÄÄRIÄINEN, Fr. (ed.) *Kajaanin seminaari 1900-1950, muistojulkaisu*. Helsinki, 1950.

According to the testimonies, Juhani had had same-sex sexual relations before going to the Kajaani Institute. However, it was probably the place from where he had learned that these relations were sophisticated. The seminar was in its early years open only to men, and there were therefore many possibilities for male bonding. It is interesting to note that the other folk-school teacher, who was convicted in 1921 of same-sex sexual relations in West Finland, had also graduated from the Kajaani Institute. This would explain why Juhani suggested the same school to Juho. Apparently, however, and perhaps because of the letter that Juhani's wife had written, Juho was not accepted to the Institute. He started a career as a carpenter instead, and later moved to Kuopio.

Juhani's wife remained at her husband's throughout the trial. She denied all the accusations against her husband. This loyalty may be attributed to the gender structure of the Finnish agrarian society. The basis of the marriage was not romantic love, but work. She formed a unit with her husband and that unit was more important than Juhani's homosexual adventures.<sup>221</sup>

Two men testified in Juhani's defence. They were two sons of a landowner, and so belonged to the same social strata as Juhani. They had testified in the first trial, where they had wanted to speak in Juhani's favor, but they were not allowed to speak because they did not have anything to add to the

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<sup>221</sup> RANTALAIHO 1994:18.

crime. In their letters to the Court of Appeal, the brothers explained that the judge had not let them speak, as they did not have anything to say against the teacher. The judge, Axel Argillander, was described as an angry and loud man. He was born in 1855 to an educated family; his father had been the director of the Kuopio lyceum. Argillander studied in Vyborg. He had worked as a military judge but turned back to Kuopio in 1906. Juhani said later that the judge had been biased in the trial because Juhani did not belong to a political organization as the others did. This political organization was Kagals (*Kagaalit*),<sup>222</sup> whose goal was Finnish independence.

These landowner brothers were said to have had sexual relations with Juhani. The local poor had on different occasions found Juhani having sex with them in saunas or when sharing a same room for sleeping. These mutually desired sexual relationships were not recorded in the legal sources of the early decades of the twentieth century, and they did not gain much attention in Juhani's trial either. There is one simple reason for this: same-sex relations - if mutually agreed upon - were not considered as being socially problematic in the rural sphere. Only five same-sex fornication cases were tried in the Finnish rural courts during the period between 1894-1924, and in none of them did the relationship reflect that kind of mutual and equal relation. As in Juhani's case, the equal relationships that he had with landowners were not under consideration in the case. Only in later decades, when neighbors and other members of the community started to think that they had a right to inform on the private sexual relations of others, were some mutually agreed upon relations also discussed in the court. However, at the beginning of the century, these kind of same-sex relations were by and large tolerated.

Perhaps this attitude of acceptance is related to the fact that voluntary male sexual relations did not create any unwanted social consequences, such as children born out of wedlock. Women were viewed and portrayed as moral guardians, which also implied that men as a group were sexual and sense-driven. Thus, the control of morality was mostly appointed to women. Women's purity is also evident in the penal code of the time, as it protected sexual abuse of girls and women, but not that of men and boys. Rydström's findings from Sweden indicate the same. Almost all the same-sex fornication cases tried before 1920s were related to child abuse or other kind of violence and hardly ever to adult homosexuality.<sup>223</sup>

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<sup>222</sup> Kagals was a secret society founded in the period of Russian oppression.

<sup>223</sup> RYDSTRÖM 2003.

## 1.5. Closing Words

The first chapter of the thesis demonstrated through the case of Juhani that in the rural sphere at the turn of the century, male intimacy was neither named nor controlled through legal machinery. A profound reading of Juhani's case and the others showed that despite the lack of existence of such court cases, there were male sexual relations practiced in the rural sphere. The sources also reveal a tolerant attitude towards such relations. In a rural community a person's homosexual tendencies may have been tolerated for decades before legal proceedings were started. Further, and crucially, the driving force of such a report lay in other social quarrels, not in the person's sexuality.<sup>224</sup>

The official line reflected an absolute sexual morality, which prohibited any sexual expression outside of the wedlock. The criminal code was based on this view, and so even adultery was criminalized. However, the country was by and large divided into a small group of better-offs and a large group of commoners, the latter of whom were barely literate. They did not share the bourgeoisie morals, but had their own ways of dealing with issues related to sexuality. Life had shown that it was even better if young couples could sleep together also before marriage.<sup>225</sup> Many children were born out of wedlock, which was considered normal, rather than a grave shame, as it was promoted in the upper class circles.<sup>226</sup> In this connection the attitude towards male sexual practices too, remained by and large tolerated. It did not have any side effects, such as unwanted children. In addition, women were under much stronger moral pressures than men, whose sexual wildness was more accepted.

This attitude partially explains why boys were not considered as victims in same-sex cases. The original purpose of the law was to protect the dignity of women and girls from men. Only in 1926 did the Finnish Penal Code recognize boys as victims of sexual abuse. In a sense, in early twentieth century Finland childhood had not yet been fully separated from adulthood. The school system was poorly developed and many children had to work instead of attending class. Child sexual abuse cases were similar in that a girl's purity was a more important factor than her age. This also explains the low number of sentences given in the cases where boys were involved.

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<sup>224</sup> Only in the Violent Teacher's case was the teacher brought to the court because of his sexual practices. However, he had raped and abused in many ways a large number of his pupils during many years.

<sup>225</sup> BACKMAN, EERO. *Rikoslaki ja yhteiskunta. Teoreettinen erittely rikosoikeuden tieteenkäsitteistä 1800-luvulla ja sen konkretisointi moraalien, uskonnon ja rikoslain suhteisiin Suomessa vuosina 1894-1917*. Suomalainen lakimiesyhdistys, Helsinki 1976.

<sup>226</sup> SAARIMÄKI, PASI. *Naimisen normit ja käytännöt. Esiaviollinen ja aviollinen seksuaalisuus 1800-luvun lopun keskisuomalaisella maaseudulla*. Jyväskylän yliopisto, Jyväskylä 2010.

Indeed, in the hierarchical estate society that Finland still was at the turn of the century, many understood their social position to be God-given and immutable. The better situation of the better-off of the society was equally considered as a given fact. This was the social horizon when the socialist and working-class movements arrived in Finland. Thus, the hierarchical structure of the society and of villages made many abusive relations possible, too. Other studies have shown that inside the patriarchal family structure landlords could exploit their maids without social consequences. Regarding homosexual relations, the situation was much the same: the poor did not have much physical integrity. The threshold to bring up a legal case was high, and indeed, the rural poor were for a long time ignorant of their legal rights. A sense of sexual integrity would perforce be related to one's physical integrity.

Juhani's case showed in a clear way the effect of the raising of social awareness. Juhani's abusive relations were questioned only in the context of general awareness of social inequality. His sexuality as such was not the most important aspect in the case, but rather his abusive relations. Indeed, neither the court nor the villagers were interested in examining Juhani's sexual relations with people from his own social sphere. Though frequently mentioned in testimonies, adult homosexual relations that were practiced among people in a higher social position remained unquestioned.

Despite the paradigm that connects same-sex intimacy to the urban sphere, the rural court cases showed in a clear way how the rural sphere offered many possibilities for same-sex intimacy. First, the living conditions produced spaces for same-sex intimacy: people lived at a distance from one another and so it was common to stay overnight at other people's houses. Further, people lived in crowded houses in which many non-relatives shared rooms and even beds. Housing structures with outhouses and saunas and agricultural outbuildings offered space for both heterosexual and homosexual relations. Finally, the countryside environment with meadows and forests offered many hidden places for sexual interaction.





## 2. Working class *self-polluters* under police control

### –*Tuomas’ story Kotka 1922*

#### 2.1. Illicit Sunday evening pleasures –alcohol and male-sex

Kotka, the southern Finnish port city on the coast of the Gulf of Finland and at the mouth of the Kymi River, was a true child of early industrialization and urbanization in Finland. Whereas in 1875 only fewer than three hundred people lived on the island of Kotka, in 1900 it was the ninth-most populated city in Finland. Its growth was related to the sawmill industry that had expanded all over the country due to Europe’s growing lumber needs.<sup>227</sup> In this chapter I will focus on the year 1920, when nearly 12 thousand people officially lived in Kotka. Together with these official citizens, there were many seamen during the unfrozen period of the Gulf of Finland.<sup>228</sup> At first, people had moved to Kotka from the nearby countryside. Later on, thanks to railway connections, people came to the city from all of the Eastern Finnish area. At the turn of the new century, Kotka was even called the “California of the Savonians”<sup>229</sup> as it offered work, and so dreams for a better future.

This transformation did not occur without creating several social side-effects. First, Kotka was a city of workers thanks to its industry and port. In 1920, nearly seventy percent of the population earned its living from industry or port transport.<sup>230</sup> There were, in addition, compared to other cities, a lot of men living there, as well as a lot of children and only a few old people.<sup>231</sup> Second, Kotka’s exponential growth had made it the most crowded city in the country; in 1919, more than half of the people in Kotka shared their room with two or more other persons. Half of the apartments in the city consisted of only one room.<sup>232</sup>

Kotka’s workers and the better-off were easily distinguishable. Since the general strike of 1905 workers’ rights had become a topic of discussion in Kotka, and during the civil war in 1918, the city was Red, until the Whites took the city over in May 1918.

<sup>227</sup> HALILA, AIMO. ”Kotkan vaiheita, satama- ja teollisuuskaupunki 100-vuotias” in *Satavuotias Kotka, juhlakirja vuonna 1978*. Edited by Jorma Savikko. Kotkan Kaupunki, Eteenpäin Oy:n offset-paino 1978:6-7.

<sup>228</sup> WARIS, HEIKKI. ”Sadan vuoden väki, Kotkan väestön kasvu ja kehitys 1878-1978” *Satavuotias Kotka, juhlakirja vuonna 1978*. Edited by Jorma Savikko. Kotkan Kaupunki, Eteenpäin Oy:n offset-paino 1978:36.

<sup>229</sup> Savonia (in Finnish ”Savo”), is a province in East Finland.

<sup>230</sup> WARIS 1978:49.

<sup>231</sup> WARIS 1978:39.

<sup>232</sup> WARIS 1978:52-53.

On a wintry November Sunday afternoon in 1920, two police officers were staying near a local Workers' House<sup>233</sup> which since 1905 had been a gathering place for Kotka locals. Suddenly, the officers saw how a man came out of the House, carrying some empty bottles in his trouser pockets. The 1919 Prohibition that had criminalized all alcohol production, consumption, selling and buying, exporting and importing and even holding alcohol. The police knew the man to be a local bootlegger, and decided to follow him, assuming that they would catch him doing his illegal alcohol businesses.<sup>234</sup>

The police followed the man to a local park, called the Big Park (*Isopuisto*), in which the local Greek-Catholic church in the center of Kotka was situated, about half a kilometer from the Workers' House (see map 3). There the police saw the bootlegger with another man. For a moment the men disappeared, but later the police saw them again in another part of the park. The police were certainly surprised when they did not see the bootlegger messing with alcohol, but instead, found him lying on the ground, next to a stump of a tree with another man. As soon as the men saw the police officers arriving they stood up. The police saw that the bootlegger man had his fly open and "his member" hanging out of his fly. His friend was drunk and started to ask whether the police officers had a lighter for his cigarette. When the man gave his hand, the police officer saw that he had some "pus" (*visva*), probably sperm, in it.<sup>235</sup>

Not finding any alcohol on the men, the police officers decided to let them go. The bootlegger promised to accompany the other man to his home nearby, and so the police refrained from taking the friend to a drunk tank to sober up.<sup>236</sup> The bootlegger did indeed take his friend home. The friend lived in the crowded conditions described earlier, as one working-class family let him stay at their place. The bootlegger went to sleep for an hour or two, and when waking up decided to go back to the Workers' House, as it was a *soiree* night. Sundays were holidays for workers, which normally meant more problems on the streets of the city.<sup>237</sup>

Two days afterwards the police officer informed a local detective police of the crime that had taken place in the park.<sup>238</sup> From this we can see that it took a little while for the police officers to understand that what they had accidentally witnessed in the park was a crime, a crime called "same-sex fornication". There were at least two reasons for this. First, they were much more focused on

<sup>233</sup> The workers' house in the center of Kotka was designed by Eliel Saarinen and was built during the years 1905-1907.

<sup>234</sup> Kotka 1920, Appendix §1248, A.

<sup>235</sup> Kotka 1920, Appendix §1248, A.

<sup>236</sup> Kotka 1920, Appendix §1248, A.

<sup>237</sup> SAVIKKO, JORMA (ed.) *Satavuotias Kotka, juhlakirja vuonna 1978*. Kotkan Kaupunki, Eteenpäin Oy:n offset-paino 1978.

<sup>238</sup> Kotka 1920, Appendix §1248, A.

the buying and selling of illegal alcohol, and, secondly, this kind of interaction was not known to be a crime. Indeed, this was the first time that someone had been accused of the crime of same-sex fornication in Kotka.

It is significant that also in the other urban same-sex fornication cases the crime became evident accidentally. Indeed, in none of the cases were the police initially interested in these men's sexual behavior. In case after case, something else had attracted their attention: in the Helsinki case from the year 1916, the police thought that they were dealing with a case of larceny, in which the suspected man had to explain the origins of his watch, as police thought it was stolen. In fact, it turned out to be a payment for a same-sex sexual service, and the investigation triggered interrogations into same-sex fornication, leading to a case.<sup>239</sup> In the guesthouse case from the year 1906 in Tampere, a working man was suspected of vagrancy, through which the police discovered his relations with adolescents in a guesthouse.<sup>240</sup> Again, in the shopkeeper's case from Tampere in 1910, the main reason for spying on the shopkeeper was his sexual activity, which interested the police only because some were minors involved, not because of its same-sex sexual nature.<sup>241</sup>

## 2.2. Discussions around same-sex intimacy in contemporary Finland

A study on Finnish newspapers, published before 1911, found that same-sex intimacy was not a topic of discussion in contemporary Finland. A look at contemporary newspaper writings on same-sex sexuality explains why the police did not recognize this type of act. For example, the internationally known trials of Oscar Wilde got virtually no attention in Finnish newspapers in 1895. Only one Finnish Swede newspaper, *Nya Pressen*, reported on the trial. No mention of the type of the crime was made.<sup>242</sup> In 1897 one newspaper reported that Wilde had been set free after two years' hard labor that he had gotten from a "crime that gained a lot of attention".<sup>243</sup> Once again, the crime was not named. The very first mention of same-sex intimacy in Finnish newspapers was in 1902, when a German businessman of the Krupp dynasty, Fritz Krupp was reported to have died of a heart attack as a consequence of being named in a homosexual scandal. The scandal was noted briefly in two Finnish newspapers in the context of questioning the vilification of this kind honest

<sup>239</sup> Helsinki city court. Cb:IV:115. 26.2.1916. (NAF)

<sup>240</sup> Tampere city court. Riita- ja rikosasiain tuomiokirjat. 1906 loka-joulukuu, I osasto Ca:183, 16.10.1906, 1355§. Tampere City Archive.

<sup>241</sup> Tampere city court. 1910 loka-joulukuu, I osasto Ca:199, 13.10.1910, 1538§. Tampere city archive.

<sup>242</sup> In *Nya Pressen* 5.6.1895

<sup>243</sup> In *Wiipurin* 25.3.1897. In Finnish: "aikoinaan huomiota herättäneestä rikoksesta".

individual. However, the case garnered precious little attention, and sexuality played a minor part in these three writings.<sup>244</sup>

Finnish newspapers began to discuss male sexual relations for the first time in the context of a homosexual scandal in Germany, called the *Eulenburg affair*. It was a huge and scandalous homosexual trial series that touched the inner circle of the emperor of the republic in Germany. The series of trials continued until the year 1909 and was closely followed in all European countries, including Finland. The reportage of the Eulenburg affair spread to different European countries the idea of homosexual relations, as well as the concept of homosexuality.<sup>245</sup> In Finland the scandal was also closely followed and reported, especially in the Swedish-speaking newspapers. Homosexuality was for the first time described, explained, condemned and used as a political tool in the public sphere.

The Eulenburg scandal was more closely followed and reported in the Finnish Swede newspapers, particularly *Nya Pressen*, *Hufvudstadsbladet* and *Östra Finland*. In Swedish, the word homosexual (*homosexuell*) was used more often, whereas in Finnish newspapers the other concepts, such as male-love (*miesrakkaus*) or unnatural intercourse (*luonnoton sukupuoliyhteys*) were used. These same-sex sexual practices were coupled with condemnatory adjectives such as *filthy* or *disgraceful*. The newspapers also often used euphemisms, probably on purpose to avoid an overly informative writing style. Much of the writing on the topic stressed shame. Instead of describing the testimonies in Eulenburg trial, for example, *Suur-Savo* mentioned that “*the things described by the witness were that sort that they cannot be published in any newspaper.*”<sup>246</sup> Same-sex intimacy, however, was not singled out for silence, instead, the writing style betrays the newspapers’ general attitude towards sexuality. Societal morality was felt to be at issue. Indeed, in 1922, the contemporary professor of criminal code, Allan Serlachius, stated that the publicity that same-sex fornication trials may give is not “healthy for the society”.<sup>247</sup>

As mentioned above, in the first decade of the new century homosexual terms were rarely used in Finnish-speaking newspapers. In *Pohjois-Suomi*, an article on Eulenburg with the story of his life from fame to infamy was published, and the newspaper used the then-unknown concept “hemosex”

<sup>244</sup> In *Suomen Kansa* 26.11.1902 and 29.11.1902, and in *Borgabladet* 13.12.1902

<sup>245</sup> Find more in DOMEIER, NORMAN. *Der Eulenburg-Skandal, Eine Kulturgeschichte Der Politik Des Späten Kaiserreichs*. European University Institute, Florence 2009.

<sup>246</sup> In *Suur-Savo* 11.11.1907. In Finnish: “*Siellä kertoi todistaja nähneensä sellaista, jota missään sanomalehdessä ei voi julkaista.*”

<sup>247</sup> SERLACHIUS, ALLAN. *Ehdotus uudeksi rikoslakiin*. Helsinki 1922:63.

(sic!) when describing the crime that Eulenburg had committed. The term was left obscure, but it was implied that it related to something dirty. The fact that the word was used wrongly shows us that the homosexuality as a concept was not yet established in the Finnish language.<sup>248</sup>

Other sexual scandals followed on the tails of the Eulenburg scandal and Finnish newspapers reported on these too. In 1908, there was a scandal in the Denmark Young Men's Christian Association, where homosexual practices and prostitution had taken place. In the Finnish *Worker* (*Työläinen*) newspaper, *homosexualist* was for the first time in this context explained for Finnish newspaper readers: "(A homosexualist is that kind of a man who practices unnatural sexual intercourse with other men. Ed. Note.)"<sup>249</sup> Homosexuality was, thus, something new that needed to be explained. However, there were no other concepts that the newspaper writer could have used to help with this explanation: for example, the editor did not write "homosexuality is a German word for male-love", which supports the idea that the issue was not culturally well-known. Instead, the concept had to be explained through the action. Thus, it is not exceptional that the police was not able to conceptualize the scene in the park.

In the scientific arena too, discussions over same-sex intimacy were rare. Before 1922, only a few medical writings that touched the issue were published in Finland. The first, written by a doctor named Johan Backman, was published in 1882 in a Finnish medical journal. Backman analyzed his female patient who felt being a man. The case of XYZ is well-studied in Finnish history, at first as a lesbian case, but later as a transgender history study.<sup>250</sup> In 1911, August Forel's famous book *The Sexual Question* (1905) was translated into Finnish. In this, Forel defined homosexuality after Krafft-Ebing to be pathological by its nature.<sup>251</sup> However Forel was against legal control of homosexuality as he founded it futile because of its abnormal nature.

In international conferences at the turn of the century, medical authorities started to question the legal control over homosexuality. In 1919 psychiatrist Akseli Nikula wrote the first Finnish article on the issue, titled "On homosexuality and its legal judgment" (*Homosexualiteetti ja sen*

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<sup>248</sup> In *Pohjois-Suomi* 18.5.1908.

<sup>249</sup> In *Työläinen* 27.7.1908. In Finnish: "(Homosexualisti on sellainen mieshenkilö, joka harjoittaa luonnonvastaista sukupuoliyhteyttä toisten miesten kanssa. Toim. Huom.)".

<sup>250</sup> SUHONEN, MALLA. "Transsukupuolisuuden näkymätön historia." in *Sateenkaari-Suomi. Seksuaali- ja sukupuoli vähemmistöjen historiaa*. Edited by Kati Mustola and Johanna Pakkanen. Rosebud books, 2007.

<sup>251</sup> THOMPSON, JULIE MARIA. *Mommy queerest, contemporary rhetorics of lesbian maternal identity*. University of Massachusetts Press, Amherst 2002. 21.

*oikeudellinen arvosteleminen*).<sup>252</sup> The article was published in Finnish medical journal and was based on Nikula's lecture in the medical association's seminar, *Duodecim*'s. In his article Nikula made mention of all the important contemporary studies on the field of homosexuality in Europe.<sup>253</sup> He discussed the different theories on the epistemology of homosexuality, possible ways to cure it how it should be treated in criminal law. Nikula thus gave a Finnish audience, though mainly physicians, a bird's eye view of the international thoughts on the subject.

Nikula seemed inclined towards Hirschfeld's theory of the third sex. He rejected the old theories of Krafft-Ebing and others, according to which homosexuality was a psychological pathology. Nikula agreed with Hirschfeld, who said that homosexuality could be a signal of a different kind of brain functioning. The thrust of the article was that people prosecuted for same-sex fornication should always be medically evaluated. Nikula did not take a stance on whether or not same-sex relations should be decriminalized. He does write that, in the end, it is homosexual's own decision to engage or not in these relations.<sup>254</sup> Nikula's article can be viewed being a statement from medical authority to legal ones, showing that medical experts should be heard when sexual crimes are treated in the court. Indeed, in later decades medical expertise gained importance in the evaluation of sexually deviants.

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<sup>252</sup> NIKULA, AKSELI. "Homoseksualiteetti ja sen oikeudellinen arvosteleminen" in *Duodecim, kirjoituksia lääketieteen ja lääkäritoiminnan aloilta*. Duodecim-Seura, Helsinki, 1919. pp. 249-271.

<sup>253</sup> For instance, Nikula was familiar with the works of Forel, Ulrichs, Westphal, Krafft-Ebing, Hirschfeld, Moll, Hochen, Havelock-Ellis, Westermarck, Bloch, and Freud.

<sup>254</sup> NIKULA 1919:260.

### 2.3. Control over the pleasures of a working man

Who was this “bootlegger” and “self-polluter” who was prosecuted for “self-pollution” and “fornication”? He was Tuomas, an unmarried and jobless guy, born thirty years earlier in a nearby rural district. His education was limited to that of the folk-school and to confirmation class. Tuomas came from a working-class background. He had served in the house of a local doctor in Kotka for sixteen years, before the civil war.<sup>255</sup> After the civil war, he had been unemployed, and, according to the police, earned his living by selling illegal alcohol.

Before the civil war, in 1917, Tuomas had joined the general workers’ trade union, and during the war, at the beginning of March 1918, he had joined the Red Guard of Kotka. Tuomas was one of the cooks for his campaign: the leader was a local industrial worker called Heikki Kröger, who was later executed by the Whites. Tuomas followed the campaign to other southern Finnish cities, to Kouvola and to Savitaipale. In Savitaipale, one of the most important battles of the war was fought between the Reds and the Whites. In April 1918, the Whites won the area from the Reds, and so Tuomas and the others returned to Kotka. On May 7 the Whites imprisoned Tuomas in Kotka, after which he was first taken to Hamina and at the end of the month moved to the notorious Tammissaari prison camp. In Tammissaari, there were more than 8,500 Red prisoners (11% of all the Red prisoners) and the living conditions were extremely poor. From June to December in 1918, one third of the prisoners in the camp died of hunger and disease.

Tuomas did not die and was let free after a trial on September 4 1918, in which Tuomas was prosecuted for high treason, as he had voluntarily joined the Red guards during the civil war. He was judged by a special high treason court, which were set up after the civil war to give sentences to the tens of thousands of Red prisoners who were waiting to be sentenced in prisoner camps around Finland. Tuomas’ sentence was three years’ hard labor and the loss of civil confidence<sup>256</sup> for five years. The sentence was given with five years’ probation, which was, in fact, a mild punishment if it is compared to the sentences given after the war to over sixty-seven thousand people.<sup>257</sup> However, Tuomas was later pardoned, probably already in October 1918 when the Red prisoners who had been given a sentence of less than four years were pardoned with five years’ probation.<sup>258</sup>

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<sup>255</sup> Valtiorikosoikeuden arkisto. Valtiorikosoikeus 4.9.1918. 117. os. 3:158.

<sup>256</sup> The loss of the civil confidence was one of the punishments in Finnish criminal law before it was removed from the law in 1969. The loss of the civil confidence meant that the person could not participate in political activities, could not testify in the court, or work in some professions. The loss of civil confidence could have been given for 1 to 15 year period.

<sup>257</sup> KEKKONEN, JUKKA. ”Valtiorikosoikeuksien toiminta Suomessa 1918” in <http://www.vhkk.fi/ukh/9321.htm>

<sup>258</sup> KEKKONEN, JUKKA. ”Valtiorikosoikeuksien toiminta Suomessa 1918” in <http://www.vhkk.fi/ukh/9321.htm>

At the time of the same-sex fornication case, the civil war was still very recent, and the working-class identity was an inseparable part of Tuomas' self-perception. Upon his return from the war, Tuomas was unable to find a place for himself in society. His drunken friend was also a working-class man. He was 29 years old and unmarried. He had come to Kotka from the Ostrobothnia area, in Western Finland.

It is not a coincidence that these two individuals were working-class men, for apparently this was the case in every same-sex fornication trial of the period. Compared to the rural cases, where the men convicted of same-sex fornication were mainly old and rather important members of their community, in the urban sphere they were nobodies, usually represented by younger working-class men. This interesting fact can be explained by different control mechanisms in the urban and in rural spheres. In these rapidly growing industrial cities, social control was institutionalized and it was no longer based on personal relations, as in the pre-modern rural communities.

However, it would seem that urban cases give a rather distorted picture of urban homosexuality. Control of homosexual behavior in the cities was really control over working-class sexuality. For instance, the homosexual culture described by Magnus Hirschfeld's informant Fritz Wetterhoff, quoted in the introduction part of the chapter, remains invisible in the sources, even though Wetterhoff said that he himself knew over two-hundred homosexuals from upper circles in Helsinki. He also mentioned that it was homosexual relations were fashionable in the upper classes: "it is now also more or less publicly known that many of the most respected men in the land are no friends of women, that their sympathies lie in male youths".<sup>259</sup> In his opinion the liberal attitude of the legal authors depended on the fact that they were once young and handsome themselves too, and had themselves experienced the same homosexual relations. Wetterhoff described the male educated world, where older men helped younger ones and where their friendships were considered pure and intelligent.<sup>260</sup> These kinds of relations are totally absent from the legal sources, as they were kept secret and practiced behind curtains.

Although absent from the legal sources, this upper class "male-love" was recognized in the working-class newspapers. In 1907, for example, in connection to the above-mentioned Eulenburg scandal in Germany, one of the many working-class newspapers reported the scandal and paralleled homosexual relations to the strict alcohol policy:

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<sup>259</sup> HIRSCHFELD 2000: 611.

<sup>260</sup> HIRSCHFELD 2000: 610-611.



“The pleasure that alcohol gives is very unimportant compared to the pleasures that are enjoyed in burgher circles. Burgher gentlemen have already lived through their liqueur era and have arrived at the ground of the better pleasures. It has been heard being whispered that the case of Moltke-Harden in Germany, which dealt with these important gentlemen’s soldier male-love, has highly impressed our gentry. That is because our gentry have to get some knowledge on how to escape scot-free, because here the same kinds of revelations are waiting for them as well.”<sup>261</sup>

From this sarcastic writing we are able to see that both same-sex relations and alcohol consumption, even when illegal, remained uncontrolled for upper-class people, who were able to enjoy these pleasures in the private sphere, that is, in their opinion, in a more sophisticated way. By contrast, the working-class man went to look for illegal booze and sex in public places, such as parks and toilets, of which the case of Tuomas and his friend is a perfect example. One has to remember that working-class people lived in crowded one-room apartments, and so they had no private places for sexual relations. In his article on prohibition in Finland in the 1920s, Matti Peltonen shows that the prohibition of alcohol products was aimed at the lower classes. Leading principles behind the sobriety movements portrayed the alcohol consumption of lower classes as vulgar and problem-causing, whereas upper-class’ alcohol consumption was considered to be sophisticated.<sup>262</sup> If we consider “male-love”, we hear a strong echo of prohibition law. In addition, upper-class male-bonding took its models from ancient Greece, whereas sex in parks was considered to be just vulgar lust.

The control apparatus thus recognized only sporadic lower-class homosexual behavior, whereas all other forms of homosexual relations remained hidden, such as longstanding male relations, female relations, and even upper-class homosexual friendships, as explained in Hirschfeld’s book. As these relations remained hidden, they could not alter the stereotyped cultural image of a homosexual, which was set into cultural understanding in later decades. We may ask to what extent the

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<sup>261</sup> In *Työmies* 26.11.1907. In Finnish: ”*“Likööripullo sylissä”*. *Se nautinto on toki sangen vähäpätöinen sen rinnalla mitä porwarispiirissä nautitaan. Porwarisherrat owat nimittäin jo eläneet likööriaikansa siwu ja saapuneet parimmille nautintolaitumille. Kuullanpa nimittäin kuiskailtavan, että se Moltle-Hardenin kärjäkäynti Saksassa, joka koski korkeitten herrojen sotamiesrakkautta oli sangen mieltä kiinnittävä meikäläiselle herraswäelle. Siitä syystä, että sen herraswäen täytyy koettaa saada kokemusta, millä tavalla Hardenin ahdistamat uhrit pääsevät oikeuden nuijan alta, koska heitä täällä odottaa samanlaiset paljastukset.*”

<sup>262</sup> PELTONEN, MATTI. “Sivistyneet, 1920-luku ja kieltolaki” in *Vampyyrinainen ja Kenkkuniemen sauna. Suomalainen kaksikymmentäluku ja modernin mahdollisuus*. Edited by Tapio Onnela. SKS 574. Gummerus, Jyväskylä 1992. pp. 61-78.

stereotyped homosexual image that portrayed homosexuals as perverts lurking in the public toilets was an outcome of legal proceedings that made visible mostly these urban homosexual relations practiced in public places by lower-class men.

#### 2.4. Interrogations –confessions and explanations

On December 26 at midday, a police officer informed the detective police that “on Sunday evening at around 6-7 pm, working men [Tuomas] and [N.N.] had sexual intercourse near the Greek-Catholic church by rubbing each other’s sex organs with their hands.”<sup>263</sup> As a result of this information, the detective started to investigate the case in the police station the following day, on November 27, 1920, Both the accused were heard in the interrogations as well as the two police officers who had witnessed the sex in the Big Park.

Tuomas confessed that he had “fornicated” with another man in the park. He also said that he had not received any satisfaction, however, as he had been too drunk. Tuomas also openly described how he had done it before, since the summer of 1918, when Tuomas was apparently in the Tammisaari Red prisoners’ camp.<sup>264</sup> The friend, on his part, did not deny that he had had sexual intercourse with Tuomas in the park. He added that he did not remember any of the events, because he had been too drunk, so he could not be completely sure if it had really happened. He did recall having met Tuomas in a local cafeteria called “Kiisto”, from where Tuomas had offered to accompany him to his home.

Tuomas and his friend did not have any reason to deny the accusation. In the rural courts the men denied their sexual relations, but in the cities the prosecuted men openly recounted their sexual background. The same applied to all urban cases: The city men talked openly about their sexual relations, confessed the crime, and discussed their sexual experiences. This interesting fact can be explained by the notion of urban anonymity. Compared to rural communities, these men did not have any personal contacts with the legal authorities or with the police officer. They did not have to be loyal towards anyone or to be afraid of letting someone down with a too-open confession. Further, it seems that these men did not attribute that importance to a single sexual act. That is, according to these men their sexual behavior did not define them in any way.

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<sup>263</sup> In Finnish: ”Sunnuntaina noin klo 6-7 ajoissa illalla harjoittivat työmiehet [Tuomas] ja [N.N.] kereikkalais-katolisen kirkon louona, kaupungin Isossapuistossa, sukupuoliyhteyttä hankaamalla toinen toisensa sukupuolielimiä käteen.” Kotka 1920, Appendix §1248 A.

<sup>264</sup> As it seems that the Red prisoners’ camp was the place where Tuomas had his first same-sex experience, it shows again in one way that the Finnish history is full of examples of social mobility, people being together out of homes and family structures. This may be compared to Second World War same-sex experiences.

If same-sex intimacy was without specific cultural meaning, how was the act understood? Apparently, Tuomas considered both his sexual act with another man as well as his own masturbation to be part of the same phenomenon, called self-pollution. It is clear in Tuomas' confession, where he "admits that also before, since the summer 1918, he has practiced self-pollution alone as well as with others, in the same manner as he had done this time with [N.N.]"<sup>265</sup> In fact, Tuomas was not the only one who placed masturbation and hand-jobs with another man into the same category. The detective who held the interrogations also considered the sex between these men as having been "self-pollution". In the crime record application for the ministry of justice, the detective commander mentioned that "[Tuomas and N.N.] are prosecuted in the city court of Kotka for self-pollution".<sup>266</sup> This interesting clue tells us two things: First, it tells us that homosexual acts were not culturally motivated, and second, it tells us that self-pollution itself had a wider dimension than only masturbation.

In fact, the masturbation habit of the accused was discussed also in three other urban cases (in the two cases tried in Tampere (1906 and 1910) and in the Helsinki case (1916)), but in none of the rural ones. The only explicit explanation for same-sex sexual behavior was the fact that these men had masturbated a lot during their lives. Whereas Tuomas admitted to having practiced self-pollution by himself and with other men for a couple of years, the prosecuted man in Tampere in 1906 reported that he had for several years needed other men to satisfy his fleshly lust because he had been *an onanist* since he had been to folk-school. His partner, a teenage worker, also confessed that he had been *a self-polluter* for several years. In the Helsinki-case in 1916, the man described his past in greater detail. There the self-pollution habit rendered the man's sexuality "too active":

"Already from an early age the defendant had practiced self-pollution. He recalled that for the first time he had done it as a schoolboy [...] He had practiced self-pollution by rubbing his penis with his hand. But as he grew up he did it a little bit less"<sup>267</sup>

From the wording one can deduce that in each case it had been the interrogating police officer who asked about the possible masturbation habits of the accused men. This means that the interrogating police officers saw a possible connection between habitual masturbation and illicit sexual action,

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<sup>265</sup> In Finnish: "myöntää ennenkin, jo kesästä v. 1918 lähtien, harjoittaneensa itsesaastutusta yksin ja toisten kanssa samalla tavalla kuin nytkin [Fransin] kanssa." Kotka 1920, Appendix §1248 A.

<sup>266</sup> In Finnish: "[sukunimi] syytetään Raastuvanoikeudessa itsesaastutuksesta. Kotka 1920, Appendix §1248 B and Appendix §1248 C.

<sup>267</sup> In Finnish: "Jo pienenä poikana oli vastaaja alkanut harjoittaa itsesaastutusta ja muisteli vastaaja että hän ensi kerran oli siten tehnyt koulupoikana ollessaan ja että oli se johtunut siitä, että vastaaja oli tuntenut jonkinmoista "tydytystä" koulupoikana nuorissa kiivetessään. Itse-saastutusta oli vastaaja harjoittanut kädellään siitinelintään hankaamalla, mutta oli sitä hiukan vähemmän tullut harjoitetuksi vastaajan tultua varttuneemmaksi".

otherwise they would not have asked about it; and it also means that the working class- men did not necessarily connect their sex relations to their habit of masturbating.

In the nineteenth century, masturbation was believed to cause many kinds of social and sexual problems. The European “panic over masturbation” in Europe was related to this belief. Thomas Laqueur, in his book on the cultural history of masturbation, writes that the moral panic towards masturbation started in Europe in the first half of the nineteenth century. In Laqueur’s view, the problem with masturbation lay not in the sexual pleasure that it gave, but in the fact that the Protestants highly glorified heterosexual love and claimed as virtuous the pleasure it afforded the individual. As a consequence, masturbation was seen as a false pleasure, a perversion of the real. Laqueur asserts that doctors were close allies of the new moralists and romantics, and estimates that the moral panic around masturbation diminished “around 1900”, when new medical research showed that masturbation did not cause all the harm that had previously been claimed.<sup>268</sup>

A look at the numerous moral pamphlets written and circulated in Finland at the turn of the century sheds light on how it was that the police became concerned with the masturbation question. From the 1880’s onwards, books and pamphlets related to sexual morality were published increasingly widely in Finland. During the period of 1865-1918, 150 sexual educational and moral books were published in Finland, of which 122 supported the absolute sexual moral ideology. More than half of the books were published during the period of 1903-1911, while the relativist sexual moral books were mostly written between the years 1910-1912, with the first book of this kind being published in 1904.<sup>269</sup> In the moral writings homosexuality was a rare topic, discussed only and exactly in connection with masturbation. In the German medical field of the 1880s, Krafft-Ebing had considered homosexuality to be genetic pathology, which would be activated as a result of masturbation.

Same-sex sexuality was discussed in three of the pamphlets published in the series called “Moral questions of our time”<sup>270</sup>, two of which were translations from Norwegian to Finnish. As far as I can tell, Pietari Päivärinta (1827-1913) was the only Finnish writer of these moral pamphlets to

<sup>268</sup> LAQUEUR, THOMAS. *Solitary sex. A cultural history of masturbation*. Zone Books, New York 2005.

<sup>269</sup> NIEMINEN, ARMAS. *Taistelu sukupuolimoraalista. Avioliitto- ja seksuaalikäytymyksiä suomalaisen hengenelämän ja yhteiskunnan murroksessa sääty-yhteiskunnan ajoilta 1910-luvulle.* WSOY, Porvoo and Helsinki 1951:257.

<sup>270</sup> Related to absolute sexual morality, there was one large series of books called *Sexual moral questions of our time*, which consisted of 16 pamphlets (published during the years 1903 to 1908), half of them written by Finnish writers and other half translations from other European writings. It is held to have been the most important forum for absolute sexual moral ideas in Finland. Common to all the writings was the fact that sex was considered to belong only to marital relations between husband and wife, while other forms of sexuality were seen to be against the will of the God.

have discussed same-sex sexuality in the first decade of the twentieth century in Finland.<sup>271</sup> Päivärinta was a writer and a member of the Diet who worked as an assistant clerk. He wrote on Finnish peasant life and some of his work translated into other Scandinavian languages and German. In one of his writings, published as a pamphlet in the *Sexual moral questions of our times* –series, Päivärinta mentioned same-sex sexual desire in the context of masturbation. Päivärinta brought *onania* into the discussion because he thought that this *vice* was increasingly popular among common people. In his writing, same-sex practices were seen as a symptom of masturbation.

First, Päivärinta explained how some young men had gone insane because of masturbation; how they had lost their sense of reality and how their nerves had been injured. After that, Päivärinta explained how *onania* might also lead to the loss of the natural sexual drive so that “man turns to other men to satisfy his sexual drive. This is a disgusting habit, where even the order of the nature and the purpose of the God are displaced”.<sup>272</sup> He viewed same-sex sexuality as a “disgusting habit” which harms the family order. Päivärinta referred to some same-sex sexual cases he knew from the Finnish region the pamphlet focused on. He knew of cases where men were already married but had still carried out same-sex sexual practices. He also referred to some women who were married, but still “could not manage to live without one and another”.<sup>273</sup> Päivärinta was horrified how these women “fell to that kind of loathsome and unnatural state”<sup>274</sup> in their elder years. In Päivärinta’s opinion these women could be compared to the men who had become slaves to their lust with other men. Päivärinta punctuated his conclusion with a single word: “Disgusting!”<sup>275</sup>

In addition, in 1903 and 1904, Paavo Snellman, a doctor of theology, translated two of the lectures given by Norwegian theologian Fredrik Klaveness for two pamphlets in the *Sexual moral questions of our times* series.<sup>276</sup> While they were not the ideas of a Finnish author, their publication meant that they could be read in Finland in Finnish and interestingly, that they were considered important enough to be published in Finland.

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<sup>271</sup> LÖFSTRÖM 1999.

<sup>272</sup> In Finnish: “mies kadottaa luonnollisen sukuviettinsä ja kääntyy toisiin miehiin ja saa niistä sukuviettinsä tyydytyksen. Tämä on inhottava tapa, kun himoissaan saatetaan luonnonjärjestyskin harhaan ja Luojan tarkoitus syrjäytetyksi.”

<sup>273</sup> In Finnish: “Eivät voineet toisittaan tulla toimeen.”

<sup>274</sup> In Finnish: “joutuivat tuommoiseen iljettävään ja luonnosta poikkeavaan tilaan.”

<sup>275</sup> In Finnish: “Iljettävää!”. PÄIVÄRINTA, PIETARI. *Siveellisyysolot Pohjanmaalla rahvaan keskuudessa*. Aikamme siveellisyyskysymyksiä series, 10. Yrjö Weilin, Helsinki 1905: 25-27.

<sup>276</sup> KLAVENESS, FREDRIK 1903. *Sukuvietin oikea sija ja merkitys persoonallisuudessa*. Translated by Paavo Snellman. Aikamme siveellisyyskysymyksiä n:o 4. Yrjö Weilin, Helsinki and KLAVENESS, FREDRIK, 1904. *Nuoruusajan ensi epäsideellisyys sekä vapautuminen siitä ja sen seurauksista luonnollis-siveellisen sukuelämän käsityksen kautta*. Translated by Paavo Snellman. Aikamme siveellisyyskysymyksiä n:o 8. Yrjö Weilin, Helsinki.

Klaveness wrote about same-sex desire in connection to masturbation: “one’s personality gets broken, sexual drive ruined, and it can lead to probably the worst unnaturality of all (manly-lust<sup>277</sup>)”.<sup>278</sup> In the other pamphlet, written for adolescents, Klaveness said that because of masturbation, images of women may start to be associated with all the dirtiness that masturbation represents, and because of this the attraction may turn towards other men.<sup>279</sup>

People who felt that they were weak in this sense were advised by Klaveness to avoid all admiring of human bodies as well as statues. Klaveness assumed that “the eager will to present and adore the human body in Greek-Roman art was caused by the known manly-lust (pederasty) of those cultures”<sup>280</sup>. By saying “I have here dealt with the most disgusting aspects”<sup>281</sup> Klaveness ended the part that dealt with same-sex sexuality, and apologized to his audience for having had to discuss it.<sup>282</sup>

These three isolated references to same-sex intimacy prove the rule. However, the negativity towards same-sex intimacy evident in the pamphlets was not reserved for homosexual behavior: any form of extra-marital sexuality was considered reprehensible. I do not believe that working-class men and adolescents who talked about their self-pollution habits in the court case documents would have connected their masturbation to their same-sex behaviour if they had not been led to this idea by the interrogating police. The sexual-moral writings show us that habitual masturbation was used as an explanation in city-trials because it was an easy way to explain something that was not culturally motivated. Only in later decades, when the worry over masturbation had subsided, were new explanations needed to explain same-sex sexual practices. However, in the first decades of twentieth-century Finland, masturbation was an economical explanation for same-sex desire and practices, as well as for any other kinds of deviant forms of sexuality.

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<sup>277</sup> In Finnish: *miehimys-himo*. *Miehimys* was one of the old words, biblical origins, in Finnish language to signify a man who had sex with other men. The word is derived from *mies*, which means a man. The end *-mys*, is used also in other biblical words, such as *pyhimys*. That means a saint. Saint as an adjective is *pyhä*, so the logic *pyhä-pyhimys*, *mies-miehimys* is the same.

<sup>278</sup> KLAVENESS, 1903: 34. In Finnish: “(...) *palkaksi saavat särkyneen persoonallisuuden, turmeltuneen sukuvietin, kenties koko sukuelämän huonoimman epäluonnon (miehimys-himo)*.”

<sup>279</sup> KLAVENESS, 1904: 35-36.

<sup>280</sup> In Finnish: “*Eiköhän kreikkalais-roomalaisessa taiteessa nähtävä innokas ruumiin ihanuuden jumaloiminen ja esittäminen johtune näiden kansojen tunnetusta miehimyshimosta (pederastiasta)?*”

<sup>281</sup> In Finnish: “*Olen tässä kosketellut kaikkein inhottavinta*”.

<sup>282</sup> KLAVENESS 1904:36.

Allan Serlachius had also written that mutual masturbation should be considered as “same-sex fornication”. However, according Serlachius this “mutual self-pollution” should be punished if it was done for the purpose of satisfaction. Serlachius was thinking in German terms when he wrote that there is disagreement between scholars about what should be considered fornication. He stated that the dominant interpretation in jurisprudence was to consider only intercourse kind of sexual actions (beischlafähnlich) to be fornication, whereas only a provocation of that kind of a lust was not. He referred to the German model, where in fact, only coitus between men was considered criminal.<sup>283</sup>

## 2.5. The trial and the doubts of the sense of the fornication Section

The case of Tuomas was tried in Kotka city court on November 17, 1920. The prosecutor, a Swedish-speaking lawyer named Gustav Åkesson<sup>284</sup> prosecuted the men for “having practiced sex with another person of their own sex”. Tuomas was also prosecuted for the selling of prohibited alcohol products. The prosecutor asked the police officers to the court to testify in the case. In his defense, the friend asked the worker couple, in whose home he stayed to come and testify that he had been too drunk to have sex that Sunday evening.

The friend claimed to have been too drunk to remember what happened on that Sunday evening, and in addition to the couple at whose place he lived, another of the police officers testified that another man was so drunk that he could not even stand without help. The couple described how the man had immediately fallen down on the floor when entering their home. The man claimed that “[Tuomas] had abused his state of unconsciousness and used him only as his tool to practice his crimes”.<sup>285</sup> This sentence points out an important element, that of the sexual abuse of another man.. In none of the court cases from 1894-1924 were men seen as possible victims of sexual abuse. In many cases, as in the previously discussed teacher’s case, it was possible to interpret these relations from the vantage point of abuse. However, not even in the violent teacher’s case from the year 1921, where the teacher forced his pupils into anal sex, were the boys considered victims. According to the criminal law, that is, a male could not be a victim of sexual violence.

<sup>283</sup> GILES, GEOFFREY J. "Legislating Homophobia in the Third Reich: The Radicalization of Prosecution against Homosexuality by the Legal Profession." *German History*; Vol. 23:3, (2005): 339-354.

<sup>284</sup> Åkesson, Gustav Reinhold was born to a rich doctor’s family in 1867 in Vyborg. He had studied in Helsinki and Vyborg, and came to Kotka in 1899 where he worked the rest of his life. HOLMBERG, K. G. *Suomen Lakimiehet elämäkerrallisia tietoja*. Schildt, Helsinki 1926:127.

<sup>285</sup> In Finnish: ”vastaaja [Tuomas] oli tätä hänen tiedottomuutensa tilaa hyväkseen käyttäen, käyttänyt häntä vain välikappaleenaan rikoksensa harjoittamisessa.” in Kotka 1920, §1248, the court document.

The court sentenced Tuomas to prison for one month for the crime of same-sex fornication, whereas his friend was given a 50 marks' fine, not for same-sex fornication but for having been drunk.. He was considered as being too drunk to have been able to understand what he was doing with Tuomas. Tuomas also received a 500 marks' fine for selling illicit alcohol. When comparing the sentences, we can see that a same-sex sexual act or "mutual masturbation" was not considered a grave crime according to the Kotka city court. In the case that the men did not have the money to pay the fines, the 500-mark fine was changed to one month's imprisonment and the 50 marks' fine to one week of imprisonment. This means that selling illegal alcohol was thought of a crime equal to same-sex fornication. The police found drunken people on a daily basis, but being drunk led to a ten-day stretch of imprisonment, which is one-third of the time Tuomas had to stay in prison because of his homosexual act. From a modern point of view, it is difficult to compare and understand the gravity of these crimes, because neither of them would be considered criminal in our twenty-first century Western cultures. However, the criminal code was also aimed at controlling people's moral behavior, and both of these crimes were viewed mostly as crimes against morality.

In fact the founding father of the Finnish criminal code and the first professor of the criminal law, Jaakko Forsman, considered that "same-sex fornication" could indicate three different kind of actions first, the actions, of which purpose was *to satisfy sexual lust*, second, the actions, of which the purpose was *to stimulate or provoke that sort of lust*, and third, the actions, of which were *against sexual moral*.<sup>286</sup> Therefore, the original purpose of the paragraph was, to protect society from those kinds of decadent actions and preserve the sense of morality of its citizens.<sup>287</sup>

However, the second author, Allan Serlachius, who was the professor of criminal law after Forsman, from 1902 onwards, had a more liberal attitude towards the same-sex fornication section , as well as towards other sexual crimes, that were based on morality (prostitution and abortion). By 1922, that is, two years after the case of Tuomas, Serlachius had already suggested the decriminalization of same-sex sexual actions between adults.<sup>288</sup> These kinds of statements were heard already in Germany, where the movement against the criminalization attempts of the homosexual practices in the late nineteenth century provoked protest movements.<sup>289</sup>

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<sup>286</sup> LÖFSTRÖM 1999: 202.

<sup>287</sup> HÄGSTRÖM 2010: 54.

<sup>288</sup> HONKASALO, BRYNOLF. "Suomen rikosoikeuspolitiikka kahtena viimeisenä vuosikymmenenä." In *Lakimies. Suomalaisen lakimiesten yhdistyksen aikakauskirja*. Vol. 37, 1939: 377.

<sup>289</sup> Writers such as K. H. Ulrich, K. M. Benkert, and M. Hirschfeld were writing on love between men. Ulrich published plenty socio-juridical books on homosexuality in 1860s whereas Benkert was an inventor of the word homosexual and an active activist against anti-homosexual laws. Hirschfeld was a creator of the Wissenschaftlich-humanitäres Komitee.



In his proposal for the new criminal law Serlachius stated that same-sex fornication, or “abnormal sexual fornication” should be decriminalized if it happened among two consenting adults:

“Unnatural sexuality is one of the issues that the criminal code should engage with as fractionally as possible. Criminal code is not the best tool against abnormal sexual drive. The conviction causes more bad than good (as it is often used for blackmailing). In addition, it is not healthy for the society that these kinds of issues become to public because of trials.”<sup>290</sup>

Serlachius brings in the three topics that colored the discussions around same-sex intimacy in the first decades of the twentieth century. First, the criminal law was not an effective way to deal with same-sex practices. After analyzing the cases that were tried before Serlachius’ proposal, I understand his view. In addition, as the sources say, adult same-sex intimacy did not form a social threat nor did it endanger society. Third, Serlachius wished to continue the tradition of silence around this issue, because he did not want to publicize these relations.

## 2.6. Closing words

The second chapter discussed through the case of Tuomas, how same-sex intimacy was understood in Finland during the first decades of the twentieth century. Tuomas’s case showed that same-sex practices were connected to masturbation if to anything, and that in 1920s Finland, same-sex intimacy did not form a cultural category. Silence surrounded same-sex intimacy as it surrounded other types of sexual expressions. The official morality supported absolute sexual morality, which allowed sexual expressions only within wedlock. The criminal code was based on this view, and so even adultery was criminalized.

However, the absolute sexual moral as a basis of the criminal code was questioned already in the early 1920s when the professor of the criminal code suggested the decriminalization of same-sex fornication, adultery, and bestiality, among other things, and was about to legalize abortions too.

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STEWART, CHUCK. *Homosexuality and Law, a dictionary*. Abc-Clio, Santa Barbara 2001: 2-3. STÅLSTRÖM, OLLI. *Homoseksuaalisuuden sairausleiman loppu*. Gaudeamus, Tampere, 1997: 58.

<sup>290</sup>SERLACHIUS, ALLAN. *Ehdotus uudeksi rikoslaki*. Helsinki 1922:62-63. In Finnish: ”Myöskin luonnoton haureus kuuluu niihin asioihin, joihin lainsäätäjän on paras puuttua mahdollisimman vähän. Anormalista luonnonviettiä vastaan ei rikoslaki ole oikea keino. Rangaistus aikaansaa tässä pikemminkin pahaa (sitä käytetään esim. usein kiristämiskeinona) kuin hyvää. Eikä yleensä ole yhteiskunnalle terveellistä, että tällaiset asiat oikeudenkäynnin kautta joutuvat julkisuuteen.”

Regarding same-sex relations, Serlachius used the blackmailing argument, according which same-sex fornication crime offered a good way to blackmail homosexuals. Therefore it seems that Serlachius was familiar with the ongoing debates on the field in other Nordic countries. Indeed, at the time Hirschfeld's theories on homosexuality were by and large supported in Denmark and started to be discussed in Sweden too. At the time of Serlachius' proposal, same-sex intimacy did not seem to have any legal significance and therefore it could have been a good moment to decriminalize it. However, Serlachius' proposal was condemned as too liberal, as he also suggested decriminalization of abortion and bestiality.

In 1919 the psychiatrist Nikula had questioned the meaning of the same-sex fornication paragraph and promoted medical evaluations in homosexual cases. Nikula held Hirschfeldian-type views on homosexuality. Following Hirschfeld, he divided homosexuality into innate and pseudohomosexuality. Up until the 1920s, these were the only medical and legal statements being made. Indeed, both groups, the medical and the legal, looked toward Hirschfeldian theory for their explanations of same-sex intimacy.

What we learned from the case of Tuomas is that, indeed, same-sex intimacy was only slightly known in Finnish culture at the time. With the exception of socialist newspapers, the press remained silent regarding the issues of same-sex intimacy in Finland. The term homosexuality came to Finnish language through the Eulenburg scandal, which was widely reported in Finnish newspapers before 1910, though in a very low-tone style. Indeed, in many cases, if the reader did not know something about homosexuality, she remained ignorant after having read an article about the topic. Remarkably, the famous trial of Oscar Wilde was not reported in Finnish newspapers.

Because of the lack of available discourses the police connected Tuomas' sexual act in the park to self-pollution, which shows that the discourses of the numerous morality works written at the turn of the twentieth century still had their impact on sexuality. Masturbation was viewed as an answer when trying to explain the sexual relation between two men. Masturbation was the problem number one in the moral books of the early twentieth century and "manly lust" was described of being one of its outcomes. While there were dozens of morality texts same-sex desire was mentioned only in three of them.

Many sources suggested that upper-class homosexuality was admired and rather common at the beginning of the new century. However, these relations remained totally absent from the court records, which in the urban sphere focused only on the control of working-class bodies. Same-sex fornication was a crime only for the poor, in a same way as the prohibition law of the time was

equally pointed against working-class alcohol consumption. In both cases, it seems that the upper-class believed their own behavior was made acceptable by dint of its relative sophistication.



# Part 2

## –Becoming a Problem, 1930-1945

*“There is a vice that has escaped at least public attention, though it is totally equivalent to the first mentioned [=white slavery and prostitution] because of its widespread and because of its corrupting influence to urban population. With this vice we mean homosexual crimes.”*<sup>291</sup>

### Introduction

The above-cited quotation nicely encapsulates the 1934 situation in which it was produced. Homosexuality was a new topic, which had not been previously discussed in public. However, now it started to gain negative attention, as it was viewed as a corrupting element in the urban sphere. It was considered both widespread and connected to the number-one vice of the time, to prostitution.

Part 2 discusses how previously undefined male sexual intimacy began to be recognized and problematized in different fields of Finnish society. This will be done through three case studies, which shed light on various angles of the issue. By reconstructing these cases, I will reflect the cultural particularities of the pre-war years and the years of the Second World War, and the changing attitudes towards male intimacy. The first “scandalous” case will concentrate on the deep depression and urbanization, and the second on eugenics, masculinity and nation-building, all these themes being acute in “the decade of poverty and isms”<sup>292</sup> as the 1930s have been called. The third chapter will concentrate on male intimacy on the frontlines and show how, in fact, it was a period when ‘knowledge’ about homosexuality spread among common people.

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<sup>291</sup> In *Suomen Sosiaalidemokraatti*, 14.1.1934. In Finnish: ”Näiden vitsausten rinnalla on ainakin julkisuudessa jäänyt huomiota vaille pahe, joka on täysin rinnastettavissa ensimmäintujen kanssa sekä laajalle levinneisyytensä että varsinkin kaupunkikuntien asujamista rappioittavan vaikutuksensa taikia. Tarkoitamme homoseksuaalisia rikoksia.”

<sup>292</sup> In Finnish: “Pulan ja aatteen vuosikymmen”.

The main argument in this part is that the uncontrollable transformation of society, the depression, and the right-wing policies of nationalism, together created an interest in deviant sexualities. Interest in same-sex sexuality occurred in this period, as it was more sharply defined and considered a problem, which also had a name: “homosexuality”. Nazi-German influences in Finnish medicine were notable, and also had their impact on the way in which male same-sex intimacy became viewed in Finland. During the period, the previous careless attitude towards sporadic male sexual acts was replaced with concern that such acts may lead to more permanent homosexual lust, which might eventually corrupt the whole nation.

### **Finnish society during the period**

Finland was still an agrarian society in the interwar period, and in 1940, 64 percent of the population still earned its living from agriculture. However, industrialization occurred fast and the gross national product increased at a remarkably pace, although industry was highly mechanized and so work was still relatively scarce. Though society was about to become urbanized, its values and ideals were strongly connected to the agrarian sphere. Agrarian life and its values were highly respected, and indeed a kind of dichotomy between the “pure” countryside life and decadent urban lifestyle was constructed in the interwar period.<sup>293</sup>

The agrarian lifestyle was anyhow in danger at the time of the Great Depression. The 1930s is particularly remembered for poverty. The economic crisis, partially the result of international influences, partially of domestic problems, started to affect peoples’ lives from 1928 onwards. The shortage caused many economic problems in agrarian life, such as lower salaries, widespread unemployment, and compulsory sales of farms. The salaries were so low that incomes from neither timberworks nor farms provided an adequate livelihood.<sup>294</sup> It fiercely affected the lower strata of society, whose recovery from the Depression was slow. In 1932 there were nearly 100,000 unemployed in the country, among them many who had had an economically stable life before the depression.<sup>295</sup>

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<sup>293</sup> KARISTO, ANTTI et. al. *Matkalla nykyaikaan. Elintason, elämäntavan ja sosiaalipolitiikan muutos Suomessa*. WSOY, Helsinki 1997:43-46.

<sup>294</sup> VIRKKUNEN, GIA. “*Köyhyydestä ei puhuttu, sitä vain elettiin*”, *köyhyyden kokemus ja selviytymine 1930-luvun pulan oloissa Suomen maaseudulla*, SKS, Helsinki 2010:11-12.

<sup>295</sup> KARISTO et.al. 1997.

The Depression transformed Finnish society, because it forced people to seek new lifestyles. Migration skyrocketed particularly after the deep Depression started to influence the Finnish agrarian economy in 1928. Young men, especially, were without work. The youth suffered from the fact that communal help and work were by and large only offered to men who had families to support.<sup>296</sup> In addition, factories no longer offered jobs to young men, as the positions were now given to permanent workers to so as to provide a livelihood for families.<sup>297</sup>

Helsinki, for its part, had the allure that a fast-growing capital city could offer. In fact, Helsinki had grown fast: when it was named the capital city of Finland in 1812 only 4,065 people lived there. During the nineteenth century, from the 1860s onwards, Helsinki experienced an uncontrollable population growth. In 1840 there were 18,000 citizens, making it the most populated city in the country. In 1870 there were 32,000 Helsinkians, and at the turn of the new century the population of the city reached 100,000. In 1930, there were already over 220,000 denizens in Helsinki.

From the civil war onwards Finland was remarkably conservative and non-socialist the whole interwar period.<sup>298</sup> The right-wing mentality was concretized in Lapua movement, which was a fascist political movement in Finland at the turn of the decade. Its opinion was heard in the era's political decisions.<sup>299</sup> The law reforms that passed in this period are stamped with the mentality of the decade. For instance, anti-communist laws were passed in 1930. In addition, the new marriage law of 1929 controlled the right to marriage on the basis of eugenics. Further, concern about the quality of the population was pronounced.<sup>300</sup> This discourse led to the sterilization law, passed in 1935, that allowed sterilizations for eugenic reasons.<sup>301</sup> The decade is also called a pro-natal decade, as, for instance, maternal subventions for healthy mothers were given from 1937 onwards.<sup>302</sup> Thus, society used both negative and positive means to control its population.

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<sup>296</sup> VIRKKUNEN 2010:116-125.

<sup>297</sup> PELTOLA, JARMO. *1930-luvun lama teollisuuskaupungissa I-III*. Tampere University Press, Tampere 2008.

<sup>298</sup> ALAPURO, RISTO. "Yhteiskuntaluokat ja sosiaaliset kerrostumat 1870-luvulta toiseen maailmansotaan." in *Suomalaiset. Yhteiskunnan rakenne teollistumisen aikana*. Edited by Tapani Valkonen et. al. WSOY, Juva 1983:96.

<sup>299</sup> ALAPURO 1983:99-101.

<sup>300</sup> HARJULA, MINNA. *Terveysten jäljillä, suomalainen terveyspolitiikka 1900-luvulla*. University of Tampere, 2007: 50-52.

<sup>301</sup> HIETALA, MARJATTA. "From race hygiene to sterilization: the eugenics movement in Finland" in *Eugenics and the welfare state: Sterilization policy in Denmark, Sweden, Norway, and Finland*, Edited by Gunnar Broberg, Nils Roll-Hansen. Michigan state university press, Michigan 2005:195.

<sup>302</sup> NÄTKIN, RITVA. *Kamppailu suomalaisesta äitiydestä, maternalismi, väestöpolitiikka ja naisten kertomukset*. Gaudeamus, Helsinki 1997.

### Same-sex fornication convictions

During the first thirty years of the same-sex fornication section's existence, there had been all together only nine men convicted of its violation. In the 1930s the number of convictions was about nine per year.

Year	Prosecuted for 20:12,1	Convicted of 20:12,1	From which In Rural Courts	From which In City Courts	From which with probation
1931	6	6	2	4	2
1932	10	9	4	5	6
1933	9	9	4	5	4
1934	9	8	5	3	3
1935	10	8	3	5	1
1936	3	3	1	2	0
1937	19	16	8	8	7
1938	12	10	2	8	3
1939	24	19	10	9	10
Together	102	88	39	49	36

The table shows that same-sex fornication increasingly became an urban crime. The number of convictions started to increase especially in the latter part of the 1930s, which can be explained by the changing discourse of homosexuality at the time. Prosecutions led to conviction in 86 percent of the cases, and the probation sentences were much rarer than in the post-war period, 40 percent.

### Aapo

The third chapter of the thesis concentrates on a case that was tried in Helsinki in 1934 around one elderly man, *Aapo*, and his young sex partners, of which five were prosecuted and a 14-year old boy was a plaintiff. Aapo was an educated man, who had travelled a great deal and who was a remarkably cultural person. His case was tried six times in the Helsinki City Court, from where the decision was submitted to the Court of Appeal, and in the end to the Supreme Court of Finland. As a result, four men were sentenced to imprisonment for violation of the same-sex fornication section (20:12,1), two with probation. In Finland in the year 1934, a total of eight people were convicted of fornication with a person of the same sex. Aapo was sentenced to imprisonment, not only for adult homosexuality but also for “continuous fornication with a person of the same-sex less than 17 years,



and less than 15 years.”<sup>303</sup> The case of Aapo will be reconstructed into one large narrative, where the historical context of the country in general, countryside and Helsinki in particular, economic depression and poverty, unstableness of society, conceptualization of homosexuality, importance of age, and legal developments related to sexuality and gender roles will all overlap in this one micro-historical same-sex fornication case.

The sources used are: First, the court case documents with police examination records, letters, medical statements, and trial protocols; and second, newspaper writings related to the case as well as juridical, moral and medical writings on homosexuality in general. Also, Aapo’s own productivity is noted as he was a culturally active person with some dozen writings to his name.

Regarding historiography, the 1930s has remained by and large unstudied in the Finnish history of same-sex intimacy, and it seems that only Jan Löfström’s dissertation has made any treatment of the decade. From other countries, especially the work of Florence Tamagne on interwar period homosexuality in Berlin, London and Paris offers good information for comparison.<sup>304</sup> In addition research that discusses the Great Depression is important for the chapter.<sup>305</sup>

### **Simeoni**

The fourth chapter deals with a castration case of *Simeoni*, who was 48-year-old former poorhouse nurse of mentally ill people. Simeoni was one of those 54 men who were castrated during the period of the first sterilization law (1935-1950) because of having committed a sexual crime, in Simeoni’s case a homosexual crime. In contrast to Aapo, Simeoni was uneducated and had suffered a great deal because of his sexual orientation. Simeoni’s case is based on documents created by two different institutions. First, there are the documents produced in the trial, by which Simeoni was sentenced to imprisonment (tried during 1931-1932), and second, there are the documents that were produced in the castration process (in 1936). Simeoni was convicted of three involuntary manslaughters and same-sex fornication. The manslaughter crimes are told as a sidenote, and the focus is placed on homosexuality, which in fact, interested the prosecutor a lot. Simeoni’s case gives an exceptional chance to view the opinions that medical experts of the time had on

<sup>303</sup> Aapo is not counted under the same-sex fornication convictions in the statistics, because it was his side crime.

<sup>304</sup> TAMAGNE, FLORENCE. *History of homosexuality in Europe. Berlin, London, Paris 1919-1939*. I&II Volume. Algora, New York 2006.

<sup>305</sup> VIRKKUNEN 2010. PELTOLA 2008.

homosexuality. This is because Simeoni had worked in many different mental institutions and hospitals around the country and now at the time of the trial his ex-employers (who were doctors) were asked to tell about Simeoni's homosexual past. The case shows that at the beginning of the 1930s Finnish doctors were very familiar with the notion of homosexuality, which they viewed as an innate sickness.

The problem of homosexual behavior was evident in this case, first because it led to the castration, but also because homosexual behavior had made the life of Simeoni difficult in different periods of his life. In this chapter, Simeoni's case will be discussed in the context of eugenics, nationalism, and masculinity, as well as in the context of normality and otherness. Sources will be, first, the appendixes of the court case that discusses homosexuality, second, the prison documents, and third, the castration documents, including the correspondence between the head of the prison and the National Board of Health (NBH). Additionally, there existed some newspaper writings related to the trial. Finally, medical and juridical articles, and some other writings on eugenics and castrations were studied for the chapter.

No research on castrations of homosexuals has been done in Finland. In his dissertation Löfström counted very few castrations for homosexuals. By contrast, Olli Stålström claimed that the Finnish attitude resembled that of Nazi concentration camps, in which homosexuals were castrated. In fact, only two homosexual men castrated by sterilization and castration laws in Finland. Finnish developments are compared with those of Sweden. Research that discusses the Finnish and European eugenics and castration policies is central to this discussion.<sup>306</sup>

### **Timo**

The fifth chapter of the thesis leads the reader to the Finnish Second World War, and shows through the case of Timo how knowledge about "homosexuality" increased during the warfare. The chapter shows that warfare both offered possibilities for male sexual interaction, but that at the same time attitudes towards such behavior became increasingly hostile. This was the result of the new discourse on homosexuality that became more popular among Finns. Indeed, when homosexuality first began to be discussed, it was considered an issue of contagion. The *seduction theory* involved

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<sup>306</sup> MATTILA, MARKKU. *Kansamme parhaaksi, rotuhygienia Suomessa vuoden 1935 sterilointilakiin asti*. Suomen historiallinen seura, Helsinki 1999. HIETALA 2005.

the idea that if seduced by a homosexual any normal man could become a homosexual. This notion was based on psychoanalysis and was put into practice in Nazi Germany, where it legitimized increased control over homosexuality. Finland had the same concern, as described above. The war actualized the anxiety over homosexuality, because it was long known that male sexual relations increased in gender-segregated communities. However, only after the new seduction discourse were such sporadic sex acts condemned as dangerous.

The main sources used are eleven court marital court cases, in which soldiers were convicted of same-sex fornication at the frontline. In addition, war time memorials and Löfström's homosexuality survey are used as sources in the chapter. Post-war period court cases and writings that dealt with war time homosexuality are also studied.

The research most germane to this study are Tiina Vatanen's master's thesis on sexual crimes at the front (2010)<sup>307</sup>, and Tuula Juvonen's and Kati Mustola's research on war time homosexuality.<sup>308</sup> Knut Pipping's social field work on social relations in the military system<sup>309</sup> and new study on the dark sides of the warfare<sup>310</sup> are also important for the chapter. Whereas historiography has put an emphasis on assumingly common sexual relations among soldiers, this research shows the long time span continuity, and connects war time homosexuality to the general pseudohomosexuality discourse. Thus, war-time homosexuality is discussed together with other kinds of gender-segregated contexts. The chapter also shows that the negative attitude towards homosexuality was not caused by the extremely common homosexual relations, as claimed in previous studies, but as a result of the new discourse that constructed as meaningful and disgraceful previously meaningless male sexual behaviors.

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<sup>307</sup> VATANEN, TIINA. "Moitteetonta käytöstä sotatoimialueella? Suomalaisotilaiden seksuaalirikokset Karjalassa jatkosodan aikana 1941-1944." Master thesis. University of Eastern Finland, 2010.

<sup>308</sup> JUVONEN, TUULA. 2006. "Ruotsalaistaudin kourissa. Heteromaskuliinisuuden jälleenrakentaminen 1950-luvun Suomessa." In *Kun sota on ohi. Sodista selviytymisen ongelmia ja niiden ratkaisumalleja 1900-luvulla*. Edited by Petri Karonen and Kerttu Tarjamo. Historiallinen arkisto 124. SKS 2006, 310-340. MUSTOLA, KATI. "Homoseksuaalisuus ja sota." In *Ihminen sodassa*, edited by Tiina Kinnunen and Ville Kivimäki. Minervakustannus oy, Helsinki, 2006. MUSTOLA, KATI "Finland, a turbulent past 1894-1971" in *Criminally Queer. Homosexuality and criminal code in Scandinavia 1886-1999*. Edited by Jens Rydström and Kati Mustola Aksant, Amsterdam 2007.

<sup>309</sup> PIPPING, KUNT *Infantry Company as a Society*. Edited and translated into English by Petri Kekäle. National Defense University. Helsinki 2008. Originally published in 1947.

<sup>310</sup> NÄRE, SARI and KIRVES, JENNI. *Ruma Sota. Talvi- ja jatkosodan vaiettu historia*. Johnny Kniga, Juva 2008.



### 3. “The Rich Old Faggot” and Guys of the Great Depression

#### –*Aapo’s story Helsinki 1934*

##### 3.1. “Sexual Scandal comes to Light”

*“Sexual scandal comes to light.*

*One Helsinkian gentleman has been charged with some grave offences.*

*The victims are young men and even boys under 15 years old.*

*From the scourges that encumber humankind are the white slave trade and prostitution spread so wide that even international committees have been set up to battle against them. Moreover, in every country the police are doing notable work to avoid the spread of these vices. However, there is a scourge which is completely equivalent to the two mentioned above but left without public interest. It is also widespread and depraves the population in the city sphere. We refer here to homosexual crimes”.*

*Finnish Social Democrat –newspaper, 14.1.1934*<sup>311</sup>

On Sunday, January 14, 1934 the *Finnish Social Democrat* (Suomen Sosiaalidemokraatti) published an article about homosexual crimes. The inspiration for the article came from information that the newspaper had heard from the police. Thus, the police were investigating a homosexual crime with which a distinguished lawyer would soon be charged. The article paralleled homosexuality with prostitution, naming them as “the gravest scourges of the humankind”. In addition, the newspaper told its readers that the suspected homosexual was “a lawyer whose name has often been seen publically, too.”<sup>312</sup> The article also mentioned that the police had investigated the case already for longer period, from the previous autumn onwards, and had since then “interviewed a notably big

<sup>311</sup> In *Suomen Sosiaalidemokraatti*, 14.1.1934. ”Seksuaalinen skandaali julkisuuteen. Erään helsinkiläis-herran niskoilla törkeitä rikoksia. Uhreina nuoria miehiä, jopa alle 15-vuotiaisia poikiakin. Ihmiskuntaa rasittavista vitsauksista ovat valkoinen orjakauppa ja prostituutio levinneet niin laajalle, että on ollut pakko asettaa kansainvälisiäkin toimikuntia taistelemaan niitä vastaan, puhumattakaan siitä, että jokaisessa maassa rikospoliisi suorittaa huomattavaa työtä näiden paheiden leviämisen estämiseksi. Näiden vitsausten rinnalla on ainakin julkisuudessa jäänyt huomiotta vaille pahe, joka on täysin rinnastettavissa ensimmäistien kanssa sekä laajalle levinneisyytensä että varsinkin kaupunkikuntien asujamistoa rappioittavan vaikutuksensa taikia. Tarkoitamme homoseksuaalisia rikoksia.”

<sup>312</sup> In Finnish: “On muudan juristi, jonka nimi on useasti näkynt julkisuudessakin”.

group of his [the lawyer's] victims".<sup>313</sup> In the end of the article foresaw that "it will be only matter of days before the police finish the examinations and arrest this gentleman to answer for his disgusting crimes".<sup>314</sup>

It seems that Aapo had missed the news, because he continued his life as before, and was totally surprised when two days later the police raided his apartment and arrested him for being suspected of "having constantly, for years, practised fornication with other persons of the same sex in his apartment".<sup>315</sup> The police found Aapo in his small one-room apartment with many untidy young men, who slept on the floor. All of them were brought to the police station for interrogations. This was the starting point for numerous legal proceedings that the lawyer, a sixty-year-old man named Aapo, was about to face. The case was tried six times in Helsinki City Court during the spring 1934. In late June, it was tried in the Turku Court of Appeal and finally on September 1934 in the Supreme Court of Finland.

### 3.2. Working class guys of the economic depression

As the newspaper article told, the police had already interviewed some people before the arrest. The key witness in the case was Johannes, a 16-year-old adolescent who had immigrated to Helsinki from a small rural district<sup>316</sup> from the Tampere area, in Southern Finland. Johannes' father was a carpenter and his mother had already died. He had initially worked as an errand boy, although, at the time of the police examinations, he was homeless and jobless. He had been interviewed a month before Aapo's arrest as the first informant in the case. Johannes' story formed the basis of the later interrogations, and therefore we shall now focus on what Johannes said on that wintry morning in December when he was interviewed at the police station.

Johannes described to the police how he had gotten to know Aapo. He was wandering around Helsinki city on a November evening without money or a place to stay. By chance he had met another homeless young man who had known a place where they could sleep. According Johannes, the man had said that they could go together to "the place of a rich judge man, who lets homeless

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<sup>313</sup> In Finnish: "kuulustella varsin suurta joukkoa hänen uhrejaan."

<sup>314</sup> In Finnish: "Lienee vain päivien kysymys, jolloin poliisi saa tutkimuksensa siihen asteeseen, että voi pidättää kysymyksessä olevan herran vastaamaan inhottavista rikoksistaan."

<sup>315</sup> Helsinki City Court. 4<sup>th</sup> Section. 3.3.1934. Appendix J: Police Examination Report, no. 366. 31.1.1934. In Finnish : "oli asunnossaan jatkuvasti usamman vuoden ajan harjoittanut haureutta toisen samaa sukupuolta olevan kanssa".

<sup>316</sup> Kuru. In 1930 there lived about 5000 people. Suomen virallinen tilasto. Väestö.

boys stay over at his place.”<sup>317</sup> This rich judge was Aapo, who lived in a wealthy area of Helsinki, called Kruununhaka. Aapo’s place seemed to be a one-room apartment, although actually it was part of a bigger apartment. A plan of the floor on which the flat was to be found (Picture 1), ordered by the Helsinki city court after the second trial, shows that the apartment was like that of any normal working-class family apartment,<sup>318</sup> which could have been found in the working-class district two kilometers to the north from Aapo’s place. The only difference was that Aapo’s flat was bigger, measuring about twenty square meters, and was furnished with fine furniture and decorated with paintings, flowers, and wallpaper.<sup>319</sup>

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<sup>317</sup> In Finnish: ”eräs rikas tuomarismies antaa asunnottomien poikien olla yötä luonaan.” Police examination records 31.1.1934.

<sup>318</sup> WARIS, HEIKKI. *Työläisyhteiskunnan syntyminen Helsingin Pitkänsillan pohjoispuolelle*. WeilingGöös, Helsinki 1932.

<sup>319</sup> Police examination report, 6.3.1934.





the warmth?”<sup>321</sup> As night approached, Aapo made room for Johannes in his bed and asked Johannes to take off all his clothes before going into bed, so that no vermin would end up there. Aapo stayed up and waited for some other men to come in during the night. After joining Johannes in bed, Aapo started to fondle him, and so Johannes had “understood that Aapo was a so-called ‘faggot’”.<sup>322</sup> Johannes, however, did not mind the fondling, because he thought that Aapo would pay him afterwards. According to Johannes, Aapo orally satisfied him twice during that night. When the morning came, the men who had stayed at Aapo’s place woke up and got out, before which Aapo gave them each a Finn Mark coin.

After the events, Johannes was curious to know more about this mysterious lawyer, and so during the following days, when hanging around in local cafeterias and parks, he chatted with several other homeless men about Aapo. He learned that every night four to five men stayed at Aapo’s place; in fact, he learned that altogether dozens of different homeless men had stayed at his place, some for shorter, some for longer periods. Every night, Aapo took one of them to his bed and had sex with him, normally orally. Johannes told the police that Aapo praised sex between men and really seemed to hate women. As a result of Aapo’s influence, Johannes said, many of the boys “had developed in the same direction too”, so that “some of these boys had become complete manlovers”.<sup>323</sup>

Let us reflect for a moment, what this poor, uneducated, country youngster actually told the police. First, Johannes had names for homosexual people: ‘faggot’ (*hinttari*) and ‘manlover’ (*miesrakastaja*). The manlover term was found already in the early twentieth-century newspapers and morality pamphlets, as discussed in the previous chapter. In post-war countryside court documents, the term manlover was still in use by common people. In fact, it seems that the term was widely known around the country, used for labelling men who sexually desired other men or boys. The *lover* ending had different prefixes depending on what the object of the desire was. For instance, Juhani was called a *boylover* in the local newspaper as he had had sexual relations with male children. If the object of the desire was a soldier, the relation was called soldierlove. So it can well be that Johannes had learned the term manlover in his home district, whereas the term “faggot” was newer. According to the Helsinki slang dictionary, the Finnish word “hinttari” (faggot) would have been in use already in 1920s Helsinki. Tuula Juvonen has suggested that the term faggot

<sup>321</sup> In Finnish: ”Eikö ole hauska kun pääsee sisälle lämpimään”.

<sup>322</sup> In Finnish: ”käsitti syytetty nyt että [Aapo] oli n.k. ”hinttari”.

<sup>323</sup> In Finnish: ”olivat toisen näistä pojista jo tulleet täydellisiksi miesrakastajiksi”.

*hinttari* or *hintti* came into the Finnish language from German, in which it referred to anal sex.<sup>324</sup> Another explanation is that the word had Finnish origins, coming from a word *hintelä*, which means puny or feeble. Overall, the word *hinttari* had a very well-defined meaning for Johannes.

Second, one can see from Johannes' testimony that he did not mind having sex with Aapo, as he thought he would get paid afterwards. More importantly, he was not ashamed of telling that to the police. To Johannes, his same-sex sexual act did not mean that he would also be 'a faggot' himself, nor would it endanger his masculinity. Matt Houlbrook's and Tamagne Florence's studies on homosexuality show that the same kind of working-class attitude, especially in England: As long as the sexual act was carried out with a monetary aim, it would not endanger working-class masculinity.<sup>325</sup> From Johannes' testimony one can see that the homeless boys had openly, and without shame, discussed Aapo's behavior. It seems that monetary rewards distinguished these youngsters from other 'faggots'. An article written to a Finnish gay magazine *SETA* in 1988, told about the same phenomenon: An older man was interviewed for the article about his youth in 1930s Helsinki. He had been a working-class youngster and he remembered how they used to get 'easy money' by selling their sexual services to rich homosexuals during the shortage of the 1930s. He said: "In the 1930s there were lot of unemployed people and then one could buy nearly anyone one wanted."<sup>326</sup>

The working class movement had traditionally been strongly against prostitution, which was viewed as an essential part of capitalism and as a capitalist way to abuse working-class girls.<sup>327</sup> Research has shown that the economic crisis of the late 1920s increased the number of sex workers, because many working-class women had no other way to support themselves.<sup>328</sup> Now, alongside Aapo's scandal, the Social Democrat newspaper wanted to put homosexuality, which was "the previously inconspicuous vice", into the same category as prostitution. It may be that Social Democrat newspaper was against the scourge called homosexuality for exactly the same reason that the

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<sup>324</sup> JUVONEN 2002:154.

<sup>325</sup> TAMAGNE, FLORENCE. *History of homosexuality in Europe. Berlin, London, Paris 1919-1939*. I&II Volume. Algora, 2006: 263, 264. HOULBROOK, MATT. *Queer London. Perils and Pleasures in the sexual metropolis. 1918-1957*. University of Chicago Press, Chicago and London 2005: 168-170.

<sup>326</sup> In Finnish: "30-luvulla oli paljon työttömiä ja silloin sai ostaa melkein kenet tahansa." In TURUNEN, VESA. "Helsingin 30-luku, punkkerit, uimakopit ja Tallinna." in *SETA* 3/1988:28-30.

<sup>327</sup> BACKMAN, EERO. *Rikoslaki ja yhteiskunta. Teoreettinen erittely rikosoikeuden tieteenkäsitteistä 1800-luvulla ja sen konkretisointi moraalien, uskonnon ja rikoslain suhteisiin Suomessa vuosina 1894-1917*. Suomen lakimiesliitto, Helsinki 1976: 268-269.

<sup>328</sup> PELTOLA, JARMO. *1930-luvun lama teollisuuskaupungissa*. Tampere University Press, Tampere 2008: 152-154.

movement fought against prostitution: it was seen as an abuse against the working class. The article portrayed Aapo as a rich gentleman, which emphasize the class juxtaposition.

The social democratic newspaper that scandalized Aapo's behavior at the same time wanted to protect working-class youth. In this sense, it meant an entire change in thinking compared to the era of Juhani's case in 1912, when the poor did not have any spokesmen in the society and their sexual autonomy seemed to have been nonexistent. Now, in the 1930s, the working class movement was strong and it was able to single out cases of class-based abuse more effectively than before. The politically aware Left was eager to protect its youngsters even if the youngsters themselves did not see a problem in their relation with Aapo. One can imagine how a wintry night on the streets of Helsinki would have felt, and therefore it is understandable that the homeless youngsters turned to Aapo's help.

The problem of homosexual class-based abuse was also discussed in an article that discussed different kind of "sexual perversities" in 1932. The article said about homosexuality: "Homosexual seductions do have a big role in metropolitan areas. Jobless youngsters are easy victims of this kind of seducer, and they fall fast to homosexual prostitution, which offers them opportunities to live nicely and in considerable luxury."<sup>329</sup> Was Aapo this kind of 'a seducer', and were the boys his 'easy victims'? Let us focus for a moment on the boys.

When the police raided Aapo's apartment, the picture was just as same as Johannes had described in his testimony a month before: there were five untidy men sleeping on the floor and couches. 'Luxurious' was not probably the right word to describe the scene. Who were these men? They had all, except one, had sexual experiences with Aapo, at whose apartment they stayed when they did not have any other place to sleep, or when hoping to get some money from him. In general, they were unemployed, uneducated young men, who just hung around the city in cafeterias getting drunk in the evenings. They had migrated to Helsinki looking for a job, but had not found any. Their lives had not been easy, full of poverty, sickness and homelessness. They were typical of many young unmarried men, who had left their villages and travelled to cities to look for a job from the late 1920s onwards. It is said, in fact, that the young vagabond man is a metaphor for the Finnish

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<sup>329</sup> In Finnish: "Erikaisen merkityksensä takia täyty homoseksuaaliteetti erottaa muista sukupuolellisista anomaliaista. Homoseksuaalit viettelykset näyttelevät tärkeää osaa suurkaupunkielämässä. Työttömät nuorukaiset ovat tämänkaltaisille viettelijöille helppo saalis ja suistuvat nopeasti homoseksuaaliin prostituutioon, joka suo heille mahdollisuuksia elää mukavasati ja olosuhteisiin nähden ylellisestikin." In *Sielunterveysseuran aikakauslehti*. 1.12.1932:10-11.

depression of the 1930s, as there were so many young men travelling around, looking for a job of any kind, even those whose salaries comprised only food and bed. The suffering of these young men was increased by the fact that communal help and work were more likely to be offered to men who had families to support.<sup>330</sup>

The black spots in the map illustrate the places from which the men came to Helsinki. It shows that they came from southern Finland, mainly from the Tavastia area. Since the late nineteenth century, many people, especially the poor, migrated from Tavastia to Helsinki. This is because in this area, the population had grown fast especially among landless poor at the turn of the century. This meant that as the new generation grew up, there were not enough jobs for all of them.<sup>331</sup> The population grew very rapidly in Finland at the beginning of the twentieth century – 16% in ten years. This, in numbers, means that the number of Finnish citizens increased from 2.6 million in 1900 to 3.5 million in 1930. Helsinki became increasingly attractive with the possibilities that a fast-growing capital city could offer. Consequently, the young men who migrated to Helsinki were anything but rare, which makes the young men in the case typical examples of their generation. They were the result of the difficulties caused by shortage and the economic depression of the 1930s.

At this point in the story Aapo looks like an abuser of poor working-class youngsters. We should, then, also try to understand Aapo's side of the story and give a voice to him in the case.

### 3.3. Who was Aapo?

Let me now turn to the protagonist of the case, as we know little about him yet. Who was this lawyer who bedded homeless youngsters in his apartment? When Aapo was put in the dock, he had just celebrated his 60th birthday. He was a well-educated man, a Master of Law, who worked as the secretary of an assessment committee in Helsinki. He was born in Keuruu, in a small city in mid-Finland, as a son of a farmer in 1870s.<sup>332</sup> Later, his father had moved to the village center and opened a local shop, though the business failed and the father went into bankruptcy. Aapo himself described his childhood as having been modest and poor, and after the father's bankruptcy, he had been forced to earn his living himself.<sup>333</sup> During his adulthood, Aapo had lived all over the country. He went to upper secondary school in Kuopio, East Finland. From there he moved to the west, to

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<sup>330</sup> VIRKKUNEN 2010:116-125.

<sup>331</sup> WARIS 1932: 84-89.

<sup>332</sup> Parish register.

<sup>333</sup> Aapo's letter to the Supreme Court 25.8.1934.

Vaasa, to study law, which studies he finished at the University of Helsinki. He first worked in Vaasa and then in Tampere, finally returning to Helsinki in 1924. In Helsinki, he worked in different places, as a lawyer, as a children's welfare officer, and, most recently, as the secretary of the assessment committee.<sup>334</sup>

Aapo's had often changed jobs, "because of his homosexuality" the newspaper *Finnish Social Democrat* informed its readers the day following his arrest.<sup>335</sup> The newspaper published Aapo's identity and a description of his life, even though no decision about his prosecution had been made so far. The article claimed that "[Aapo] has already before brought attention to himself because of his homosexual tendencies".<sup>336</sup> For example, the newspaper recounted that when working in Tampere he had to give up his job because "*his crimes became half-public*"<sup>337</sup> and for the same reason, he was never given a permanent position in Helsinki children's welfare office. We do not know about this, because no documents remain from these 'half- public' issues. However, what does remain is a legal case from the year 1916.<sup>338</sup> Aapo had been prosecuted and convicted of *misconduct in office*, when he was working as an administration officer in Finnish railways. A close look at this case shows that, in fact, Aapo's sexual relationship with his colleague lay implicitly behind this case, even though it was not explicitly mentioned in any of the records. A few words about the case could be a useful starting point for our goal of understanding the kind of a person Aapo was. So let us move almost twenty years back in time and describe some particularities of the case.

In 1916 Aapo worked for the Finnish railways in 1916 where his duty was to track the work hours of the other railway station workers. It seems that Aapo had marked down more working hours for some of them than they had actually worked, resulting in their receiving larger than normal paychecks. Aapo had also given some free train tickets to his sister and mother, when they came to visit him to "take care of the household and fix clothes". This was against the rules, because the free tickets were supposed to be given only to family-members, of the worker's own heterosexual nuclear family, which Aapo had never had.

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<sup>334</sup> Police examination records 31.1.1934.

<sup>335</sup> *Suomen sosiaalidemokraatti* 17.1.1934.

<sup>336</sup> In Finnish: "on hra [Aapo] aikaisemminkin joutunut huomion kohteeksi homoseksualisten taipuimustensa vuoksi".

<sup>337</sup> In Finnish: "rikoksensa tulivat puolittain julkisuuteen".

<sup>338</sup> Senaatin oikeusosasto. Pag 446, 18.8.1915, päätös 28.4.1916.

The men for whom Aapo had enabled a higher salary were so-called supplement workers in the railway station, which meant that their status was one of the lowest. Aapo had added just a nominal amount in their favor, a few Finnish marks. While it was claimed that Aapo was a special friend of one of the workers, which was not tolerated because it broke the hierarchical order, there was something else that disturbed higher-up railway officers, too. In the Finnish railway company's complaint to the court, it was described like this:

“It is worth mentioning that [Aapo], an officer in the district's administration, has a strange friendship with one supplement station worker. This relationship has attracted special attention among the workers, and elsewhere, too. [Aapo] has made some holiday trips with these people to different parts of the country, and they have often come to his home too. Particularly [the man's name] has been nearly a nightly quest at [Aapo's] place. When they try to explain these weird relations of theirs, they constantly seem to struggle with their contradicting explanations.”<sup>339</sup>

This friendship was never labeled as a homosexual relation, most probably because it happened in 1916, and there was no vocabulary to depict this kind of relation. All the same, it did attract attention. The railway case also shed some light Aapo's personality, as a local priest was asked to give his view on Aapo's personality and reputation. The priest stated: “He is cheerful, playful, righteous, honorable, and sometimes childishly open-minded, does not always pay enough attention to what he says, believes the best of his friends, has good manners and is sober.”<sup>340</sup> Others, too, had only good things to say about Aapo. In addition, he was described as being sociable in local upper-class circles, and that he knew a lot about art.

The railway case revealed an aspect of Aapo's personality that had remained hidden in the same-sex fornication case, in which the authorities had only been interested in Aapo's ‘perversity’.. The 1916 reports described Aapo someone with rather sympathetic personality, who did not care about class boundaries. This is entirely different than what we see in the leftist newspaper, and because of this

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<sup>339</sup> In Finnish: ”Tässä yhteydessä mainittakoon myös [Aapon], Piirihallituksen virkamiehen, merkillinen ystävyysuhde erääseen ylimääräiseen asemamieheen [miehen nimi], joka suhde on ollut omiansa herättämään erikoista huomiota sekä palveluskunnassa että muuallakin; [Aapo] on usein mainittujen henkilöiden kanssa tehnyt huvimatkoja eri osiin maata ja hänen kodissaan ovat he usein käyneet, etenkin [miehen nimi] on ollut siellä miltei jokailtainen vieras. Koettaessaan selvittää näitä omituisia suhteita ovat [Aapo] ja [miehen nimi] melkein joka askeleella kompastuneet omiin ristiriitaisiin puheisiinsa.”

<sup>340</sup> In Finnish: ”hän on iloinen, leikille altis, oikeudentuntoinen, kunnianpyyntöinen, joskus lapsellisen avomielinen, puheistaan ei aina tarpeeksi valvova, tovereistaan enemmän hyvää kuin pahaa ajatteleva, tavoissaan puhdas ja raitis” .

provides a way to understand Aapo's self-evaluation, which he wrote when being arrested at the police station. Thus, let us now move to the letter in which Aapo explained himself.

### 3.4. Aapo explains himself

The police arrested Aapo on January 16, 1934 and interviewed him the following day. After describing his life to a police officer, Aapo gave him a letter that he had written during his arrest in the police station. Later on, Aapo denied the letter's validity. He said that he had had a high temperature when writing it, and therefore nothing that he had written could be taken into account in the court. This makes the letter even more interesting, as Aapo probably thought he had been too open when writing his thoughts down. Of course, from the police's point of view, the most salient point in the letter was Aapo's confession to having had sexual relations with several men. However, to us, there are many other interesting things to note in the text: Aapo explains his 'disease', his hopes and fears, and how he had ended up in the situation that led to the arrest:

“The tendency is an innate mental disease in me, generated by emotional sensitivity. So many times in my life, I have tried to resist it with all my willpower. I have tried to understand where it comes from, but I have not gotten an answer. It has such a powerful existence, which despite all the effort I make, is stronger than my will. Even though in my life and in my doings, I would like to be a decent citizen who would live within the rules of the fatherland, I am, against my will, forced to break the law. It is like a mental compulsion. No one suffers more from my proclivity than me myself. I think that only with a deep religious awakening might I win this torturous feeling and agony. However, sometimes I can go a long time without feeling the disease. As getting older, it has moderated, and now it seems that it has stopped totally. When I moved to [address] on 1<sup>st</sup> of January 1931 it took a long time before any of my young men, who I knew from the time they had served in the army in Finland's White Guards in my home parish, visited me. One of these young men was [the name of the man], for whom I found job as a warehouse keeper after his military service. However, he died in spring 1932 from pneumonia. Sometimes, on Sundays, he used to bring his friends to my place, while they started to bring their friends and so forth. This way, workingmen started to visit at my place. In later years, when the economic situation got more difficult, every time more and more people had lost their jobs. Even though it was not easy, I managed to find jobs for a few of them. Because of this, they talked about me and in that way the group of visitors kept growing. When unemployment grew during the last years, many lost their accommodations as well, and therefore many came to ask if they could stay at my place. I did not want to refuse



them because I intensely felt their suffering. When some of them actually made an offer to practise forbidden sex life, I became enslaved by it. Consequently, I began to practise sexual intercourse with several men.”<sup>341</sup>

Aapo, January 16, 1934

Aapo was a prolific writer. He had written several articles to Finnish newspapers and magazines, especially during the 1920s, as well as traveler’s stories and historical articles. In jail, he wanted to write about his sexuality, and explain his behavior. The letter covers several topics: Aapo’s perception of his sexuality, of his patriotism, and of his behavior as a benefactor. Let us now focus on these themes.

First, Aapo explained his same-sex desire. He did not use the term *homosexual* when analyzing his own sexuality, but he called it an innate mental disease that is so strong that he could not resist its pull. Aapo was a highly literate man, and it is clear that he had read about homosexuality in different sources. If he had read the explanation for his desire from an encyclopedia of 1932 he would have found his very description: it was defined as innate mental disorder.<sup>342</sup> Aapo’s description of his ‘disease’ could have been written by Magnus Hirschfeld’s pen. Hirschfeld, a German doctor and homosexual activist in the early twentieth century Germany, saw homosexuality

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<sup>341</sup> In Finnish: ”Minua vastaan nostetussa, luonnotonta sukupuolielämää koskevassa asiassa, saan nöyrimmiten lausua seuraavaa: Kyseinen taipumus on minussa synnyynnäinen sielullinen ja tunneherkkyyden aikaansaama sairaus. Olen niin monta kertaa elämässäni koettanut sitä kaikin voimin vastustaa, kysymällä itseltäni mistä tuo johtuu saamatta vastausta. Se syntyy niin voimakkaana, että usein kaikista ponnistuksistani huolimatta joudun alakynteeseen. Vaikka elämässäni ja toimissani tahtoisin olla nuhteeton kansalainen ja yrittää täyttää voimassa olevan isänmaani lait joudun täten tahtomattani sen kanssa ristiriitaan ja sitä rikkomaan. Tulen silloin ikään kuin sielulliseen pakkotilaan, josta ei näytä olevan muuta ulospääsyä olevan kun lain rikkominen. Kukaan tästä taipumuksestani ei kärsi enemmän kuin minä itse ja ainoastaan silloin jos saisin syvän uskonnollisen herätyksen luulisin voivani voittaa tämän minua kiduttavan tunteen ja tuskan. Toisinaan kyllä kuuluu pitkiäkin aikoja, jolloin en sairautta tunne, ja tultuani vanhemmaksi on se suuresti vähentynyt ja nyt tuntenut kokonaan lakkaavan. Muutetuani tammikuun 1 p:nä asumaan [the address] kului tietystikin pitkä aika, jolloin ei kukaan tuttavistani nuorista miehistä käynyt luonani, joita tunsin muutaman kotipitäjästäni suorittaessaan asevelvollisuuttaan Suomen Valkoisessa Kaartissa. Eräs sellainen nuori mies oli nimeltä [N.N.], jonka sotaväestä päästyä toimitin Rob. Huber OY. varastonhoitajaksi. Hän kuoli vuonna 1932 keuhkokuumeeseen. Hän toi luokseni joskus sunnuntaina työtovereitaan, jotka taasen puolestaan toivat tuttaviaan j.n.e. Tällä tavoin alkoi luonani käydä työmiehiä ja viimeisinä vuosina, jolloin taloudellinen tilanne yhä kiristyi joutui aina useampi työmies paikattomaksi. Kun minun vaikeuksistani huolimatta onnistui hankkia työtä muutamille, kertoivat he vastikkin yhä uusille henkilöille ja tällä tavoin lisääntyi yhä suuremmaksi tuo käyjien joukko. Kun työttömyys edelleen viime vuoden kuluessa yltyi joutui moni asuntoakin vaille ja silloin tuli sitäkin minulta pyytämään. En tahtonut sitä kieltää tuntiessani syvästi heidän hädänalaisen asemansa ja kun muutamat suorastaan antoivat aiheen luvattoman sukupuolielämän harjoittamiseen päädyin sen orjaksi.”

<sup>342</sup> Otavan iso tietosanakirja 1932.

as a third, intermediate sex between men and women and as a congenital quality of some people.<sup>343</sup> There were also some few Finnish medical writings about homosexuality, which described homosexuality exactly like that, and as the next chapter will show, in the 1930s medical circles homosexuality was widely perceived in the Hirschfeldian way.<sup>344</sup> It is also important to note that Aapo thought that the men who visited him also “had the same sickness”. Homosexuality discussed in Aapo’s letter was thus not dangerous; it was a congenital sickness of some people, which harmed these people themselves, because of social intolerance.

The difference between Aapo’s view on same-sex desire and the view presented in the Social Democratic newspaper was significant. The newspaper blamed Aapo for his immoral behavior, and regarded homosexual practices as vices. A vice is something that people choose to do, whereas a sickness discourse releases a person from moral judgments. As Aapo described, he had tried to resist the sickness, which, however, was stronger than his will.

The second topic of the letter is Aapo’s patriotism. At first one might think that Aapo just used nationalism as a rhetoric tool to free himself of charges, but when we get a better sense of his background, we will see that Aapo was a remarkably nationalistic person. He had, for instance, established several Finnish newspapers at the time of the Russification of the country, had written articles to nationalist newspapers, and studied Finland’s kindred nations.<sup>345</sup> In addition, in the obituary written after his death in 1961, he was recalled as a nationalist. It seems that Aapo was unable to synthesize his nationalism and his ‘sickness’. In his letter of confession, Aapo describes the wide gap that existed between his patriotic will to be a decent citizen and his sickness, which made him engage, again and again, in these illegal relations. Though he attempted in many different ways to gain acceptance, Aapo was left with an overriding sense of inadequacy as person and as a citizen.

Aapo’s patriotism was grounded in a childhood in the district of Keuruu, which was particularly affected by Romantic nationalism in the nineteenth century. In his young adulthood Finland suffered from Russian’s Russification policy, because of which for the Finnish elite it was important to strengthen Finnish culture and cultural self-perception. Apparently, the Swedish-

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<sup>343</sup> HOENING, J. “Sexology” in *General psychopathology*. Edited by Michael Sheperd. University of Cambridge, Cambridge 1983: 48-53 and HEKMA, GERT. “Same-sex relations among men in Europe 1700-1990” in *Sexual cultures in Europe: Themes in Sexuality*. Edited by Lesley A. Hall. Manchester University Press, Manchester 1999:84.

<sup>344</sup> NIKULA, AKSELI “Homoseksualiteetti ja sen oikeudellinen arvosteleminen.” In *Duodecim* 7/1919; ELO, OIVA. ”Sairasmielisistä rikollisista”. In *Poliisimies, poliisijärjestöjen äänenkannattaja*. nro 19. 15.10.1931.

<sup>345</sup> At least in *Hakkapeliitta* and in *Itsenäinen Suomi* in 1933 and in 1934.

speaking cultural elite visited and spent summers in Aapo's home district, because they wanted to experience 'real Finnish culture', to get to know common Finnish people, and to learn the language, which apparently was the purest in the region.<sup>346</sup> This small, otherwise isolated district thus imbibed a sense of national esteem, which apparently affected Aapo as well. Aapo met many Finnish Romantic nationalism artists,<sup>347</sup> with whom, according to Aapo, he spent lot of time and made friends. These relations surely made more of an impression on Aapo, since, while visiting elite he probably only seemed like a poor local youngster. However, these contacts must have been a remarkable resource for Aapo. They may have motivated him to get education and to get to know about literature and the arts, as in his adulthood Aapo was indeed a culturally sophisticated person. In his later years Aapo wrote many proud articles about the era of National Romanticism in his home district.

In 1928, Aapo edited a book about his home district, into what he had written altogether six historical articles. In one of the articles, Aapo recalled his friendship with a famous Finnish writer and poet Paavo Cajander who had spent his last summers in Aapo's home district. Aapo wrote about Cajander in a romanticized way, describing him as a serious Roman soldier. Aapo described that he were lucky enough to have a chance to go for a long walk with him: "the clothes were taken away, and nearly nakedly would be walking in the forests or lie down on beach sand."<sup>348</sup> Aapo wrote how Cajander's serious character could transform: "if one had a chance to join him and get into his good graces, he totally opened the doors of his heart. His stiffness faded away from his being, his rugged appearance melted, he had a gentle face and his brown eyes started to sparkle in a beautiful way."<sup>349</sup> In a very sophisticated way, Aapo reveals in the article his own experience being in Cajander's 'good graces'. Cajander was eighteen years older than Aapo, born in 1846, and at the time that he stayed in Aapo's home district he was a lecturer at Helsinki University. Cajander is especially remembered as the first person to translate Shakespeare into Finnish. And indeed, Aapo wrote in the article about how he had stayed at Cajander's room for a night, and how they had, together by candlelight, translated some parts of King Henry VIII.

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<sup>346</sup> PELTONEN, MATTI. *Lukkari Saxbergin rikos ja herännäispappilan etiikka*. Gaudeamus, Helsinki 2008.

<sup>347</sup> At least Aapo had met Juhani Aho, Akseli Gallen-Kallela, Paavo Cajander, Arvid Järnefelt, and Johannes Linnankoski.

<sup>348</sup> In Finnish: "kierrettiin vaatteet myttyyn ja melkein Aatamin puvussa marssittiin pitkin metsiä tai paistateltiin päivä jossakin rannan hietikolla." H. J. 1928:192.

<sup>349</sup> In Finnish: "Mutta ken näillä "kesäisillä retkillä" sai hänelle seuraa tehdä ja pääsi hänen suosioonsa, sille hän avasi sydämensä ovet selko selälleen. Kankeus katosi kokonaan hänen olennostaan, jäyhä ulkomuoto sulii ja sai lempeän ilmeen ja ruskeat silmät tuikkivat ihmeen kauniisti." In J. H. "Paavo Cajanderin kesäisiltä päiviltä Keuruulla" in *Kauruun kirja*. Edited by H.J. Keuruu 1928.

Cajander never married and was remembered as a lonely wolf, who did not know how to be around women. His doctor was worried about his mental problems and thought that marrying a good wife might help him.<sup>350</sup> Aapo recalled that Cajander did not enjoy female company: “he was almost angry when he had to be among women” Aapo wrote in his article.<sup>351</sup> Cajander also guarded his private life from his good friends, because of which there exist no accounts about his sexual life. However, there is no need to claim that Aapo and Cajander had a sexual relation in Keuruu, even though Aapo’s admiring writing about Cajander and other accounts about Cajander’s lonely life may suggest that. Whatever the truth, Aapo’s affection was certain. The description of Cajander’s and his connection shows in a lovely way how in 1928, when the article was written, a man was still able to write about another man in a romantic and beautiful way. Later that kind of expression of affection faded away, because it would have been indicative of homosexuality.

The third aspect of the letter is that Aapo portrays himself as a benefactor, contrary to the abusive picture given in the Social Democratic newspaper. Aapo described in detail how he ended up helping young homeless boys, and shows sincere worry over the economic and social difficulties that the youngsters faced. Aapo even encouraged other people in his newspaper writings to go on helping the poor. Concretely, Aapo helped poor men in three different ways: money, accommodations, and jobs. A carpenter earned about 50 marks per day,<sup>352</sup> which shows us that the coins Aapo gave to the men did not have much significance. Instead, the real help for these homeless people was the sleeping space, since during the winter in Helsinki one would die without shelter at night. Given this, we can see that even a one-room apartment shared with several other men was a better choice than staying outside. The third and most notorious kind of charity that Aapo performed for young men was to find jobs for them.

Taking into account Aapo’s behavior in the railways in 1916 and connecting it to the information given in the trial, Aapo could easily be transformed from an abuser to a benefactor. An interesting perspective to consider this perhaps *Tolstoyan movement*. Aapo met a Russian writer, Leo Tolstoy, in Tolstoy’s home in year 1905, and he admired Tolstoy greatly. Aapo wrote about this meeting on *Helsingin Sanomat* in 1928,<sup>353</sup> and he was particularly fascinated by Tolstoy’s modest lifestyle. Descriptions of Tolstoy’s custom of eating with the farm-workers instead of the local gentry and his

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<sup>350</sup> NIEMI, JUHANI. *Paavo Cajander, suomentajan ja runoilijan muotokuva*. Suomalaisen kirjallisuuden seuran toimituksia 1114. SKS, Jyväskylä 2007: 97-98, 192-199.

<sup>351</sup> In Finnish: “oli melkein pahalla tuulella, jos täytyi olla naisväen seurassa.” In J.H. 1928:196.

<sup>352</sup> HÄKKINEN 1995:50.

<sup>353</sup> *Helsingin Sanomat* 9.9.1928. “Hetki suuren kirjailijan kodissa. Muistelma käynnistäni Leo Tolstoin luona Jasnaja Poljanassa”.

beliefs about all people's equality took up a great deal of space in Aapo's newspaper writing. Could it be that some of this Tolstoyan ideology became part of Aapo's worldview? This certainly happened to one of Aapo's elite friends back in the home district, Arvid Järnefelt (1861-1932), a famous writer from an important Finnish cultural family. Arvid Järnefelt started his professional life as a lawyer, but subsequently left this to become a Tolstoyan. He then spent his time cultivating land, living a simple life and helping the poor.<sup>354</sup>

### 3.5. Class juxtaposition

Class contrast figures prominently in the case of Aapo and the youth. In that small apartment in Kruununhaka, completely different cultures came together. Aapo seem to have travelled fairly extensively during his life, at the very least to Russia, the Baltic countries, France, Germany, Italy, Hungary, and Switzerland.<sup>355</sup> The itinerant men had traveled only from their home districts to Helsinki, and for them Aapo's stories about free and modern Europe were probably fascinating. We do not know precisely how much and about what Aapo told these men, but to some he had spoken of these trips. Aapo had, for instance, promised to a 16-year-old youngster that he would take him to Hungary the following summer. Related to homosexuality, Aapo had told that "in Europe" homosexual relations were common and that, for instance, in France or Italy "men no longer used women for sexual purposes".<sup>356</sup>

This is an attention-grabbing statement, which we should consider a bit. What did Aapo mean by this? Did he simply want to convince the men to have sexual relations with him? Not necessarily, or not only: In the first decades of the twentieth century homosexual subcultures began to form in the big European countries. These kinds of organized subcultures did not exist in Finland, and the contrast between Finland and Europe was remarkable. Indeed, homosexuality became a topic of discussion in Europe in the 1920s, when a more liberal attitude towards homosexuals began to emerge.<sup>357</sup> In Berlin alone, there were a couple of dozen gay bars, while in Amsterdam there were at least six gay brothels.<sup>358</sup> In the 1920s, Paris was known as a tolerant city for both lesbians and

<sup>354</sup> NIEMI, JUHANI. *Arvid Järnefelt. Kirjailija ajassa ja ikuisuudessa*. SKS, Helsinki 2005.

<sup>355</sup> In *Suurpohjan Kaiku* 16.6.1963.

<sup>356</sup> In Finnish: "miesten ei enää käyttävän naisia sukupuolisiin tarkoituksiinsa."

<sup>357</sup> For instance Magnus Hirschfeld travelled around Europe speaking for homosexual rights. In TAMAGNE 2006:64.

<sup>358</sup> HEKMA 1999: 87. TAMAGNE 2006: 80-81.

homosexuals.<sup>359</sup> In addition, many newspapers for homosexuals were published in Germany. The 1920s was, in general, a decade of sexual liberation, and therefore the homosexual liberation movements fit well into the theme. During the 1920s and 1930s, “references to homosexuality were everywhere”<sup>360</sup> in European cities. It is fairly likely that Aapo had witnessed the homosexual cultures in Europe, and maybe in some circles it seemed that “women were no longer used”.

Aapo had had many rich experiences. He had traveled, had friends among the Finnish cultural elite, and was himself culturally active. Why did this kind of man want to host and befriend homeless youngsters? The story about Aapo and these young men is really much a story of class and a collision between different cultures. Lawyers were considered as having a high social rank as they were heads of the political and bureaucratic levels of society.<sup>361</sup> Through his education, Aapo had climbed the socio-hierarchical ladder. At some point in his life he had rebelled against the class barriers, maybe because of having once been poor himself. However, already in the railway trial we got to know Aapo, who did not care about the social background of his friends, and this egalitarian attitude troubled others.

Tamagne has discussed class in her study of homosexuality in interwar Europe. She has shown that upper-middle class men were often fascinated by working class boys, and provides a large number of examples from Paris, London and Berlin that illustrate this interesting fact. Behind these cross-class relations was a romantic idea that the bond between men could be a force big enough to break social borders. Tamagne argues that, in general, the countryside was romanticized and also the bodies of the working class, with its pure strength, were admired. Working-class people or rural people were seen as immaculate and pure, in contrast to decadent urban life. Upper-class men found relations with working class boys better, because they were considered easygoing, physical, and sexually free.<sup>362</sup> In her book, Tamagne refers to an upper class informant who told of this kind of affection: “Secretly I was fascinated by outlaws [...] I wished to offer them all the love that was denied to them by respectable people”.<sup>363</sup> Something similar is to be found in Aapo’s affection towards the homeless youngsters.

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<sup>359</sup> TAMAGNE 2006: 68.

<sup>360</sup> TAMAGNE 2006: 100-102. 207.

<sup>361</sup> KONTTINEN, ESA. *Perinteisesti moderniin. Profioiden yhteiskunnallinen synty Suomessa*. Vastapaino, Tampere 1991: 220-225.

<sup>362</sup> TAMAGNE 2006:262-268.

<sup>363</sup> TAMAGNE 2006:268.

Maybe Aapo saw his working-class partners with the same fascinated eyes. But how did the working-class men see Aapo? In some of the statements, it was mentioned that the men felt that Aapo used their poor position, and his own high social position, to get sex. These men understood that there was a class contradiction in their relation with Aapo. However, some of the statements hint at the idea that the men, on their part, used Aapo. The men often portrayed Aapo as a funny old guy, for whom love between men was sincere and serious. Aapo did not like to hear the men talking about women, but he enjoyed talking about love between men. It seems that other men visited his place out of need, and that they found Aapo's 'manlover' behavior a rather ridiculous aspect of his personality. For these men, the fact that the 'rich judge' was 'a faggot' made it possible to exploit him.

Not all of Aapo's visitors exploited his affection for men. If reading the sources sensitively some clues of affection can be found, too. For instance, the relationship between Aapo and the young man who introduced Aapo's home to Johannes can be viewed in this way. In the first trial, it becomes particularly evident when the man suddenly denied all his sexual relations with Aapo, and denied ever having heard or seen Aapo acting in a homosexual manner. In the police examination records, the same man said, for instance, that everyone knows that Aapo is a "manlover". He had also told how Aapo described common homosexual relations in Italy and France. In the court, instead, the young man played dumb: he said that because of heavy drinking, his memory had become bad.

Interestingly, then, it was exactly this man who denied having sexual relations with Aapo. There might be many reasons for this. He had been brought to the court many times, and he had been in prison too, and possibly he felt a sense of arrogance towards legal authorities. However, his (even childish) way of categorically denying everything could be motivated by another motive: that of affection or loyalty toward Aapo. He did not just try to save himself, but, rather, he testified in favor of Aapo. In addition, in the other men's testimonies this man was called Aapo's favorite, 'the pet', and that he stayed at Aapo's place as if it was his home. He was the one 'who had found Aapo in the first place', the men told. According to Johannes, this 'pet' of Aapo was a 'manlover' himself. Johannes also told that the guy had seduced Johannes too, and according to Johannes they had had sex together in the toilet at Aapo's place. The affection was lodged somewhere between the formality and the perversity, which is what the legal sources most clearly reflect. Now, from scarcely palpable positive emotions we may smoothly turn to see how the control apparatus, the police, the courts, and the legal machinery operated in the case.

### 3.6. Young "victims"

Aapo's case shows interestingly how the perceptions of age were about to change among legal authorities. As it was, since 1926 the Finnish penal code had recognized boys as victims of child molesting. Before the change, homosexual child molesting offences were tried under the same-sex fornication Section, and therefore the sentences were remarkably lighter than in heterosexual child molesting cases. In Aapo's case, there were three minors involved: the key-witness Johannes, who was 16 years old, and two other boys who were 14 and 15 years old. The three minors were not anyhow equally treated as victims in the case.

At the beginning of the case, only the 14 year-old boy, called Erkki was perceived as a plaintiff and as Aapo's victim, whereas the two others were treated as if they were partners in crime, despite their young age. The police interviewed Erkki at his home on January 12, 1934, which means one day after the raiding of Aapo's apartment. While Erkki's father listened, the son testified that he had been at Aapo's place seven to eight times, and that he had stayed there for a night some five times. Erkki testified that Aapo had orally exploited him every time he was there, and this testimony led to the situation in which Aapo was also being prosecuted for "fornication with a person less than fifteen years old."

Erkki's father was, according to his own testimony, a businessman, but according to church files he was "a hawker".<sup>364</sup> These occupations have very different connotations, and therefore Erkki's socio-economic background remains unclear. However, we do know that Erkki lived with his parents in Kruununhaka, which was a wealthy area of Helsinki, which was the same neighborhood where Aapo lived.<sup>365</sup> So we know that Erkki did not need to go to Aapo's place like the other men did. Many of Erkki's relatives lived nearby, and his home was only two blocks away from Aapo's place. Erkki also lied to his father, saying that he would sleep at his aunt's home, when, in fact, he had stayed at Aapo's place. Erkki went there with some of his friends, one of whom was the son of a famous journalist. These boys went to Aapo's place out of curiosity, not because they had to, unlike the poor and homeless men.

According to Aapo, Erkki had been to his home only once. On that occasion, Erkki had lied and said that he was from Tampere, and needed a place to stay. Erkki had behaved arrogantly at Aapo's home: he had, for instance, gotten angry because Aapo did not give him tobacco. Some of the other

<sup>364</sup> Parish register. Helsingin evankelis-luterilainen seurakunta.

<sup>365</sup> SUOLAHTI, EINO E. *Helsingin neljä vuosisataa*. Otava, Helsinki 1972.



men also testified that one night they had heard Aapo and Erkki fighting, after which Aapo had sent Erkki away from the apartment. The court asked how Aapo could have been so mean, if he thought that Erkki was a homeless boy, far away from his parents. Aapo answered that it was because Erkki did not know how to behave. Aapo categorically denied having any sexual relations with children, although he did confess to having had sexual relations with men.

Erkki's statement led to the focus on the question of age in the case. Unlike in the previous decades, the criminal code now recognized boys as victims of child-molesting, and Erkki was portrayed as a victim. According to the child abuse Section 20:7 (1926), a person who fornicated with a child less than fifteen years old was to be punished with a minimum of six months imprisonment and a maximum of ten years hard labor.<sup>366</sup> Sexual relations with 15- and 16-year-olds were also forbidden, with lower punishments, and only if the young person "had not previously been engaged in immorality".<sup>367</sup> All the same, two of the boys in the case, from which Johannes was another one, were treated as criminals even they were under seventeen years old. However, charges against the other one, who was only one year older than Erkki, were dropped after the second trial. The prosecutor of the case decided to abandon the line of argument against the 16-year-old, as "he should be considered, because of his young age, as Aapo's victim more than as an accomplice."<sup>368</sup> The boy's mother stated in the court room that her son had always been a "decent and hardworking boy."

Johannes was prosecuted and later convicted, though he was 16 years old. It is likely that this was because Johannes had told the police that he had had sex with other men, too. The fact that Johannes was born in the same year as the other boy was recognized in the court, as the judge had written an unofficial comment to the margins of the document: "Is not Johannes, who is as old as [the other boy], a victim?"<sup>369</sup> However, as he was convicted, he probably was not considered innocent enough in the way in which Section 20:7 required, because he "had previously engaged in immorality" and he spoke about this openly. Thus, it means that age was not the principal issue here, as Johannes, though only sixteen years old, was convicted of same-sex fornication. His experience in same-sex sexual relations was a more important factor than his age.

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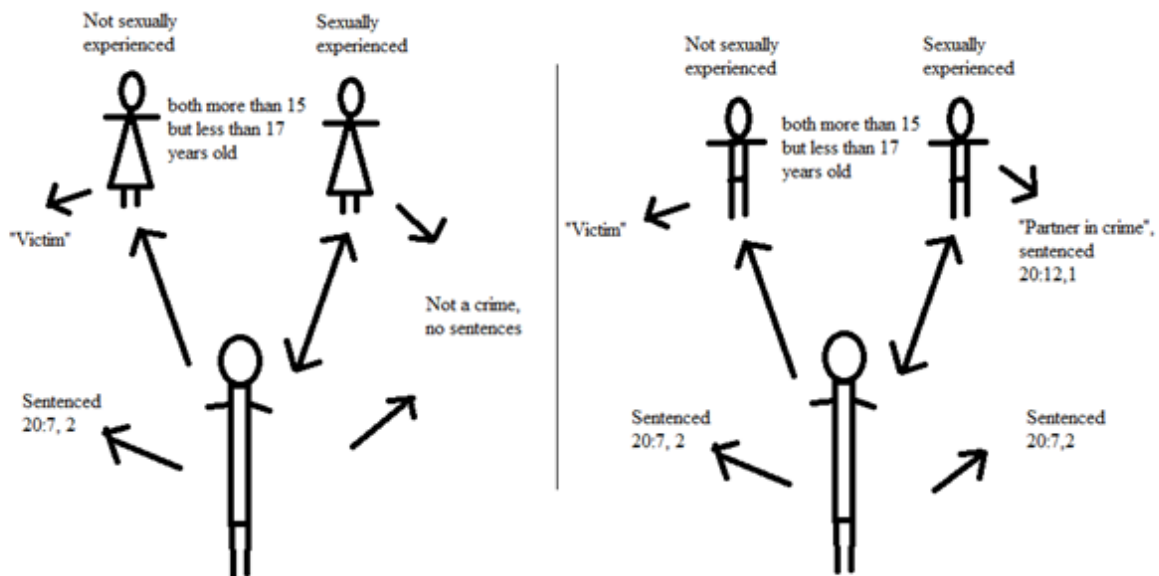
<sup>366</sup> SALMIALA, BRUNO A. (ed.) *Suomen Rikoslaki. Muutoksineen ja lisäyksineen kesäkuun 1 päivään 1950 saakka.* Suomalaisen kirjallisuuden seura 1950: 33. "If someone interferes with child under 15 years old or practices other forms of fornication with the child, the one should be punished by hard labor for not more than ten years, and if the circumstances are highly mitigating the imprisonment for no less than six months."

<sup>367</sup> SALMIALA, 1950:33. "If the child was 15 but not 17 years old and was not previously capitulated to immorality the punishment may not be more than two years hard labor or imprisonment or fines".

<sup>368</sup> In Finnish: "tama nuoreen ikäänsä nähden oli pidettävä pikemminkin [Aapon] uhrina kuin kanssarikollisena".

<sup>369</sup> In Finnish: "Eikö Johannes, joka on yhtä vanha kuin [N.N.] ole uhri?"

The issue of the minor's previous 'immorality' led to a situation in which the child sexual abuse section of the criminal code was suddenly harder on homosexual relations. Whereas before 1926 homosexual child molesting cases were lightly punished, the situation was turned on its head after the reform of 1926. This becomes evident in Aapo's relation with Johannes. As Johannes was considered as having been sexually experienced already before having sex with Aapo he was not considered a victim in the case, regardless his young age. If Johannes was a girl the case would have been dismissed, and neither of the two would have received sentences. But, as Johannes was a boy, he was convicted of same-sex fornication as a young criminal. Further, and most importantly Aapo was still convicted of the child sexual abuse section (20:7,2). Picture 2 may clarify the situation in a clearer way.



Picture 3.4. The different legal treatment of heterosexual and homosexual child molesting cases in 1930s. The child molesting section (20:7,2) of the criminal law caused the situation in which the sentences were harder in homosexual than in heterosexual cases, if the minor was more than 15 but less than 17 years old.

### 3.7. “Blackmailers”

Let us turn for a moment to the issue of blackmailing. As it is, in the sixth, and last, trial tried in Helsinki city court, Aapo came with an idea that the young men had actually blackmailed him. His legal adviser stated that no evidence has been found regarding Aapo having relations with Erkki, and emphasized the fact that “*Erkki and Johannes were actually blackmailing Aapo.*”<sup>370</sup>

One of the newspaper articles discussing Aapo’s case introduced the blackmailing argument. The journalist had interviewed a police officer about homosexual crimes, who said that homosexual crimes caused several different kinds of ‘side-crimes’, of which blackmailing, robbery, and vandalism were the most common. The police officer was familiar with the mechanism of silence: he said that quite often homosexuals do not even inform the police of these crimes against them, because they are too afraid that their “abnormal” sexual tendencies would create scandals. However, according to the police officer “the police quite often get information from ‘mister this and that’ who tells them that he has been robbed or blackmailed. However, when the police start to investigate the case, it finds out that the informer has been a homosexualist, who has been robbed or blackmailed by his own homosexual partners or victims.”<sup>371</sup>

The blackmailing problem was familiar to legal authorities, too. In his proposal for the new criminal code, the author of the criminal code, Allan Serlachius explicitly rationalized the decriminalization of same-sex fornication using the blackmailing argument.<sup>372</sup> Indeed, the blackmailing argument was increasingly used in many European countries in the 1920s, when the public attitude was quite liberal towards homosexuals.<sup>373</sup> Some activists had spoken against the German criminal code’s same-sex fornication paragraph because of the blackmailing that it purportedly caused for homosexuals. In the 1930s the decriminalization process was going on in Denmark and Sweden. In both of the countries the blackmailing argument was used as one of the most important reasons for decriminalization.<sup>374</sup>

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<sup>370</sup> In Finnish: “Erkki ja Johannes itseasiassa kiristivät Aapoa.”

<sup>371</sup> Suomen Sosiaalidemokraatti, 17.1.1934. In Finnish: “Melko usein saa rikospoliisi ilmoituksen, että herra se ja se on joutunut kiristyksen tai ryöstön uhriksi. Kun poliisi sitten on ryhtynyt rikostapausta tutkimaan, niin se on saanut selville, että rikoksen ilmoittaja on ollut homoseksualisti, joka on joutunut omien homoseksualisten kumppaniensa tai uhriensa toimeenpaneman kiristyksen tai ryöstön uhriksi.”

<sup>372</sup> SERLACHIUS 1922:63.

<sup>373</sup> RYDSTRÖM 2003:168-169. TAMAGNE 2006:64.

<sup>374</sup> VON ROSEN, WILHELM. ”Denmark 1866-1976 From sodomy to modernity” in Rydström, Jens and Mustola, Kati (ed.) *Oriminally Queer. Homosexuality and criminal law in Scandinavia 1842-1999*. Aksant, Amsterdam 2007. RYDSTRÖM 2003:168-169.

In Finland the problem of blackmailing was about to be solved differently. The newspaper article that discussed the blackmailing showed sympathy for homosexuals who were blackmailed, bullied or robbed. Interestingly, however, when the newspaper tried to find a solution to this legal problem, it did not turn to support the decriminalization of homosexual acts. Instead, the newspaper stated that “if the homosexual crimes that are caused by an abnormal sexual drive could be lessened, it would remarkably help the work of the detective police in many ways.”<sup>375</sup> What the newspaper actually states is that “the side crimes” of homosexuality were in the end homosexuals’ own fault. If they would not practice their “abnormal sexual drive” no one could blackmail them, was the logic.

In countries in which homosexuality was a crime, homosexuals may have ended up being blackmailed for different purposes. The blackmailing of rich homosexuals by poor men was one side of the coin, but homosexuals could also end up being blackmailed by the police, as is evident from the Finnish secret police’s record, under a folder called “*abnormal sexual lechers*”.<sup>376</sup> Documents show in a clear way how the security police used blackmailing against sexual deviants if they wanted to make them spy for them. One example from the year 1937: “Man called [the name of the man] who lives in Helsinki, is probably a male “bride” (homosex.), who will be blackmailed with this information and forced to do some spying”<sup>377</sup>. Since homosexuality was outlawed in 1930s, it is understandable that homosexuals did not want to inform the police about having been robbed. We may say that because of their sexual behavior, homosexuals were out of legal protection in other matters, too, and further, that their sexual difference was used against them by officials and criminals.

Turning back to Aapo, he started to use the blackmailing argument when in prison. While there, he had time to explore the court files and write his letter of complaint to the Supreme Court. Aapo wrote about the situation:

“However, there were also criminals [among the men who stayed at his place], as I later noticed, who had never even done any real work, but had earned their living in different illegal ways, as the documents show. Precisely because of these people, the whole trial is dropped against me, as I never consented to their blackmail attempts. They thought that only I would be in trouble in this case, and so they invented all the

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<sup>375</sup>In Finnish: ”Jos epänormaalin sukupuolivietin aiheuttamat homoseksuaalirikokset saataisiin vähenemään, niin se tulisi huomattavalla tavalla keventämään rikospoliisin muutakin työskentelyä”

<sup>376</sup> In Finnish: “Abnormit sukupuolielostelijat”. Valpo archive. NAF.

<sup>377</sup> In Finnish: “Helsingissä asuva [nimi] –niminen mies tietävästi ”morsian” (homosex.), jota aiottaneen tällä tiedolla kiristämällä pakottaa joihinkin vakoilupuuhiin.”

stories. When they found out that they were all being prosecuted as well they immediately changed their testimonies in court.”<sup>378</sup>

Aapo could have been telling the truth. The whole case was anyway each man’s word against the others, and therefore events in the apartment remain unknown. However, the blackmail discourse came into the picture only during the very late part of the trial series and maybe this is why none of the court decisions at any of the levels took it into account. However, the long sentences speak for the way the court read the situation.

### 3.8. The sentences

Aapo’s case was tried biweekly during the spring 1934. Many trials needed to be conducted because it was difficult to get the prosecuted men and the witnesses to the court. The situation changed during the fourth trial, which was conducted on March 31, when more information was given by the three detectives who came to the court to explain the examination procedure. For instance, one detective said that after Aapo delivered his letter of confession, he seemed to be relieved. It was also said that during the interrogation, Aapo was especially interested in Erkki’s age, but had become confused after the detective asked why he was so curious. Another detective said that Aapo seemed to be healthy when giving the letter and that Aapo had said he would go to work after the interrogations.

The main issue in Aapo’s trial was to show which men had had sex with Aapo. As the prosecution rested on testimony, the police gathered as much incriminating evidence as possible. At first, when interviewed at the police station many of the youngsters had confessed their sexual relations with Aapo. The testimonies were not legally valid until they were ratified in court, and indeed, almost all of the men denied the relations in the courtroom. This seriously weakened the prosecution, and so more concrete evidence was sought.

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<sup>378</sup> In Finnish: “[...] mutta joukossa oli, kuten nyt olen huomannut, rikollisiakin, jotka eivät koskaan ole mitään työtä tehneetkään, vaan ovat rikollisella tavalla hankkineet toimeentulonsa, kuten jutun asiakirjat osottavat. Juuri näiden rikollisten ainesten taholta onkin tämä syytejuttu minua vastaan lähtöisin, kun minä heidän kiristysyrityksiään pelkäämättä, en alistunut heidän vaatimuksiinsa. Luullen aiheuttavansa ainoastaan minulle vahinkoa, he, tietämättä että itsekin joutuisivat syytteeseen, panivat ilmiantoa vasten kokoon kaikenlaisia juttuja, jotka sitten huomattuaan itsekin joutuvansa syytteeseen, oikeudessa peruuttivat.”

In the first trial, held on March 3, 1934, nearly all the men had changed their testimonies. In light of this, the Helsinki city court ordered a search and seizure, which was done by the local detectives in Aapo's apartment shortly after the first trial. The court gave instructions to the detectives: "In [Aapo's] apartment a search and seizure should be done in order to find any sexual literature that there might be."<sup>379</sup> The court also wanted to be informed of any "outstanding particulars", as well as the position of the furniture and other belongings.

Three detectives went to Aapo's apartment and wrote a report. They photographed the apartment, but did not find anything special. They focused on the fact that "on the wall there was a painting that presented "three naked boys" (Picture 1), but no sexual material was found. The Romantic Nationalist painting that portrayed naked boys by the lake could have been painted in Aapo's home district by any of the respected nationalist artists. There was absolutely nothing sexual in the painting, but the police detective tried to find perverse elements and thought that the painting may represent Aapo's affection to naked boys. Police also found one soldier's passport, which supported the statements according which many soldiers had stayed at Aapo's place.

The fifth trial was held on April 14th. Now the picture was the following: There were two minors, who were considered 'victims', whereas Johannes and other two men were accomplices, and Aapo, the main criminal, was prosecuted for having sexual relations with all of them. At this point, Johannes changed his mind. He said that he had never had any sexual actions with either girls or boys before Aapo, and therefore he also wanted to be considered a victim. He also changed his mind about his previous testimony, where he had said that he had had sex with two other men at Aapo's apartment. Aapo, from his side claimed that another of the plaintiffs had had sexual relations before him.

The sixth, and the last, trial was held on April 21st, which means that the series of trials took nearly two months. Finally, all the people involved came to the court. Aapo was brought to the front of the court room 'guarded', as if he was aggressive or dangerous. After this trial of April 21, the Helsinki city court handed down a decision in which Aapo was given a harsh sentence, that of five years and three months of hard labor. Specifically, the sentence was four years of hard labor for *continuous fornication with a child less than 15 years* (Erkki), *for the two sexual fornications with persons more than fifteen but less than seventeen years old*, one year for another, and eight months of hard

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<sup>379</sup> In Finnish: "[Aapon] asunnossa oli toimitettava kotietsintä sieltä mahdollisesti löytyvän seksuaalisen kirjallisuuden löytymiseksi".

labor for his relationship with Johannes. Aapo was also convicted of *same-sex fornication* with the two adult men, one year for each. The sentences were counted together by a special method, and so the final sentence was five years and three months hard labor. As an aggravating aspect it was mentioned that *this kind of fornication had become a habit for Aapo*.

It is interesting that Johannes was sentenced to seven months imprisonment, although with two years' probation. He was, at the same time, perceived as a victim, as evidenced by the fact that Aapo's crime towards him led to eight months hard labor for Aapo, because Johannes was still less than 17 years old. How was it possible that he was also responsible for the crime that, according to the child-molestation Section 20:7, was perpetrated against him?

Aapo's sentence was severe, and it was sent to higher courts for inspection. The Turku Court of Appeal tried it in June 1934 and did not change it; Aapo complained about this decision to the Supreme Court. In its decision on September 10<sup>th</sup>, 1934, the Supreme Court of Finland reduced the sentence in two ways. The sentence given for the sexual relation with Erkki was reduced from four years' hard labor to three years' hard labor, and the same-sex fornication sentences were reduced from one year each to one month each. Indeed, the one-month sentence for adult same-sex fornication was more in line with the average sentences given by the Section.

When the Supreme Court decided Aapo's case, it consisted of five members, one of whom was the professor of criminal law, Allan Serlachius. He is remembered as the man who proposed the decriminalization of adult homosexuality already in 1922, in his *Proposal for new criminal code*. However, in Aapo's case, Serlachius supported higher sentences for adult homosexuality, as he voted against the Supreme Court's decision to reduce the sentences given for same-sex fornication. Three members of the Supreme Court jury considered that only one month for each of the two adult same-sex fornication relations would be sufficient punishment. Remarkably, two members of the jury gave dissenting opinions, those of Gunnar Idelstam and Allan Serlachius. In their view, the decision made in the Turku Court of Appeal should have stood. This is an interesting change in Serlachius's attitude towards adult homosexuality, indicating a complete change of perspective in ten years. However, the three liberal judges won, and the sentences were reduced from one year to one month.

From the decision we can see that, according to Supreme Court of Finland in 1934, homosexual relation between consenting adults was not viewed as a severe crime. However, the example of

Serlachius shows that the attitudes towards homosexuality were about to change. When Serlachius proposed decriminalization, the same-sex fornication section was hardly ever used. It had been meaningless, whereas by the 1930s homosexuality had clearly started to evoke societal concern.

### 3.9. Closing Words

In the trial year, Aapo was over sixty years old. Previously, Aapo's homosexuality had not caused any particular harm to him. He was loved and respected. Was he destroyed after this humiliating sex scandal and after serving a long sentence? Apparently not, as after being freed in 1937, Aapo moved back to his home district, where he lived as an appreciated member of the community for the rest of his life. When he celebrated his 80<sup>th</sup> birthday the local newspaper wrote an article about his life, where it was mentioned that Aapo worked voluntarily as a guide in the village's old church and that he had done a lot of voluntary work in different social organizations. In addition, he was respected on account of the things that he had done for his home district. He, for instance, had written histories of the local hospital, church, and library, as well as served as editor of the local history book.

Aapo died in the summer of 1961, as a respected member of the locality. The newspaper writings after his death make clear that he was respected person, which neither his homosexuality nor the legal cases had damaged. The four years of his life in prison were politely bypassed in the memorial, even though the description of his life was otherwise rather precise. After writing this chapter, I find this fair: I started to look at Aapo's life from a distorted point of view. For me, he was first a homosexual and then something else. For other people, it was other way around.

It would have been nice to know more about the youngsters, but as they were poor working-class people, with no document trail. They did not have the possibility of sharing their views in newspapers and magazines as Aapo did. However, I went to see parish registers, which gave me some clues about their later lives. Firstly, I found out that blabbermouth Johannes, in his later life became a sailor. He never married, at least not in Finland. Perhaps he "turned manlover" himself, too? Another of the minor plaintiffs became a car mechanic and lived in Espoo. About the youngest boy, Erkki, the parish register recorded that he married when he was 22 years old, during the Second World War. He spent his life working in the lumber works.



The excursion to Aapo's case showed that the ways to perceive male same-sex relations were about to change in 1930s Helsinki. Homosexuality became visible and a topic of discussion, largely because of the economic depression. The chapter showed in many ways how social class affected the ways in which male sexual relations were perceived and lived. I shall now briefly present the main findings of the chapter.

First, the working class elite had brought homosexuality into discussion as a decadent feature of the upper class, which was shown already in the second chapter. Now, during the economic depression of the 1930s the working class elite became increasingly worried about homosexuality, because in its view rich homosexuals abused poor working-class boys. The working-class movement started to view homosexuality as a threat to their class in a same way it had perceived prostitution as a capitalistic way to abuse working-class girls. Because of this view, Aapo was portrayed as a "rich old judge" and "gentleman", in order to build the class contradiction. Thus, homosexuality meant, most of all, class-based sexual abuse for the Social Democratic newspaper.

Second, working-class boys, the poor homeless youngsters who were heard in the trial, showed less concern about male sexual practices. Indeed, they separated their homosexual actions from their personality in a clear way. If homosexual sex was practiced for purposes of earning money, it did not endanger the person's reputation. Similar accounts were described in studies carried out in other European countries. Thus, the working-class boys themselves did not share the anxiety of their 'class supervisors'.

Third, as the case showed, Aapo was a person who did not care about social hierarchy. The case shows how Aapo had had a chance to get to know the artists of National Romanticism of the late nineteenth century, which can be viewed as his source of worldview. The Tolstoyan ethos to help the poor is one possible example. Aapo had also been able to travel a lot, and so had had access to the 'free Europe', in which according to Aapo "men no longer used women for sexual purposes". Indeed, the interwar period was liberal towards homosexuals in big European cities, and because of having experienced that liberty, Aapo was also able to build up a more positive self-perception of his sexuality. In the interwar Europe the upper-class's homosexual attraction towards the working class was apparently common phenomenon, and Aapo's affection towards the working-class youngsters was not exceptional by European standards.

Fourth, homosexuality had become more visible in Helsinki. As the case showed, by the 1930s some slang words for homosexuals existed. The economic depression made male sexual practices more visible in the city sphere. Discourses for homosexuality were about to change from a bad habit discourse to a sickness discourse. Whereas the newspapers continued to write about homosexuality as a vice, medical experts introduced a sickness discourse. The leading of the view of the time, articulated by Magnus Hirschfeld, was homosexuality as an innate dysfunction. Aapo, too, explained his behavior through medical discourses, saying that he was a slave of his sickness.

Fifth, the blackmailing argument also arrived in Finland. It was first used in 1922 by professor of criminal law Allan Serlachius, when he proposed the decriminalization of homosexual acts among adults. Hirschfeld was behind the project of bringing into the discussion the blackmailing suffered by homosexuals in Europe. In other Nordic countries, because of this discourse, homosexual acts were decriminalized from the 1930s onwards. In Finland however, the attitude towards blackmailing was different. As the police said, the best way to reduce blackmailing would be for homosexuals to refrain from behaving homosexually. The chapter also showed accounts according which even the Finnish secret police blackmailed men who were known of being “homosexuals”.

Sixth, the chapter showed that age started to be more clearly recognized in legal proceedings. Whereas before 1926 homosexual child abuse cases had been tried under the same-sex fornication section, since 1926 they were treated equally with heterosexual child abuse cases. In Aapo’s case this meant harsher sentences for Aapo than for men who had previously experienced the same kind of crimes. Whereas Juhani received a sentence of eight months in 1912, twenty years later Aapo received a sentence of 3 years and 8 months for a crime that was much less serious than those of Juhani. However, even though age was recognized, it still was not the most important feature of the person. The more important issue was the previous (sexual) moral status of the under-aged person. In these cases the Section treated heterosexual and homosexual cases differently. Whereas heterosexual relations with a girl over 15 but less than 17 years old was a crime only if the girl was not previously sexually experienced, in homosexual cases this constituted a crime against a minor, whatsoever. In addition, in homosexual cases a minor with previous sexual experience would be considered a partner in crime, but according to the same-sex fornication Section.

Let us now move to another story from the 1930s, which tells about a castrated homosexual man, called Simeoni. His life and self-perception was totally different from that of Aapo. Thus, together

the stories tell about 1930s Finland and show the background for the later, even more hostile attitude towards homosexuality in Finland.



## 4. Eugenic and a castrated *homosexualist*

### –*Simeoni's story* Valkeala 1931 – Helsinki 1936

#### 4.1. Eugenic will that made Simeoni's case possible

In 1935, the first sterilization law was passed in Finland as part of the general Nordic sterilization movement.<sup>380</sup> The purpose of the law was twofold. First, and foremost, the goal was to render mentally disabled (“idiots, imbeciles and mentally ill”<sup>381</sup>) people incapable of reproduction. Beneath this purpose was the fear of the degeneration of the population, an issue that was much discussed from the early twentieth century onwards. Demographical calculations, which were based on fertility rates, showed that among ‘the poor and sick’ the reproductive rate was high, whereas the better-off were having fewer children than before. These calculations evoked concern over population, and therefore eugenics as an ideology gained a lot of interdisciplinary support. Even if the ethics and purpose of the sterilization law had been strongly debated in earlier decades; it became widely supported at the beginning of the 1930s. The near-unanimity was remarkable when the sterilization law was passed in the Finnish parliament in 1935, as only fourteen members of 200 voted against it. The economic depression obviously influenced the changed attitude, as the statistics showed an increase in welfare costs, in number of crimes, and in ‘unfit’ individuals. Suddenly, sterilization of ‘inferior people’ seemed to be the answer to the problem.<sup>382</sup>

The second purpose of the sterilization law was criminal/ political, as it allowed castrations for sex-crime offenders. This Section was strongly debated, and for instance, the commission that had been settled to prepare a proposal for the sterilization law did not support castrations in its proposal in 1929. However, the law when passed in June 1935 included also the so-called castration Section, which allowed the strongly debated castrations to criminals who had been convicted of sexual offences.<sup>383</sup> According the law, castrations could be preceded to “a person who has been **convicted for a crime** that shows that the person has **unnatural sexual drive** either **because of its** strength or

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<sup>380</sup> Similar laws were passed in Denmark in 1929, in Norway in 1934 and in Sweden in 1935. HIETALA, MARJATTA. “From Race Hygiene to Sterilization: The Eugenics Movement in Finland.” In *Eugenics and the Welfare State, Sterilization Policy in Denmark, Sweden, Norway and Finland*. Edited by Gunnar Broberg and Nils Roll-Hansen. Michigan State University Press, East Lansing 2005: 195. pp. 195-258.

<sup>381</sup> This is how people were defined in the sterilization law. In Finnish: “idiootti, imbesilli ja mielisairas”. Sterilization law 1935, 1§

<sup>382</sup> HIETALA 2005: 195-258.

<sup>383</sup> PALMÉN, A. J. ”Suomen sterilisoimislaki” in *Duodecim* 8/1935:732.

**orientation**, and that there is a reasonable risk, that the person, because of it, may be a danger to other people.”<sup>384</sup> The main purpose of the Section was to eliminate sexual assaults, and especially sexual crimes towards children.<sup>385</sup> However, the law also made possible the castrations of people who had been convicted of same-sex fornication crimes, if they were considered to be a danger to other people.

The castration Section was criticized from the beginning. In the article “On homosexuality and sterilization” professor of forensic medicine Oiva Elo wrote two years before the law was passed: “What about castration! No one is supporting it as I said. Not seriously, at least.”<sup>386</sup> In 1935 the doctor Palmèn had introduced the newly passed sterilization law to Finnish doctors in an article written to a medical journal. He assumed that hardly any castrations would be done: “castrations are probably going to be very rare exceptions, because they factually can harm a healthy life.”<sup>387</sup> In 1940 psychiatrist Kaila said that for the offender the fear of getting castrated is in many cases a much stronger punishment than imprisonment can ever be.<sup>388</sup>

The castration procedure was multiphase and the decision was in hands of both medical and juridical expertise. The National Board of Health (later the NBH) was the instance that, relying on various kinds of documents, made the castration decisions. If it favored the castration, the castration had to be performed in an institution designated by the NBH, and only after an interim period of one month following the NBH’s decision. During that month the person had the right to appeal the decision to the Supreme Court of Finland, which then had the final word on the issue.<sup>389</sup> There were two sterilization laws in Finland. The first one was effective from June 1935 to February 1950 and the second from that point until 1970, and under the both laws the relation between the NBH and the Supreme Court was the same: the NBH made the decisions that the Supreme Court controlled, if the decision was appealed.

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<sup>384</sup> Highlights made by the author. Sterilization Law 1935, 1§. In Finnish: “[...] jos joku lainvoiman saaneella tuomiolla on **osoitettu syytäksi rikokseen** tai rikoksen yritykseen, joka todistaa hänellä olevan voimakkuutensa tai **suuntautumisensa puolesta luonnottoman sukuvietin**, ja on perusteltua syytä varoa, että hän sen vuoksi on vaarallinen toiselle henkilölle.”

<sup>385</sup> MATTILA, MARKKU. *Kansamme parhaaksi, rotuhygieniä Suomessa vuoden 1935 sterilointilakiin asti*. Suomen historiallinen seura, Helsinki 1999.

<sup>386</sup> ELO, OIVA. ”Homosexualismista ja sterilisaatiosta” in Suomen Poliisilehti. 1933, 5/13: 113. In Finnish: ”Entä kastaatio! Sitä ei kukaan puolla kuten sanoin. Ei ainakaan vakavissaan.”

<sup>387</sup> “[...] kastaatio muodostunee erittäin harvinaiseksi poikkeukseksi, koska se tosiasiallisesti voi häiritä terveydenmukaista elämää.” sivu 733 ”Suomen sterilisoimislaki”, A. J. Palmèn, *Duoedim* 8/1935.

<sup>388</sup> KAILA, MARTTI. ”Sterilisoimislain kastaatiota koskevien säännösten ja niiden täytäntöönpanon tarkoituksenmukaisuudesta.” in *Lakimies* 1940:92.

<sup>389</sup> PALMÈN 1935:733.

The initiatives for castrations were done differently under the first and second sterilization law. Under the first law, it was in the hands of prison directors, local police officers and other authorities close to the criminal who decided to send the initiative for castration to the NBH if they so felt.<sup>390</sup> Psychiatrist Martti Kaila criticized this procedure already in 1940 by saying that the law treated sexual offenders unequally: Whereas some prison directors freely sent castration initiatives, others never sent them.<sup>391</sup> Although professor of criminal law, Brynolf Honkasalo,<sup>392</sup> rushed to support the existing procedure after Kaila's criticism, it seems that Kaila's view won out ten years later in 1950 when the sterilization law was changed. This can be viewed as one of the examples, which show how the power to control and evaluate sexual crimes was to be moved from the hands of legal authorities to the hands of the medical authorities. Sexual crimes were not viewed simply as bad behavior, but rather, sexuality and its 'normalcy' as a whole was analyzed best by psychiatric knowledge.<sup>393</sup>

In consequence, under the second sterilization law, all the severe sexual crimes were automatically sent to the National Board of Health in order to be evaluated for possible castration treatment. Because of the change in the procedure in the 1950s the number of castration petitions rose dramatically. Regarding same-sex fornication offences this was anyhow good news; only the severe sexual offences were sent to the NBH, which meant that homosexual relations between adults were automatically free from the castration threat. The crimes that were ought to be sent to the NBH were sexual offences against children under 15 years, fornication cases in which an authority position was used, rape, or other kind of coercion of a woman to fornication, or fornication with a mentally ill woman.<sup>394</sup>

In Finland, unlike in other Nordic countries, it was also possible to carry out castrations without consent. Indeed, the majority of the castrations were performed with only reluctant consent having been granted.<sup>395</sup> In 1954, jurist Toini Honkanen criticized extreme castration procedures in which to-be-castrated men had to be brought to the hospital in leg irons and given tranquilizers. Honkanen

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<sup>390</sup> HIETALA 2005: 233.

<sup>391</sup> KAILA 1940:92.

<sup>392</sup> HONKASALO, BRYNOLF. "Kastroimissäännösten tarkoituksenmukaisuudesta." in *Lakimies* 1940:370-374.

<sup>393</sup> Kaila's article really focuses on sexuality and its evaluation. He supported castrations, but he held that castration decisions should be left exclusively in the hands of medical authorities. KAILA 1940.

<sup>394</sup> HONKANEN, TOINI. "Kastroimiskysymys lainkäytön valossa". In *Avioliitto ja lääkäri. Väestöliiton julkaisu lääkäreille*. 1:1958. 26-29.

<sup>395</sup> HONKANEN, TOINI. "Kastroimiskysymys lainkäytön valossa." in *Lakimies*. 1954. Over 70 percent of the castration decisions were appealed to the Supreme Court of Finland.

said that these treatments were more reminiscent of the code of Moses than modern criminal law.<sup>396</sup> Fourteen years before, in 1940, also professor of psychiatry, Kaila referred to these violent events that sometimes took place in involuntary castrations.<sup>397</sup> In Sweden, for instance, people for whom castration was planned had to give written consent to the treatment.<sup>398</sup>

In Finnish gay studies historiography there has been an assumption that homosexuals would have been targeted for the castration Section. Following the logic of the first sterilization law, the fear in the historiography would be understandable, as the law explicitly mentioned that any sexual-crime offender could be castrated if he was considered a danger to other people.<sup>399</sup> Olli Stålström anyhow dramatized the issue in his dissertation: “In similar way as in Buchenwald concentration camp of Nazi times, homosexuals started to be castrated in 1950s Finland and United States.”<sup>400</sup> Indeed, Buchenwald concentration camp is remembered for having done medical experiments on homosexuals, for instance through castrations and hormonal treatments.<sup>401</sup> The comparison between Buchenwald’s horrors and the policies in Finnish 1950s were anyhow far from one another. No one has studied how “homosexuals” were treated under the sterilization laws in Finland, even though, both Jan Löfström and Antu Sorainen have discussed the issue and assumed that homosexuals would not have been the prime target of the law. Jan Löfström has studied some of the same statistics that have been studied to this chapter, and shows that castrated men were from lower social strata.<sup>402</sup>

This study, however, casts light on the previously unstudied castration issue, and shows that men who had sex with other men were not targeted for castrations. Indeed, it seems that “only” two men were castrated because of their “same-sex fornication” crime, both of the cases happened at the beginning of the first sterilization law, in 1936 and 1938, and both of the castrated had also been convicted of other crimes. In addition, both of the men consented to the treatment.<sup>403</sup> After these two cases the NBH did not sentence any same-sex fornication offender to castration until 1958, thus

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<sup>396</sup> HONKANEN 1954:44.

<sup>397</sup> KAILA 1940:97.

<sup>398</sup> RYDSTRÖM, JENS: *Sinners and Citizens. Bestiality and Homosexuality in Sweden 1880-1950*. The Chicago series on sexuality, history and society. University of Chicago press, Chicago and London 2003:275.

<sup>399</sup> STÅLSTRÖM, OLLI. *Homoseksuaalisuuden sairausleiman loppu*. Gaudeamus, Helsinki 1997:305-306.

<sup>400</sup> STÅLSTRÖM 1997:305.

<sup>401</sup> PLANT, RICHARD. *Pink Triangle, The Nazi War Against Homosexuals*. New Republic Books 1986. *Buchenwald Concentration Camp 1937-1945. A Guide to the Permanent Historical Exhibition*. Edited by the Gedenkstätte Buchenwald, Wallstein Verlag 2004:73-74.

<sup>402</sup> LÖFSTRÖM, JAN. “The Social Construction of homosexuality in Finnish Society, from the Late Nineteenth Century to 1950’s.” PhD dissertation. Department of Sociology. University of Essex, 1994:159-160. SORAINEN, ANTU. ”Rikollisia sattumalta? Naisten keskinäistä haureutta koskevat oikeudenkäynnit 1950-luvun itä-Suomessa.” Helsingin yliopiston yliopistopaino, Helsinki 2005:5.

<sup>403</sup> KAILA 1940:98, 100.



in twenty years. Until 1958 we have reliable documents from Toini Honkanen's and Martti Kaila's articles, which introduce all the castration cases until that point. There is no need to assume that the NBH would have changed its policy after 1958 and started to castrate homosexuals after that, especially, as Honkanen also states in 1958 "the attitude of prison psychiatrists and of the NBH towards the castration question has been rather negative."<sup>404</sup> In addition, under the second sterilization law (from 1950 onwards) same-sex fornication crimes were not even sent to the NBH. Thus, the reader can be rather convinced that homosexuals were not castrated in Finland as feared.

When considering homosexual child molesting cases, the issue becomes a bit different. In her 1958 article Honkanen wrote that the NBH had adapted the view according which: "for example, a person in pedagogue position, such as a teacher or a boy group leader, is, because of his sexual orientation dangerous to other persons in a way that the castration law means, if he by using the authority position and the possibilities and occasions it gives, systematically teaches a group of adolescents to homophilia when they are under his guidance."<sup>405</sup> This sentence is better understood in light of the post-war mentality of fear of homosexual "contagion" through seduction, an issue that is studied in the sixth chapter of the thesis. The quotation anyhow shows that the requirements for castration were set quite high in homosexual cases: the victim had to be a minor, there had to be many victims, the seduction had to be done in an authority position and it had to be continuous and systematic. Altogether, before 1958 nine men had been castrated because of homosexual "fornication with a child less than fifteen years old".<sup>406</sup> At the same time 53 men had been castrated because of heterosexual fornication with a child less than fifteen years old, of which 12 crimes had also included incest. In addition, in the remaining 19 cases the reason for castration had been the rape offence.<sup>407</sup>

Looking at the statistics, it seems that no special interest was put on homosexual child molesting cases, but instead, both homosexual and heterosexual child molesting cases were treated equally as crimes against childhood. The descriptions of 41 castration cases, from the years 1935-1940 and 1951-1954<sup>408</sup> show that castrations were mostly aimed at men who came from extremely poor

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<sup>404</sup> HONKANEN 1958:28.

<sup>405</sup> "Esim. kasvattaja- asemassa oleva henkilö. kuten opettaja tai poikakerhityön johtaja, joka auktoriteettiasemaansa ja sen tarjoamia tilaisuuksia hyväkseen käyttäen järjestelmällisesti opettaa joukon valvontaansa uskottuja murrosikäisiä poikia homofiileiksi, on sukuvietinsä vuoksi vaarallinen toiselle henkilölle siinä mielessä kuin kastroimislaki tarkoittaa." HONKANEN 1958:27.

<sup>406</sup> HONKANEN 1958:27.

<sup>407</sup> HONKANEN 1958:27.

<sup>408</sup> This notion is based on Kaila's article from the year 1940, in which he presented all the ten castration cases that had been carried out so far, and on Honkala's article in which she presented all the 31 castration cases that had been carried out along the years 1951 to 1954. KAILA 1940. HONKANEN, TOINI. "Kastroimiskysymys lainkäytön valossa." *Lakimies*. 1954.

conditions, and had both mental and intellectual disabilities. They had committed child molesting or incest offences towards small children, or they had violently raped several women. As Kaila said: “Thus, one can say that the sterilization law’s castration Section has been aimed mainly at strongly abnormal people, many of whom have also needed mental hospitalization at times.”<sup>409</sup>

As the two homosexuals were castrated at the beginning of the first sterilization law, let us look a bit more closely at the castrations of that time. Probably because of the critical attitude towards castrations, not that many applications were sent to the NBH at the beginning of the first sterilization law; indeed only 14 initiatives in five years, which included the two same-sex fornication offenders.<sup>410</sup> Remarkably, during those five years the NBH rejected only two castration initiatives. In these cases, according the NBH, it was not shown that the men had unnaturally orientated sexual drive. Both of the cases were rape cases, where the victim had been an adult woman.<sup>411</sup> Altogether, the NBH sentenced twelve men to castration operation, of which four took the decision to the Supreme Court, which for its part rejected two castration decisions. Altogether during 1935 to 1939 ten men were castrated, from which eight did not contest the decision. Until 1950 the total number of castrated men was 54.<sup>412</sup> All in all, during the first sterilization law (1935-1950) the NBH rejected only six percent of the sterilization applications; however twenty percent of the applications were dropped out because the instance that had taken the initiative for the sterilization did not deliver all the required documents.<sup>413</sup>

Although homosexuals were not the target of the sterilization laws, still two men whose sexual offence had been same-sex fornication were castrated under the first sterilization law, another in 1936 and another in 1938. Simeoni, the protagonist of this case, was the second man who was castrated under the sterilization law. Simeoni’s sexual offence had been same-sex fornication, of which he had been convicted in 1932 in the Supreme Court of Finland. I found Simeoni’s case from Kaila’s article from 1940, in which he presented the list of all the castration cases carried out till

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<sup>409</sup>In Finnish: ”Voimme siis todeta, että seteriloimislain kastroimismääräyksiä on etupäässä sovellettu hyvin vahvasti abnormeihin henkilöihin, joista suurin osa ajoittain on ollut mielisairaanhoidon tarpeessa.” KAILA 1940: 105-106.

<sup>410</sup>The number of castration petitions rose remarkably under the second sterilization law. However, the number of applications pointed to the NBH is to be explained with the new procedure, which required all the severe sexual crime cases to be sent to the NBH for the castration evaluation. During the years from 1950 to end of 1957 the NBH had treated 1078 castration cases, from which 948 were imprisoned and 106 with probation. The NBH rejected 876 applications and ordered 202 men to castration treatment. From the 202 men 166 appealed the decision to the Supreme Court of Finland, which reinforced 61 of the castrations and rejected 105 of the NBH’s decisions. It seems that the double level control of the castrations, first by medical authorities and later by juridical authorities mitigated the number of actual castrations remarkably. In HONKANEN 1958:26.

<sup>411</sup>KAILA 1940:102.

<sup>412</sup>HIETALA 2005:234.

<sup>413</sup>POHTILA, ELIISA. ”Liian huono kansalaiseksi? Kansalaisihanne sterilisaatioasiakirjoissa 1935-1949.” Master thesis. University of Helsinki, 2001:22-23.

that day. In the list of the ten castrated, there were two men who had committed a same-sex fornication crime.<sup>414</sup> I traced another of these cases in order to see how the castration was justified and how same-sex fornication was constructed as “dangerous” as this quality was required for the operation. What I found was an extraordinary case of a special man, whose story brings the reader to the dark side of the 1930s society. Apparently, same-sex fornication was Simeoni’s minor crime, and three involuntary manslaughters had been the major ones. He had caused the death of three mentally disturbed male patients by giving them too much morphine in a communal poorhouse in 1930 when working there as a nurse.

In this chapter the focus is not put on the manslaughters but on Simeoni’s *abnormal sexuality*. As it is, together with the suspicious rumors about the manslaughters, stories also went around about Simeoni’s possible *homosexuality*. A female nurse of the poorhouse had heard that Simeoni was fired from a former job exactly because of his *homosexualist tendencies*, and that he had been in close relations with one soldier who was cured in the poorhouse. The local police officer was really eager to get Simeoni responsible for his homosexual tendencies, and in fact, a big part of the interrogation record focused on that crime, which makes Simeoni’s case interesting to this research. As the police wanted to find all the possible evidence about Simeoni’s homosexuality, he contacted Simeoni’s former employers, whose replies all over the country from different medical institutions show how the medical authorities of the time perceived same-sex relations. Apart from the medical perceptions and self-perceptions this chapter seeks to understand why Simeoni was castrated in 1936, and why he, in the end, wanted the treatment. Let us move to Simeoni’s story.

## 4.2. “Something exceptional”<sup>415</sup> happens in Valkeala in winter 1931

Simeoni was hired by the Valkeala communal poorhouse in July 1930. At the time he was 42-year-old unemployed deacon<sup>416</sup>, but who was relatively experienced, having worked at big county mental

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<sup>414</sup> Another castrated “homosexual” was a deaf-mute man who had violently raped another man and caused him a disability. The man was sent to mental prison where a conversation with an interpreter was held and the castration was suggested. The man agreed with the treatment, and had even said that it was exactly the treatment that he needed and that he would have asked for it himself, but he did not know it was possible. He was castrated in 1938. KAILA1940:100.

<sup>415</sup> In Finnish: “jotakin erikoista”. In *Huoltaja* October 1931:373.

hospitals around the country. Simeoni, even not educated in the profession nor having any education in medicine, took care of all the mentally ill men in the poorhouse of Valkeala district. He was also responsible for medical treatments; even those that should have been handled by doctors. Simeoni worked in the mentally ill section together with another nurse, who took care of the female patients. Until August 1931 everything seemed to be going fine, when the county supervisor heard that “maybe something strange had happened” in the poorhouse and because of this made an unannounced visit to Valkeala. His visit was reported in a magazine for health care professionals:

“In the poorhouse and in its mental department everything was clean and in order. However, [Simeoni] was so restless that the supervisor assumed something was wrong, and therefore interviewed the female nurse of the mentally ill. When the supervisor asked, the female nurse admitted that according her it was clear that [Simeoni] was abnormal in sexual issues, “into men”. Even though the Miss[name] gave clear evidence on that issue[Simeoni’s abnormal sexuality] there is no need to report it here. When the supervisor asked about the sudden deaths of some mentally ill young men, the nurse informed that she was sure that at least two men from the previous October and the third from previous June had died because of overdose of barbital hyoscine and morphine.”<sup>417</sup>

The case, remembered as the “Valkeala case” was reported in newspapers around the country.<sup>418</sup> In a magazine for health care professionals the Valkeala case was discussed and the negligence of the supervision was strongly criticized.<sup>419</sup> Indeed, during the 1920s many big mental hospitals had been established around the country,<sup>420</sup> and the purpose had been to remove the mentally ill patients from

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<sup>416</sup> This in the Protestant custom, which means that deacons are often persons who work among the poor and sick, prisoners, and the like, with a religious agenda.

<sup>417</sup> In Finnish: Kunnalliskodissa ja sen mielisairasosastolla oli järjestys ja puhtaus hyvä, osittain kiitettävä. Kun tarkastaja kuitenkin [Simeonin] osoittaman levottomuudenkin vuoksi, oli syytä olettaa, että talossa jotakin oli hullusti, kuulusteli hän kahteen käteen mielis.osaston apulaisjohtajatarjta neiti [N.N.] joka kysyttäessä ensinnäkn myönsi pitävänsä varmana, että [Simeoni] on sukupuoliasioissa epänormaali, ”miehiin menevä”. Tästä oli neiti [N:llä] jotenkin varmoja todisteita, joista ei ole syytä tässä lähemmin kertoa. Kun tarkastaja otti puheeksi muutaman nuoren miehen äkillisen kuoleman mielisairasosastolla, ilmoitti neiti [N.] pitävänsä varmana, että ainakin kaksi miestä viime lokakuulla ja yksi mies viime kesäkuussa oli kuollut liiallisesta veronali-, hyocini- ja morfiniannoksista.” in *Huoltaja, kunnallisen huoltotoiminnan ja yksityisen hyväntekeväisyyden äänenkannattaja*. Nro 20. October 1931373-374.

<sup>418</sup> Jan Löfström’s survey on homosexuality (1993) had a memorial of an older nurse, who remembered how her friend nurse had told her about this kind of a case in 1930s. This had been the first time when the informant had heard about homosexuality. I assume that the informant of the survey meant the case of Simeoni. Informant Helsinki 1912F, in *Homoseksuaalisuuskysely*. SKS, Kansanperinnesseura. 1993.

<sup>419</sup> *Huoltaja, kunnallisen huoltotoiminnan ja yksityisen hyväntekeväisyyden äänenkannattaja*. Nro 20. October 1931. and Nro 21. November 1931.

<sup>420</sup> NIEMISTÖ, EINARI. *Rauhan mielisairaala* 1926-1936. Rauhan mielisairaala, Viipuri 1937.

local poorhouses to the big professional institutions that were specialized in psychiatric matters.<sup>421</sup> However, Valkeala among some other miserly communities did not want to pay for more expensive cure that the costs of mental hospitals would have been, and instead preferred to take care of its own mentally ill people. The supervisor of the county had tried to get the Valkeala community into the new system of county mental hospitals for eight years, but Valkeala commune had bought a place only for one patient from the nearest country mental institution. The parsimony of Valkeala was strongly criticized in the professional magazine.<sup>422</sup>

As the doctor had not checked the deaths, afterwards it was difficult to proof what really had happened in the poorhouse. Scandal in the village was ready when the three bodies were dug out from their graves and examined. It was proven that they had been overdosed with morphine. The prosecutor tried the case as three homicides, because he considered Simeoni's motive of killing the three men had been to make his work easier, as the three who had died, were the most demanding patients of the poorhouse. However, the court decided that Simeoni had only mistakenly given too much morphine to them, because he, without education, could have not known how much it should have been given. Therefore, in the end, the sentence was only three years imprisonment for three involuntary manslaughters.<sup>423</sup>

The court records reveal in a striking way the degree to which no one really cared about the people who ended up in poorhouses; they were only a burden to society. The three patients who died came from extremely poor families peppered with mental illness. No trained professionals were occupied with those people's problems: not even when some of them died did a doctor bother to come to evaluate the body. All of this made it possible for Simeoni to continue his work, and, with or without intention, to kill three patients with medicine that he had no right to administer. We do not know whether Simeoni had carried out the pragmatism of eugenics and killed those people as useless citizens. However, Simeoni, for his part, was also on the list of unfit citizens –he because of his sexual orientation.

As written also in the magazine, there was a suspicion that Simeoni was “into men”. When the local police officer of Valkeala district started to investigate the Valkeala poorhouse case in 1931, the

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<sup>421</sup> *Huoltaja*... October 1931:373.

<sup>422</sup> Whereas smaller communes had each reserved 5 to 12 places from the area's county mental hospital, had Valkeala bought only one place from the hospital (Valkeala was a district with 10,000 inhabitants at the time.) In *Huoltaja*, October 1931:373.

<sup>423</sup> Court case documents. 17.12.1931, 8§. Valkealan pitäjän ja Kouvolan kauppalan kärjäkunta. Välikäräjät.

female nurse who worked together with Simeoni at the poorhouse was one of the key witnesses. The nurse had already told the supervisor that Simeoni was sexually abnormal and later she told the same story in the interrogations. According to the nurse Simeoni had been in close relations with one patient, who had been cured in the poorhouse in autumn 1930. In addition the nurse had heard some rumors from Simeoni's former workplace about his being a *homosexualist*. These two issues, Simeoni's relationship with the patient and Simeoni's homosexual past were both a focus of interest in the police interrogations.

At first, the nurse did not believe the rumors about Simeoni's homosexual tendencies, but when a handsome young man was brought to the poorhouse in autumn 1930, the nurse noticed Simeoni's special interest on him. The patient was, according to the nurse, handsome; he was a tall and blond soldier who had been brought to the poorhouse because of mental problems. The nurse noticed that Simeoni went on long walks with the young blond, had long talks with him and gave him better food and coffee from his own, and gave him even his own clothes. The nurse also told that Simeoni was really enthusiastic when talking about that man and had once asked what people think about him having long walks with the man. The nurse "herself was wondering what would be so weird in two men walking together".<sup>424</sup> Later she understood that for Simeoni that meant more than just walking.

When the nurse got the idea that Simeoni may have had some sexual intentions with the handsome patient she discussed the issue with Simeoni. She warned him that she may have to expose him to the director of the poorhouse. Because of this, the following evening Simeoni apparently tried to commit suicide by taking pills and alcohol together. When the nurse came to look after him, she saw Simeoni in a bad condition. When she asked the reason for Simeoni doing such a thing to himself, Simeoni said: "because you threatened to tell the boss and he can fire me."<sup>425</sup> Simeoni begged the nurse not to shop him to the police. Simeoni said "I have suffered already so much that I cannot stand anymore".<sup>426</sup> The nurse felt sorry for Simeoni and did not inform their boss about the relation before the interrogations around the manslaughters started. She said that at first the soldier wanted to be with Simeoni but that later he had started to hate him. He insulted Simeoni by saying

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<sup>424</sup> In Finnish: "ja itseksensä oli kertoja ihmeteltyt, mitä eriskummallista siinä on jos mies miehen kanssa kävelee." Police interrogation documents. Appendix §387:A.

<sup>425</sup> In Finnish: "kun sinä uhkasit sanoa esimiehelle ja hän voipi erottaa minut." Police interrogation documents. Appendix §387:A.

<sup>426</sup> In Finnish: "Minä olen ennestään niin paljon käsinnyt, etten jaksa enempää." Police interrogation documents. Appendix §387:A.

that he was “a Jew” and that “your eyes are dark as boots, and I cannot stand it”.<sup>427</sup> The prosecutor interpreted this being common among the victims of homosexualists. He said that if a person was pressured into homosexual relations involuntarily would he later start to hate the homosexual.

The ex-patient was heard in the interrogations, even though his testimony was questioned because of his former mental illness. The ex-patient told how Simeoni had been in close relations with him and how Simeoni had brought him to Simeoni’s room to spend nights with him. The man told how Simeoni had satisfied his lust by putting his penis in between the man’s tights. The county court refused to believe the testimony of “a mentally ill” person, even though the ex-patient’s description was detailed and even though the prosecutor stated that no one could invent that kind of a story. The court shared Simeoni’s opinion of the ex-patient’s testimony that “his testimony is just and only his own imagination”.<sup>428</sup> Simeoni made his opinion even clearer in the letter he sent to the Vyborg court of appeal: “I cannot give any value or importance to the story of a former mentally ill patient”.<sup>429</sup> It seems that the young blond soldier did not have any possibility to defend himself against Simeoni in whose hands his life was in the poorhouse.

### 4.3. Simeoni’s homosexual past

What did Simeoni mean when he tried to commit suicide because he “had already suffered enough”? A glance at his past, will tell us that his sexuality had caused him a lot of trouble already before the trial in Valkela. As the evidence of Simeoni’s same-sex fornication crime was based only on the testimony of the mentally ill man, the prosecutor had to find other evidence of the crime. Because of this, he sent letters to Simeoni’s ex-bosses, asking for Simeoni’s possible “abnormal tendencies and reasons for quitting the work”.<sup>430</sup> The responses of the ex-bosses show that when leaving his parents’ house at age 23, in 1911, Simeoni started to work first as a shepherd in different farms of a village called Muhos in northern Finland. The villagers remembered Simeoni having been “really feminine in all his behavior and doing”, and that there were rumors that he was “miehimys”, which was an old word for men who desire other men or boys. He was recalled as having been being so feminine that he wanted to go to sauna with women instead of

<sup>427</sup> In Finnish: “Silmäsi kiiltävät kuin saappaan varret, enkä voi sietää sitä”. Police interrogation documents. Appendix §387:A.

<sup>428</sup> In Finnish: “todistajan kertomus on todistajan pelkkää mielikuvitusta. Court case document. 27.11.1931 §1.

<sup>429</sup> In Finnish: ”enkä voikaan antaa entisen mielisairaana [name] kertomukselle mitään arvoa ja merkitystä.” Simeoni’s letter to the Vyborg court of appeal.

<sup>430</sup> In Finnish: ”tietoja epänormaalisista taipumuksista ja eroamisestaan sairaalamme palveluksesta.

men. The police asked about the possible “homosexuality” of Simeoni, but none of the informants could define him as such.<sup>431</sup>

In 1919, Simeoni went to Sortavala to take a deacon’s course and after that he started working in mental hospitals and sanitariums, which means that his former employers were mainly doctors. From their answers to the prosecutor one can see that Simeoni’s sexuality had been a problem in his previous workplaces, too. Simeoni had worked in seven medical institutions from 1921 until he came to Valkeala in 1930, mainly in the recently established large county mental hospitals. In six of his seven places of employment the previous employer responded to the comment in the prosecutor’s letter that Simeoni was “homosexual”. Two institutions fired him on this basis, from two he was pushed away, and others he quit when rumors started to gather around him. He had had relations with other male nurses or trainees, or had seduced other men.

It seems that the ex-bosses were ashamed of the fact that they had bypassed Simeoni’s sexual behavior without pursuing a legal case. None of the ex-bosses had informed on Simeoni to the police even though they had some evidence of Simeoni’s illegal sexual practices. Reasons for not informing on Simeoni seemed to have been both moral and medical. Most of them viewed homosexuality as a sickness that could not be cured in prison. Some of them explained that they did not have any real evidence of Simeoni’s homosexuality and, in addition, these crimes would be difficult to prove in court. It is clear that all of them were concerned about scandal, as the relationships had taken place in different kinds of medical institutions. One of Simeoni’s ex-bosses said explicitly: “We did not take the case into the court because the crime could not be absolutely incriminated and because it would have only created a scandal.”<sup>432</sup> This had happened in Jaeger Battalion in Oulu where Simeoni had worked as a medic sergeant for four years (1921-1925). Simeoni’s homosexual behavior was interrogated unofficially behind the scene, after which he was dismissed from the battalion as well as was commanded to leave the city immediately, because of his homosexual behavior in the military environment. This all happened without a legal case.

The answers of the previous employers underscored the fact that they did not have evidence enough to prosecute Simeoni. Their defensive attitude was understandable as they were answering the police who were investigating the sensational manslaughter case in which their ex-employee was

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<sup>431</sup> Appendix M:387§.

<sup>432</sup> In Finnish:”Sotaoikeuteen asiaa ei otettu, koska hänetä ei olisi voitu täydellisesti osoittaa syylliseksi ja olisi ainostaan syntynyt skandaalijuttu.” Letter . 21.11.1931. §1. Appendix N.



being prosecuted. One of the previous employers, a doctor of a county mental institution, in which Simeoni had worked in 1926, noted these mixed emotions: “It feels really sad to hear about that poor man now. Actually it comes to my mind, - if - in the past it was my responsibility to make his further career more difficult by making some notes to his employment certificate. But, as it is, this is not the custom, and that is why it did not even come to my mind at that time.”<sup>433</sup>

Another previous employer literally underlined the reasons why he did not expose Simeoni to the police, when Simeoni had worked in his mental hospital in 1927 and had a relationship with another male nurse: “[...] even they came from different hospitals some suspicions occurred about homosexual relationship between the men. No one really saw them doing that kind of things. Thus, even there was only a strong suspicion, not an absolute proof about the relationship between the two nurses, I worked behind the curtains pressuring the men so much that both of them went away from Rauha [mental hospital] to their own directions.”<sup>434</sup> The parts that the doctor had underlined show that he defended his decision not to expose Simeoni and his lover. At the end of the letter, the doctor wanted to show that anyway he was against these kinds of relations and used his own pressuring methods against the two homosexual nurses.

Job loss and pressure, escape and hiding were characterized Simeoni’s career. Map 4.1. illustrates how Simeoni moved around the country, and changed jobs constantly in order to keep his sexual secret. He was fired after less than two months from his penultimate place of employment. The doctor of the hospital explained: “he was fired because of some symptoms that indicated Simeoni had homosexual tendencies. Because of that he flirted with the hospital’s cleaner. In general, his behavior in the hospital was suspicious.”<sup>435</sup> After that, Simeoni did not find a job for half a year, but was just hung around at friends’ places in Helsinki and Pori.

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<sup>433</sup> In Finnish: ”Tuntuu kovin ikävältä kuulla tuosta raukasta ja mieleen tulee, olisiko aikoinaan ollut velvollinen vaikeuttamaan hänen uuden paikan saamistaan merkitsemällä todistukseen huomionsa. Mutta tähän ei ole tapana, siksi se ei aikoinaan tule mieleenkään, jollei varsinaisesti rikollista ole esiintynyt.” Letter from a doctor Laina Salo from Pälksaari county mental hospital. 7.9.1931. Appendix K:§387.

<sup>434</sup> ja vaikka he tulivat eri sairaaloista rupesi heräämään epäilystä, että heillä keskenään olisi jotain homoseksuaalista suhdetta. Kukaan ei kyllä missään sellaisessa heitä tavannut. Vaikka siis oli näiden kahden hoitajankin keskinäisen olon suhteen vain vahva epäily, ei ehdotonta todistetta, toimin tavan mukaan huomiota herättämättä niin voimakkaasti painostaen, että kumpikin hoitaja meni pois Rauhasta eri tahoille. Letter from doctor H. Oksala from Rauha county mental hospital. 4.9.1931. Appendix P:§387.

<sup>435</sup> ”Hänet sanottiin irti siitä syystä, että ilmestyi oireita, joitten johdosta näkyi selville käyvän, että [Simeonilla] oli homoseksuaaliset taipumukset. Hän oli nimittäin siinä tarkoituksessa lähennellyt sairaalan renkiä ja muutenkin hänen käyttöksensä sairaalassa näytti epäilyttävältä.” Letter from the head doctor of Kivelä hospital. Appendix J:§387.

When Simeoni then got the position in Valkeala he faced a job with a lot of responsibility. He and the female nurse cared for the entire poorhouse and even lived at the institution. His salary was 600 Finnish marks per month. In supplement works during the depression a man would have earned four marks per hour, which means that Simeoni's salary was extremely low.<sup>436</sup> In addition, the work was lonely. He tried to forge a relationship with a man who brought wood to the poorhouse. According that man Simeoni complained about his loneliness and desire to talk with other people.<sup>437</sup>

Simeoni's work history coupled with his homosexual secret may have resulted in a sense that he was incapable of withstanding more adversity. However, Simeoni's misfortunes were not about to end at that point, but instead his sexuality caused him many other problems in the forthcoming years.

#### 4.4. What was the problem with Simeoni's sexuality?

Let us now focus on the discourses that constructed Simeoni as abnormal. The most outstanding of the qualifications was his femininity, which fact was stated by medical authorities, as well as by common people. To them Simeoni was, shy, timid, feminine, ponce, and liked to do women's work. Whereas common people simply did not value his femininity the doctors used feminine terms in a distinctly negative tone. In the cases from the beginning of the century, discussed in the Part 1, people were not valued according to their masculinity or femininity. However, in this case femininity was seen as subordinate value. Documents show that Simeoni's "feminine" qualities were considered weak and undesirable, and therefore Simeoni as a feminine person did not fulfill the gender-role expectations that were already polarized in 1930s Finland, at least among the educated.

All the doctors called Simeoni's sexual behavior *homosexuality*, the main feature of which was femininity. The military doctor of the battalion recalled Simeoni's four-year-working in the military hospital: "At first his behavior was faultless and skills mediocre. He did not use alcohol and showed signs of being keenly religious. However, I was not really satisfied with him, because he seemed timid, or as people say 'ponce'. [...]. In short, he did not have the manliness required for a

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<sup>436</sup> PELTOLA, JARMO. *1930-luvun lama teollisuuskaukungissa*. Tampere University Press, Tampere 2008:187.

<sup>437</sup> Police interrogation records. Appendix A: §378.

noncommissioned officer.”<sup>438</sup> The military doctor did not appreciate Simeoni’s femininity, and therefore, although he was sober, religious and knew his work the doctor was not satisfied with him.

Simeoni did not have the required masculinity for a soldier, and therefore the military doctor never liked him. Simeoni was not masculine enough, as the doctor had said. ‘Enough’ means that there were norms and rules for masculinity that every man had to fulfill. The fact that one was born with a male body was not anymore enough, but instead, being a man had to be proven in cultural interaction. In this interaction a man shows his masculinity in all his activities, whereas all the other behavior is suspicious, as another ex-employer doctor wrote: “I probably guessed Simeoni’s homosexual tendencies when I heard him practicing women’s ornament crafts”.<sup>439</sup>

The disgust that Simeoni’s femininity engendered in the military doctor may be explained by George Mosse’s theories, according which manhood represents the nation. If the men of a country were strong, respectable, brave, religious, and honorable, the whole nation was as well. If the man was like Simeoni, weak, sissy, shy and timid, so must the nation be. Simeoni’s weakness in the military environment represented the (feared) weakness of the whole army. Mosse links masculinity and modernization, and argues that the stricter and stereotyped image of a man was settled at the onset of modernization. It was needed in the 1930s, in the context that looked for a stronger nation. The clear and stereotyped idea of men needed a counterpart, a negative image of failed men. Manliness represented society and the forms of manliness that did not fit this picture provided reasons for marginalizing some groups, such as homosexuals, Jews and gypsies.<sup>440</sup>

However, most Finns were not yet familiar with the notions of the educated. The villagers in Muhos, where Simeoni worked as a shepherd for ten years recalled Simeoni having been “very feminine in his all behavior and actions”<sup>441</sup> but still he was remembered as a hardworking and religious man, both good values. Even though the villagers had heard about the events in Jaeger Battalion, this knowledge not affect his ability to secure work in the village. He was called

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<sup>438</sup> In Finnish: “Hänen käytöksensä oli aluksi moitteetonta ja taitonsa tyydyttävä. Ei käyttänyt väkijuomia ja osoitti olevansa vakavasti uskonnollinen. En kuteinkaan ollut häneen erikoisesti tyytyväinen, koska hän vaikutti luonteeltaan aralta, niinkuin sanotaan ”akkamaiselta. [...] Lyhyesti sanottuna: häneltä puuttui aliupseerilta vaadittua miehekkyyttä.” Letter from the doctor of the Jaeger Battalion, 10.11.1931. Appendix M:§1.

<sup>439</sup>In Finnish: “Simeonin homoseksualisia taipumuksia liene epäillyt kuullessani hänen tekevän naistenkorutöitä”.

Letter from doctor Laina Salo from Pälksaari county mental hospital. 14.9.1931. Appendix G:§387.

<sup>440</sup> MOSSE, GEORGE L. *Image of Man. The creation of modern masculinity*. Oxford university press, 1996. MOSSE, GEORGE L. *Nationalism and Sexuality. Respectability and abnormality in modern Europe*. H. Fertig, New York 1985.

<sup>441</sup> In Finnish: “kaikessa käytöksessään ja toiminnassaan oli hyvin naismainen.” Police interrogations, held in Muhos 16.9.1931. Appendix §387

“miehimys”, which was an old word for a man who desired other men or boys, but altogether harmless from their point of view. The female nurse had also been rather tolerant towards Simeoni’s sexuality as had the man who had visited Simeoni’s room when bringing the wood into the poorhouse. He said in the police interrogations, that actually he had planned to go to sleep over Simeoni’s place because he “wanted to know how far Simeoni would go in his fondling”.<sup>442</sup> The man had the same view to same-sex practices as had the young men that visited Aapo’s place. For them sporadic same-sex behavior did not endanger their masculinity. All in all, despite the clear notions of homosexuality among medical experts, the common people still shared the old notions of same-sex intimacy, and people practicing them, who were “into men”, “manlovers” or “miehimys”.

The perception of femininity as an important feature of homosexuality was taken from the medical theories that had been developed at the beginning of the century, mainly in the German-speaking world. Magnus Hirschfeld especially was promoting the idea of homosexuality being a kind of a third sex in-between man and woman, exactly because, according to him, a homosexual, though equipped with a male body, had a female soul.<sup>443</sup> For Hirschfeld, femininity was not a negative value, but it became such in the 1930s atmosphere where the strong nation was portrayed through its strong and masculine men.<sup>444</sup> It is remarkable that in the Finnish perception, femininity was a mental feature, but not physical. In 1930s Sweden, by contrast, the ideas of the German psychologist Ernst Kretschmer were already used when homosexuals were evaluated. According to his view, physical features reflected the mental qualities of the person, and therefore mentally feminine men, i.e. homosexuals, often had feminine bodies.<sup>445</sup> This most influential of theories in 1930s Sweden arrived in Finland only in the 1950s.<sup>446</sup>

The first medical article written on homosexuality in Finnish was published in a medical journal in 1919, and also it discussed the feminine features of homosexuality. Its writer, psychiatrist Akseli Nikula, referred to all the most notable theories on homosexuality until that time.<sup>447</sup> Nikula presented Hirschfeld’s theory, as it was the leading theory in the field at the time, and that included the idea of “female features in a man and masculine features in female”. Nikula wrote: “The male

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<sup>442</sup>In Finnish: ”kokeillakseen miten pitkälle Simeonin lähentely-yritkset oikein menevät.”

<sup>443</sup>BROOKEY, ROBERT ALAN. *Reinventing the male homosexual, the rhetoric and power of the gay gene*. Indiana University Press 2002:26-27; CLARKE, VICTORIA et al. *Lesbian, Gay, Bisexual, Trans and Queer Psychology, an introduction*. Cambridge University Press, Cambridge 2010:7.

<sup>444</sup>MOSSE 1985.

<sup>445</sup>RYDSTRÖM 2003:279.

<sup>446</sup>This is discussed in the chapter 6.

<sup>447</sup>NIKULA, AKSELI “Homoseksualiteetti ja sen oikeudellinen arvosteleminen.” In *Duodecim* 7/1919

homosexual is feminine in his movements, walking, posture and taste.”<sup>448</sup> Feminine features were innate in a homosexual man, and became visible along his life course.<sup>449</sup>

By 1931, when the doctors wrote their responses to the investigative police around Simeoni’s case, not much on homosexuality had been yet published. However, exactly at the same time with Simeoni’s trial the previously mentioned professor of forensic medicine, Oiva Elo, wrote about homosexuality to a police magazine.<sup>450</sup> He argued against “the common belief” according to which homosexuality would be the final level for a frustrated person, who had tired of other forms of sexuality. The roots of this kind of “common view” were in morality texts of the early 1900s, in which same-sex intimacy was exactly viewed like that.<sup>451</sup> Elo viewed homosexuality as an “inborn abnormality”. He referred to Hirschfeld, too, and concluded in an extremely liberal way by saying: “love between two people of the same sex is as difficult to judge as it is to judge ordinary normal love”.<sup>452</sup> Elo continued: “There is no sense in supporting punishments for homosexuals just because homosexual practices do not support reproduction. How much instead does the free prostitution that is legal in Germany support the same purpose?”<sup>453</sup> This statement shows that many issues in 1930s Finland could be divided into good and bad regarding their effect on population growth. Professor of psychiatry Kaila had also defined in an encyclopedia of 1932 homosexuality as an innate mental aberration.<sup>454</sup> Doctors that replied to the Valkeala investigative police shared the idea that homosexuality was an innate sickness that could not be cured in prison. It seems that they altogether shared the same perception presented in the few medical articles that discussed homosexuality in the first part of the 1930s.

In Simeoni’s case homosexuality was also connected to the city sphere, as the prosecutor saw it as an aggravating matter that homosexual relations had taken place in the countryside. Homosexuality as a part of urban decadent lifestyle was discussed in the previous chapter that handled Aapo’s case

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<sup>448</sup> NUKULA 1919:250. In Finnish: ”Mieshomoseksuelli on liikkeissään, käynnissään, asennoissaan ja makusuunnassaan naisellinen. Elintavat ovat naisellista laatua.”

<sup>449</sup> NIKULA 1919: 256-257.

<sup>450</sup> ELO, OIVA. ”Sairasmielisistä rikollisista”. In Poliisimies, poliisijärjestöjen äänenkannattaja. nro 19. 15.10.1931: 502.

<sup>451</sup> The moral books are discussed in Chapter 2 of the thesis.

<sup>452</sup> ELO 1931. In Finnish: “on kahden samasukupuolisen keskinäistä rakkautta kai vaikea sen ankarammin arvostella kuin tavallista normaalia rakkauttakin.” ELO 1931:502. Elo wrote a longer article concentrating only on “homosexual love” to the Police magazine in 1933.

<sup>453</sup> Elo had especially pointed out that Germany had punishments for homosexuals as Finland did. In Finnish: “Mitä järkeä on esim. puolustaa homoseksualistien rankaisemista sillä, että heidän sukupuoliset tekonsa eivät palvele ihmissuvun lisääntymistä. Minkä verran tätä palvelee esim. Saksassa vapaa prostitutio, liene sangen kyseenalaista.” ELO 1931:502.

<sup>454</sup> *Otavan iso tietosanakirja* 1932.

in 1930s Helsinki. Altogether, homosexuality was from the beginning connected to big modern cities, and when dealing with Simeoni's case the problem that such a thing had happened in the countryside was therefore brought into the discussion. Medical authorities, however, did not connect homosexuality to the urban sphere, because in the early 1930s for them, homosexuality was a "sickness, which does not get any better with punishments"<sup>455</sup>. For medical authorities homosexuality was innate, and therefore extraneous factors such as living district did not affect it. This view was anyhow about to change, including among medical experts, when the psychoanalytic view on sexuality arrived in Finland and promoted the idea that homosexuality could also develop during youth as a result of the wrong kind of sexual practices. This issue is to be discussed in the forthcoming chapters. For now we shall move to the events that eventually led to Simeoni's castration.

#### 4.5. The events that led to the castration

The district court of Valkeala did not convict Simeoni for same-sex fornication because there was not enough evidence to do so. The Vyborg Court of Appeal ratified the decision made by the district court and only when the case was appealed to the Supreme Court of Finland, the mentally ill man's testimony was taken seriously and a six-month-sentence of same-sex fornication was given to Simeoni. This sentence made the later castration treatment possible, because it required a sentence for sexual offence. The whole sentence was three years and three months, derived from three involuntary manslaughters and the same-sex fornication crime. Simeoni was from the first trial onwards kept in Vyborg county prison, where he stayed nearly until the end of his sentence.

Simeoni spent nearly all his sentence in the Vyborg county prison when he finally received probation in February 1935. He applied for probation twice before but his applications were not supported. First, Simeoni appealed to the president of Finland for liberation in November 1932. Later the head of the prison tried to find him a working place in Valkeala, but, understandably, no one there wanted to hire him because of the events that took place a few years earlier. However, in February 1935 he was sent to a roadworks project in the western part of Finland where he was meant to finish out his sentence. However, this work was not a success, but the contrary: he was informed on for being a "so-called manlover"<sup>456</sup>,<sup>457</sup>. The case was investigated by prison authorities,

<sup>455</sup> In Finnish: "Se on sairautta eikä se siitä rankaisemalla parane." Police interrogation records. Vyborg 15.9.1931.

<sup>456</sup> In this particular case the form for manlover was "miesrakastelija", which would indicate the sexual act, and therefore it could be called "man-lecher".

who found out that Simeoni had had sexual relations with several other road workers, who were also ex-prisoners. None of the workers called Simeoni homosexual, but described his behavior: “Simeoni does very ugly things with other men”<sup>458</sup>, “practiced some mouth games”<sup>459</sup> or “unnatural doings”.<sup>460</sup> Simeoni was described as offering alcohol and seducing all the new workers who came to the roadwork. To someone Simeoni had even said that he preferred men over women. Altogether, there were four men with whom Simeoni had a continuous sexual relation.

Remarkably, this time Simeoni confessed his relations, even though before he had tried to hide his sexuality in every possible way. When he was fired from the battalion after obvious evidence of his homosexual behavior, he steadfastly denied it. Now, at the beginning of 1936 Simeoni was either tired of running with his secret, or just accepted his sexuality. As the later castration documents show, it seems more likely that he was tired. Simeoni also started to consume alcohol, although in previous decades he was remembered as an absolutely sober and religious person, who had even belonged to a revivalist movement that forbids alcohol consumption.<sup>461</sup> Simeoni awaited freedom, but once he got it he was immediately traced and again accused because of his wrong kind of sexuality.

After the investigations in the roadworks, Simeoni was sent back to prison, now to Helsinki county prison. No new legal process was leveled at him, but he was sent back to imprisonment for the duration of his punishment, at minimum of seven months, which can be viewed as an unofficial punishment for misbehavior. The head of the Helsinki county prison applied for Simeoni’s castration immediately upon his arrival in the new prison: He was brought to the county prison on January 23, 1936 and the castration application was sent to the National Board of Health on February 10th. In general, Helsinki county prison was not active in castration initiatives. During the years 1935 to 1949 the Helsinki county prison sent only three castration applications, whereas the most active prisons, Riihimäki prison sent 27 and Turku prison sent 15 applications. Altogether from different Finnish prisons there were 69 castration applications sent to the NBH throughout the years.<sup>462</sup>

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<sup>457</sup> In Finnish: ”n.k. miesrajastelijan”.

<sup>458</sup> In Finnish: ”Simeoni toimii miesten kanssa hyvin rumalla tavalla.” Police interrogation record. Wihtijärvi village. 17.1.1936.

<sup>459</sup> In Finnish: ”harjoitti jotakin suupeliä”. Police interrogation record. Wihtijärvi village. 17.1.1936.

<sup>460</sup> In Finnish: ”luonnottomissa puuhissa.” Police interrogation record. Wihtijärvi village. 17.1.1936.

<sup>461</sup> Simeoni was Laestadian.

<sup>462</sup> POHTILA 2001:103.

The NBH sent Simeoni's castration application back to the prison to be refilled, which was common because of the difficult procedure and the many documents that the NBH required.<sup>463</sup> The NBH wanted to know whether Simeoni consented to the treatment. The NBH wrote: "The application is to be returned to the head of the Helsinki county prison so that [Simeoni], the person mentioned in the documents, may be given a possibility, if he so wishes, to tell in writing his opinion about the planned operation, in which his propagation abilities would be eliminated."<sup>464</sup> Only few days later Simeoni's reply arrived to the NBH, in which he had written: "Hereby I announce that I consent to the sterilization, in order to make me incapable of reproduction. I ask it to be executed immediately and that it would be considered as abridgement of the length of the punishment."<sup>465</sup> The NBH rejected the application one more time, because they wanted to be sure that Simeoni knew that the operation would be done by removing his gonads. Simeoni replied positively also to this letter.

The correspondence between the prison, the NBH and Simeoni evokes some questions. First of all, it is impossible to know in what kind of condition Simeoni wrote his letters, that is, he may have been persuaded or given false promises. In Sweden, Rydström found the same problem when analyzing the cases in which people had consented to the castration initiative planned for them.<sup>466</sup> In Simeoni's case, at least, it seems that planned to have his sentence shortened as a consequence of the castration. However, as the sources show, he was imprisoned until the end of his sentence.

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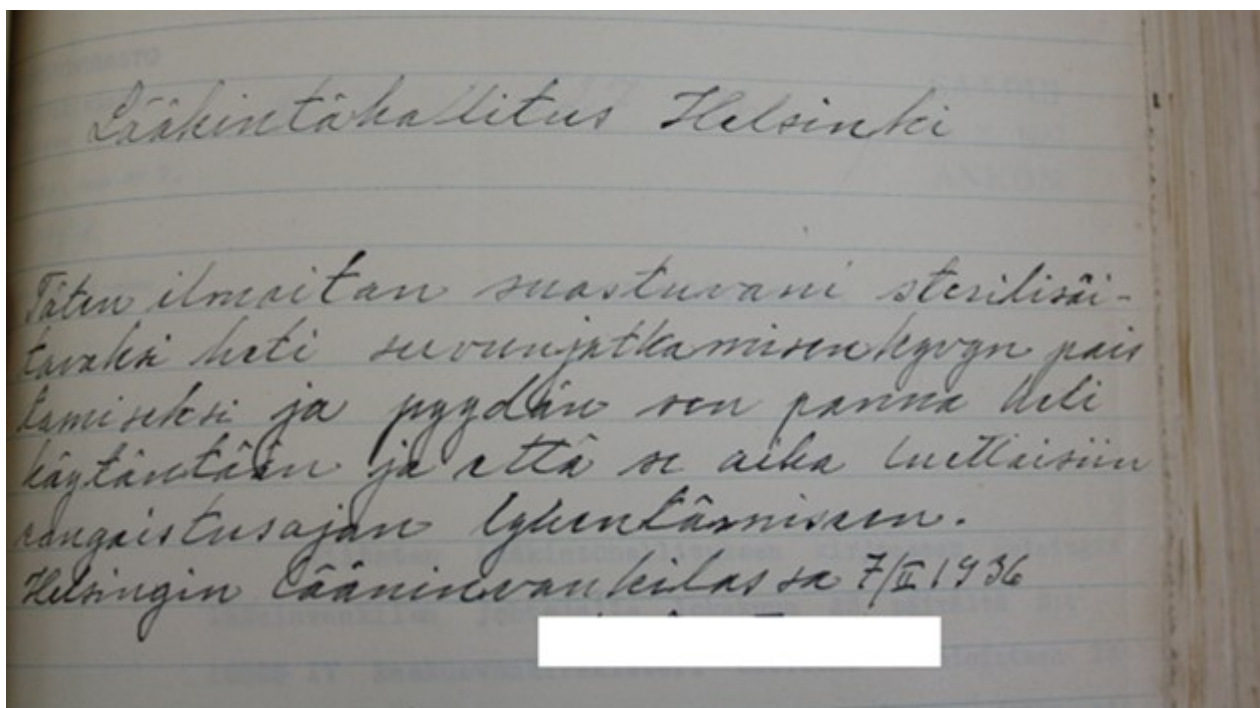
<sup>463</sup> POHTILA 2001:22-23.

<sup>464</sup> In Finnish: "Palautetaan Helsingin lääninvankilan johtajalle, jotta asiakirjoissa mainitulle [Simeonille] annettaisiin tilaisuus, jos hän tahtoo, kirjallisesti lausua mielensä hänen suhteensa ehdotetusta suvunjatkamiskyvyn poistamisesta." D. N:o 527.1936

<sup>465</sup> In Finnish: "Täten ilmoitan suostuvani sterilisöitavaksi heti suvunjatkamiskyvyn poistamiseksi ja pyydän sen panna heti käytäntöön ja että se aika luettaisiin rangaistusajan lyhentämiseen". Simeoni's letter to NBH 7.2.1936.

<sup>466</sup> RYDSTRÖM 2003:275-276.





Picture 4.2. Simeoni consented to the castration in a letter that he sent to the NBH in February 1936. "National Board of Health. I hereby announce my consent to sterilization in order to make me incapable for reproduction. I ask that it be executed immediately and that it be considered an abridgement of the length of punishment. Helsinki County Prison. 7th February 1936. Simeoni."

Another question is how well Simeoni understood what the castration would do for his personality and body. At least the medical experts of the time had clear perception about the negative consequences of castration. For instance, in 1933 Elo wrote of the suffering that castration would cause a person: "Quite sure his abnormal sexual drive would disappear as would normal drive too. The person would become fat, beardless, shrill-voiced, sluggish and capricious. But in many cases harmless to society."<sup>467</sup> There is no evidence that these consequences were discussed with Simeoni as for him the whole treatment was introduced as elimination of his fertility. This leads to the third question that the correspondence evokes.

Indeed, the wording of the castration proposal was misleading. The NBH asked what Simeoni thought about the treatment that would "eliminate his propagation abilities", even as the real purpose of the treatment was to eliminate Simeoni's sexual drive. Again, in the contemporary professional writings the distinction between sterilization and castration was clear. Sterilizations were done because of eugenic reasons and castrations because of criminal-political reasons.<sup>468</sup> The castration

<sup>467</sup> ELO 1933:113.

<sup>468</sup> KAILA 1940: 84.

was just and only “criminal-political” as Kaila said. Its purpose was not the elimination of the capacity to propagate as in sterilizations, but the elimination of the whole sexual drive, which required castration treatment.<sup>469</sup> The wording of the NBH’s letter was therefore misleading, as for Simeoni his ability to have children was probably only of minor interest.

So it happened that on March 28, 1936, Simeoni, a 48-year-old ‘former nurse of the mentally ill, current prisoner’, was surgically castrated because of having an *unnaturally orientated and strong sexual drive*,<sup>470</sup> namely homosexual desire. In the end we may want to know why the NBH wanted to castrate Simeoni. From the documents that were available to the NBH we are able to read the reasons behind the castration decision. The document that discussed Simeoni’s sexual behavior was the police examination records, where the police interviewed Simeoni’s co-workers in the roadwork project. In the police interrogations it was shown that Simeoni had performed oral sex on other workers, and had tried to flirt with new workers and offer them alcohol. Simeoni, for his part, confessed to this behavior. Other sources available for the NBH were the decision of the Supreme Court, which showed that Simeoni had been convicted of having had sex with a male patient in the poorhouse where he had worked.

The NBH decided to favor the castration application because Simeoni had an “unnaturally orientated and too strong sexual drive”. In his article Kaila presented four conditions for castration: “1) that one of the motives behind the crime has been unnatural sexual drive either because of its strength or its direction, 2) that the abnormality of the sexual drive is likely to be permanent, 3) that it is probable that the person represents a danger to others, and 4) that the person represents a permanent danger to others, or at least is a danger to others when the offender is released from prison.”<sup>471</sup> The first two conditions were certainly fulfilled: Simeoni’s sexual drive was “abnormal” and was not about to change. However, the two latter conditions require being a danger to others, which was not explicitly mentioned in the castration decision. Was it dangerous enough that Simeoni continued his abnormal sexual behavior? In general, both the NBH and the Supreme Court of Finland considered the requirements for castration to be qualified if the person was a

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<sup>469</sup> KAILA 1940: 85.

<sup>470</sup> Decision of National Health Board in 10.2.1936.

<sup>471</sup> KAILA 1940:89-90. In Finnish: “ 1) että rikollisen teon tai sen yrityksen eräänä motiivina on ollut suuntautumiseltaan tai voimakkuudeltaan luonnoton sukuvietti, 2)että sukuvietin luonnottomuus todennäköisesti on pysyvää, 3) että on syytä varoa, että tekoon syyllystynyt on vaarallinen toiselle henkilölle, ja 4) että tama vaarallisuus on pysyvää tai ainakin on olemassa, kun rangaistukseen tuomittu vapautuu rangaistuslaitoksesta.

recidivist.<sup>472</sup> However, in 1935, for instance, professor of criminal law, Brynolf Honkasalo stated that adult homosexuality can hardly be considered dangerous as such.

It would behoove us to take a broader look at Simeoni's case. The NBH had the court documents when they evaluated Simeoni's "danger to others". The case had shown that Simeoni had "fornicated" with his patient in the poorhouse, which must have been an aggravating matter; as it is, criminal law dealt more strictly with sexual relations by those in positions of authority. Further, the court documents and the police interrogation documents implied that Simeoni, given the opportunity, would have had sexual relations with other patients too, and that he would have systematically abused them. The prosecutor's outstanding interest in Simeoni's sexual behavior and the questions asked of witnesses and ex-bosses show that, in fact, the prosecutor was looking for evidence of more severe sexual offences. It might well be that the NBH, when reading the documents, got that impression too and therefore decided to favor the castration. Second, the manslaughters are difficult to ignore. Could they have affected the castration decision? They probably functioned as some evidence on Simeoni's general abnormality and dangerousness, and also Kaila, when shortly describing Simeoni's castration decision, said that Simeoni had not only been convicted of same-sex fornication but of manslaughters.<sup>473</sup>

We get a glimpse of another angle on the matter if we look at those behind the actual castration decision, doctors Ernst Therman and Hannes Ryömä, both leading physicians of their time. Therman was the director of the psychological department of the NBH and Ryömä had been the director of the NBH since 1928. In addition, Ryömä was also a Social Democrat politician and had even been a Minister in the Finnish government in the 1920s. Ryömä had introduced the sterilization law to health care professionals in their magazine in 1935, (which by the way was the same magazine in which in 1931 the Valkeala case was reported in detail. The article shows that Ryömä included homosexuals on the list of "sexual offenders" towards whom the castration treatment would come to question: "This group includes such materials as rapists of children and women, sex murderers and other sadists, same-sex sexuals i.e. homosexuals, etc., who because of their pathologic sexual drive end up doing criminal things".<sup>474</sup> Ryömä held that the sexual drive forced homosexuals to commit criminal actions, and therefore they were dangerous to society as

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<sup>472</sup> According SALMIALA, BRUNO. "Pakkokastroiminen Suomessa" in *Defensor Legis* vol 43. 1962.

<sup>473</sup> KAILA 1940:104.

<sup>474</sup> RYÖMÄ, HANNES. "Sterilisoimislaki" in *Huoltaja, Kunnallisen huoltotoiminnan ja yksityisen hyväntekeväisyyden äänenkannattaja*. 2.5.1935. In Finnish: "Tämä ryhmä käsittää sellaiset ainekset kuin lasten- ja naistenraiskaajat, himomurhien tekijät ja muut sadistit, samasukupuoliset eli homoseksuaaliset y.m.s., jotka sanotunlaisen patologisen sukuviettinsä vuoksi joutuvat tekemään oikeudenvastaisia tekoja."

lawbreakers, which in turn justified the castration treatment. Simeoni was the second person ever sentenced to castration, less than a year after Ryömä's article, which shows clearly that Ryömä saw castration as effective and positive instrument in the fight against sexual offenders in general.

The new vagrancy act may have indirectly helped the castration decision too. Thus, exactly on the same day that Simeoni and his co-workers were interviewed about Simeoni's homosexual relations in the roadworks project, the new vagrancy act came into effect in Finland.<sup>475</sup> Because of the new vagrancy act Simeoni could not be set free without a place of employment and housing. As Simeoni's roadwork episode had shown his sexual drive had not changed during the imprisonment, because of which Simeoni could not be freed from prison, as no one wanted to hire him because of his reputation. The costs of keeping Simeoni in prison "in storage" because of his abnormal and strong sexual drive were very high, whereas the castration offered an easy way to set Simeoni free. The supporters of castration focused on this aspect exactly. For instance, doctor Rakel Jalas supported castrations by saying: "the results are very satisfying, because it has been possible to set many of those [castrated] people to the free life after the treatment".<sup>476</sup> Jalas was not speaking about Finnish castration results, but those of Denmark, where the castration law had been in force since 1929.<sup>477</sup>

The last question is to ask, why Simeoni consented. When considering the problems that being homosexual had caused to Simeoni, I would conclude that he, in the end, consented to the castration because he thought it would be in his best interests. There was such a great conflict between Simeoni's behavior and "normal behavior", that in the end Simeoni himself thought he should be treated and cured in order to become socially normal, acceptable. He had tried to commit a suicide five years earlier, because, as he said: "I have suffered already so greatly, that I cannot stand anymore."<sup>478</sup> Many adversities had anyhow happened after that incident, and at the end he, for the first time, confessed to his homosexual relations. This was not an emancipatory moment for Simeoni, but instead it was the moment in which he decided to extirpate that part of him.

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<sup>475</sup> Irtolaislaki 57/1936.

<sup>476</sup> In Finnish: "tuloksiin ollaan hyvin tyytyväisiä, koska useat näistä henkilöistä tämän toimenpiteen jälkeen on voitu palauttaa takaisin vapaaseen elämään." in JALAS, RAKEL. "Muutama sana sterilisoimisesta ja sterilisoimislaista." in *Kotiliesi* 1.4.1933. 270, 291. *Kotiliesi* was a women's magazine that concentrated on household issues. In the article, Jalas introduced the new sterilization law for Finnish middle class women.

<sup>477</sup> JALAS 1935:270.

<sup>478</sup> In Finnish: "Minä olen ennestään niin paljon kärsinyt, etten jaksa enempää".

Simeoni's case is a perfect example of the function of biopower. The ideology of eugenics, emerging as it did from the fear of overpopulation, tried to find ways to ameliorate it and defined the parts of the population that should be eliminated and the parts that should be bred. This ideology had concretized in biopolitics, in the control of individual bodies by measuring their capability of fulfilling their purpose as citizens. Appropriate citizenship was negotiated in discourses, which more enthusiastically tried to draw the lines between normal and abnormal. The ultimate level of biopower is *the self*, and this is what we saw in this case. Indeed, in the end, Simeoni, the self, started to think that he was 'sick' and 'abnormal', someone who should be cured. At the final level of biopower, Simeoni adapts "the truths" said about him, which makes the functioning of biopower easy and invisible.

#### 4.6. Closing Words

This chapter sought to show through Simeoni's story, how the 1930s eugenics mentality affected same-sex relations, and how medical authorities perceived same-sex practices at the time. First of all, the chapter demonstrated that same-sex fornication offenders were not the object of the sterilization laws that were in force in Finland from 1935 to 1950, and from 1950 to 1970. Altogether two men were castrated because of their same-sex fornication crimes, and in addition nine men were castrated because of their same-sex fornication crime with a person less than 15 years old. Regarding sexual offences against minors, the National Board of Health, the body that made the castration decisions, treated heterosexual and homosexual child molesting cases equally. The two castrated men who had committed the same-sex fornication crime did not appeal the decision to the Supreme Court of Finland.

I traced one of the two castration cases, and found an extraordinary case of a special man, Simeoni. Simeoni was a 42-year-old nurse of mentally ill patients, who had worked around the country in different medical and psychiatric institutions. Because of this, Simeoni's story opened a window to medical and psychiatric circles at the turn of the 1930s. The case showed that in 1931 Finnish doctors had a clear idea about same-sex practices, viewing them as homosexuality, which was "an innate abnormality" and "sickness" the main of which feature was femininity. The same discourses were found in the few medical writings written on homosexuality by the beginning of the 1930s. The doctors perceived homosexuality as a sickness, which was not to be cured in prison. The

chapter also showed how medical authorities gained power over sexual offenders, power that had previously been in the hands of juridical authorities.

Femininity was connected to homosexuality following the theories of Hirschfeld and Krafft-Ebing among others. Femininity became to be viewed as a negative value of a man in the framework of the 1930s nation-building mentality. Simeoni had worked in the army, but had been fired because of his homosexual relations and because he did not have the required masculinity for a soldier. I evaluated this part and made an argument by using Mosse's theories, according to which the men of the country represented the whole nation.

Common people, whose voice was also present in the case, also viewed Simeoni as feminine, although they did not give much importance to that quality in him. On the contrary, Simeoni was sober, religious and hardworking, which were more important qualities for them. Common people were also fairly tolerant of the fact that Simeoni was "manlover" or "into men". None of them was able to call Simeoni homosexual. In addition, some sporadic same-sex erotic moments did not affect the common man's self-perceptions.

In addition, Simeoni's working history showed that he was fired from many workplaces because of his sexual drive. He fondled his colleagues and had sexual relations with some of them. This was not tolerated in the 1920s medical institutions, but instead the bosses pressured Simeoni and his partners to leave the institutions. These institutions were interested in protecting their reputation and did not report Simeoni to the police. For instance the newly built psychiatric county hospitals were very dependent on income from the communities, which sent their mentally ill habitants to the hospitals instead of taking care of them within the community. Thus the hospitals had to be careful of their reputation, which could have gotten harmed if Simeoni's sexual practices would have been brought to the court.

Castrations were strongly debated during the 1930s, and the opinions of doctors and legal experts were rather divided regarding the issue. Simeoni was the second man ever castrated under the new sterilization law, when the practice of castrations was not yet established. The director of the National Board of Health, Hannes Ryömä, who was actually behind the castration decision of Simeoni, was one of the physicians favoring castrations in general. Indeed, eight months before

Simeoni's castration Ryömä had written an article on the sterilization law in which he had included homosexuals in the group of people for whom the castration treatments could be performed.<sup>479</sup>

Simeoni's past showed that he suffered a great deal because of his "abnormal sexual drive". This even led to the situation in which he had tried to commit suicide. Simeoni did not have an access to positive sexual identities, as for example Aapo and Juhani had had because of their education and their access to literature. When the castration procedure started at the beginning of the year 1936, Simeoni consented to the castration treatment. Although I elaborated the weak parts of the castration procedure and showed that for Simeoni the final purpose or the consequences of the castration treatment may have remained unknown, he anyhow consented to the treatment probably because he thought that was in his best interests. I analyzed the process through Foucault's notion of biopower and showed how Simeoni, the self, in the end took it for granted that the castration was the best solution for the unfit citizen he was.

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<sup>479</sup> *Huoltaja, Kunnallisen huoltotoiminnan ja yksityisen hyväntekeväisyyden äänenkannattaja*. 2.5.1935.

## 5. *Soldier love* in the Military During the WWII

### –*Timo's story* 1942

#### 5.1. The war-period 1939-1945

During the Second World War Finland fought twice against Soviet Union, first in the so-called Winter War<sup>480</sup> that lasted the winter-period 1939-1940, and, after that, in Continuation War, which started in the summer 1941 and lasted over three years.<sup>481</sup> After the Continuation War, Finnish forces fought a shorter war against their former ally, Nazi Germany, in the so-called Lapland War,<sup>482</sup> as the eviction of the Nazi army from Finland had been one of the terms of ceasefire with Soviet Union. All in all, the war period lasted more than five years, during which 700,000 men and 200,000 women participated in the wars at the battlefield, when the whole population was about 3,700,000.<sup>483</sup> As the country was so small the wars affected directly most Finnish families. The total losses of Finnish lives amounted to over 90,000 of which about 4,000 were home-front civilians. In addition, 94,000 soldiers were disabled for life, 55,000 children were orphaned and 30,000 women were widowed.<sup>484</sup> War changed the structures of the society. The mobilization not only created a young-man-free home front, but also a huge shortage of goods, which meant that the markets became strongly regulated. Agriculture was able to produce only half of the pre-war period amount of goods because of the lack of the labour and seed corn.<sup>485</sup>

This chapter concentrates on the five-year-long war-period and on the changes that male sexual intimacy faced during the period. The historiography has shown that during the warfare male sexual relations became more widely known as “homosexuality”.<sup>486</sup> In this chapter I emphasize that this homosexuality was perceived of being learned in the early adulthood in homosexual relations.

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<sup>480</sup> (30.9.1939-13.3.1940)

<sup>481</sup> (25.6.1941-19.9.1944)

<sup>482</sup> (15.9.1944-27.4.1945)

<sup>483</sup> LEHTIMÄKI, PENTTI. “Historical introduction to the English edition: Finland in the Second World War 1939-1944 and Pipping’s 12<sup>th</sup> Infantry Regiment.” In PIPPING, KUNT *Infantry Company as a Society*. Edited and translated into English by Petri Kekäle. National Defense University. Helsinki 2008. pp.7-14.

<sup>484</sup> WUORINEN, JOHN H. *A History of Finland*. Columbia university press, New York and London 1965:381.

KINNUNEN, TIINA and JOKISIPIILÄ, MARKKU. “Shifting Images of “Our Wars”” in Tiina Kinnunen and Ville Kivimäki (ed.) *Finland in World War II, History, Memory, Interpretations*. History of Warfare series, vol. 69. Brill, Leiden and Boston 2012, 437.

<sup>485</sup> JUNILA, MARIANNE “Wars on the Homefront” in *Finland in World War II, History, Memory, Interpretations*. History of Warfare series, vol. 69. Brill, Leiden and Boston 2012, 205-207.

<sup>486</sup> This was found from the answers given to the questionnaire of homosexuality, that Jan Löfström organized in 1993. The informants of the questionnaire were born in the early decades of the twentieth century. The answers of the informants are also used in this research as sources.



Finland and Nazi-Germany were scientifically and politically in close relations during the 1930s. In both countries the birth-rate had gotten lower, which created the new need for population politics. Germany viewed homosexuality as a threat to the whole society, as it was thought of as becoming more common through homosexual seduction. By the time of the war, this attitude had made its way to Finland.

The chapter shows how the war actualized the concern over homosexuality. This was because of the old and widely shared notion of same-sex intimacy, according which gender-segregated communities would create temporal homosexual behavior. Previously this “pseudohomosexuality” was considered as harmless behavior, which would disappear when women again became available. However, the new view on homosexuality was fundamentally different: homosexuality could be transmitted in “pseudohomosexual” relations and become more permanent. The combination of these two notions, firstly the notion that homosexual practices were common in gender-segregated communities, and secondly the notion that these practices were not as harmless as previously thought, increased the control over male same-sex practices during the war and in the post-war period. The fact that the rural and working-class population had a rather careless attitude towards such practices before the war did not make the scene any easier. As a consequence, homosexuality became more visible, more discussed, and more controlled.

War’s general ugliness was recognized after the brutal Yugoslav wars, on which the more critical studies on warfare practices have been based. However, simultaneous to the Yugoslav wars, meaning after the collapse of the Soviet Union, Finnish war memories became increasingly heroic.<sup>487</sup> Only recently have some Finnish scholars dared to study less complimentary aspects of the war, such as the mental disturbances, desertion, sexual abuse of the native population, and homosexuality.<sup>488</sup>

To some extent, all the new topics are damaging to the stereotyped masculinity of the Finnish soldier. This image was constructed in the military environment of the war and kept alive in post-war memorials. The construction process of the Finnish heroic soldier has left little space for other kinds of presentations. For some reason, it has been feared that a homosexually behaving soldier would not be as heroic as a heterosexually active man. Thus, when during the Independence Day’s reception in the president’s castle a homosexual couple danced in the dance hall, it was viewed as a

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<sup>487</sup> KINNUNEN and JOKISIPILÄ 2012.

<sup>488</sup> NÄRE, SARI and KIRVES, JENNI. *Ruma Sota. Talvi- ja jatkosodan vaiettu historia*. Johnny Kniga, Juva 2008.

disrespectful act against the achievements of the Finnish war veterans.<sup>489</sup> In so saying, it is forgotten that the soldiers were heterogeneous group of different kind of young men, many coming from conditions in which same-sex practices were still perceived within the old meaning-free discourses.

For this research I wanted to contact Finnish veterans in order to set up a writing competition about “intimacy between soldiers at the front”, but the idea was knocked down from the beginning. “It seems to be a topic of a kind we would not publish” was the comment of the editor of the biggest veteran magazine in which the advertisement of the competition was planned to be published.<sup>490</sup> The great, and maybe the last, opportunity to collect memorials of male intimacy of the Second World War in Finland was forbidden. However, when reading through the sources that were produced at the time of the war, we understand that those men, the soldiers, were as much flesh and blood as any other young men at any other given time. They were not only heroes or defenders of the morals of Finnish society, but also humans in inhumane conditions.

In Finland, war-time homosexuality has been a topic of interest of the works of Tuula Juvonen (2002, 2006)<sup>491</sup> and Kati Mustola (2006, 2007)<sup>492</sup>. They both rely on the theories written by American historians John D’Emilio and Allan Berubé. These studies have stressed the idea that warfare formed new spaces for same-sex relations because of mobility and the gender-segregated living conditions. D’Emilio holds that the more-visible homosexual culture in post-war America was caused by the war-time social disorder. In gender-segregated living environments many different sexual practices come into being.<sup>493</sup> For his part, American self-made historian, Allan Bérubé wrote about homosexual experiences during the Second World War through interviews with over 9,000 gay and lesbian Americans who went to fight.<sup>494</sup>

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<sup>489</sup> The issue was especially topical in December 2011. A parliamentarian refused to come to the Independence Day reception because of the gay couples, as, in this individual’s view, it was disrespectful for the war veterans.

<sup>490</sup> The e-mail response from the head editor Markku Seppä from War veteran association in 14.10.2011. In Finnish: “Taitaa olla sellainen aihe, että emme sellasita tekstiä julkaisisi.”

<sup>491</sup> JUVONEN, TUULA. 2006. ”Ruotsalaistaudin kourissa. Heteromaskuliinisuuden jälleenrakentaminen 1950-luvun Suomessa.” *Kun sota on ohi. Sodista selviytymisen ongelmia ja niiden ratkaisumalleja 1900-luvulla*. Edited by PetriKaronen and Kerttu Tarjamo. Historiallinen arkisto 124. SKS 2006, 310-340. JUVONEN, TUULA. *Varjoelämää jajulkisia salaisuuksia*. Vastapaino, Tampere 2002.

<sup>492</sup> MUSTOLA, KATI. "Homoseksuaalisuus ja sota." In *Ihminen sodassa*, edited by Tiina Kinnunen and Ville Kivimäki. Minervakustannus oy, Helsinki 2006; MUSTOLA, KATI "Finland, a turbulent past 1894-1971" in *Criminally Queer. Homosexuality and criminal code in Scandinavia 1886-1999*. Edited by Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007.

<sup>493</sup> D’EMILIO, JOHN. “Capitalism and Gay Identity” in *Culture, Society and Sexuality*, Ed. Perker, Richard and Aggleton, Peter. UCL Press, London 1999:243. First published in 1983.

<sup>494</sup> BERUBE, ALLAN. *Coming Out Under Fire, The History of Gay Men and Women in World War Two*. Free Press, New York 1990.

The same kind of argumentation has been brought to the Finnish historical context through the studies of Juvonen and Mustola. Explanations for the post-war same-sex fornication conviction peak have hinged on the assumption of common homosexual practices during the war. Juvonen argues that the hostile attitude towards homosexuality in the post-war period emerged as a response to war-time homosexual relations, thus, in a process of “reconstruction of heteromascularity”<sup>495</sup> of a Finnish man. The positions of Juvonen and Mustola were based on a few interviews, where some homosexually behaving war veterans recalled their war-time experiences. One of the key informants was a homosexual man who was interviewed by the Finnish gay magazine in 1990s and another was the artist Tom of Finland, who served in the army during the Continuation War.

The number of convictions had risen since the beginning of the 1930s and stayed at the level of approximately 14 convictions per year, including during the war period. Indeed, during the period of warfare 23 men were convicted of same-sex fornication in Finnish court martial trials. Counting together the same-sex fornication convictions given in the court martial trials and in the civil courts one discovers that male same-sex practices were controlled during the time of warfare in the same way as they had been in the late 1930s, before the war.<sup>496</sup>

In addition, the lengths of convictions in court martials were much longer than those given in the civil courts, thus we see that the attitude towards same-sex intimacy was not at all getting more tolerant, quite the contrary. The convictions given in court martials have been studied in Tiina Vatanen’s (2010) master’s thesis, which indeed provides important insight into warfare sexuality. Vatanen examined convictions handed down for sexual crimes in court martials during the Continuation war.<sup>497</sup> This research has benefited a great deal from Vatanen’s study.

Studies of Juvonen, Mustola and Vatanen are taken into account in this chapter, as well as the results of the questionnaire of Löfström. In addition, war-time memorials of common people about everyday life at the front has formed an important branch of literature. Especially the sociological study of Knut Pipping (1947) has been critical for the argumentation of this chapter. Pipping, a young sociologist, joined the Finnish army as an officer. During his service, he wrote a field study

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<sup>495</sup> JUVONEN 2006.

<sup>496</sup> Mustola argued for the existence of common wartime homosexual practises, and said that the low number of same-sex fornication sentences point to a more liberal attitude towards homosexual behaviour during the war. Mustola did not know, however, that men were equally convicted of same-sex fornication in court martials as they had previously been in civil courts. Mustola thought that same-sex fornication was not criminalized in the court martial, as shown in her article. MUSTOLA 2007:222-223.

<sup>497</sup> VATANEN 2010.

of his own artillery company, which was to later become his doctoral thesis in the field of sociology.<sup>498</sup> In his research Pipping tells openly about the daily habits of the soldiers, about their talks and desires, which enabled my contextualization of the cases discussed in this chapter. In addition, some memorials of regular soldiers from the early 1970s offer interesting insight into dugout life.<sup>499</sup>

The year 1941 was a busy year in the front. The Finnish army had an offensive war with German forces in that year. The areas lost after the Winter War were re-captured by the end of the autumn 1941. The war anyhow settled down in the late 1941, and was followed by a two-and-a-half-year-long trench warfare period. This totally different face of the war, was also the period when the most of the convictions of same-sex fornication in court martials were given and when the number of convictions climbed up to the pre-war level, if summing up the convictions given in the court martial and in the civil courts. The trench-warfare period coincided with the period in which the number of convictions rose. It was also a period of frustration and desperation. The war, which people assumed would be fast and glorious, continued without any remarkable changes, which in the end affected soldiers' motivation.<sup>500</sup> The longer trench warfare lasted, the more problems it created regarding soldiers' behaviour and criminality. Alcohol consumption and problems related to it increased during the trench warfare.<sup>501</sup>

In this chapter the five-year-long war period is constructed through the case of Timo, who was convicted of same-sex fornication in a court martial during the continuation war. The chapter seeks to understand the peculiar warfare context and its impact on male same-sex practices. The chapter shows how the new knowledge about homosexuality spread during the war period, and how it fundamentally changed the attitude towards same-sex practices: the previously unimportant male sexual practises were now viewed as homosexuality that could, it was feared, spread in society and demoralize the youth. However, the transformation of perceptions was slow, and indeed, the war period offered many possibilities for same-sex practices within the same discourse of indifference that was present in the pre-war context. Contrary to the historiography, in the chapter these relations are viewed as a continuation of the pre-war discourses, which, for instance, carried a strong notion

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<sup>498</sup> PIPPING, KNUT. *Infantry company as a society*. National Defence University. Department of Behavioural Sciences. Publication Series 1. Number 3/2008. 179-181.

<sup>499</sup> NYMAN, AARRE et. al. Ed. *Sotasavotta, korsuelämä 1939-1944*. Otava, Helsinki 1974.

<sup>500</sup> LESKINEN and JUUTILAINEN 2005:341, 345.

<sup>501</sup> For example in PIPPING 2008:179-181.

of “pseudohomosexuality” and its commonness in male-segregated communities. Let us now move to the case of Timo.

### 5.2. “*Soldier Love*”

The protagonist of this chapter is a medical Sergeant Major<sup>502</sup> Timo, who at the time of the trial in 1942 was a 35 year-old man, who had recently married and had worked in the army before the war. In 1942, Finland was in the middle of the Continuation war, which it had started against the Soviet Union a year before as an ally of the Nazis. At the beginning of the year 1942 Timo was moved to a field artillery regiment (I/KTR 1) of the fourth division of the Finnish army. When the case against Timo was tried, the regiment was still in Lake Segezero (Seesjärvi), in the Karelian wasteland, which was designated for rest for the troops after it was conquered in October 1941.<sup>503</sup> Lake Segezero had never been part of Finland but it belonged to one of the large areas in East Karelia that Finland had conquered by the year 1942. Before the arrival to the Lake Segezero, the regiment had taken part in the recapturing of the city of Vyborg, which had been lost to Soviet Union after the Winter War in 1940. The regiment had fought its latest battle with human losses at the end of November 1941, which means that there had been a half-year period of tranquility in Lake Segezero when Timo joined the group.

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<sup>502</sup>Few words about military ranks: The sergeant mayor Timo belonged to the group of non-commissioned officers (NCO), which is the group above the general soldiers and under the group of officers. In Finnish army there are eight ranks inside the NCO group, from which Timo belonged to the thirdly highest rank being sergeant mayor (vääpeli). Timo did not anyhow belong to the elite group of the army: the NCOs lived mainly together with the general soldiers. They had gained their higher positions by experience or fight merits, but they had no military education like officers did. The doctor of the aid post belonged to the officer’s rank group. He was a lieutenant, a rank second lowest of the officers’ rank, in between ensign and lieutenant mayor. The basic crew, instead, consisted of soldiers and corporals.

<sup>503</sup> LESKINEN, JARI and JUUTILAINEN, ANTTI (ed.). *Jatkosodan Pikkujätkiläinen*. WSOY, Helsinki 2005:145, 247.



**Picture 2. A regimental aid post.**

Timo now served in a regimental aid post as a medical Sergeant Major. Regimental aid posts were the first medical services at the front situated as near to the battlefield as possible. Aid posts were normally situated in tents or dugouts; hardly ever in buildings. The crew of an aid post consisted of one or two doctors, two medical sergeant majors, and eight medical soldiers, of which four would work as medical drivers.<sup>504</sup> This means that in the unit of an aid post there were people from different military ranks working together, and normally living together as well, in the same dugout.

When Timo arrived in the new regiment he immediately noticed a 23-year-old artillery man, who worked in the same medical aid post as a medical driver. Timo tried to make friends with the driver by giving him food that people had sent to him from his home district. Later Timo moved to sleep next to the driver in a bunk bed that was freed up because its last inhabitant had been hospitalized. A few days after moving to this bunk, Timo started to fondle the driver during the night, which was easy as they slept next to one another. Timo caressed the driver's chest and tried to touch his penis when other four men of the dugout were deeply asleep.

If the driver would have liked Timo's touching, a soldier-love relationship could have burst into flame in the dugout during those nights. The warfare living conditions, both at the home-front and on the frontlines, offered many possibilities for same-sex relations, as studies of Juvonen and Mustola have shown.<sup>505</sup> Their studies were based on a few oral sources where homosexual men told

<sup>504</sup> FORSIUS, ARNO, 2009. "Suomen puolustusvoimien lääkintähuolto rintama-alueilla vuosien 1939–1945 sodissa". In <http://www.saunalahti.fi/arnoldus/rintlaak.htm>

<sup>505</sup> JUVONEN 2002 and 2006; MUSTOLA 2006.

about their homosexual experiences in the war.<sup>506</sup> Both Juvonen and Mustola quoted a homosexual man who recalled the war time having been active in a sexual sense as many lacked the closeness of another person. However, the informant understood that for many he was a substitute for a woman.<sup>507</sup> In the same way, Timo complained about homesickness, because of which his seeking of closeness can be viewed as a way to survive under the difficult war conditions.

A Finnish war veteran recalled in 1972: “There were also some homosexuals among us. [...] These manlovers played their games in secret. Once, somebody had even seen two guards having sex in the guard post.”<sup>508</sup> Indeed, the sources studied for this research in many ways speak about soldier love in the same way as the studies of Juvonen and Mustola. For instance, in a court record from post-war Lahti, a man was reported to the police by his wife.<sup>509</sup> In the interrogations the man confessed how at the beginning of the war he had found another man from the military, with whom he had had a war-long relationship. Because of this, the man said, he could not stay away from male sexual relations even after the war, which had annoyed the wife. In the end, the man was relieved that the secret came out. However his loyalty towards the war-time lover was strong and he refused to give any information about the man to the police. A medical article, too, which treated war-caused mental disturbances, discussed the case of a man who was deeply traumatized because he had seen his lover dying in a battle at the front.<sup>510</sup>

However, the actual court documents that were produced in court martials did not handle cases of this kind. Vatanen has analysed sexual crimes tried in court martials in her master’s thesis, and found out that in same-sex fornication crimes alcohol played a role in eighty percent of the cases. Vatanen noticed too, that compared to other sexual crimes, in same-sex fornication crimes the convicted were from higher military ranks than in other sexual crimes. Their partners however, were mainly from lower military rank as was the case for Timo. In addition, forty percent of the convicted belonged to the regulars.<sup>511</sup> Sexual relations that took place among the general soldiers

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<sup>506</sup> In these memorials the men described how the war enabled homosexual relations to be more tolerated and frequent. Using these memories, Mustola writes that homosexual relations were common and tolerated during the war. In addition, I find the memorial sources used by Mustola rather identity political: two of them were written to a gay magazine in the 1990s and one was a memory of Touko Laaksonen, better known as Tom of Finland, an artist who focused on gay-erotic visual art. Their stories are, without any doubts, part of the big picture, to which in this chapter I attempt to find some contemporary evidence.

<sup>507</sup> JUVONEN 2002: 149.

<sup>508</sup> In Finnish: “Olihan joukossamme homojakin. [...] Nämä miehimykset puuhasivat leikkinsä kaikessa salaisuudessa. Olipa vartiopaikallakin olevat miehet tavattu naimassa.” In NYMAN et. al. 1974:292.

<sup>509</sup> Lahti city court 3.4. 1950, §139.

<sup>510</sup> SAARNIO, L. ”Sotaneurooseista” in *Duodecim* 9/1940.

<sup>511</sup> VATANEN 2010.

must have remained quietly tolerated or hidden from the higher ranks, as these relations did not end up in court martials.

As noted, a remarkably high number of people convicted of same-sex fornication at the front were part of the cadre, which may mean that a military career and soldier love to some extent went together. In the homosexual questionnaire that Jan Löfström devised in 1993, a remarkable number of the memories were related to military life. Löfström and Juvonen noticed in their studies that many remembered having heard about homosexuality for the first time during the war, and even more common were the memories of homosexual relations in the military in general. Most often in the stories a member of the military regulars had seduced young novices.<sup>512</sup> Timo, in that sense, represents a rather normal case of such relations between the young novices and older regulars.

One of the informants in Mustola's article was a Finnish artist of homoerotic paintings, Tom of Finland<sup>513</sup>, who served in the Finnish army during the continuation war. Later the symbols of military culture were highly present in his homoerotic paintings (see the picture 5.3.). In Tom of Finland's biography there are also memories from the warfare and homosexual activity during the war. As Tom of Finland had served in the air defense forces in Helsinki, he knew fairly well the sexual sphere of the city. According his recall, Helsinki was full of soldiers, with whom one could easily have sex during the blackout orders.<sup>514</sup> These memorials of Tom of Finland have been given a big role in Mustola's article, in which she argues for the commonality of homosexual practices during the warfare.<sup>515</sup> While one should take into consideration that the informant comes from a rather provocative position, his notions, though perhaps a bit romanticized, are to be taken seriously. Already in the prewar years many had fretted about the increasing homosexual activity in the urban sphere. Indeed, there is no need to assume that the developing homosexual park culture in Helsinki would have gone into abeyance during the warfare, rather the opposite, as there were more young men in the city than before.

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<sup>512</sup> I found twelve accounts in which military service had been the place where people had first met homosexuals. Kuusamo M/1923; Pälkäjärvi M/1909; Rääkkylä M/1931; Laukaa M/1923; Iittala M/1911; Pyhäjärvi N/1919. And in pages 149, 159, 173, 188, 201, 230.

<sup>513</sup> Tom of Finland, was a pseudonym of Finnish painter Touko Laaksonen, who made his carrier by homoerotic paintings and drawings mainly in the United States. In Laaksonen's work, military symbolic and uniforms had an important role. Laaksonen died in 1991.

<sup>514</sup> HOOVEN, F. VALENTINE III. *Tom of Finland: Elämäkerta*. Translated by Eeva-Liisa Jaakkola. Otava, Helsinki 1992.

<sup>515</sup> MUSTOLA 2006.



When describing the Eulenburg scandal of Germany in 1906 and 1907, a Finnish newspaper had called the relation between the military men *soldier love*, which could mean a desire of soldiers and their uniforms.<sup>516</sup> Fascination for military symbols, uniforms and power positions are not anyhow only a wartime phenomenon, instead, the notions of something that could be called “soldier love” can be found in the sources before and after the war. For instance, Aapo’s first homosexual friends were from a local civil guard. In addition, many soldiers were said to have visited his house during the years, from which evidence was a soldier passport found from his house. Also Simeoni had had homosexual relations in the army in the 1920s, and during the shortage soldiers were said to be easy to buy for sexual services. In the last two chapters too, soldiers will play an important role in both of the cases. Whereas the protagonist of the sixth chapter was a sergeant mayor who had done his career in the army, the protagonist of the seventh chapter was especially fascinated by young soldiers for whom he went to search near the garrisons. Altogether, notions of something one could call soldier love, are evident in the sources in every decade of the twentieth century.

### 5.3. Gender-Segregated Communities and *Pseudohomosexuality*

The possibility that homosexual actions could increase during the war did not come as a surprise for contemporaries. For instance, in an article written in 1933 about “Germany’s homosexual epidemic”, it was said that the First World War had created a more visible and stronger homosexual culture to those European countries, which had participated to that war.<sup>517</sup> In addition, for long before the war, since the beginning of the twentieth century, there had been an assumption that homosexual behavior would increase in male-segregated communities.<sup>518</sup> The encyclopedia of 1932 noted that “People who are not actually homosexuals do end up engaging in homosexual practices if they are separated from the real world into monasteries, military, sailing etc.”<sup>519</sup> In the First Finnish article on homosexuality “On homosexuality and its legal judgment” (1919), Akseli Nikula also wrote about such a phenomenon:

“Quite often it happens that people without the contrary sexual taste do have sexual acts with persons of their own sex. [...] These sexual acts are anyhow often, if not always, nearer to masturbation than to contrary sexual taste. Because of this they

<sup>516</sup> *Työmies* 26.11.1907.

<sup>517</sup> *Vankeinhoito. Vankeinhoidollinen aikakauslehti*. 1933. Volume 6-7. ”Saksalaisesta homoepidemiasta”.

<sup>518</sup> “Homoseksuaalisuus” in *Tietosanakirja*. Kolmas osa. Kustannusosakeyhtiö Otavan kirjapaino, Helsinki 1911.

<sup>519</sup> In Finnish: ”Homoseksuaalisiin tekoihin joutuvat sellaisetkin, jotka eivät ole varsinaisesti homoseksuaaleja, jos samaa sukupuolta olevat pitkiä aikoja joutuvat olemaan eristettyinä muusta maailmasta, kuten luostareissa, kasarmeissa, merellä jne.” in *Iso tietosanakirja*. Kustannusosakeyhtiö Otava. Helsinki 1932.

should be separated from actual homosexuality. Many researchers call them pseudohomosexuality. This phenomenon is relatively common.”<sup>520</sup>

Indeed, many of the sexologists of the early twentieth century Europe used the category of pseudohomosexuality. Freud called pseudohomosexuals “contingent perverts” and Bloch “secondary homosexuals”.<sup>521</sup> Hirschfeld had divided pseudohomosexuality into three different types: First, to homosexual actions that were done because of other interests, such as in prostitution or blackmailing cases; second, to situations in which people interfered with homosexual actions because of other emotions, such as loyalty; and third, to situations in which “normal people” when excluded from the society of the opposite sex had homosexual relations.<sup>522</sup>

Places that were thought to cause homosexual behavior included monasteries, boarding schools, militaries and prisons. The court documents from different decades give hints about this phenomenon: For instance, Juhani had most probably learned that his same-sex desire was “sophisticated” in the teacher’s training institution, which was a boarding school exclusively for men in Kajaani at the beginning of the twentieth century. Also Simeoni had “practiced homosexuality” with many of his co-prisoners in the road works. In a same way Tuomas had apparently learned about male sexual practises in the Red prisoner’s camp during the civil war of 1918. In a sense, Aapo’s small apartment had formed a gender-segregated environment, where youngsters slept naked next to one another.

In the 1930s there were some writings which discussed homosexual relations in prisons.<sup>523</sup> In 1939 a book called *Gröna Ön* (“Green Island”) was published in Sweden and was also discussed in Finland. The book, written by Bruno Pouka, criticized Swedish prison conditions and openly discussed prison sexuality, too. He stated: “no matter how strong a man’s will, he will anyhow, little by little, move to abnormality. The majority solves the problem by themselves, but many do succumb to homosexuality”.<sup>524</sup> When a Finnish war veteran recalled some homosexuals of his troop

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<sup>520</sup> In Finnish: ”Verrattain usein tavataan kuitenkin jatkuvasta konträristä sukupuolitunteesta erillään ilmenevää samaan sukupuoleen kohdisutuvia sukupuolitekoja. [...] Nämä sukupuoliteot ovat kuitenkin varsin usein, ellei aina, lähempänä onaniaa, kuin konträria sukupuolitunnetta. Siksi ovatkin ne erotettavat varsinaisesta homoseksualiteetistä erilleen. Useat tutkijat käyttävät niistä nimitystä pseudohomoseksualiteetti. Tämä ilmiö on verrattain yleinen.” in NIKULA, AKSELI. ”Homoseksualiteetti ja sen oikeudellinen arvosteleminen.” in *Duodecim*, 7/1919. 150, 151.

<sup>521</sup> GARBER, MARJORIE. *Bisexuality & the Eroticism of Everyday Life*. Routledge, New York 2000:307.

<sup>522</sup> Discussed in ELLIS, HAVELOCK. *Studies in the Psychology of Sex*. vol 2. Sexual inversions. 1927.

<sup>523</sup> In *Vankeinhoito* 1933. Issue 10. *Vankeinhoito* 1939. Issue 7-8.

<sup>524</sup> Discussed in *Vankeinhoito* 1939. Issue 7-8. In Finnish: ”Olkoonpa mies miten lujatahtoinen tahansa, hän vähin erin liukenee juonnonvastaisille teille. Suurin osa ratkaisee probleeman omin keinoin kukin luonteensa mukaisesti, mutta monet sortuvat myös homoseksuaalisuuteen.”

during the war, he explained their homosexuality being caused by the fact that they were ex-prisoners. According the veteran, in prison everyone had their lovers.<sup>525</sup>

Now suddenly the Finnish men were in the warfare dugouts in conditions that were thought of causing pseudohomosexual behavior. However, the front was not a woman-free sphere, but instead there were many different kinds of women among the soldiers. In his study, Pipping divided the women of the front into three different groups:

“The women were divided into three categories that had different moral standards: members of the women’s auxiliary services – or “Lottas” – who were posted to the front, soldiers-home sisters (in the service of the Soldiers Home Organization), and washerwomen, shop assistants and women of the native population. Without exception, women in the last category were regarded as prostitutes and, in general, the great majority of the soldiers-home sisters as easy.”<sup>526</sup>

Thus, there were women in the front. In addition, during the trench warfare period, there were a lot of social activities organized in the captured areas, such as in Karhumäki, from which female company was easy to find.<sup>527</sup> Not every battle front was similar, however. Vatanen made an interesting point in her study, when she discovered that most of the same-sex fornication convictions were given in the 14<sup>th</sup> battalion, which in fact battled in the remote areas of Northern Russia.<sup>528</sup> In those areas, there were no such places of social interaction like in Karhumäki, which meant that the soldiers of that area were more isolated and more probably without female company. This is an interesting notion, if we think of soldier love from pseudohomosexuality point of view.

However, the war was not the first and only sphere in Finnish history which created gender-segregated communities. One of the most important (“pseudo”-) homoerotic spheres in the Finnish culture had been the lumberjack communities, in which different homoerotic practices were common when the men spent summers together in forests. The memorials of lumberjacks do tell about the initiation rituals in which wooden sticks were put to the new members’ anus before new men were taken to be part of the lumber jack community.<sup>529</sup> Tom of Finland described for an American audience that for the Finns the lumber jacks were “the real men” in a same way as

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<sup>525</sup> NYMAN et. al. 1974:292.

<sup>526</sup> PIPPING 2008: 183.

<sup>527</sup> PIPPING 2008: 184.

<sup>528</sup> VATANEN 2010: 51.

<sup>529</sup> HOLTARI, TIMO et. al. *Jätkät sen kun porskuttaa* WeilinGöös, Helsinki 1971:23,24

cowboys were for Americans.<sup>530</sup> Lumber jack culture gave inspiration to Tom of Finland's work, too (see Picture 5.4).

As a conclusion, it is important to understand that the war as such was not the first occasion in which Finnish men would have been together with only limited female company, but instead, the Finnish culture had been full of examples of the same kind of situations, and situations of "pseudohomosexual behavior". The attitude towards pseudohomosexuality had been by and large tolerant, evidenced for instance in the court documents, which before the mid-1930s convicted only the protagonists of the same-sex fornication cases, in other words only the "real" homosexuals, the "manlovers" and not their "pseudohomosexual" partners. In addition, the attitudes of the common people towards same-sex practices were rather tolerant: such occasional homosexual relations did not affect the rural or working-class person's self-perception, as shown in the previous chapters.

Harmlessness of occasional homosexual relations was anyhow about to step aside. In the eve of the Second World War attitudes towards homosexual actions became hostile. Reasons for this can be found in psychoanalytic theories and from the worry over population growth. Finland's close alliance with Nazi Germany is key to explaining the fast adaption of the new view on homosexuality in the late 1930s and during the war. Let us move to these new perceptions through the case of Timo.

#### 5.4. Spreading the new knowledge about homosexuality

After the third night of Timo's fondling of the 23-year-old medical driver, the driver went to speak about the nightly events to the doctor of the medical aid post. The driver, a young farmer from a rural district of Tavastia area, told the doctor, Esko Juhani Pietilä, that Timo had "*groped and tickled him*"<sup>531</sup> during the previous three nights. The doctor Pietilä knew to call Timo's behaviour *homosexuality*, a label the driver had not used.

Apparently Timo's sexual behaviour did not come as a surprise to the crew, but instead, there was already a shared knowledge about the sergeant major's sexual behaviour, to which the doctor knew to give the name "homosexuality". In this way, the other members of the crew also got to know "the meaning" of sexual actions between men. The same is shown in other court documents that were produced in court martials. Eye witnesses were not familiar with the concepts, but instead, they

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<sup>530</sup> HOOVEN 1992.

<sup>531</sup> In Finnish: "kopelointu ja kutitellut häntä."

spoke vaguely about “some bizarre jobs”.<sup>532</sup> For instance, in another case, a young soldier from a rural district, when lying on the top of a bunk bed heard two men doing something strange in the lower bed. After peeking from upper bed to see what the two men were doing below, he saw them touching one another’s genitals. This was something that the witnessing young soldier had never seen in his life, and as he told to the investigators, he was so amused by the view that he could not sleep the whole night: “what I saw was so peculiar and also funny that it was difficult to sleep afterwards”.<sup>533</sup> The answers to Löffström’s homosexual questionnaire show that people heard about homosexuality exactly at the time of the war.<sup>534</sup> However, many of the informants had heard about manlovers already before the war. This means that during wartime these new labels of homosexuality were about to replace the old term *manlover*.<sup>535</sup> This is an important notion that has remained without attention in the previous study. Thus, in the war period the new labels on same-sex intimacy were spreading among people.

In Timo’s case the pathological view on same-sex practices was able to spread because of the sphere that the medical aid post offered for exchange of knowledge. In the regimental aid post, in the middle of the Russian wasteland, people with different perceptions of same-sex intimacy confronted. The doctor gave the pathological definition to the act that was not named by the soldiers, by saying that Timo “was found being in homosexual connection in the previous night”.<sup>536</sup> The driver was able to talk immediately with the doctor about the nightly events, because they shared their everyday life together. Without the war these two men would not have had much in common; one coming from a poor rural district of Tavastia area and the other having been born to an educated family and being a medical student from the western part of the country.<sup>537</sup> However, under conditions of war, the doctor and the driver were able to discuss what to do with Timo. Both of these parties, one from the top and another from the bottom of the military hierarchy wanted to get sergeant major Timo to take responsibility for his sexual behaviour.

What did the doctor mean by labelling Timo’s behaviour “homosexuality”? The perception of homosexuality becomes clear in the commander’s letter to the court. The commander stated when summing up the results of the interrogations:

<sup>532</sup> In 14<sup>th</sup> division, 16.5.1944, §168. Also for instance: “Have you noticed anything weird in him?” 14<sup>th</sup> division, 31.3.1944, §130.

<sup>533</sup> In Finnish: “se oli siksi kummallista ja huvittavaakin, että oli vaikea nukkua sinä yönä”.

<sup>534</sup> The questionnaire was organized by Finnish Literature Society (SKS) and it received 100 answers, all together 231 pages of memorials from older people.

<sup>535</sup> The answers: Kitee F/1924; Helsinki F/1921; Kallahti M/1911; Saarijärvi F/1924; Lammi M/1916; Pälkäjärvi M1909; Iittala M/1911: pages 173, 180.

<sup>536</sup> In Finnish: ”Edellisenä yönä oli väepeli [Timo] havaittu harjoittaneen homoseksuaalista yhteyttä.

<sup>537</sup> In *Suomen lääkärin* 1952, 746.

“Taking into account that sergeant major Timo works with novices, and, that these kinds of acts may affect the sensible minds of the young men in particularly demoralizing ways, I think that sergeant major Timo cannot work in his current position. Considering the moral crime that took place, I think it was done because of a sickness of this kind.”<sup>538</sup>

There are three strong statements in the text: homosexuality as a threat, as an immoral act, and as a sickness. In the statement the three overlapped: homosexuality was a sickness that had bad social effects, because of which it was a threat. Young men needed to be protected from homosexual seduction, because their sensible minds could easily be demoralized. During the trench warfare the leaders were particularly worried about decreased fighting morale, and maybe the sexual relations between men were viewed as a threat for the fighting morale.<sup>539</sup>

More importantly, the statement was part of the new discourse, which viewed adolescence as an important stage of development in sexual matters, the idea derived from Freud’s theories on human sexuality. The first psychoanalytic writings were introduced to Finnish medical circles in the 1930s by the doctor Yrjö Kulovesi. In his writings Kulovesi emphasized the importance of youth in the development of some sexual perversions.<sup>540</sup> According to Freud, every adolescent had homosexual fantasies, which would normally disappear by adulthood. Freud held that there was no clear distinction between heterosexuality and homosexuality, and that actually every adolescent is bisexual. In other words, every human could make a homosexual choice.<sup>541</sup> According to this theory, early homosexual experiences can direct one’s sexual taste to homosexuality in a permanent way. Consequently, suddenly pseudohomosexuality was not anymore a harmless temporary behaviour, but instead, occasional homosexual relations could eventually lead to more permanent homosexuality.

Because of these discourses young men were especially viewed as being in need of protection until their sexuality had developed to the socially desired heterosexual direction. The irony here is that all the men at the front were considered *men* when their abilities to carry weapons and kill other people

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<sup>538</sup>In Finnish: ”Ottaen huomioon, että väepeli [Timo]toimii lääkintäaliupseerina varusmiesjoukko-osastossa, jossa tällaiset teot saattavat vaikuttaa erikoisen turmiollisesti nuorten miesten herkkiin mieliin, ei väepeli [Timo] mielestäni voi enään toimia nykyisellä paikallaan. Mitä tulee tapahtuneeseen siveellisyysrikokseen, katson sen tapahtuneen tämän teon tapaisen sairaalloisuuden vallassa.

<sup>539</sup> PIPPING 2008:190.

<sup>540</sup> KULOVESI, YRJÖ. ”Perversiteettien psyykkillisestä rakenteesta”. in *Duodecim* 8/1935. ”Lääkäriin ja potilaan suhteesta” in *Duodecim* 3/1939. ”Psykoanalyysin avartama käsitys sielunelämän rakenteesta in *Duodecim* 5/1931. ”Paranoidisten sairausoireitten psykologiaa” in *Duodecim* 2/1930.

<sup>541</sup>ROBINSON, PAUL. ”Freud and homosexuality” in Tim Dean and Christopher Lean (ed.) *Homosexuality and Psychoanalysis* University of Chicago Press, Chicago 2001, 91-98.

were concerned, but still, their sexuality was not yet considered strong enough to face homosexual seducers.

More precisely, the seduction discourse was transformed from medical theories of homosexuality to political purposes in Germany. This was particularly evident in the tightened anti-homosexual Paragraph 175 of the new German criminal law of 1935. The new paragraph's reasoning was based on the perceived need to protect innocent people from homosexual influences. In the discussions it was articulated that homosexuality forms a danger to the society because it "damages men's character and their civic life in the most serious way, disturbs healthy family life and corrupts young males".<sup>542</sup> Homosexuality was no longer seen as a harmless congenital quality of some, but instead, it was feared that, if seduced by a homosexual, any man could become homosexual.<sup>543</sup> Consequently, homosexuality was viewed as frightening social problem.<sup>544</sup>

Finland and Germany had strong scientific connections in the interwar period. Marjatta Hietala's study of Finnish and German scientific connections shows that Finnish academy was influenced by Germany. For instance, Helsinki University used mainly German textbooks, one-third of the professors came from Germany, and half of the invited foreign lecturers were German. The connections to Germany were especially strong in medicine in which Finland absorbed Nazi-German influences.<sup>545</sup> Germany had been an important country in the fields of science also for other Nordic countries and for Americans. Remarkable is, however, that when the Nazis got in power the collaboration with other countries lessened, whereas with Finland the relations got even tighter. Hietala shows how the collaboration tightened the whole war period and especially after the alliance in 1941.<sup>546</sup> We have to remember that German policy towards homosexuals was extremely negative; the ones convicted of same-sex fornication were sent to concentration camps, where they had to wear pink triangles, and this constituted the lowest group in the camp hierarchies.<sup>547</sup> All these connections explain why the seduction discourse appeared in Timo's case. It was the discourse that was to become the dominant view on homosexuality in the post-war years, as the next chapter will show.

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<sup>542</sup> TAMAGNE 2006: 361.

<sup>543</sup> OOSTERHUIS, HARRY. *Homosexuality and Male-bonding in pre-Nazi Germany*. Routledge, New York 1992. 278-279.

<sup>544</sup> TAMAGNE 2006: 373-374; DANSKY, STEVEN. *Now we dare everything. Tales of HIV related psychotherapy*. The Haworth Press, New York 1994: 37.

<sup>545</sup> HIETALA, MARJATTA. "Tutkijat ja Saksan suunta" in *Tutkijat ja sota. Suomalaisten tutkijoiden kontakteja ja kohtaloita toisen maailmansodan aikana*. Historiallinen arkisto 121.2006: 32, 39.

<sup>546</sup> HIETALA 2006:41, 31-32.

<sup>547</sup> This is discussed in many studies. See, for instance, PLANT, RICHARD. *The Pink Triangle, The Nazi War Against Homosexuals*. 1988.

Population politics in Finnish discussions on homosexuality received attention at the time of the wars, which shows that the fear of homosexuality was about to arrive in Finland, just as it had arrived in Germany. Birth rates were declining in Finland, which created anxiety over the future of the nation.<sup>548</sup> German philosopher Eduard Spranger's ideas about homosexuality and about its impact on society were discussed in 1933 Finland, when the worry over the "epidemic of homosexuality" was discussed for one of the first times.<sup>549</sup> Spranger was worried about the homosexual activity that was common among young people. He did acknowledge that this behaviour did not create individual misery for people engaging in such relations, rather, it created misery for the future of the nation.<sup>550</sup>

The new view on male sexual intimacy was also shared by people in key positions in Finnish society. Raakel Jalas, a psychiatrist who during the 1930s and 1940s held several important roles in the social ministry and was one of the people behind the family policies instituted in Finland in the 1930s and in the post-war period, wrote about the dangers of homosexuality in her influential book *Sukuelämä terveeksi* ("Healthy Sex Life") (1940). The book was published just after the Winter War and before the start of the Continuation War. In this book that came to be one of the most influential books in the field of social policy of the time, Jalas discussed the ways in which society should help and encourage young people to get married and set up families. Jalas also differentiated between healthy and sick sex lives: she considered homosexuality a threat to population growth. In this context Jalas was especially sceptical towards male homosexuality, because a "common outcome of homosexuality is the incapacity for procreation".<sup>551</sup> Thus, Jalas saw the reason for criminalization of male homosexuality particularly (and not lesbianism) in different European countries as mainly a population issue.<sup>552</sup> Jalas held that homosexuality was learned: it was something that started from occasional relations and become to be "a habit and necessity".<sup>553</sup> She understood that the wide distribution of homosexuality was caused by ignorance, that people did not know what they were engaging with in these sexual relations.<sup>554</sup> Thus, her reasoning relies on the same seduction discourse than the ones used in the Nazi German pamphlet and in Timo's trial documents.

<sup>548</sup> VALKONEN, TAPANI et al. *Suomalaiset. Yhteiskunnan rakenne teollistumisen aikana*. WSOY, Juva 1983:14, 78.

<sup>549</sup> *Vankeinhoito. Vankeinhoidollinen aikakauslehti* 1933. Issues 6-7.

<sup>550</sup> Quoted in an article written to a Finnish newspaper for criminologists. *Vankeinhoito...* 1933. Issues 6-7.

<sup>551</sup> JALAS, RAKEL. *Sukuelämä terveeksi*. WSOY, Porvoo 1941:45. In Finnish: "miesten homoseksuaalisuudesta useimmiten on seurauksena kyvyttömyys jatkaa sukua".

<sup>552</sup> JALAS 1941:45.

<sup>553</sup> JALAS 1941:73.

<sup>554</sup> JALAS 1941:73-74.



Because of the new discourse on homosexuality, the previously tolerated and practised male same-sex relations became suspicious. The change in the attitude becomes visible for instance in a case that was tried in the northern Finland in 1947. A man recounts in the interrogations how he had had a many years long sexual relationship with an older man (who was commonly known as a manlover). However, after military service he had started to resist the older man's seductions. His older brother had also told him to do so, because otherwise "it's gonna get you, that kind of a sickness".<sup>555</sup> The military system, in that way, nationalized Finnish men's sexualities.

### 5.5. Emphasizing masculine and heterosexual nature of the war

When the driver told the doctor about the nightly fondling of Timo, the doctor advised the driver to trap him. He advised that the next time that Timo started to fondle him the driver should let him go further in his attempts. Only when his hand touched the driver's penis should the driver beat Timo so hard that the other men sleeping in the dugout would also wake up. Thus, this is what happened the following night. When Timo started to touch the driver's body the driver did not resist. Timo opened the fly of the driver's trousers and finally touched his penis. That was the moment at which the driver hit Timo twice on his chin. Timo started to scream: "Where is my gun!" when the other men woke up as well. The driver told the others what Timo had just done to him, and the next day the doctor reported Timo to the commander.

The same trap element is found also in another case that was tried in that year, during the summer of 1942 in Helsinki.<sup>556</sup> In the case, a soldier on holiday had met an older man in the downtown area of town. The man suggested to the soldier that they go together to his place. The soldier went to the man's apartment, as he had suspected the man's "perverse tendencies".<sup>557</sup> By his own admission, the soldier pretended being drunk and let "the pervert" give him a blowjob, because the soldier "wanted to see what perverts, about who he had heard about, really did."<sup>558</sup> After this, the old man offered to accompany the soldier back to his home. However, when they were walking on the street, the soldier, seeing a police patrol, brought the man to the police and reported him as a pervert.

<sup>555</sup> In Finnish: "se tarttuu sinuun sellainen tauti". Haapajärvi, Autumn courts 1949, § 73.

<sup>556</sup> 18th division. Court martial 28.8.1942.

<sup>557</sup> In Finnish: "perverssit taipumukset."

<sup>558</sup> In Finnish: "Mitä perverssit, joista oli kuullut puhuttavan, tekevät."

Both cases show increasingly hostile attitudes towards homosexually behaving men. Some other accounts also show a hostile attitude towards homosexually behaving men: some got beaten by other soldiers at the front if their behaviour was seen by others.<sup>559</sup> However, it was not always easy for a young soldier to confront people from higher military rank. In one memoir a woman recalls how a captain had tried to fondle her boyfriend, who was a messenger in the army, but who found the courage to respond to the unwanted fondling by beating the captain. Afterwards the young couple nervously awaited the possible consequences. However, the sensitive issue was bypassed in the military without any further consequences.<sup>560</sup>

War in general is a highly masculine event, and in that context the trap used against Timo can be viewed as an act intended to protect a certain kind of masculinity in the military. Putting photos of naked girls on the walls of a dugout or having sexist talks about women were acceptable ways to portray masculinity. When a soldier returned from a holiday the first thing asked was if he had gotten laid during the holiday.<sup>561</sup> Even venereal diseases were signals of one's manliness.<sup>562</sup> During the trench warfare many of the soldiers entertained themselves with female pen-pals to whom they proffered fake promises of love and maybe even went to see them once or twice back at the home front.<sup>563</sup> Of more serious concern, prostitution services were available at the front, as were the local girls of the Karelia area. The rate of venereal disease skyrocketed during the war.<sup>564</sup>

Thus the war created a situation in which sex was much discussed among men. In this way they constructed a shared view about their masculinity and sexuality. Homosexual desire was not appreciated. In his sociological field study, Pipping wrote about sexuality in his company during the war. Pipping started the part of the thesis that discussed wartime sexuality by denying any existence of homosexual relations in his company: "first of all –as far as I know- there was no homosexuality in the company despite the remarkably masculine environment".<sup>565</sup> It is interesting in and of itself, however, that Pipping decided to open his sexuality section with this statement. In the post-war context of 1947, when his thesis was published, he felt the need to stress that fact. Another veteran

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<sup>559</sup> In Kalle 1951. In *Homosexual questionnaire*, informant 173.

<sup>560</sup> Homosexual questionnaire. Informant 201.

<sup>561</sup> PIPPING 2008:183.

<sup>562</sup> PIPPING 2008:186.

<sup>563</sup> In NYMAN et. al. 1974. PIPPING 2008:185.

<sup>564</sup> Especially gonorrhoea and syphilis were common during the war. In Terveyskirjasto.

[http://www.terveyskirjasto.fi/terveyskirjasto/tk.koti?p\\_artikkeli=tes00017](http://www.terveyskirjasto.fi/terveyskirjasto/tk.koti?p_artikkeli=tes00017) Pipping writes that venereal diseases were common and infections were viewed as signs of manliness. In PIPPING 2008:186.

<sup>565</sup> PIPPING 2008, 183.

claimed that there were no homosexuals at the front: “Well, it [if there had been homosexuals] would have been the worst possibility of all,” the veteran stated in 1974.”<sup>566</sup>

Pipping was not the only one who felt the need to stress the heterosexuality of the soldiers. In general, when reading Finnish war-time memorials of everyday life at the frontline, one encounters extremely masculine and heterosexist discourses.<sup>567</sup> Indeed, heterosexual aspects of the war were discussed already in the early research of the war in the 1970s. These stories underscored the ‘fact’ that a woman was “first and foremost a sexual object”.<sup>568</sup> Questions of sexual relationships between Lottas<sup>569</sup> and soldiers, brothel services, as well as the increase of venereal diseases, were discussed already by the 1970s.<sup>570</sup>

The case against Timo starts with an extremely masculine tone. He gets beaten, violence that is legitimized by the head of the crew. Neither the driver nor the doctor thought that they could discuss the issue with Timo, but instead they planned the trap. When Timo’s case came to the knowledge of a wider audience, interestingly, the men of the same military rank were especially indignant. This becomes evident in the statement letter that the commander of the battalion wrote to the court martial:

“I consider that the interrogations have fully shown that Sergeant Major Timo has committed a homosexual act. I have heard from other officers and NCOs [from the sergeant mayor’s previous crew] that Sergeant Major Timo has practiced these kinds of things already before, but that before no proceedings against him were performed. [...] This issue has engendered understandable anger inside the regiment, especially among the cadre member NCOs. Some of them came to me today with a requirement that Sergeant Major Timo should be accused in the court martial for his doings and that his military rank should be removed. In addition the officers required that Timo should be fired from the cadre.”<sup>571</sup>

<sup>566</sup> In Finnish: ”Se olisi ollut se kaikkein pahin mahdollisuus”. In NYMAN et al. 1974:291.

<sup>567</sup> One good example is the book of war time memorials, which was published in 1974. It is full of vulgar notions about women. NYMAN et. al. 1974.

<sup>568</sup> PIPPING 2008: 183.

<sup>569</sup> Lotta Svärd was a paramilitary women’s organization that operated in the front. There were approximately 100 000 Lottas in the front. They served food, participated to air defence, and did a variety of warfare-related work.

<sup>570</sup> Knut Pipping’s *Kompaniet som samhälle – iakttagelser i ett finskt frontförband 1941-1944* was published in Swedish already in 1947. Pipping defends the reputation of Lottas. Also in NYMAN et. al. 1974.

<sup>571</sup> In Finnish: “Katson kuulustelussa käyneen täysin selvästi ilmi, että vääpeli [nimi] on tehnyt itsensä syyppääksi homoseksuaaliseen tekoon. Psto/5. Pr:ssa palvelleilta upseereilta ja aliupseereilta olen saanut tietää (nimi) harrastelleen jo aikaisemmin e.m. hommia, mutta ettei hänen suhteensa aikaisemmin ole ryhdytty minkäänlaisiin toimenpiteisiin. [...] K.O. tapaus on aiheuttanut oikeutettua suuttumusta patteriston sisällä, varsinkin kantahenkilöstöön kuuluvien aliupseerien keskuudessa. Osa heistä kääntyi tänään puoleeni vaatimuksella, että vääpeli (nimi) asetettaisiin teostaan syytteeseen kenttäoikeudessa ja että häneltä riistettäisiin aliupseeriarvo sekä poistettaisiin kantahenkilöstön listoilta.”

The commander's letter reveals tensions among the members of the crew. It is worth pointing out that the men who were annoyed by the sergeant major's behaviour and who advocated rather strong punishment for him shared his military rank. Thus, it is clear that Timo's colleagues did not appreciate homosexual behaviour from a person of their stature. They felt that his homosexual behaviour stripped him of his right to military rank. By making this division, they made it clear that this kind of sexual behaviour was not appropriate for a person in their position. The commander of the battalion too, agreed with the NCOs, as he said that the anger of the regiment was "understandable", even though none of the NCOs were involved to the case.

Pipping wrote that as far as he knows, no one in his company masturbated. He thinks that in 1947, behaviour of that kind would not have remained secret if it was commonly practised. He writes that no one even joked about masturbation even though issues related to sex were constantly discussed. According Pipping, masturbation was so strongly connected to homosexuality that the men did not even want to joke about it. Pipping's notion shows in a way that, indeed, the heterosexist talk was also a form of performance in which the men underscored their heterosexuality and manliness.

Timo was convicted and received a sentence of six months in prison. This also underscores the strict attitude towards same-sex practices. Sentences given to the men who were prosecuted for same-sex fornication at the front were harsher than those handed down in the civil courts. Timo's fornication had only consisted of touching another man, but all the same a half-year sentence was given to him. Stronger punishments than would normally be handed down in the civil courts were given to other men as well. The harshest sentence was a one-year sentence given to a military official in 1943 when he gave alcohol to a 19-year-old soldier and later had sex with him.<sup>572</sup> One sergeant got a ten-month sentence because he had sexual relations with a soldier. This lasted for some period, before the soldier reported the sergeant. The sergeant had once when giving a blowjob started to bite the soldier's penis. The soldier had first asked for a large compensation from the sergeant, but as the sergeant did not come up with all the money the soldier reported the case.<sup>573</sup> Two men received eight-month sentences.<sup>574</sup> The soldier who wanted to report the pervert in Helsinki also received a sentence of seven months' imprisonment.<sup>575</sup>

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<sup>572</sup> Itä-Suomenlahden rannikkoprikaatti. 24.2.1943. §8.

<sup>573</sup> Antrean sotilashallintopiiri 23.9.1943.

<sup>574</sup> 14<sup>th</sup> division. 30.10.1943.

<sup>575</sup> 18th division. 28.8.1942, §263. 14th division 3.9.1942.

Overall, it seems that the division between ‘us’ and ‘others’ became increasingly important during the war period. This division was driven by new knowledge related to homosexuality that made it more dangerous than before. Too, it was related to the crowded living conditions in which soldiers spent their everyday life together. When sleeping next to one another and “even taking a shit together”<sup>576</sup> as Tom of Finland described, one can understand that sexual preferences of one’s friends became important to know. In agrarian communities people would know if someone was a “manlover”, but in a dugout people did have previous knowledge of one another. That the rumours about Timo’s sexual preferences preceded him to the new company indicates that homosexuality was an issue that people wanted to know about. Heterosexist talks were the ways in which men were able to demonstrate their manliness.

Homosexuality was one of the features that the soldiers assigned to “others”. In one court case that was tried in the court martial of the 14<sup>th</sup> division in 1943, a man was convicted of same-sex fornication and of reducing fighting morale. The 29-year-old man had come to a dugout of the battery men, and had started to say that the war was useless, and that the Soviet Union had not done anything bad to the Finnish workers. His speech was considered both too communistic and too pacifistic, and so he was prosecuted for them. He was also prosecuted for having had homosexual relations with a soldier whose name was not mentioned. It is not clear whether the man even committed a homosexual crime, or if the charge was only invented in order to emphasize his unmanliness. In any case, the man confessed his homosexual relations and received a harsh sentence: from the derogation of the Finnish army and for the speech that harmed fighting morale he got one years’ hard labour, and for same-sex fornication he got an eight-month sentence.

## 5.6. Closing words

The soldier love chapter discussed the five-year-long war period and its impact on perceptions of same-sex intimacy. The chapter was the concluding chapter of Part 2 of the thesis, which showed the upsurge during the 1930s in critical attitudes towards same-sex practices in Finland. In Chapter I showed that the war period, in fact, was the time in which the new discourses on same-sex intimacy spread among people. The old indifference toward such relations were about to step aside as the new discourse that viewed homosexuality as a spreading social problem got more attention in the society.

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<sup>576</sup> HOOVEN 1992.

In contrast with current historiography, which has focused on describing the commonness of war time homosexuality, in this study the sources were put into their historical context. The background has been given in the previous chapters, showing that in the pre-war period many did not label sporadic homosexual actions, and that in fact, such relations were called “pseudohomosexuality” which was considered harmless, although rather common. Thus it is this notion that explains the “common homosexual practices at the front”, described in the historiography. As it is, homosexual practices at the front were part of the old careless attitude towards such relations. Those relations probably increased during the warfare as the circumstances offered more possibilities for such relations. In addition, the military environment was in general a place that introduced such homoeroticism to many.

Indeed, as emphasized in the chapter, something that could be called “soldier love” appears in the sources across periods, not only in the time of the war. For many Finns the military was the place in which they first experienced or heard about same-sex desire. In addition, forty per cent of the men convicted of same-sex fornication at the front were regulars and eighty per cent of the convicted were from higher military ranks.

Soldier love as a general phenomenon was most often explained within the discourse of “pseudohomosexuality”, according which idea gender-segregated communities produced temporary homosexual behaviour. By the 1930s, pseudohomosexuality was generally viewed as harmless although a common expression of lust. Together with these meaningless pseudohomosexual actions there had been an old notion of “manlovers”, that is, people with permanent homoerotic desire.

This understanding of homosexuality, that is, the bifurcation between pseudohomosexual practises and real manloving, was about to change in the 1930s. The new perception of homosexuality saw a connection between the two types. Thus, sporadic homosexual relations could now develop into real homosexuality. In this way homosexuality was viewed as becoming more common, and in the worst case, it could even endanger the future of the growth of the Finnish nation.

As shown in the chapter, the Finnish and Nazi German views on homosexuality were really very similar. The new population politics in both countries saw homosexuality as a social problem, which was feared to spread through seduction. Because of this new view, the warfare environment was now seen as a dangerous place for one’s sexuality. As the case of Timo shows, his sexuality was a threat especially because it could demoralize the sensible minds of the young novices with whom he shared everyday life at the front.

Löfström's questionnaire had shown that many people heard about homosexuality for the first time during the war. Homosexuality now had a different meaning than that of manlover. The war was the place in which the new attitudes towards male same-sex intimacy spread, so that the innocence of such relations was replaced with a judgment of pathology. When men lived close together and had time to speak about everything, they also talked and gossiped about men who had sex together. In this way many country men got to know about the more scientific meanings of male-love.

This new knowledge of homosexuality increased the importance of the polarisation between "us" and "others", in the process of which the sexist stance on women gained importance. During the process, greater hostility and even violence towards homosexually behaving men became increasingly accepted. Homosexuality was better tolerated during the war, but instead, the hostility that had increased the number of convictions in the latter part of the 1930s continued during the war period, too.

Altogether, the war period actualized the anxiety over homosexuality that had already been under discussion throughout the 1930s. When the war was finally over, hundreds of thousands of men traumatized by the war came back to their homes and tried to build up good lives in the poor country that had just lost the war and had to pay back huge war reparations to the Soviet Union. The mentality of the country had changed, too. The strong nationalistic beliefs about the greatness of the Finns turned into shame created by the loss of the war and the alliance with the Nazis. At the same time homosexuality became more visible in the urban sphere, when men went out to parks and public toilets to look for male intimacy. Homosexuality also became more controlled, as the police actively tried to extirpate its "contagion" in society. These issues will be discussed more profoundly in Part 3 of the thesis.





# Part 3

## -Being the problem, 1945-1971

*“Homosexuality is as old as the humankind. It has always existed and probably will always exist. Its commonness is a consequence of loosened morality and controlling difficulties. It is an abscess growing on a side of the society, which with a knife of a good surgeon should be possible to be operated away.”<sup>577</sup>*

### Introduction

While the quotation above is taken from an early 1950s gossip magazine, the cultural context in which it was produced is clear, and so it provides a nice segue to Part 3, which focuses on the period in which male sexual intimacy was highly policed and feared. The quotation shows that, at first, same-sex relations were viewed as a sickness called *homosexuality* that could *spread* if it was not *controlled*. The *society*, that had become more important in welfare-state building, is viewed as an organism which health has to be *protected* with the help of medical knowledge, whereas homosexuality is a sickness that weakens the body, the society. In addition, the biological metaphor resembles the language that Nazis used, and because of the legacy of the Nazis, homosexuality was compared to cancer also in 1950s Germany.<sup>578</sup> Indeed, this Nazi German legacy was also evident in the Finnish 1950s.

Part 3 treats the period starting from the end of the Second World War until the decriminalization of homosexual acts in 1971. Homosexuality had become culturally acknowledged in the pre-war and war period, as shown in Part 2 of the thesis, and now after the war it represented a social problem to

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<sup>577</sup> In *Kalle* magazine in 7/1951, 12. In Finnish: “Homoseksualismi on yhtä vanhaa kuin ihmiskuntakin. Sitä on aina ollut ja luultavasti sitä aina tulee olemaankin. Sen yleisyys on seuraus moraalien höltymisestä ja valvonnan vaikeudesta. Se on yhteiskunnan kyljessä kasvava mätäpaise, joka taitavan kirurgin veitsellä olisi onnistuttava operoimaan pois.”

<sup>578</sup> WHISNANT, CLAYTON J. *Male Homosexuality in West Germany. Between Persecution and Freedom, 1945-1969*. Palgrave Macmillan, New York 2012.

be solved. Increased attention over same-sex intimacy was, at first, demonstrated in intensified police control and increased numbers of same-sex fornication convictions, whereas later, in the 1960s, homosexuality was increasingly discussed as a human-rights question. In any case, the post-war years witnessed homosexuality becoming an important category that had to be managed through social policy.

### **Society in the post-war years**

Finnish society underwent a transformation during the post-war years. At the beginning of Part 3, Finland had just ended the five-year-long war period and had found itself on the losers' side as it had been an ally of Nazi-Germany. As a consequence of the war, Finland lost twelve per cent of its areas to the Soviet Union and had to pay back massive war reparations.<sup>579</sup> The country struggled with political instability and with shortages of food and housing. Society had to find a place, not only for the hundreds of thousands soldiers who came back home from the front, but also for those over 400,000 Karelian evacuees who were forced to leave their homes in the lost area.

Finnish society urbanized quickly, though in a non-linear fashion, during the period. Thus after the war the Finnish government promised to set up small farms for war veterans, widows and evacuees, and indeed over 100,000 new farms were set up in 1945, whereas in the other parts of Europe the number of farmers dropped rapidly.<sup>580</sup> In general, Finland was many decades behind the modernization compared to other Nordic countries, and indeed resembled some small Eastern European countries.<sup>581</sup> In 1950 more than half of the population still lived in the countryside, ten years later only one-third, and in 1970, only 18 per cent of the whole population earned their living from agriculture. Compared to Sweden and Norway, Finnish modernization was extremely fast, though it took place more than two decades after theirs'.<sup>582</sup> Helsinki expanded fast, as more than six thousand, mainly young, people moved to the city every year. The fertility that had decreased throughout the 1930s skyrocketed in the post-war years, creating the so-called baby-boom generation.

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<sup>579</sup> The war reparations were paid back in 1952. Partially thanks to the war reparations the Finnish steel industry developed greatly during those years and was to become an important reason for later economic growth as the Soviet Union continued to buy Finnish products. MEINANDER 2011, 166-167.

<sup>580</sup> KARISTO, ANTTI et. al. *Matkalla nykyaikaan. Elintason, elämäntavan ja sosiaalipolitiikan muutos Suomessa*. WSOY, Helsinki 1997: 61-62.

<sup>581</sup> KARISTO et. al. 1997:60.

<sup>582</sup> KARISTO et. al. 1997:64.

This period also witnessed the foundation of the welfare state system. Although there had been a major change in social policies as early as the 1930s, when the poor allowances were extended to cover a wider population, it was only after the war when all the layers of the society needed support as war widows, orphan children, war veterans and Karelian evacuees. Until the late 1950s, the most important forms of social benefits in Finland favoured families and veterans.<sup>583</sup>

### Society in the 1960s

During the 1960s the Finnish livelihood transformed from agriculture to industry and the service sector,<sup>584</sup> resulting in geographical, cultural, and social changes on a structural level.<sup>585</sup> The Finnish modernization of the 1960s could be seen in urbanization, industrialization, and migration; in an increase of education level and of the social and service sector; as well as in transformation of gender roles and family structure.<sup>586</sup> Sociologist Pertti Alasuutari includes in the changes of the 1960s a mental shift: whereas the 1950s was a period of “moral economy” the 1960s was that of “planning economy”, according to which societal problems can be best solved through rational planning and scientific knowledge.<sup>587</sup>

Agriculture also developed quickly, causing a situation where the numerous small farms, which had been established in the post-war period for war veterans and Karelian evacuees, could no longer offer work or daily bread for the post-war baby-boom generation.<sup>588</sup> Indeed, the Finnish baby boom generation was remarkable; in the late 1940s over 100,000 babies were born each year.<sup>589</sup> This generation would enter adulthood in the late 1960s, causing a precipitous migration from countryside to cities and abroad, mainly to Sweden, as the rural areas did not have sufficient work

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<sup>583</sup> LAUREN, HELENE “War and the Emerging Social State” in *Finland in World War II, History, Memory, Interpretations*. Edited by Tiina Kinnunen and Ville Kivimäki. History of Warfare vol 69. Brill, Leiden and Boston 2012. pp. 315-355.

<sup>584</sup> The change was dramatically fast, in fact fastest among the OECD countries. More in VALKONEN, TAPANI et al. *Suomalaiset. Yhteiskunnan rakenne teollistumisen aikana*. WSOY, Juva 1983:103-106.

<sup>585</sup> JOKINEN, KIMMO and SAARISTO, KIMMO. *Suomalainen yhteiskunta*. WS Bookwell Oy, Juva 2002:146.

<sup>586</sup> JOKINEN and SAARISTO 2002:88-89.

<sup>587</sup> ALASUUTARI, PERTTI. *Toinen tasavalta. Suomi 1946-1994*. Vastapaino, Tampere 1996:245-246.

<sup>588</sup> After the WWII over 120,000 new small farms were built all over the country for evacuees and veterans. In ULJAS, PÄIVI. *Hyvinvointivaltion läpimurto. Pienviljelyhegemonian rapautumisen, kansalaisliikehdinnän ja poliittisen murroksen keskinäiset suhteet suomalaisessa yhteiskunnassa 1950-luvun loppuvuosina*. Into kustannus oy, Helsinki 2012: 53-54.

<sup>589</sup> The Finnish “baby boom” happened immediately after the war, whereas in Italy for instance, it took place only in the late 1950s. In Finland the boom was rather short, lasting only from 1945 to 1950. In KARISTO 1997: 58.

for the population.<sup>590</sup> Finnish cities offered educational opportunities and work both in industry and in the public sector, both of which were burgeoning.<sup>591</sup>

Urbanization had a massive impact on lifestyle: women worked for wages and children had more freedom, factors that spelled the demise of the traditional patriarchal family structure.<sup>592</sup> In the agrarian sphere the family had been an economic unit, but in an urban sphere it received a new meaning as an intimate “safe haven”. In addition, the later part of the 1960s was the period of youth subcultures, and also marked the beginning of the consumer society, as people had more spare time and more money to spend.<sup>593</sup>

The alterations in lifestyle eventually affected the cultural value structure. Baby boomers no longer espoused the values of their parents but saw them as hypocritical and old-fashioned. Indeed, the gap between older and younger generation was wider than ever before, also brewing social conflict. As in all over the western world, in Finland the sixties’ generation got radicalized and politicized, especially in universities which were then crowded with baby-boomers.<sup>594</sup> The young generation was viewed as a social class, rather than simply as a working class. Common to this class was to question society’s values, “the mentality of sacrifice” that the older generation had when they evaluated their importance in relation to the society.<sup>595</sup> The younger generation, instead, promoted individualism and solidarity, and derived their ideologies from socialist and hippie movements.<sup>596</sup>

### **The post-war conviction peak**

The building of the welfare state also impacted on same-sex intimacy: first it became more controlled as a part of the new social policy that focused on controlling the unwanted elements of the society, which is witnessed in the conviction peak of the 1950s. The welfare state ideology also

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<sup>590</sup> Sweden had a huge need of labor force in industry, which allured Finns to the country from the early 1950s onwards. The immigration multiplied in the late 1960s. The peak years were 1969 and 1970 when 80,000 Finns per year immigrated to Sweden. In KORKIASAARI, JOUNI. *Suomalaiset maailmalla*. Siirtolaisuusinstituutti, Turku 1989: 78-79.

<sup>591</sup> VALKONEN et al. 1983:104.

<sup>592</sup> JULKUNEN, RAIJA. “Suomalainen sukupuolimalli -1960-luku käänteenä”. *Naisten hyvinvointivaltio*. edited by Anttonen, Anneli et. al. Vastapaino, Tampere 1994:184-185.

<sup>593</sup> JOKINEN and SAARISTO 2002:148. More about youth cultures in HEISKANEN, ILKKA and MITCHELL, RITVA. *Lättähatuista punkkareihin. Suomalaisen valtakulttuurin ja nuorisokulttuurien kohtaamisen kolme vuosikymmentä*. Otava, Keuruu 1985.

<sup>594</sup> JOKINEN and SAARISTO 2002:184-185. KOLBE, LAURA. *Eliitti, traditio, murros. Helsingin yliopiston ylioppilaskunta 1960-1995*. Otava 1996:338-344. ALASUUTARI 1996:264.

<sup>595</sup> KOLBE 1996:164-165.

<sup>596</sup> ILVES, KIRSI. *Stadi ja sen nuoret. Nuorisotyötä Helsingissä 1948-1997*. Helsingin kaupunki, Nuorisosiainkeskus, Edita oy, Helsinki 1998:81-87. HEISKANEN and MITCHELL 1985.

had an important role in the later decriminalization process, as the policy changed from exclusion to inclusion. Thus in the process homosexuals were taken to be part of the new plural society.

In the post-war period, control over same-sex intimacy tightened remarkably as the increase in the number of convictions shows. Compared to the pre-war years (1937-1939) when there had been approximately 15 convictions per year for same-sex fornication, the annual number of convictions doubled by the year 1947 and quadrupled by the year 1948, when sixty people were convicted of same-sex fornication in Finnish courts. The conviction peak, however, was experienced only a bit later, in the first years of the 1950s.

Nonetheless, in this regard Finnish society was far from being a homogenous entity. A review of the 162 cases tried in immediate post-war years (1946-1950) shows that there were major regional differences in the tensions of control over same-sex intimacy. As the adjacent map illustrates there was hardly any legal control over same-sex relations in the Western Finland, whereas in the Northern Finland, especially in Lapland, there seems to have been rather well-developed control over same-sex intimacy.<sup>597</sup> In addition, quite expectedly, almost one third of the all cases were tried in Helsinki.

The comparison between the counties, however, hides the fact that the convictions were even more areal, concentrated in some cities only. Rather expectedly, nearly one third of the same-sex fornication cases were tried in the Helsinki city court (51/162): In 1950 there were about 4 million people living in the country, of which 11 per cent lived in Helsinki (350 000). Thus, Helsinkians were more frequently convicted of same-sex fornication crime than Finnish people in general. In Finland, overall, there were four same-sex fornication convictions per 100,000 inhabitants, whereas in Helsinki the number of convicted people was fifteen per 100,000.

A more unexpected notion is that the city of Oulu, where the population was only some 35,000 (0.9% of the whole Finnish population) still imposed 10 per cent of the fornication convictions in the period of 1946-1950. This means that per 100,000 inhabitants there were 45.5 same-sex

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<sup>597</sup> It seems that the areas which had more control over same-sex intimacy were also the areas that were unstable after the war. The fact that Swedish-speaking parts did not have the control has to be thought. The Swedish-speaking areas for instance did not have to experience the land reform that provided land to all the Karelian evacuees and war veterans, because the land reform law had a language article that protected Swedish-speaking areas. Swedish speaking areas did not, therefore, experience the social movements and instability that were rocking the other parts of the country. Lapland on the other hand had experienced the war first as German soldiers were there, and later in the Lapland war. When there are social problems there are also more police force patrolling the streets.

fornication convictions, which is by far the highest number of the country. There were also some other districts, where, compared to their size, a relatively large number of same-sex fornication convictions had been handed down. Those districts were Toijala, Lappeenranta, Nurmes, Kemi, and Lahti. Nurmes and Toijala stand out from the records because they were small districts where only one bigger trial with more than two convicted people represents a statistical exception. The statistical comparison also shows that the same-sex fornication crime became increasingly an urban issue. Whereas in the 1930s 56 per cent of the cases were tried in city courts, the number of urban convictions had risen to 68 per cent after the war, even though the majority of Finns lived in rural districts in 1950.

Reading through the most of the court cases tried in city courts in the post-war period showed that the urban sphere produced same kind of male same-sex fornication cases no matter if they had taken place in Northern cities, cities next to the Russian border, or in the capital city. Same-sex fornication convictions were mainly based on “crimes” that had taken place in an urban public sphere; in parks or public toilets, and which were witnessed by the police. There were an equivalent number of cases that were based on bystander reports, and a remarkable number of cases that dealt with sexual acts that had taken place in drunk-tanks.<sup>598</sup>

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<sup>598</sup> Kemi City Court, 2<sup>nd</sup> department. 28.9.1948 §748; Kemi City Court, 2<sup>nd</sup> department 5.10.1948 §769; Oulu City Court. 29.10.1947 §1244; Oulu City Court 30.6.1949 §518; Oulu City Court 1.7.1948 §672; Oulu City Court 15.11.1950; Oulu City Court 27.1.1948 §56; Liperin tuomiokunta. ClA:190. 24.3.1953, 82§.

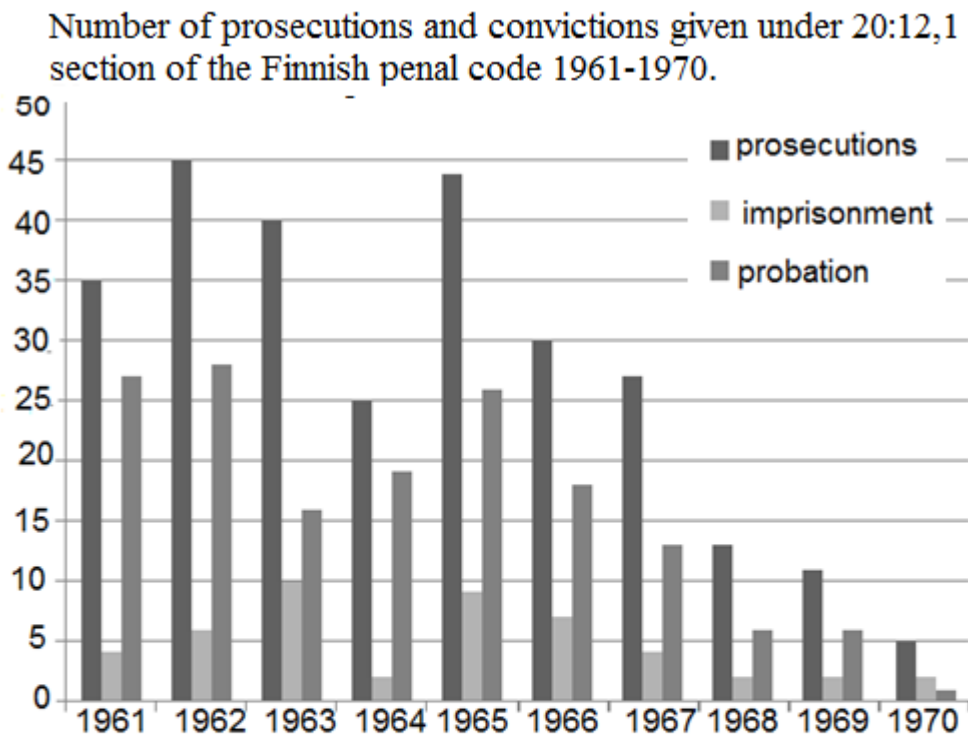


Figure P3.1. The figure shows the development of the number of same-sex fornication prosecutions and convictions. It shows that the number of convictions dropped at the same time when homosexuality became increasingly discussed topic in the society. The same-sex fornication section lost its legitimacy few years before the actual decriminalization, as both the number of prosecutions and convictions show.

The number of convictions started to decrease from the turn of the 1960s onwards. However, the main shift took place in the mid-1960s as illustrated in Figure P3.1.<sup>599</sup> The number of convictions dropped from 1966 onwards. As discussed in chapter seven, this was because at the time the whole same-sex fornication section lost its legitimacy as a result of wide and public discussion of

<sup>599</sup>From the 1960s it was not possible to get more specific data regarding same-sex fornication convictions in the country. The tables that would have indicated the convictions given in different areas were destroyed in 1990s. The statistical yearbooks, on the other hand, do not give that information.

homosexuals and their rights. The shift in perception was so profound that even the number of prosecutions dropped in the last years of the existence of the same-sex fornication section.

In the context of urbanization, industrialization, and welfare state building, Part 3 focuses on homosexuality through two different stories, that is, Lauri's story from 1952, and Eero's story from 1966. The first one moves our focus to the post-war conviction peak, whereas the other focuses on the early homosexual movement and identity building.

### **Lauri**

Through the case of Lauri, the sixth chapter of the thesis seeks to understand how and why homosexuality came to be a social problem controlled by the police. The chapter also tries to understand the urban homosexual culture that was about to become visible in Helsinki in the post-war years, first appearing as public park and toilet culture. Lauri, a fifty-four-year-old army worker and a father of three, was arrested with his friend in a public toilet in 1952 by a police detective who had followed them as suspected homosexuals. When the case was dropped against Lauri he lost his work and work-related housing in the army and went through psychiatric examinations, which found him "constitutionally homosexual". Because of this, he had failed in his role as a man, even if, as his attorney stated "he had worked hard, educated his children and had a normal sex life with his wife". He was considered, in any case, a threat to his society.

Lauri's story is an ordinary post-war same-sex fornication story that follows the same logic as several other cases tried in urban courts during the period of 1945-1959. Because of this, Lauri's story functions as a frame story through which other cases tried in Finnish city courts during the period are analysed. In the chapter the focus is on the ways in which Lauri's story reflects and reveals the situation of "homosexuality" in the contexts of expanding and unstable Helsinki. By using other court cases, newspaper writings, and some memorials written in the 1980s, the chapter seeks to understand the functioning of homosexual sociability in post-war Helsinki.

The post-war period has fascinated historians of queer sexualities, especially in the countries where the post-war period remarked intensified police control over male-sex relations, such as in the United States and England. The 1950s is greatly considered a moralistic and conservative period of



the twentieth century.<sup>600</sup> In Finland, too, the post-war period has been the object of a great deal of academic interest. Tuula Juvonen wrote in her doctoral dissertation an important text on the cultural space of homosexuality in 1950.<sup>601</sup> She studied urban homosexuality in Tampere through the sources of movies and scandal magazines as well as interviews and memorials. Juvonen shows that scandal magazines wrote in a negative tone about homosexuality and that it was a rather rare topic in movies, mainly because of the censorship at the time. She provides a great deal of proof that the attitude towards homosexuality was hostile, but she stops short of contextualizing the interesting discourses found in the scandal magazines.<sup>602</sup> Jan Löfström has also studied the post-war period in his thesis. However, this study shows that against Löfström, the Helsinkian police was actively controlling homosexuals in the urban sphere.<sup>603</sup>

Clayton J. Whisnant's (2012) study on homosexuality in post-war West Germany shows that the hostile attitude of the Nazis towards homosexuality influenced that of the post-war period.<sup>604</sup> The research is very new, but in many respects it confirms my theories on the connection between the Finnish perception of homosexuality and the Nazi perception. The results of Whisnant's work are compared to the findings of this research.

Jens Rydström's study on the history of homosexuality in Sweden has been important in the chapter, as many of the Finnish developments happened in Sweden about two decades earlier.<sup>605</sup> A comparison between the two countries also reveals the Finnish particularities in its attitude towards same-sex practises in the post-war period. Matt Houlbrook's study on urban queer culture in the post-war London also offers material for comparison.<sup>606</sup> Indeed, regarding the actual policing of homosexual acts in the public sphere was quite similar in the two capital cities.

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<sup>600</sup> ALASUUTARI, PERTTI *Toinen tasavalta: Suomi 1946–1994*. Vastapaino, Tampere, 1996.

<sup>601</sup> JUVONEN, TUULA. *Varjoelämää ja julkisia salaisuuksia. Homoseksuaalisuuden rakentuminen sotienjälkeisessä Suomessa*. Vastapaino, Jyväskylä 2002. The thesis was defended at University of Tampere in September 2002.

<sup>602</sup> JUVONEN 2002.

<sup>603</sup> LÖFSTRÖM, JAN. "The social construction of homosexuality in Finnish society, from the late nineteenth century to 1950s." PhD Diss. University of Essex, 1994.

<sup>604</sup> WHISNANT, CLAYTON J. *Male Homosexuality in West Germany. Between Persecution and Freedom, 1945-1969*. Palgrave Macmillan, New York 2012.

<sup>605</sup> RYDSTRÖM, JENS. "Sweden 1864-1978. Beasts and Beauties." In *Criminally Queer: Homosexuality and Criminal Law in Scandinavia, 1842-1999*. Ed. Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007. and RYDSTRÖM, JENS. *Sinners and citizens. Bestiality and Homosexuality in Sweden, 1880-1950*. The University of Chicago press, Chicago and London 2003.

<sup>606</sup> HOULBROOK, MATT. *Queer London. Perils and Pleasures in the Sexual Metropolis 1918-1957*. The University of Chicago Press, London 2005.

A wealth of sources were mined for the sixth chapter. Among the most important were the court case documents that were produced in the Helsinki city court during the period of 1946-1959. I went through all the cases from the period in order to see what was behind the intensified police control of the post-war period. I also studied a many of the court cases that were produced in other city courts, and about ten rural court cases. In addition, I have gone through, with a slightly different purpose, the same gossip magazines as Juvonen did. Whereas Juvonen concentrated on describing the hostile attitude of the magazines, I used them as sources that can provide answers or clues to the issues that this study seeks to understand, for instance, the police activity and queer gathering places, or the motivation behind the tightened control. I compare the discourses found from the scandal magazines to other discourses found from medical, juridical and social political literature and from court case documents. In this way the discourses are contextualised to where they were produced, that is, post-war Finland.

## **Eero**

The seventh chapter focuses on the decriminalization of homosexual acts, a process that began in Finland in 1966 when the most popular magazine of the country published a scandalous article on homosexuality. This article received an enormous reaction from the (mostly Helsinkian), cultural elite. Homosexuality became a hot topic, discussed on radio, television and in different mainstream magazines and newspapers. The person behind the scandalous article is the protagonist of the last chapter. Through the case of Eero, the chapter shows how “deviants” organized themselves with the help of the era’s cultural elite and academic youth. Eero was one of the pioneers in the Finnish gay movement, and the leader of the first homosexual association when the decriminalization of homosexuality was taken up by the parliament.

In the Europe and America of the 1960s, sexuality had become a topic of discussion. The emerge of the so-called sexual revolution took place somewhat simultaneously in different countries of the Western world, a phenomenon that has been explained through medical innovations (contraceptive pill), rise of commercialism, and the postwar youth generation, which had more money and time to spend than any other generation before it.<sup>607</sup> Finland was not at all at the forefront of the

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<sup>607</sup> HERZOG, DAGMAR. *Sexuality in Europe: A Twentieth Century History*. Cambridge University Press, Cambridge 2011:133-135.

developments in sexuality discussions, but followed Sweden with few years delay.<sup>608</sup> Whereas in Sweden the sex debate had started in 1962, it became topical in Finland in “the sex spring of 1965”<sup>609</sup> when two big student magazines published sex issues, in which sexuality, and also homosexuality, were openly discussed. In addition, panel discussions on sexuality were held at Helsinki University.<sup>610</sup> The five-sessions-long panel series was followed by a book “Genderless Finland” (*Sukupuoleton Suomi*) in 1966, which featured three articles about homosexuality.<sup>611</sup> Sexuality had become such a topical issue that even the Finnish Lutheran church felt the need, in 1966, to publish a pamphlet about the church’s official opinion about sex.<sup>612</sup>

It should not come as a surprise that the 1960s was also a turning point in Finnish same-sex history. Alongside the radicalization of the academic and urban youth, “sexual deviances” suddenly had more spokesmen, which, eventually, led to the emancipation of homosexuals in the country. However, other than the attention given in the academic sphere during the sex spring of 1965, same-sex relations remained by and large a neglected topic in other public discussions till August 1966, when the only national tabloid of the time, the *Ilta-Sanomat*<sup>613</sup>, published a front-page scandalous article titled *Nest of Homosexuals in Helsinki*.<sup>614</sup> The article threw open the door for discussions on homosexuality and the rights of homosexuals. Indeed, the response to this article can be viewed as having caused the whole forthcoming emancipation and decriminalization of homosexuality in Finland. The scandal has become legendary among today’s Finnish gay movement, but as with any legend, many versions exist, and no research on it has been done.<sup>615</sup>

<sup>608</sup> In Sweden sexuality discussions had started in 1962. New research on sexuality was published in 1964. In MUSTOLA, KATI. ”Suomalaisten lesbo- ja homoliikkeiden historiaa.” in *Sateenkaari-Suomi. Seksuaali- ja sukupuolivähemmistöjen historiaa*. Edited by Kati Mustola and Johanna Pakkanen. Like, Keuruu 2007:18.

<sup>609</sup> Ilkka Taipale used the term already in 1966. TAIPALE 1966:7.

<sup>610</sup> Sex issues were published both in *Ylioppilaslehti* 2/1965 and *Medisiinari* 4/1965. About this in HAKALA, ANU ”Rikollisen raskas leima. Homoseksuaalisuuden dekriminialisointi ja siitä käyty keskustelu 1960-1970 –lukujen taitteessa.” Master thesis on History. Tampere University, 2011: 52-54. Candidate association organized a five-session-long panel series on sexual issues, in which over 30 speeches about sexuality were heard. From the panel session a book called “Genderless Finland” (*Sukupuoleton Suomi*) was edited a year after.

<sup>611</sup> KIHLMAN, CHRISTER ”Seksuaalisista poikkeavuuksista”, LÅNG, K. J. ”Havaintoja sukupuolikäyttäytymisen rangaistavuuden perusteista.” and GUMPLER, HERBERT ”Homoseksualismista juristin silmin” in *Sukupuoleton Suomi*. Edited by Ilkka Taipale, Tammi, Helsinki 1966.

<sup>612</sup> The pamphlet: *Ajankohtainen asia*. Vammalan Kirjapaino oy, Vammala 1966.

<sup>613</sup> *Ilta-Sanomat* (Finnish for “Evening news”) was founded in 1932 as an evening edition of *Helsingin sanomat*, the biggest newspaper of the country. *Ilta-Sanomat* had been a voice of the National Progressive Party, which was liberal and powerful party in the country till 1951. Thus, the political stand of the *Ilta-Sanomat* was not as conservative as one could interpret from this chapter.

<sup>614</sup> *Ilta-Sanomat* 10.8.1966

<sup>615</sup> Kati Mustola has referred the scandal in her article “Finland a Turbulent Past” in *Criminally Queer*. She said that “a reporter infiltrated to a private party held in a home of a homosexual”, which means that she bases her arguments to common knowledge or to legends, without actually knowing the case. Some say the scandal was in 1965, as MELANKO, VALDEMAR. *Puistohomot. Raportti Helsingin 1960-luvun homokulttuurista*. Suomalaisen kirjallisuuden seura, Helsinki 2012:11. and HÄMÄLÄINEN 1991.

*Ilta-Sanomat* scandalized the lifestyle of a Helsinkian middle-aged businessman, who is called *Eero* in this chapter.<sup>616</sup> Stories about Eero's sexuality also led to a legal process, in which Eero and two other men were convicted of same-sex fornication in November 1966.<sup>617</sup> Because of the unwanted publicity given in *Ilta-Sanomat*, Eero became the first Finnish man who openly spoke about his homosexuality in the late 1960s. Eero had become a homosexual activist and a leader of the first registered homosexual association, *Psyke ry*, by the beginning of the 1970.<sup>618</sup> By the time of the decriminalization process Eero had been interviewed on television and in many yellow press magazines, which were popular at the time.

Despite Eero's important role in the early homosexual emancipation, he has remained a forgotten figure in the historiography. There are a handful of studies, mainly master's theses, which have concentrated on the early years of the Finnish homosexual movement and the decriminalization discussions, but Eero is mentioned briefly in only one of them.<sup>619</sup> Therefore, I made Eero the protagonist of this last chapter of the thesis. Through the story of Eero the chapter shows how the homosexual emancipation and the decriminalization took place in Finland quite rapidly in the late 1960s.

Eero's story will shed light on the kind of positions homosexuals were put in the contemporary legal, medical, and identity political discourses. Many academics wanted to fight for homosexual rights, because of wider political ideologies, which included criticism of the state's control and exclusion policies. The movements spoke for pluralism, individualism, and inclusion. The chapter shows how Kinsey reports had a huge influence on the discourses that tried to normalize homosexuality.<sup>620</sup> Medical authorities had a strong psychoanalytic discourse, which saw homosexuality as a developmental disorder, and they spoke about "deviances" and "abnormals". These discourses were also used widely, and without a negative connotation, among homosexuals and their supporters.

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<sup>616</sup> Eero's anonymity cannot be assured in this chapter, and it is not even the purpose, because Eero openly told about the legal processes run against him in the 1960s. The lack of anonymity anyhow sets some limits to the research, for instance, the private information about Eero's sexual practices cannot be analyzed in this chapter. Police interrogation records are used only to find information about the legal process and the functioning of the media and the police.

<sup>617</sup> Helsinki City Court 15.11.1966. Helsingin raastuvanoikeus, 10. osasto. 1. jaosto. 15.11.1966, § 686. (NaF)

<sup>618</sup> *Psyke ry*, was founded at the end of the year 1968. The association's own publication *The 96* was published from 1969 onwards.

<sup>619</sup> PIRTTIJÄRVI, ANSSI." Asiallisen tiedon antaja. Seksuaalinen tasavertaisuus, Seta ry, 1974 -1981." Master thesis of political science, Turku University, Turku 2011. Pirttijärvi mentions Eero when he speaks about him as a leader of *Psyke ry* and as the first publicly homosexual person in Finland in page 23.

<sup>620</sup> Kinsey's survey showed that among American men, 37 percent had had homosexual experiences in their lives and that 10 percent of men were inclusively homosexuals. KINSEY, ALFRED. "Homosexual Outlet" in *Sexuality in the Human Male*. Indiana University Press, Bloomington 1975. Pages 610-666. Originally published in 1948 by W. B. Saunders Company.

Kati Mustola (2006 and 2007) has studied the early gay movement in two of her articles, both of which are discussed in the chapter.<sup>621</sup> A very few master's theses have focused on the decriminalization process of homosexual acts in Finland. For instance, Heli Suominen and Anu Hakala have both studied the arguments used by the parliamentarians when the decriminalization of homosexual acts was discussed in the parliament.<sup>622</sup> Anssi Pirttijärvi, for his part, studied the early years of the Seta ry association, whose purpose since 1974 has been to fight for sexual equality in the country.<sup>623</sup>

Many different types of sources are used in the chapter in order to construct Eero's story. As in all the chapters, court and police records form the core. However, Eero's case is the only case I have been able to study from the 1960s. As Eero's case aroused public discussion around homosexuality, I have gone through the newspapers, tabloids and journals with the largest circulation from autumn 1966.<sup>624</sup> The first homosexual magazines: *Ihminen ja Yhteiskunta – Homo & Societas* magazine, which was published twice in 1968 as well as Psyke ry's magazine *The 96*, which was published from 1969 onwards, have also played an important role in the research.<sup>625</sup> *The 96* offers insight into the discussions that Helsinkian homosexual activists were dealing with at the turn of the 1970s. Television programs that discussed homosexuality, the church pamphlet on sexual issues (*Ajankohtainen asia* 1965), the report of the committee of sexual crimes<sup>626</sup> and the parliamentary session documents<sup>627</sup> are analyzed in the chapter. In addition, I have found four yellow press articles, in which Eero is interviewed. The articles offer an important insight to Eero's self-perception and sexual identity.<sup>628</sup>

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<sup>621</sup>MUSTOLA 2007 a and 2007b.

<sup>622</sup>SUOMINEN, HELI ILONA. "Homoseksuaalisuus poliittisena kysymyksenä Suomessa. Kansanedustajien argumentaatio 1970 dekriminalisaatiokeskustelussa ja vuoden 1996 homoparisuhdedebatissa." Master thesis on political science. Helsinki University, 1999. HAKALA 2011.

<sup>623</sup>PIRTTIJÄRVI 2011.

<sup>624</sup>*Helsingin Sanomat, Ilta-Sanomat, Nya Pressen, Hufvudstadsbladet, Hymy* (1967-1973), *Kauneus ja Terveys* (1958-1973) and *Suomen Kuvalehti. Nyrkki Posti* (1971-1972).

<sup>625</sup>*96-lehti* (the 96) 1/1969-1/1972.

<sup>626</sup>Seksuaalirikoskomitean mietintö. Oikeusministeriö, Helsinki 1968.

<sup>627</sup>Valtiopäivät 1970 Asiakirjat, Hallituksen esitys 52/1970. Täysistuntojen pöytäkirjat 26.6.1970, 30.6.1970, 13.11.1970, 24.11.1970.

<sup>628</sup>*Nyrkkiposti* 6/1971. *Hymy* 7/1970:36-39; 5/1971:137; 4/1972 :78-79, 142.

## 6. “Threat of *Homosexuality* Lurks in the Society” –*Lauri’s Story Helsinki 1952*

### 6.1. Emerging public male sex culture

“*Wish I was there in Helsinki*”<sup>629</sup>

Lauri, the protagonist of this case, was a military man, having served in the army since 1919 and gone through both the Winter War and the Continuation War. He had participated in many significant battles at the front, and after the wars, Lauri continued serving in the army as a sergeant mayor. He worked in Suomenlinna garrison, situated on an island next to Helsinki, where the army provided housing for him and for his family. Lauri was a married man with three sons, who had all been born at the turn of the 1930s.

The end of the wars not only meant peace and war-medals for Lauri,<sup>630</sup> but also a shift in his sexual life. Thus, when the war against the Soviet Union ended, Lauri returned to his youthful pleasure: sex with other men. This phase began in September 1944 when Lauri encountered an older man in Observatory Hill’s park and had sex with him in the old man’s apartment nearby. After this, Lauri frequented Observatory Hill every now and then and had sex with different, mainly older, men. A few years later, in 1949, Lauri found out that Hesperia Park’s public toilet was an active place for male-sex relations and he started to visit that place, too.<sup>631</sup>

After having practised park homosexual relations for six years, Lauri met an older man who was to become his secret lover. They met in Observatory Hill in 1950, and decided to continue seeing one another. Another man was a small landholder who also had a family and lived in a district near Helsinki. So it happened that the men visited one another’s families every now and then, and finally their wives and children got to know one another as well. As Lauri’s friend was a farmer, Lauri also helped the man on his farm near Helsinki. The relationship remained this for one and half years, till January 4 1952, when the sexual side of their friendship came to light. Thus, the farmer’s wife received a call from Helsinki crime police department. The police informed the wife that her husband had been arrested for same-sex fornication with Lauri in Kaisaniemi Park’s public toilet.

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<sup>629</sup> *Kalle* 12/1951, 7. “*Ollapa siellä Helsingissä*”. A homosexual man writes a letter to the editor of the tabloid magazine *Kalle*, where he admires the homosexual culture in Helsinki that had been described in previous issues of the magazine in 1951.

<sup>630</sup> In 1945 Lauri was rewarded with the Order of the Cross of Liberty war medal.

<sup>631</sup> Lauri’s story is based on the same-sex fornication trial that was held in the Helsinki city court on the 26<sup>th</sup> of March and the 16<sup>th</sup> of April in 1952.

The men were brought in for interrogation, during which Lauri openly told about his sex habits in Helsinkian parks and toilets. Lauri's story highlights the public sphere, parks and public toilets, that had a big importance for same-sex sociability in post-war Helsinki (see the map 6.1.), Lauri mentioned many public parks in Helsinki in which he could find opportunities for sexual relations with other men. In fact, in the post-war period a new kind of sex culture came to the fore in Helsinki. A main feature of this sex culture was that it took place in parks and in public toilets, that sex happened among people who did not know each other, and that all the people concerned were men. This culture was not new; there are court documents from earlier decades that record male sex-relations in parks, and unofficial male prostitution.<sup>632</sup> From the war period there are also accounts of men who searched for sex from other men in Helsinkian parks.<sup>633</sup> However, in the post-war period this sociability both received more attention and expanded.

Thanks to frank confessions like that of Lauri's, court documents provide a wealth of information about the queer park culture of post-war Helsinki. If one compared the testimonies found in the police interrogations to sensationalist magazine writing of the 1950s and to some accounts written in the 1980s about queer life in 1950s Helsinki<sup>634</sup>, one would note that four places stand out: Hesperia Park, surroundings of the Central Railway Station, Esplanade Park, and Observatory Hill. Most of the arrests were made in Hesperia Park and the Central Railway Station and its surroundings (including the bus station). The places of arrests show that the control was focused from the city centre to Hesperia Park, whereas Kallio, the working-class neighbourhood of the city, remained nearly uncontrolled (only two convictions were based on sexual relations that had happened in that area).

Putting the pieces together, it seems that Hesperia Park was the most common place for male same-sex cruising in post-war Helsinki. In relation to the social structure of the city, Hesperia Park was between the working-class area of Kallio and the middle-class area of Töölö. Close to the city centre and the central railway station, the park was easy to reach from every part of the city. Easy

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<sup>632</sup> In Part I I discuss a male prostitution case that was tried in the Helsinki City Court in 1916. There the men recounted the park sex life among men in Esplanade Park. In 1927 a man was prosecuted for same-sex fornication, but he was set free due to lack of evidence (even the man confessed).

<sup>633</sup> HOOVEN, F. VALENTINE III. *Tom of Finland. Elämäkerta*. Translated by Eeva-Liisa Jaakkola. Otava, Helsinki 1992. 18<sup>th</sup> division. 28.8.1942.

<sup>634</sup> In Finnish gay-magazine SETA there were three articles written in 1988 about gay-life history in Helsinki, one concentrating to 1930s, one to 1940s and one to 1940-50s through three different men's memories and interviews. The men who were discussing the post-war period remembered Hesperia Park, Esplanade Park and surroundings of the bus station having been active cruising areas where one could always find company. "Säätyläispojan nuoruus Helsingissä 1940-1950" in SETA 4/1988, and "Helsingin ihmeellinen 40-luku" in SETA 2/1988.

access to the park was also evident in the court documents, which show that people arrested for same-sex fornication in Hesperia Park were from all social classes, and from both the Finnish- and the Swedish-speaking population.

In the interrogations, Lauri described the sex life in the public toilets. The toilets were the places in which sex partners were found. In those contacts few words were used, and, indeed, the sex suggestions were made mainly with gestures. Lauri did not know his partners nor did he share many words with them. Small holes that were done in the walls between the toilet cubicles played an important role in the cruising. One of the most common ways to suggest sexual interaction was to put one's penis through that kind of hole, so that another person would see the penis from his side of the cubicle. Quite often it happened that a man from another cubicle would start to suck or touch the penis with his hands.

Lauri was not the only one who mentioned the hole in the wall of Hesperia Park's toilet cubicles. There were many accounts, in different court cases, that described the hole being used in this way. The oldest recorded memories go back to 1945 and the hole had retained its importance through 1959, when in a tabloid magazine the police told of "*having coloured the holes that have been done to the walls that separate the toilet cubicles.*"<sup>635</sup> I find those holes of Hesperia Park's toilet interesting in many ways. Firstly, they symbolise the sex act that took place in the toilets. These toilet relations were focused only on sexual lust, in which the penis had a central role. Some of the men wanted to suck whereas some men wanted to be sucked. Thus the needs were different but complementary. Secondly, the hole shows how homosexual men had to adjust to the limits given by the society. The men could not share the same toilet because it would have been too suspicious from the police point of view. Thirdly the hole, as puny thing as it is, shows that homosexual sociability and self-consciousness were about to emerge. With the social codes of the toilet the shared idea of 'us' started to increase. The police knew that Hesperia Park was "the gathering place of homophiles".<sup>636</sup> Thus, we may say that the easily accessible Hesperia Park formed the first queer space of the city. The place was characteristically queer: the rules of the 'normal man' did not apply.

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<sup>635</sup> JUVONEN, TUULA. *Varjoelämä ja julkisia salaisuuksia*. Vastapaino, Jyväskylä 2002:95. In *Jallu* 11/1959.

<sup>636</sup> Helsinki city court 8<sup>th</sup> department 19.11.1954. In Finnish: "Käymälä oli poliisille jo aiemmin tunnettu homofiilien kokoontumispaikkana".



The central railway station and the bus station with their surroundings formed another main area from where same-sex fornication cases were brought to Helsinki city court. The bus station and the railway station connected the rest of the country to Helsinki and vice versa. Because of this, the cases were also different from the cases of Hesperia Park.

The court documents show that there were country youngsters who were lured by rich Helsinkians to have drinks in the railway station bar, after which they had ended up having sex with the rich Helsinkians. These relations were often also paid, so that the country youngster would get drinks or money. For instance, this was the case in 1950, when a country man was persuaded to accompany an older rich man to his residence. There the rich man offered to pay a thousand marks to the country man for having sex with him. The country man did not have anything against the money and he consented.<sup>637</sup> In scandal tabloids country boys were forewarned of these rich old bachelors. (See picture 6.3.) The scene was described: “Over the restaurant table many drinks are generously offered to the chosen victim. [...] discussion flows and when the closing time arrives [...] a small after party is offered at home where some more drinks may be found [...] and then, suddenly, a sticky hand is put to the lap, or around the shoulder of the one who is drunk [...]”<sup>638</sup> The description of the bar night corresponds with that found from the court cases documents. It is possible that the magazine had consulted the police about the phenomenon before writing the article.

However, it was not always a Helsinkian man who seduced country men. There were also ‘sex tourists’ who came to Helsinki to look for male sex partners. It was relatively easy to find such a company by offering money to local homeless men and youngsters. For instance, in 1955 a vicar from a small district had come to Helsinki. He went to the railway station’s toilet and when seeing a man who he thought of “having nothing against if he had sex with him” he started to touch the man. The vicar described that immediately upon he entered the toilet he had had a strong need to get sexual satisfaction. He confessed that when he travelled to cities he went to public toilets to look for sex from other men.<sup>639</sup> Indeed, Helsinki offered such male-sex culture that countryside Finland did not have, like a countryside homosexual who wrote a letter to editor section of *Kalle* magazine in 1951: he was fascinated by the fact that in Helsinki men could find company from other men in

<sup>637</sup> Helsinki city court. 2nd department. 11.3.1950.

<sup>638</sup> *Kalle* 7/1951, 11-12. In Finnish: “Ravintolapöydän ääressä tarjotaan runsaskätisesti valitulle uhrille. [...] tarina luistaa ja kun sulkemistaika alkaa olla vihdoin käsillä [...] lähdetään pienelle jatkolle katsomaan, olisiko kotona kaapissa vielä jotain [...] Ja sitten yht’äkkiä painautuu juotetun reidelle tahmea käsi tai kiertyy käsivarsi kaulaan [...]” In her study, Juvonen was not interested whether these writings corresponded with the reality, and moreover, she treats them as ‘common knowledge’ that is taken as truth even they were not. In JUVONEN 2002:88.

<sup>639</sup> Helsinki city court, 6<sup>th</sup> department, II section. 5.10.1955

restaurants or streets. In the countryside homosexual men did not necessarily even know that other men of their kind existed, the writer told, and hoped that one day he, too, could move to Helsinki.<sup>640</sup>

## 6.2. Tightened police control

*“And what are you guys doing with your cocks so hard?”<sup>641</sup>*

On Wednesday, January 2, 1952 detective Friman of the Finnish Security Intelligence Service (FSIS, *Suojelupoliisi SUPO*) was observing people in Kaisaniemi Park when he saw two middle-aged men, one a military man and the other a civilian, going to a public toilet together and staying there for a suspiciously long time. The detective decided to follow the men when they emerged from the toilet and continued their on their way. Nothing special happened that day, but two days later the detective saw the same two men in the same park. The men tried to enter the same public toilet as two days earlier, but because the presence of many women and children seemed to deter them, and they continued walking to the harbour. Detective Friman decided to follow the men this time as well, and saw them entering another public toilet near the harbour. He entered the toilet and there found the two men having oral sex. The men that the detective had found were our Lauri and his friend. They were taken to Eira police station.

Detective Friman was one of the many police officers who were heard as eye-witnesses in same-sex fornication trials in city courts around the country during the post-war period. These police eye-witnesses were crucially important in the court where their recounting of the positions and movements of the bodies, the hardness and the position of the genitals as well as the immediate reactions of the men caught in the act formed the basis of the prosecution.

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<sup>640</sup> JUVONEN 2002: 185-194.

<sup>641</sup> In Finnish: “Mitä täällä tehdään kullit pystyssä?” This is what a police officer ironically asked when raiding a toilet in Hesperia Park in October 1953. The arrested man complained in the interrogations that according to him that kind of way of speaking was not appropriate. Helsinki city court 9th department II section 24.11.1953.

Friman was an exception working in FSIS. Normally the policemen behind the same-sex fornication prosecutions were general constables or constables from a special police department called the *welfare police department* (*huoltopoliisi*), who people called *vice police* (*siveyspoliisi*). The welfare police department was part of the era's social policy and moral control machinery. It was the responsibility of the vice police to keep an eye on the homeless population and on people related to illegal alcohol business or prostitution. The roots of this kind of policing are found in the old prostitution law, but the actual welfare police department was established in 1938 and it has continued to function with different tasks until 1986.<sup>642</sup> Though the welfare department had not been established to control same-sex relationships, the welfare police observed suspicious people in parks and streets and kept files about them. Thus, because of the welfare police, there was suddenly more police control in the parks, which also made the same-sex park culture visible to the police authorities,

The immediate post-war years were particularly unstable in Helsinki. The city suffered from shortages of food and housing. Thirty thousand war veterans in Helsinki were trying to find their way back to civilian life, which, as a social challenge, can be compared with the migration of the 1930s economic depression, when many people had to leave their homes and move to bigger cities for work.<sup>643</sup> The peak years in criminality in Helsinki were 1946 and 1947 when criminality had tripled from the pre-war years. Because of this, the strength of the Helsinki police force was increased remarkably: whereas in 1938 the criminal police department numbered 146 people, in 1945 it numbered 251 people and by 1946, 391 people.<sup>644</sup> The increase of criminality can be widely explained by the shortages (property and regulation crimes accounted for one-quarter of all the crimes in 1946, and compared to only ten percent in 1949) and therefore criminality plummeted after 1948.<sup>645</sup> Concurrent with this precipitous reduction in other criminality, the number of same-sex fornication convictions rose. This was due, in no small measure, to the fact that the newly strengthened police forces had ample resources and relatively few crimes on their hands.

In 1952, when Lauri's case was tried, more same-sex fornication convictions were handed down in the Helsinki city court than in any other year before or after. Actually, in that year the number of

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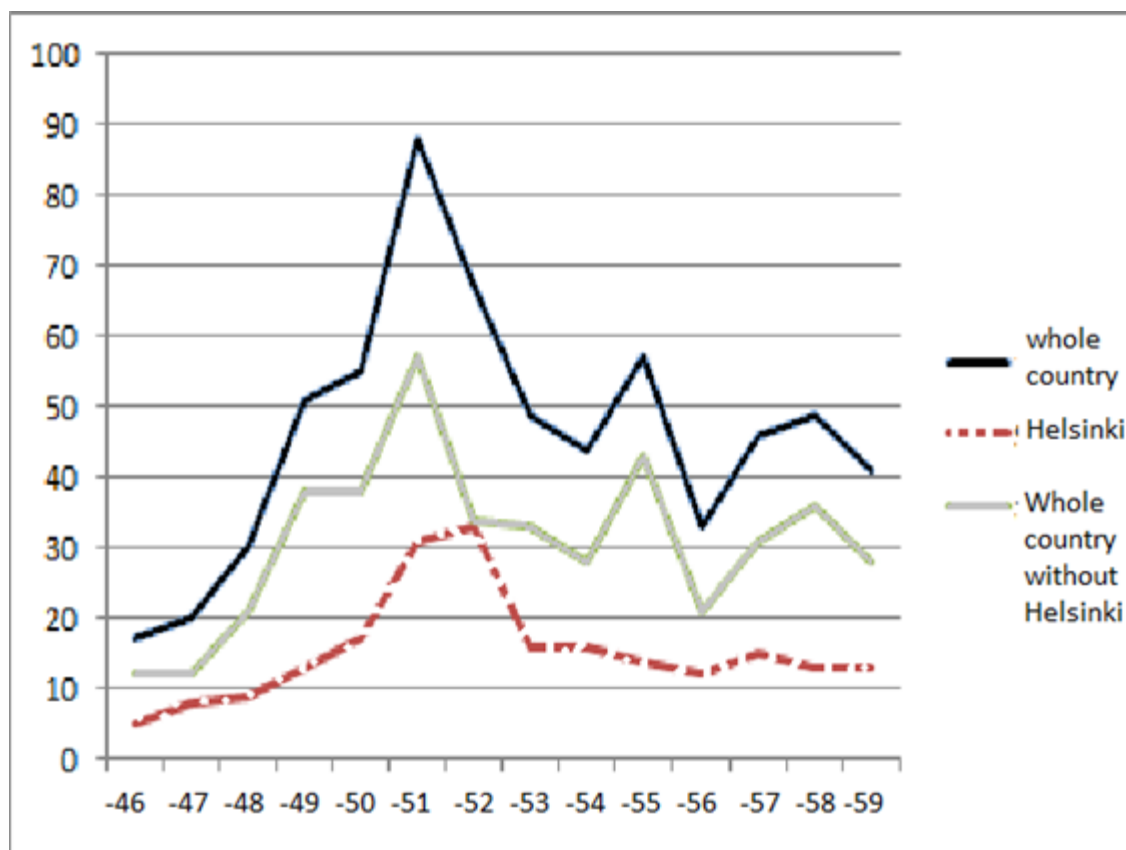
<sup>642</sup> KESKINEN, KIMMO and SILVENNOINEN, OULA. *Helsingin poliisilaitoksen historia 1826-2001*. Helsingin kihlakunnan poliisilaitos, Edita Prima Oy Helsinki, 2004:230-231.

<sup>643</sup> CANADAY, MARGOT, *The Straight State: Sexuality and Citizenship in Twentieth-Century America (Politics and Society in Twentieth Century America)* Princeton University Press, Princeton 2009.

<sup>644</sup> This was a year when Helsinki expanded, but still the strength has been remarkable, because the reports of crimes remained at the same level regardless of the new areas added to Helsinki.

<sup>645</sup> KESKINEN 2004:174-176. Whereas in 1947 there were 22,060 crimes reported in 1948 there were only 16,523 and in 1949 11,174 reported crimes.

convictions given in Helsinki explains half of that year's same-sex fornication convictions in the whole country, as can be seen from the illustration below. After and before 1952 the percentage of Helsinkian convictions represented from 25 to 36 percent of all same-sex fornication convictions, which means that the activity of Helsinki police alone cannot explain the whole conviction peak. On the contrary, later there were some peaking years (in 1955 and 1958) in other parts of the country, but in Helsinki, the number of convictions remained low after the peak of the 1952.



The picture 6.4. The picture demonstrates the development of the number of same-sex fornication convictions given in Finnish civil courts and in Helsinki city court. Picture shows that the intensive control of same-sex intimacy was strong in Helsinki in 1951 and 1952, after which it lessened to rather steady, about 15 yearly convictions.

As the case of Lauri shows, the police tracked down possible homosexuals at the turn of the 1950s Helsinki. This is substantiated in the court documents where police were interviewed as eye-witnesses. In those recounts they sometimes told that their purpose was to “*observe potential homosexuals*”<sup>646</sup> or that “*searching for these kinds of crimes is especially granted to me in the department*”<sup>647</sup> or that “*the toilets are known as homophiles’ gathering places*”<sup>648</sup>. Indeed, the

<sup>646</sup> Helsinki city court 3<sup>rd</sup> department, II section, 19.5.1951

<sup>647</sup> Helsinki city court 3<sup>rd</sup> department, I section. 11.4.1951

<sup>648</sup> Helsinki city court 8<sup>th</sup> department 19.11.1954

necessity to control homosexual behaviour was mentioned in the yearly report of the Helsinki police in 1952. In the report, ‘homosexualists’ were included in “*the antisocial groups of people*” among “drug and alcohol dealers”, “vagrant alcoholics”, and “professional criminals”. The yearly report reveals that since the 1948 Helsinki police had used “focused intensified control” towards homosexuals, which in fact, largely explains the peak of same-sex fornication convictions in 1951 and 1952 Helsinki.<sup>649</sup>

Jan Löfström argued in his thesis that the police did not try to track down homosexuals in 1950s Helsinki. According him, cruising areas were not under police’s special supervision.<sup>650</sup> However, a systematic analysis of same-sex fornication court cases from the period of 1945 to 1959, as well as the reports of the Helsinki police, reveal that there was a tightened institutionalized control over same-sex relations in post-war Helsinki. The police used much of its resources on tracking down men who had sex in parks and public toilets. They patrolled the parks that were known to be popular among “homophiles” wearing civilian clothes and raiding the toilets if they saw two men enter them together. They also followed men who were too close to one another in restaurants, parks or streets like in Lauri’s case. In addition, checkups of public toilets were part of the police patrolling service, exactly because of this.

The control was aimed only at public homosexuality. As the report stated, homosexuality was viewed as an antisocial behavior in the public sphere. This is the key element when trying to understand the peak of 1951 and 1952. One unexpected reason for the peak of convictions in 1951 and 1952 is the Summer Olympics that were held in Helsinki in 1952. Indeed, because of the Olympics the center of Helsinki needed to be cleansed of ‘unsocial’ elements, and therefore the welfare police tried to ‘clean the city center from different unwanted groups’, whose activity increased the number of same-sex fornication convictions too.<sup>651</sup> Whereas in 1951 and 1952 there were 33 and 35 convictions done of same-sex fornication in Helsinki, the number dropped down to 15 convictions in 1953, that is, immediately after the Helsinki Summer Olympics.

Even though the number of convictions dropped precipitously after the Summer Olympics, it seems that the police continued to control homosexual behavior in the public sphere. This may be explained in the same way as Houlbrook explains the same kind of phenomenon in London. He

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<sup>649</sup> The Helsinki Police Yearly Report 1952 in KESKINEN and SILVENNONEN 2004:234.

<sup>650</sup> LÖFSTRÖM 1994:192-193.

<sup>651</sup> KESKINEN and SILVENNONEN 2004:234.

describes the process of increased knowledge that the police had gained in practice when patrolling in the public sphere. The London police had noticed through grass-roots experience that Hayden Park had an active queer life. This in turn intensified their control in that particular area. In a similar way, Hesperia Park in Helsinki started to be noticed as gathering area of homophiles, which sensitized the police to look for such relations. For instance, the above-mentioned hole in the Hesperia Park's toilet started to be known also by the police after they had seen how it was used in practice during the years. This led to a situation wherein the police started to color the holes. The goal was to stain the genitals in the process of such sexual behavior. The stains were supposed to work as evidence for the crime of same-sex fornication.<sup>652</sup> The police were active in many other ways too. For instance, in June 1951, the police investigated one of the toilet relationships so carefully that they ordered the clothing of the suspects to be examined in the police laboratory. Sperm stains were found and the men were convicted.<sup>653</sup> In general, the highly moralistic ethos of the 1950s<sup>654</sup> was put into practice in police work. The vice police were charged to guard people's morality as much as their law abiding, which happened, for instance, by arresting young women if they were alone in public places, because of their possible connections to prostitution.<sup>655</sup> We may say that the control over same-sex relations was part of this moral supervision, which was characteristic of the turn-of-the-1950s Helsinki welfare police.

Thus, while the convictions were many, Helsinki city court was remarkably liberal when handing down sentences to men who were prosecuted of same-sex fornication. Lauri and his friend were convicted of same-sex fornication in Helsinki city court after the second trial in 16<sup>th</sup> of April 1952. Lauri received a four-month-sentence, because of continuous same-sex fornication crimes, which were proven by his own testimony. The friend was sentenced to three months from the crime that had taken place in the toilet and was proven by the detective police. However, both Lauri and his friend received alongside their sentences, three years' probation. Indeed, almost all of the same-sex fornication convictions given in the post-war Helsinki city court were given with probation. The lengths of the sentences varied from one month to six months, but as the sentence was hardly ever put in action it had only a symbolic meaning.

In addition, against the logic of the probation sentence, the sentences were not put into effect, even if the men were reconvicted of the same crime during the time of the probation. Indeed, despite a

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<sup>652</sup> In *Viikon Totuus* 1959:11.

<sup>653</sup> Helsinki city court, 3rd department, I section. 25.7.1951.

<sup>654</sup> Alasuutari defines the Finnish 1950s to be the period of *moral economy*. In ALASUUTARI 1996.

<sup>655</sup> KESKINEN and SILVENNOINEN 2004.

surprisingly high number of recidivists, the court infrequently put the sentences into action. For instance, one man was convicted of same-sex fornication in Helsinki city court in 1952, 1953 and 1955, always with three years' probation, which, however, was never changed to imprisonment.<sup>656</sup> The practice was categorical: no matter who the judges were or what kind of was the crime committed, as long as it had happened among adults, the sentences were given with probation. However, a sentence with probation may have functioned as a deterrent for those unaware of this legal custom.

### 6.3. Emerging civilian activity

*“And then we decided to call the police”*

It was not only the police that had become more sensitive to same-sex relations, as also common people started to report homosexuals to the police. Though Lauri was not informed on by his neighbours, and none of his acquaintances ever came to testify against him, let us briefly look at this part of the control too. For instance, one night in September 1956 two friends were driving a car in Helsinki city centre. When they passed by Esplanade Park, another of the friends saw that there were two men sitting on the bench, kissing and touching one and another. The friends decided to catch the lovers: they parked the car and went to the park from where they took the men with them, and brought them to the police station in their car.<sup>657</sup>

In the previous chapter I told of a similar case from war-time Helsinki, where a soldier had ended up in a home of ‘a pervert’ and after having sex with him took and reported ‘the pervert’ to the police.. Another illustrative example comes from the year 1950, when a sergeant informed on architecture student to the police at 6.40 in the morning after sleeping at the architecture student’s home the previous night. The sergeant said that he had stayed at the student’s home because he did not have another place to sleep. During the night he had awakened to find that the student had put his penis in his mouth. The sergeant, hit the student, after which the student had apologised and explained that he has ‘this sickness’. The sergeant, after hitting the student, had continued sleeping in the student’s bed. In the morning the sergeant brought the student to the police station.

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<sup>656</sup>Helsinki city court 6<sup>th</sup> department II division 5.11.1952; 9th department, II division 24.11.1953; and 8th department, I division 9.2.1955.

<sup>657</sup> Helsinki city court, 4th department, I section, folder 68/1956.

There is no need to accumulate these kinds of stories because they all share a theme: they tell about the ‘brave’ civilians and ‘inferior’ homosexuals who the brave civilians report to the police. For instance, the architecture student was totally subordinated even in his own home because of ‘his sicknesses’. He gets hit, but still he let the man to sleep in his bed and even puts the alarm on at six o’clock so that the hitter could, after a good sleep, take him to the police station. In these cases violence was accepted, and even homosexuals themselves did not oppose such treatment. The same hostile attitude was also presented in *Kalle* magazine, where people were advised, if ever meeting a homosexual, “*hit him like a dog*” and then report to the police. Violence in these cases was considered a natural instinct of a normal man in the case of seeing homosexual men.<sup>658</sup>

Civilian control activity over same-sex intimacy also entered the private sphere. In one case, men were reported to the police by neighbours and flatmates who were tired of their homosexual way of living. Helsinki had a huge housing shortage after the war, because of which the poor in particular did not enjoy sexual privacy. Just before Christmas in 1952, a man reported his co-habitant because of his ‘lewd lifestyle’. The reporter complained he could not sleep with his wife because the flatmate had sex with another man in the same room. First the informer had hit his flatmate and demanded him to stop ‘these things’, but as it did not help the man invited some neighbours to attest to the two men sleeping in the same bed, after which they called the police.<sup>659</sup>

Civilian activity increased due to the greater articulation of anxiety about homosexuality, but also because it had become easier. The changes in conditions that made civilian activity easier and the police more available were, first, the increased police patrolling in the streets; second, telephone that had become increasingly common; and third, the police’s radio police force that enabled much faster police response. I shall now clarify this.

Same-sex fornication was a type of a crime which was difficult to prove in the court. The way in which it was proven was the equivalent of eye-witness accounts. As the ‘crime’ existed only for a limited time period the eyewitnesses had to be at the crime scene on time. This is why the above-mentioned three elements played an important role. The radio police force was established in 1938, which meant that the police were able to arrive at the scene of a crime shortly after receiving a call. Telephones became increasingly commonplace in Helsinki after the war, and they made prompt reporting universally possible. Encounters with suspicious homosexuals in saunas, parks or toilets

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<sup>658</sup> In *Kalle* 7/1951:11-12.

<sup>659</sup> Helsinki city court 5th department, I section, 12.2.1953.



may have previously been forgotten, but because of the telephone became easily reportable to the police. The Helsinki police had also increased the number of police patrols, which made them more visible in the street, and individuals in the public sphere were able in this way to make a report the police if they had seen homosexuals nearby.

Overall, attitudes towards homosexuals had gotten more hostile. Like Lauri's friend, many others from higher social position were concerned that their arrests or conviction would come to light. As Lauri lost his position and housing in the military because his sexual behaviour was not considered appropriate, there was a good reason to be afraid. In 1946 a school-teacher from a small district came to Helsinki and went to Esplanade Park for sex. The police arrested him and his random partner. After the interrogations the men were set free, but when the day of the trial came the teacher did not show up at court. It emerged that he had died on the day the interrogations had ended at the police station. What but the act of suicide could explain his sudden death the day following the interrogations? I assume that the crime becoming common knowledge would have been too much for this 44-year-old teacher.<sup>660</sup>

We have seen how male sex relations became more visible and more controlled in post-war Helsinki. Let us now move from the streets to the court room, where Lauri's case was tried on 26<sup>th</sup> of March and 16<sup>th</sup> of April in 1952. In the court Lauri and his friend presented letters, psychiatric statements and their attorney interpretations of the criminal code. All these elements show how society attacked 'homosexuality' in the post-war period.

#### 6.4. New *learned type* of homosexuality and its legal judgement

In the post-war years a new type of homosexual appeared in the Finnish discourses. This was "learned in life" type of homosexual, a corollary of the idea that homosexuality spread in the society through homosexual seduction. This idea had gained traction in the late 1930s and in the war years and had affected to a great extent the post-war attitude towards homosexuality.

Traditionally, before the shift in discourse, homosexuality had been divided into innate and pseudohomosexuality. As explained in chapter five, pseudohomosexuality meant homosexual

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<sup>660</sup> Helsinki City Court 4<sup>th</sup> department. December 1946.

relations that took place in gender segregated communities, and that were, by their nature, sporadic and short-term. They were not considered dangerous and were thought of being rather common. They were more likely connected to masturbation than to “real homosexuality”.<sup>661</sup> The real homosexuals instead, were described being innate homosexuals, who were often effeminate. The dichotomy had based on Magnus Hirschfeld’s theories on “third sex”. Hirschfeld had written in the early twentieth century that constitutional homosexuals had a different kind of brain structure.<sup>662</sup> In this view, homosexuals were thought of as having a feminine mind. However, in post-war Finland, feminine features of homosexuals were found also on their bodies, not merely in their souls. In 1949 the professor of criminal law Brynolf Honkasalo wrote: “those who suffer of inborn homosexuality quite often have some external signs of their tendency: fat around the pelvis and elsewhere like women have, minced walking style, shrill voice, dreamy mind”.<sup>663</sup> The perception of feminine physicality of a homosexual man was by the 1930s already embraced in Sweden.<sup>664</sup> In the post-war period this idea arrived in Finland. However, it is important to note that this effeminate feature was located only in innate homosexuals. To those who had learned their homosexual taste, no such feature was granted.

This notion of an innate type of homosexuality was still current in the post-war period, whereas the pseudohomosexual type disappeared from the Finnish understanding and was replaced with the learned-in-life type of homosexual. Indeed, on many different levels of the post-war Finnish society, homosexuality was categorized as *inborn* and *learned* homosexuality (or sometimes constitutional/cultural, pathological/neurological). This dichotomy was derived from the ideas of Albert Moll and Sigmund Freud, and which had been put into practice in Nazi Germany’s policy against homosexuality.<sup>665</sup> As shown in the chapter five of this thesis, Finland and Nazi Germany, the allies in war, had also strong connections in scientific world. In this particular field, conceptualization of homosexuality, Finnish medical, juridical, sociological experts, and later common people perceived homosexuality as a ‘danger that lurks in our society’ as a Finnish tabloid

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<sup>661</sup> NIKULA, AKSELI. “Homoseksualiteetti ja sen oikeudellinen arvosteleminen” in *Duodecim, kirjoituksia lääketieteen ja lääkäritoiminnan aloilta*. Duodecim-Seura, Helsinki, 1919. 249-271.

<sup>662</sup> ROSARIO, VERNON A. *Homosexuality and Science. A guide to the debate*. ABC-Clio Inc. Santa Barbara, California 2002.

<sup>663</sup>”*Synnynnäisen homoseksualiteetin vaivaamalla henkilöllä on usein ulkonaisia merkkejä taipumuksestaan: samantapaista rasvanmuodostusta lantioissa ja muualla kuin naisilla, sipsuttava käynti, kimeä ääni, haaveileva luonne.*” In HONKASALO BRYNOLF. *Suomen rikosoikeus. Yleiset opit, toinen osa*. Suomalaisen lakimiesyhdistyksen julkaisuja b-sarja, 34, Helsinki, 1949:58.

<sup>664</sup> RYDSTRÖM 2003:279.

<sup>665</sup> ZILNEY, LAURA J. and ZILNEY, LISA ANNE. *Perverts and predators, the making of sexual offending laws*. Rowman&Littlefield 2009: 14,15; DE CECCO, 1984: 2; BAYER, 1987:24. TAMAGNE, 2006:154.

magazine wrote in 1951.<sup>666</sup> Let us now move to Lauri's case, to see what these two types of homosexuality meant in practise and how were they treated under the Finnish penal code.

Both Lauri's attorney and psychiatrist tried to evaluate the nature of Lauri's same-sex practises, whether he belonged to innate or learned type of homosexuality. At first, Lauri's attorney tried to define Lauri as a learned-type homosexual, as he claimed in the court that Lauri had been seduced to homosexuality on Observatory Hill in 1944. According this reasoning, the one-time sexual act in the park with an older man, had created the homosexual taste in Lauri, who previously was just a normal married man and father of three. This echoes the perception of homosexuality as a spreading societal problem, as was also discussed in the media at the time.

Lauri's attorney had found this discourse in professor Honkasalo's criminal law's text book.<sup>667</sup> Honkasalo was at the time a professor of the criminal law at Helsinki University, and his text books were used as both study material and as guides. Honkasalo wrote that the law has an important role in preventing "homosexuals to seduce young men to homosexuality, which may cause an abnormal sexual drive in them".<sup>668</sup> Honkasalo's words show that he shared the new discourse according which homosexuality could be taught to innocent people. The same kind of discourse was powerful in the post-war West Germany, and new research shows that it was actually a legacy of the Nazi era.<sup>669</sup> As the developments in Germany and Finland seem to be so strikingly similar, let us take an example from Sweden and view how the division was done in the country that did not participate in the Second World as allies of Germany and Finland. Indeed, Lauri's case, again, opens the door to this comparison.

Contrary to his attorney's definition, Lauri's psychiatrist interpreted that Lauri was an innate or constitutional homosexual. He wrote: "after examining [Lauri], I have noted that his psychosomatic structure shows that he has tendencies to same-sexuality from his early years onwards".<sup>670</sup> Lauri's psychiatrist was, apparently, Akseli Nikula, who had been the first Finnish medical expert writing on homosexuality in his article *On homosexuality and its legal judgements* in 1919. Nikula, following the ideas of Hirschfeld and others of the time, sub-divided homosexuality into innate and

<sup>666</sup> In *Kalle* 1951:9, 2. "yhteiskunnassa piilevä homoseksualismin vaara".

<sup>667</sup> HONKASALO, BRYNOLF. *Suomen rikosoikeus, yleiset opit 2*. Suomalaisen lakimiesliiton julkaisuja. B-sarja, 34. 1949.

<sup>668</sup> HONKASALO 1949:58.

<sup>669</sup> WHISNANT, CLAYTON J. *Male Homosexuality in West Germany. Between Persecution and Freedom, 1945-1969*. Palgrave Macmillan, New York 2012.

<sup>670</sup> In Finnish: "Tutkittuani [Laurin], olen todennut, että hän on psykosomaattiselta rakenteeltaan henkilö, jolla jo varhaisesta nuoruudestaan lähtien on ollut sukuvietin alalla taipumusta samasukupuolisuuteen".

pseudohomosexuality. As Nikula had a strong paradigm of homosexuality as an innate sickness, he did not use the seduction discourse in his statement letter to the court.

Because of the psychiatric statement, the attorney had to find other definitions of Lauri's sexuality. He consulted a Swedish legal text book of forensic psychiatry that set out remarkable differences between the Swedish perception of homosexuality and the Finnish one. It is interesting that the attorney consulted Swedish literature even though Finnish and Swedish policies towards same-sex relations in the 1950s differed significantly from one another. As it is, Sweden had decriminalized homosexual actions among consenting adults by 1944, and in fact, Finland had remained the only Nordic country that still had an active legal machinery against adult homosexuality in the 1950s.<sup>671</sup>

In any case, the attorney referred to the Swedish forensic psychiatry book in the second trial. The book was called *Forensic psychiatry, a short introduction to the legal treatments of mentally abnormal people (Rättspsykiatri i kort framställning jämte huvuddragen av lagstiftningen rörande psykiskt abnormal)* (1947). In this book the writers Gösta Rylander and Erik Bendz divided homosexuality in three different types, of which two were constitutional types of homosexuality and one was similar to the pseudohomosexuality category.<sup>672</sup>

Some comparison between Honkasalo's and Rylander & Bendz's perceptions can serve as a window to expose the differences in Finnish and Swedish juridical attitudes regarding same-sex relations. The books were written in 1947 (Rylander & Bendz) and 1949 (Honkasalo) and they deal with the same phenomenon (homosexuality) from the same perspective (legal), which makes the treatments easily comparable. Firstly, though both books divide homosexuality into constitutional and cultural types there is an important difference in the division. The Swedish writers see that in some extraordinary circumstances, as in prison, homosexual behaviour may occur as a substitute for heterosexuality, and this is 'the cultural form' of homosexuality. However, they say that when the conditions are normalized the sexual activity would turn to heterosexuality. Thus in the Swedish view, the old category of pseudohomosexuality was alive and well. The Swedish writers connected the other two types of homosexuality to inborn types. Thus, they did not have an idea that people

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<sup>671</sup> Other Nordic countries had decriminalized adult homosexuality except Finland and Norway. In Norway, however, the same-sex fornication section of the criminal code was formulated in a way that in reality it was hardly ever used. HALSON, MARTIN SKANG. "Norway 1842-1972. When Public Interest Demands." In *Criminally Queer: Homosexuality and Criminal Law in Scandinavia, 1842-1999*. Edited by Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007:91-117.

<sup>672</sup> RYLANDER, GÖSTA and BENDZ, ERIK. *Rättspsykiatri i kort framställning jämte huvuddragen av lagstiftningen rörande psykiskt abnormal*. Wahlström & Widstrand, Stockholm 1947:126-129.

may be educated to homosexuality, an idea that was very strong in in different layers of the Finnish society. For Honkasalo, the learned-type of homosexuality was more permanent, it was not a temporal stage, like pseudohomosexuality had been, but once someone was introduced to this by other homosexuals he would become homosexual, too.

The ideological roots of the liberal Scandinavian view on homosexuality are found in Denmark, where homosexual acts were decriminalized by 1930 because Hirschfeld's perception of homosexuality influenced the law-making process.<sup>673</sup> After this the Danish law was adopted in Iceland, where homosexual acts were decriminalized in 1940 and later influenced the Swedish discussion around decriminalization in the 1930s.<sup>674</sup>

In Swedish decriminalization discussions in the 1930s homosexuals were viewed as victims of a suppressing society. Youth gangs and blackmailers were seen as criminals whom homosexuals should be protected from.<sup>675</sup> Indeed, in other Nordic countries' decriminalization of homosexual acts was seen as a human-rights issue. Basing his argument on the blackmailing problem, Finnish professor of criminal law, Allan Serlachius, had in the early 1920s proposed the decriminalization of homosexual acts in Finland. .<sup>676</sup> However, Serlachius changed his view by the mid-1930s, as the case of Aapo showed.<sup>677</sup> In 1930s Finland the blackmailing problem was also discussed, as recalled in the case of Aapo, but the Helsinki police held that the problem of blackmailing would be best solved with the termination of homosexual behaviour. About that time the Finnish conceptualization of homosexuality moved further from the Nordic perception, and nearer to the German perception, which was about to get its Nazi flavour. These fundamental differences in categorization of homosexual desire in Finland and other Nordic countries explain why the Finns were ready to decriminalize homosexual actions only in the late 1960s.

The process was not completely linear in Sweden either, as Rydström has pointed out. Thus, the concern regarding the spread of homosexuality was present in Sweden in the early 1940s during the

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<sup>673</sup> More about Hirschfeld's ideas in the introduction chapter and in BROOKEY, ROBERT ALAN. *Reinventing the male homosexual, the rhetoric and power of the gay gene*. Indiana University Press 2002:26-27. CLARKE, VICTORIA et al. *Lesbian, Gay, Bisexual, Trans and Queer Psychology, an introduction*. Cambridge University Press, Cambridge 2010:7.

<sup>674</sup> "Denmark, from sodomy to modernity 1899-1976. In *Criminally Queer: Homosexuality and Criminal Law in Scandinavia, 1842-1999*. Ed. Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007. 61-91: 66-69.

<sup>675</sup> RYDSTRÖM 2007:201-203.

<sup>676</sup> SERLACHIUS, ALLAN. *Ehdotus uudeksi rikoslaiksi*. Helsinki 1922:62-63.

<sup>677</sup> When Aapo's case was tried in the Supreme court of Finland, Serlachius as a member of the jury urged the higher sentences for adult homosexual relations.

preparation of the Decriminalization of Homosexual Act. However, the anti-homosexual attitude can be largely attributed to a single person in a high position, the Swedish minister of justice K. G. Westman from the Agrarian party. Indeed, everything had been readied for decriminalization when Westman took office. He personally refused to bring the already prepared decriminalization bill to the discussion, as according to him there was a threat that such behaviour could spread and, if permitted, increase in popularity.<sup>678</sup> He used the same discourses as the Germans and Finns at the time. It is notable that K. G. Westman was strongly criticized for his Nazi sympathies and anti-Semitic views.<sup>679</sup> Thus, his views regarding homosexuality may be viewed as part and parcel of his Nazi ideology in general. When he resigned in 1943, the bill was taken into discussion again, and was passed in the following years. Rydström (2007) demonstrates that attitudes towards homosexuality were highly reflective of politicians' political stances. Politically, all the promoters of homosexuals' rights aligned with the social democrats, whereas those few who were against aligned with conservative parties. In my view, the fact that Westman aligned himself with Nazi-related ideologies should receive attention. The discourse he used was very similar to that which was popular in Nazi Germany and Finland. However, as the decriminalization of homosexual acts, and homosexuality in general, had been so widely discussed already in the 1930s,<sup>680</sup> for many it seemed natural to continue to develop the pre-war human rights discourse on homosexuality, and therefore the Nazi perception of homosexuality remained more on the margins in Sweden. In Finland, by comparison, there had been no public debate on homosexuality before the arrival of the seduction discourse.<sup>681</sup>

The two homosexual categories, innate and environmentally learned ones, met with different kind of tolerance. In general, the attitude favoured the innate homosexuals, who received more sympathy than those who had lost the possibility to choose heterosexuality. For instance, Professor Honkasalo had said in 1949 that punishments are useful with those homosexuals who had become as such during their life, whereas no punishment could cure the innate homosexuals.<sup>682</sup> The same view was also presented in *Kalle* magazine in 1951. Throughout the articles *Kalle* stuck to an idea that the

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<sup>678</sup> RYDSTRÖM, JENS. "Sweden 1864-1978. Beasts and Beauties." In *Criminally Queer: Homosexuality and Criminal Law in Scandinavia, 1842-1999*. Ed. Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007:185-186.

<sup>679</sup> BYSTROM, MIKAEL and FROHNERT, PAR. *Reaching a state of hope, Refugees, immigrants and the Swedish welfare state. 1930-2000*. Nordic Academic Press, 2003:32, 94.

<sup>680</sup> RYDSTRÖM 2007:186.

<sup>681</sup> In the end, when the decriminalization of adult homosexuality was passed in Sweden in 1944, a compromise was reached between the two views, and as a result higher ages of consent were attached to homosexual relations than to heterosexual ones. RYDSTRÖM 2003: 171-174.

<sup>682</sup> HONKASALO 1949:58.

“homosexual was a sick person”.<sup>683</sup> As an editorial in that publication had it: “It is another question whether prison sentences are the right way to deal with homosexuals, because in fact they are sick people who should be sent to cure”.<sup>684</sup> However, the other group of homosexuals was treated with more hostility: “but those who developed their homosexuality through a lewd lifestyle or for a change should be righteously convicted”.<sup>685</sup>

The bifurcation of learned and innate types of homosexuality created a legal dilemma. How could these two types be distinguished? Feminine features were signals of an innate type of homosexuality, but as Honkasalo said, among feminine men and masculine women there were also ‘normal people’. Honkasalo viewed that these two types of homosexuality would be too difficult to verify, because of which Honkasalo even questioned the whole meaning of the same-sex fornication paragraph. In fact, in 1949 Honkasalo was rather liberal regarding same-sex fornication. Although, when Honkasalo published a new textbook on criminal law in 1960 he was much stricter. For instance, he considered that even masturbation next to another man was same-sex fornication and that any action which purpose was to receive arouse was punishable.<sup>686</sup> In any case, Honkasalo’s work held currency through the 1950s, as we see from Lauri’s attorney. This may also explain the Helsinki city court’s rather liberal attitude towards same-sex fornication cases in the post-war period. Thus, the Helsinki city court consistently handed down these sentences with probation, and later did not even try the cases, though the police activity seemed to have increased by the end of the 1950s. The police department itself seemed relatively influenced by common opinion and moralism, and by arrested people who annoyed their sense of decency.

## 6.5. What was so wrong about homosexuality?

Neither Lauri nor his lover wanted to be viewed as incapable, which was the way homosexuals were generally perceived. Indeed, Lauri's friend never admitted to a sexual relationship with Lauri, despite the fact that the police pushed for a confession by keeping him at the police station for three nights and calling his wife. In his letter Lauri’s friend defended himself saying: “All my life I have tried to do my best to fulfil my place in society. Even I was insured in 1925, by working hard and by living thriftily I have been able to get two hectares of land, where at the moment I have a horse,

<sup>683</sup> *Kalle* 7/1951, 9.

<sup>684</sup> *Kalle* 7/1951, 3.

<sup>685</sup> *Kalle* 7/1951, 9.

<sup>686</sup> HONKASALO, BRYNOLF. *Suomen rikosoikeus*. Erityinen osa II. Suomalaisen lakimiesyhdistyksen julkaisu, b-sarja, 104, Helsinki, 1960:71.

two cows and forty chickens.”<sup>687</sup> With this statement we find ourselves in the heart of the 1950s discourse that tried to put people into framework of family and hard work. Riitta Jallinoja has called the Finnish 1950s the period of traditionalism and rationalism. That is, that hard work and family life constituted the core the values of society, and that within this picture there was not much space for individualism.<sup>688</sup>

The same features are found in the letter that Lauri’s attorney wrote to the court. The attorney wanted to show Lauri’s capacity as a citizen by pointing out that: “The suspected [Lauri] is married and his marital sex life has been fully normal and happy until his wife became ill. [...] The suspected has served the state in exemplary way for decades [...] and has been able to educate his children without loans regardless of the scarce living.”<sup>689</sup> Thus, Lauri and his lover emphasized their masculine abilities, statements which were aimed against the perception of homosexuals as feminine and incapable. Indeed, both those features were leagues away from the image of the admired man in the 1950s context, which required more than anything, hard and modest work. We see this in *Viikon Totuus* magazine in 1959: “as healthy people say: in that [when ‘homos’ are with one another] the work and time of two men is wasted”<sup>690</sup>

In the post-war context, a homosexual man was also viewed as an incomplete man. This is borne out in Honkasalo’s text where he writes that inborn homosexuals ‘lack capacity’ to normal sexuality.<sup>691</sup> Jalas, on her part, wrote that homosexuality was often caused by lack of sexual drive and ‘weak erection’. Consequently, the men who because of impotence could not get satisfaction with women turned to homosexuality.<sup>692</sup> Erection problems can be translated to ‘masculinity problems’ as erection is culturally one of the most important symbols of masculinity.<sup>693</sup> It seems, that in order to promote the superiority of heterosexuality, homosexuality had to be portrayed as an

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<sup>687</sup> In Finnish: “Itse olen kaiken ikäni yrittänyt täyttää parhaan kykyni mukaan paikkani yhteiskunnassa. Siitä huolimatta, että loukkaannuin tapaturmaisesti vuonna 1925 olen lujasti työtä tehden ja ahkerasti säästämällä onnistunut hankkimaan itselleni maata noin 2 hehtaaria, minkä lisäksi minulla on hallinnassani saman verran vuokramaata. Palstallani minulla tällä kertaa on hevonen, kaksi lehmää ja neljäkymmentä kanaa.

<sup>688</sup> JALLINOJA, RIITTA. *Moderni elämä, ajankuva ja käytäntö*. Suomalaisen kirjallisuuden seura, Helsinki 1991:58-59, 64.

<sup>689</sup> In Finnish: “Syytetty [Lauri] on naimisissa ja hänen avioelämänsä vaimon sairastumiseen asti on ollut täysin normaalia ja onnellista. [...] syytetty on esimerkiksi kelpaavalla tavalla kyennyt ansioitumaan valtiota vuosikymmeniä palvellessaan [...] syytetty on niukoissa olosuhteissaan pystynyt kouluttamaan velattomasti molemmat lapsensa.”

<sup>690</sup> *Viikon Totuus* 1959:11,13.

<sup>691</sup> HONKASALO, BRYNOLF. *Suomen rikosoikeus. Yleiset opit, toinen osa*. Suomalaisen lakimiesyhdistyksen julkaisuja b-sarja, 34, Helsinki, 1949:59.

<sup>692</sup> JALAS, RAKEL. *Sukuelämä terveeksi*. WSOY, Porvoo 1941:73-74.

<sup>693</sup> This is discussed in many masculinity studies. Compare - impotent (not powerful). In REESER W. TODD *Masculinities in theory: an introduction*. John Wiley-Blackwell, Malden 2010:30. Compactly in MOONEY-SOMERS, JULIE. “Penis” in *International Encyclopedia of Man and Masculinities*. Routledge 2007:473-474.



unmanly thing. Both statements draw a picture in which homosexuality “lacked” something that heterosexuality had, in other words it was incomplete, whereas heterosexuality was portrayed perfect.

Lauri and his lover did not want to be categorized with the negative post-war image of a homosexual. There existed at the time two, often-rehearsed discourses on homosexuality. Homosexuals were not only feminine and incapable men, but they were, first and foremost, seducers of innocent men, and because of that a risk to the future of the Finnish nation. In addition, they were also potential child molesters. In this section, the two main “wrongs” of homosexuality are discussed.

The seduction discourse became increasingly trenchant after the war. One reason was the more visible homosexual park culture that became established in the biggest cities of the country. In addition, it was feared that if homosexuality was not controlled, it could spread more widely throughout society. The Finnish gossip magazines propagated the idea that queer life had increased in Sweden after homosexuality was decriminalized there in 1944. Juvonen writes that in the popular sensationalist magazines of the 1950s all the topics that fed the curiosity of people were discussed, among them increased queer life in Stockholm and Copenhagen.<sup>694</sup> At the time, there were several homosexual scandals in Sweden, which were discussed in Finnish media, one of them even involving King Karl Gustav V.<sup>695</sup> Much concern over the developments in ‘decadent’ Sweden, which formed the first point of reference when Finnish people wanted to know anything about homosexuality/homosexualism, was articulated in the yellow press.

The Swedish experience with scandals ‘proved’ to Finns that homosexuality had to remain illegal. In the Finnish view, the decriminalization of homosexuality would lead Finland to the same situation as Sweden: Finns thought that because of their liberal attitude, the Swedish “men had slid to this sick and abnormal trap”<sup>696</sup>. In other words, they had *become* homosexuals. This anxiety gripped Finland: “Public authorities warn: alarming danger”<sup>697</sup> or “Has the Swedish disease

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<sup>694</sup> JUVONEN, TUULA. ”Ruotsalaistaudin kourissa. Heteromaskuliinisuuden jälleenrakentaminen 1950-luvun Suomessa.” In Karonen, Petri & Tarjamo, Kerttu (eds.) *Kun sota on ohi. Sodista selviytymisen ongelmia ja niiden ratkaisumalleja 1900-luvulla* Historiallinen arkisto 124. SKS 2006:326. pp.310-340.

<sup>695</sup> RYDSTÖM, JENS. ”Sweden 1864-1978. Beasts and Beauties.” In *Criminally Queer: Homosexuality and Criminal Law in Scandinavia, 1842-1999*. Ed. Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007.

<sup>696</sup> JUVONEN 2002:87.

<sup>697</sup> *Jallu* 11/1959.

increased in Finland?’<sup>698</sup> Indeed, homosexuality was often connected to Sweden in magazine articles.<sup>699</sup> The country was seen as exemplar of a situation of enormous increase of the learned-type homosexuality. The same discourse was used in West Germany where homosexuality was viewed as the major corrupting element of society.<sup>700</sup>

In Finland, unlike in Scandinavia, homosexuality, or in this connection we should speak about *homosexuality*, was a threat to every man. Like alcoholism, it was considered something fun but irresponsible, and will in the end, enslave the individual. Even though the seduction discourse caused intensified policing over same-sex practises, it is at the same time rather “queer” as a theory. As it is, according the seduction discourse, ‘heterosexual’ and ‘homosexual’ are not clear and immutable categories. As it is, according the seduction view, any ‘normal’ man, if not eternally vigilant, could become homosexual.<sup>701</sup> Juvonen connected the hostile atmosphere of the fifties to the war experiences. I would connect it to the Nazi German legacy, and to the discourses adopted in the 1930s, so similar were the perceptions in the two countries, Germany and Finland, in the post-war period. In addition, the sources show that the Finnish past had been rather queer, as, first, (in agrarian life) homosexual relations did not have cultural significance; they were considered, if anything, bad habits, and second, still in the 1930s and even in the post-war period poor working-class men were not labelled as homosexuals by themselves or by others if they had same-sex relations for money. Whereas the prohibitionists had taught the dangers of alcohol consumption to ‘ignorant Finns’ at the turn of the century, in the post-war years the dangers of homosexuality were to be similarly taught. Their own experience of the past and of the wars had shown to the Finns that there was a fine, indefinite line between normal and abnormal, and as it was so fine and fragile, it had to be protected by policing.<sup>702</sup>

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<sup>698</sup> Kalle 1951.

<sup>699</sup> Juvonen analyses that the reason for alienating homosexuality outside the Finnish borders was part of the reconstruction process of Finnish hetero-masculinity. During the war men had experienced homosexual relations, which afterwards needed to be forgotten and alienated from Finnish masculinity, Juvonen says. Sweden was a good object as it was ‘full of mommy’s boys who did not even participate to the war’ Juvonen describes the rationale behind the discourses of ‘Swedish disease’ JUVONEN 2006:332-333. I would anyhow suggest that the perception of homosexual seduction made Finnish people to be sincerely worried about the spread of this ‘Swedish disease’.

<sup>700</sup> West Germany kept in force the same-sex fornication paragraph 175 that was enrolled by Nazis in 1935. As described in the chapter five, the paragraph of 1935 was stricter than the previous one. The previous one had criminalized only penetration, whereas the new criminalized any homosexual acts, even thoughts. In GILES, GEOFFREY J. "Legislating Homophobia in the Third Reich: The Radicalization of Prosecution against Homosexuality by the Legal Profession." *German History*; Vol. 23:3, (2005). pp. 339-354.

<sup>701</sup> Jalas connected homosexuality to ignorance, and said that people should be warned and educated with knowledge about homosexuality, so that they would know to avoid it.

<sup>702</sup> It is interesting how Whisnant came to so similar kind of conclusions in his analysis of the 1950s discourses in West Germany. He compared the discourses used for homosexuality to critics over consumer’s society. Whisnant shows how they both were considered primarily as immoral or inferior. However, at the same time both of them were attempting.

Homosexuality was also connected to child molestation in the public mind. Lauri defended himself to the police by saying that he had never had sex with men from the military or with younger men. Other men used the same argument, and for good reason. In the 1950s there was a panic over child molesting. Child molestation cases increased rapidly in the 1950s, peaking in the early 1960s.<sup>703</sup> In the 1950s, the number of convictions of child sexual abuse increased in parallel with an increase in the number of same-sex fornication convictions. However, whereas heterosexual sex among adults was culturally highly distinguished from the figure of a child molester, homosexual sex was not. There was no clear division between adult homosexuality and generation crossing homosexuality. This becomes evident when reading various sources from the period. Some psychiatrists, as well as scandal magazines and common people, connected homosexuality to possible child molesting. This means that *homosexuality* or *homosexual* meant any sex act to which two or more people of the same sex were involved. This can also be read from Löffström's homosexuality survey (1993) where people were asked to recall their first memories of homosexuality or lesbianism. In these recounts *homosexual* or *manlover* was described being someone who seduced men –or equivalently - boys.<sup>704</sup>

Peter Streans has pointed out that in the twentieth century, when children were sent to schools instead of work, they started to be viewed as fundamentally different from adults. In addition, family planning allowed parents to focus more on their offspring.<sup>705</sup> This shift can be viewed as having caused the passing of stricter laws against children's sexual abuse in 1952 and 1954.<sup>706</sup> One might say that the birth of the notion of childhood resulted in anxiety regarding children and unearthed previously hidden practices. Thus, as shown particularly in chapter one of this thesis, such practises had existed in the pre-modern Finland. In those times the seducers were often called *manlovers*, as the term was equally used for men who were interested in men and boys. Alongside the increasing worry over children, these previously unimportant relations were understood as actions of homosexuality and as grave crimes. For instance, in 1951, in *Kalle* magazine a man

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Our analyses are so similar, which also shows the similarity between the discourses in the two countries. In WHISNANT 2012:60.

<sup>703</sup> ANTTILA, INKERI 1956. Also MUSTOLA, KATI 2000. "The Penal Code as Form of Control of Sexuality: Homosexual Acts as Crimes in the Context of Other Sexual Offences in the 1950s Finland" in TELEBRAND LARS-GÖRAN ed. *Sex, State and Society. Comparative Perspectives on the History of Sexuality*. Nyheternas Tryckeri KB, Umeå 2000:92.

<sup>704</sup> In Homosexuality questioner 1993. Pages 230, 210, 182, 171 (female case), and 155. Informants: Iittala/M1911, Mynämäki/M1920, Kiikala/F1912

<sup>705</sup> STERNS, PETER N. *Growing Up. The history of Childhood in Global Context*. Baylor University Press, Waco Tex. 2005.

<sup>706</sup> MUSTOLA 2000:96.

recalled his childhood in Helsinki. He recalled there having been a man who had followed him and other boys when they had played football next to Hesperia Park. The man had once tried to fondle the boy. The previously unnamed situation had now, in the post-war context a new meaning: the man had been “a homophile”.<sup>707</sup> As shown in the example, this understanding also functioned retrospectively. In other words, if one of Juhani’s ex-schoolboys from the 1910s had been alive in the 1950s, he could have now called his folk-school teacher a homosexual.<sup>708</sup> In the 1950s, these new figures *homosexual* and the *child molester* (‘candy man’) were noted simultaneously, and they started to represent partially overlapping figures of decadency. Second, the homosexual scandals of Sweden mostly involved boy prostitution, as other male relations were legalized. The reports of this kind did not differentiate between homosexuality and child abuse. For instance, in *Kalle* magazine it was said that homosexuals frequented especially the public toilets near boy schools or kindergartens.<sup>709</sup>

Juvonen analysed a sensationalist magazine called *The Truth of the Week* (*Viikon Totuus*), that actively reported child molesting and homosexual cases. In 1951 a homosexual case was reported in the magazine. In the case, three adult men, some from higher social-economic positions, were accused and convicted of same-sex fornication. Despite the fact that all the members were adults, *The Truth of the Week* forewarned the accused men: “All you fancy architects, dentists, and other ‘monsieurs’ and directors, better let the minors be. Otherwise you’ll be in trouble with The Truth of the Week and with publicity!”<sup>710</sup> Hence, once the men had been involved in adult homosexual relations, they were capable of desiring sexual relationships with children. This was the logic of the scandal magazine in 1951.

Not only the sensationalist magazines used such rhetoric. Psychiatrists, too, did not distinguish between child molesting and adult homosexuality. At least this was the case in 1950, when an older man was prosecuted of having had sexual relations with adolescents and boys in a rural district of Tavastia.<sup>711</sup> The man went through psychiatric analysis and remained in a mental hospital for some time, where his condition was examined in detail. In his analysis the doctor speaks merely about homosexuality, even though the man was only convicted of child sexual abuse and told that his

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<sup>707</sup> In *Kalle* 7/1951, 11.

<sup>708</sup> This could be compared to paedophile scandals in the Catholic Church, where cases coming to light today occurred many decades ago.

<sup>709</sup> JUVONEN 2002:88.

<sup>710</sup> Viikon totuus 1951:11,3. In Finnish: *Antakaa vain, herrat arkkitehdit, hammaslääkärit sun muut herrat ja tirehtöörin alaikäiset olla rauhassa. Muuten joudutte tekemisiin Viikon Totuuden ja julkisuuden kanssa!*

<sup>711</sup> Urjalan pitäjän y.m. kuntain varsinaisasiain tuomiokirjat.2.10.1950. §1.

desire focused on younger males. The doctor did not problematize the age at all, but all together, the man was homosexual.<sup>712</sup> In West Germany too, there was an assumption that as the person was homosexual, nothing could guarantee that he would not abuse boys.<sup>713</sup>

## 6.6. Closing words

The sixth chapter focused on the post-war conviction peak, showing how and why the peak took place in post-war Finland. The chapter was divided into two main parts, in which the first focused on the ways in which homosexuality was controlled and the latter on the new perceptions of homosexuality, by dint of which attempts at justification were made for the intensified control. In the first part I used a large number of court cases as a basis of the analysis, and in a sense the case of Lauri functioned only as a frame-story in the first part of the chapter. In the second part of the chapter the main sources were medical and legal writings on homosexuality, both published and unpublished, from which the former were found from the court case files.

A systematic comparison of the 162 cases tried in immediate post-war years (1946-1950) shows that there were major regional differences in the tensions of control over same-sex intimacy. Whereas in the Swedish-speaking west coast hardly any same-sex fornication sentences were given, in northern parts of the country the number of convictions was very high. In proportion to population size people got convicted of same-sex intimacy most often in the city of Oulu. Nearly one-third of all the convictions were given in Helsinki. A closer analysis of the cases tried in the urban courts revealed that the cases were similar throughout the country, happening in the public sphere of the city and being seen by the police. The cities that had the most convictions were also the cities in which social problems occurred after the war.

The peak years (1951 and 1952) can be explained, by and large, by the activity of the Helsinki police in those years. I showed that, indeed, Helsinki police tracked down homosexuals from public places, and that there were even named officers for the purpose. The police force had increased remarkably in the post-war period, but the number of crimes declined rapidly after the war. This caused the situation in which the police had resources to attend to such activity in the parks and

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<sup>712</sup> Another case of this kind when a teacher was prosecuted of having had sex relations with four boys who were under 15 years old and with one who was under 17 years old. The doctor talked about the teacher's homosexual lust that he considered of not being constitutional type. The relation was homosexual, because the boys were the same sex with the teacher. In Helsinki city court, 13<sup>th</sup> department I section. File 97/1950.

<sup>713</sup> WHISNANT 2012:62.

toilets. In 1952 half of all the fornication sentences were given in Helsinki. The reason for the peak is surprising: the city had to be cleaned from “antisocial elements” at the eve of the Summer Olympics that were organized in Helsinki that summer. Park homosexuality belonged to the group of antisocial elements such as drug users, prostitutes and vagrant alcoholics.

Traditionally, the common people did not report homosexuals in the urban sphere, but in the post-war period this kind of phenomenon became more common. Police were more easily accessible because of new technology, which made the reporting easier.

Active homosexual park culture was about to emerge in new volume in Helsinki. Especially Hesperia Park worked as a place for homosexual cruising. Some customs took their form in the park cruising culture, because of which it can be viewed as an early stage of homosexual sociability in the city. The court records also showed that many came to look for sex from Helsinki, as the fast-growing capital city offered a variety of possibilities for homosexual encounters.

A new homosexual sub-category appeared in post-war Finland, which subsumed homosexuals who had learned their homosexual desire during their life. These homosexuals were the result of homosexual seduction that was strongly feared in the post-war period. The Swedish example showed to Finns that homosexual behaviour needed to be controlled, as in the liberal Sweden, “homosexuals were everywhere”. The strong position of the seduction discourse can be explained by the close alliance with Nazis in the 1930s. Homosexuality in post-war West Germany homosexuality was discussed using same metaphors, and controlled because of the same rationale. One can say that it was the Nazi legacy that echoed in post-war Finland.

The learned-in-life type of homosexuality replaced the old notion of pseudohomosexuality. In a sense, this meant an end to innocent and meaningless male sexual actions and relations. Now, every homosexual act implied a more permanent homosexual nature of the person, or possible seduction.

The innate type of homosexual had remained nearly the same as it had been pre-war. He was still understood as an effeminate character who also lacked some capacity as a man. Somehow, however, the seducer type of homosexual, even masculine, lacked the manhood that the post-war period required. Homosexual man had not fulfilled the requirements of society, but instead had chosen an easy life. This had to be constructed as unmanly behaviour because it endangered the future of Finnish society.

A comparison of the Finnish and Swedish perceptions of homosexuality showed that the Swedes had neither the seduction discourse nor the learned-type of homosexuality. This fundamental difference in the understanding of same-sex relations goes a long way in explaining the different kind of legal control over homosexuality used in the two countries. In fact, Finland was the only Nordic country that in the post-war period continued to exercise active control over homosexual relations.

In the 1950s homosexuality was still associated with child molestation, so homosexuality did not contain within it divisions by age. Instead, men who abused boys were equally called homosexuals. This was on the one hand a continuum from the manlover discourse and from the period in which boys were not considered as victims of sexual abuse. On the other hand these were mixed because there were many homosexual child molestation scandals in Sweden and because the fear over homosexuality and child molestation started at the same time in the 1950s. The perception of homosexuals as possible child abusers also derives from the seduction discourse. A person's homosexual behaviour was already a symptom of the person's corruption, which could equally lead to child molesting.

Homosexuality was in many respects understood in Finland in a same way as alcoholism. This notion of homosexuality is important, because it permits an understanding of the queerness of the whole seduction discourse. Indeed, the seduction discourse implies that there was a fine line between homosexuality and heterosexuality. It showed that homosexuality was so tempting that heterosexuality had to be protected with laws and policing.





## 7. “*Homosexuality* is a problem as long as we on our own make it a problem”<sup>714</sup>

### - *Eero's story* - Helsinki 1966

#### 7.1. 1960s transformation

Sexuality became a topic of discussion in 1960s Europe and America. The emergence of the so-called sexual revolution took place rather simultaneously in different countries of the Western world, a phenomenon that has been explained through medical innovations (contraception pill), the rise of commercialism, and the postwar youth generation, which had more money and time to spend than any other generation before it.<sup>715</sup> Finland was not at all at the forefront of the sexuality discussion, but followed Sweden with a few years delay.<sup>716</sup> Whereas in Sweden the sex debate had started in 1962, it became topical in Finland in “the sex spring of 1965”<sup>717</sup> when two big student magazines published sex issues, in which sexuality, including homosexuality, were openly discussed. In addition, panel discussions on sexuality were held at Helsinki University.<sup>718</sup> The five-sessions-long panel series was followed by a book “Genderless Finland” (*Sukupuoleton Suomi*) in 1966, in which three articles about homosexuality were included.<sup>719</sup> Suddenly, sexuality had become such a topical issue that even the Finnish Lutheran church felt the need in 1966 to publish a pamphlet about the church’s official opinion about sex.<sup>720</sup>

It is not a surprise that the 1960s was a turning point also in the Finnish same-sex history. Alongside of the radicalization of the academic and urban youth also “sexual deviances” got more

<sup>714</sup> In Swedish: “Homosexualiteten är ett problem så länge vi själva gör den till ett problem.” *Nya Pressen* 14.8.1966

<sup>715</sup> HERZOG, DAGMAR. *Sexuality in Europe: A Twentieth Century History*. Cambridge University Press, Cambridge 2011:133-135.

<sup>716</sup> In Sweden sexuality discussions had started in 1962. New research on sexuality was published in 1964. In MUSTOLA, KATI. ”Suomalaisten lesbo- ja homoliikkeiden historiaa.” in *Sateenkaari-Suomi. Seksuaali- ja sukupuolivähemmistöjen historiaa*. Edited by Kati Mustola and Johanna Pakkanen. Like, Keuruu 2007:18.

<sup>717</sup> Ilkka Taipale used the term already in 1966. TAIPALE 1966:7.

<sup>718</sup> Sex issues were published both in *Ylioppilaslehti* 2/1965 and *Medisiinari* 4/1965. About this in HAKALA, ANU ”Rikollisen raskas leima. Homoseksuaalisuuden dekriminalisointi ja siitä käyty keskustelu 1960-1970 –lukujen taitteessa.” Master thesis on History. Tampere University, Tampere 2011: 52-54. Candidate association organized a five-session-long panel series on sexual issues, in which over 30 speeches about sexuality were heard. From the panel session a book called “Genderless Finland” (*Sukupuoleton Suomi*) was edited a year after.

<sup>719</sup> KIHLMAN, CHRISTER ”Seksuaalisista poikkeavuuksista”, LÅNG, K. J. ”Havaintoja sukupuolikäyttäytymisen rangaistavuuden perusteista.” and GUMPLER, HERBERT ”Homoseksualismista juristin silmin” in *Sukupuoleton Suomi*. Edited by Ilkka Taipale, Tammi, Helsinki 1966.

<sup>720</sup> The pamphlet: *Ajankohtainen asia*. Vammalan Kirjapaino oy, Vammala 1966.

spokesmen in the society, which, eventually, led to the emancipation of homosexuals in the country. However, besides the attention given in the academic sphere during the sex spring of 1965, same-sex relations had remained by and large a neglected topic in other public discussions until August 1966, when the only national tabloid of the time, called *Ilta-Sanomat*<sup>721</sup>, published a front-page sensational article titled *Nest of Homosexuals in Helsinki*<sup>722</sup>. The article opened a new space for discussion about homosexuals and their rights. Indeed, the response to the article can be seen as causing the whole forthcoming emancipation and decriminalization of homosexuality in Finland. The scandal has become a legend among today's Finnish gay movement, but as with any legend, many versions of it exist, and no research on it has been done.<sup>723</sup>

*Ilta-Sanomat* scandalized the lifestyle of a Helsinkian middle-aged businessman, who is called *Eero* in this chapter.<sup>724</sup> Stories about Eero's sexuality led also to a legal process, in which Eero and two other men were convicted of same-sex fornication in November 1966.<sup>725</sup> Because of the unwanted publicity given in *Ilta-Sanomat*, Eero became the first Finnish man who in the late 1960s openly spoke of his homosexuality. Consequently, by the beginning of the 1970s Eero had become a homosexual activist and a leader of the first registered homosexual association, *Psyke ry.*<sup>726</sup> By the time of the decriminalization process Eero was interviewed on television and for many yellow press magazines, which were popular at the time.

Despite Eero's important role in the early homosexual emancipation, he has remained a forgotten figure in the historiography. There are a handful of studies, mainly master's theses, which have concentrated on the early years of the Finnish homosexual movement and the decriminalization discussions, but Eero is mentioned briefly in only one of them.<sup>727</sup> Therefore, Eero has become the

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<sup>721</sup> *Ilta-Sanomat* (Finnish for "Evening news") was founded in 1932 as an evening edition of *Helsingin sanomat*, the biggest newspaper of the country. *Ilta-Sanomat* had been a voice of the National Progressive Party, which was liberal and powerful party in the country till 1951. Thus, the political stand of the *Ilta-Sanomat* was not as conservative as one could interpret from this chapter.

<sup>722</sup> *Ilta-Sanomat* 10.8.1966

<sup>723</sup> Kati Mustola has referred the scandal in her article "Finland a Turbulent Past" in *Criminally Queer*. She said that "a reporter infiltrated to a private party held in a home of a homosexual", which means that she bases her arguments to common knowledge or to legends, without actually knowing the case. Some say the scandal was in 1965, as MELANKO, VALDEMAR. *Puistohomot. Raportti Helsingin 1960-luvun homokulttuurista*. Suomalaisen kirjallisuuden seura, Helsinki 2012:11. and HÄMÄLÄINEN 1991.

<sup>724</sup> Eero's anonymity cannot be assured in this chapter, and it is not even the purpose, because Eero openly told about the legal processes run against him in the 1960s. The lack of anonymity anyhow sets some limits to the research, for instance, the private information about Eero's sexual practices cannot be analyzed in this chapter. Police interrogation records are used only to find information about the legal process and the functioning of the media and the police.

<sup>725</sup> Helsinki City Court 15.11.1966. Helsingin raastuvanoikeus, 10. osasto. 1. jaosto. 15.11.1966, § 686. (NaF)

<sup>726</sup> *Psyke ry.* was founded in the end of the year 1968. The association's own publication *The 96* was published from 1969 onwards.

<sup>727</sup> PIRTTIJÄRVI, ANSSI. "Asiallisen tiedon antaja. Seksuaalinen tasavertaisuus, Seta ry, 1974 -1981." Master thesis. Turku University, 2011. Pirttijärvi mentions Eero when he speaks about him as a leader of *Psyke ry* and as the first publicly homosexual person in Finland in page 23. SUOMINEN, HELI ILONA. "Homoseksuaalisuus poliittisena

protagonist of this last chapter of the thesis. Through the story of Eero the chapter shows how the homosexual emancipation and the decriminalization process took place in Finland quite rapidly in the late 1960s.

Through Eero's story we will see what kind of positions homosexuals were put in the contemporary legal, medical, and identity political discourses. Many academics wanted to fight for homosexual rights, because of wider political ideologies, which included criticism over the state's control and exclusion policies. The movements spoke for pluralism, individualism and inclusion. The chapter shows how the Kinsey reports were pivotal in the discourses that tried to normalize homosexuality.

<sup>728</sup> Medical authorities had a strong psychoanalytic discourse, which saw homosexuality as a developmental disorder, and they spoke about "deviances" and "abnormals". These discourses were also widely used in a morally neutral manner by homosexuals and their supporters.

## 7.2. The coincidence of *Eos*

"A young male student searches for an apartment in Helsinki. Alias *Eos*"<sup>729</sup> someone had written to a housing ad section of the biggest national newspaper *Helsingin Sanomat* in July 1966. Eero, a middle-aged man, was looking for a subtenant for his new three-room-apartment in the Vallila neighborhood when he found the advertisement. Among many advertisements this one got Eero's attention because of the name *Eos*. *Eos* was a Danish homosexual magazine, which was also well-known among Helsinkian homosexuals of the time.<sup>730</sup> In 1966, no Finnish magazines for homosexuals were published, nor were there any formal groups or associations for them.<sup>731</sup> *Eos* was a window to a totally different kind of world, as attorney Herbert Gumpier wrote in 1965 "in

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kysymyksenä Suomessa. Kansanedustajien argumentaatio 1970 dekriminalisaatiokeskustelussa ja vuoden 1996 homoparisuhdedebatissa." Master thesis. University Helsinki 1999. HAKALA, 2011. Also Kati Mustola discusses the Finnish homosexual liberation in two of her articles: MUSTOLA 2007 a and 2007b.

<sup>728</sup> Kinsey's survey had shown that among American men, 37 percent had had homosexual experiences in their lives and that 10 percent of men were inclusively homosexuals. KINSEY, ALFRED. "Homosexual Outlet" in *Sexuality in the Human Male*. Indiana University Press, Bloomington 1975. pp. 610-666. Originally published in 1948.

<sup>729</sup> Eero's interview in *Ihminen ja Yhteiskunta – Homo et societas* –magazine, 2/1968. In Finnish: "Opiskelija-nuorimies etsii asuntoa Helsingistä. Nimimerkki Eos."

<sup>730</sup> The magazines published in other Nordic countries were circulated and read also in Finland, and they had an important role in the homosexual self-identity building in Finland. In Mustola 2007:234.

<sup>731</sup> The first but short-lived association was Toisen säteen ryhmä, which was founded in 1967. The first magazine, also short-lived, was called *Ihminen ja Yhteiskunta – Homo et Societas*, which was published twice in 1968. The first steps of the homosexual liberation movement will be discussed in this chapter.

Denmark (a homosexual) has his clubs, bars, friends, magazines; in other words he can spend his life as his sexual identity requires and still be a citizen as anyone else.<sup>732</sup>

Denmark had decriminalized homosexual acts by 1930. Decriminalization processes were going on in many European countries because of active homosexual movements. These led to the decriminalization of homosexual acts among consenting adults in Hungary, Czechoslovakia, England, Wales, Bulgaria, East Germany, and West Germany along the 1960s.<sup>733</sup> However, in Finland, homosexuality was still criminalized, and possible decriminalization was not even discussed in the media, thus, homosexuality was only sporadically discussed in any public forum. The spring of 1965 had been remarkable: two student magazines had published sex-editions, in which they had also discussed homosexuality, and promoted decriminalization.<sup>734</sup> This showed that there was potential in this young academic generation, which was openly against the values of their parents' generation, including their parents' sexual morals which were seen as both hypocritical and old-fashioned.<sup>735</sup>

Eero had homosexual friends and knew the places in the city where partners could be found. When a bar in Old Student House, called Old Cellar, was opened in 1964, homosexuals had immediately taken it over as their meeting place.<sup>736</sup> Also, the park culture, which is discussed more in the previous chapter, was still very vibrant in the 1960s. The Hesperia park area was still the most common place for encounters, with different popular spots like Kissalanpoikien kuja and Museo park.<sup>737</sup> In addition, sometimes in newspapers one might find advertisements, where a homosexual would search for another of his kind with secret codes. *Eos* was one of the secret codes, because of which Eero decided to contact the writer of the housing ad. The man, let us call him Eos, came to visit Eero's apartment. Eero asked the reason for the usage of the letter combination. Apparently, for Eos himself, it was not a secret code of any kind, but his name just formed the abbreviation

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<sup>732</sup>GUMPLER, HERBERT. "Homoseksualismista juristin silmin" ("About homosexuality through the eyes of a attorney") in *Sukupuoleton Suomi* edited by Ilkka Taipale, Tammi, Helsinki 1966:148. Pages 124-169. Associations and journals were founded already in the 1940s. For foreigners Copenhagen seemed like "a minor gay heaven". In VON ROSEN, VILHELM. "Denmark 1966-1976. From Sodomy to Modernity" in *Criminally queer. Homosexuality and criminal law in Scandinavia*, edited by Jens Rydström and Kati Mustola. Aksant, Amsterdam 2007.

<sup>733</sup> Hungary and Czechoslovakia in 1961, England and Wales in 1967, Bulgaria and East Germany in 1968, West Germany in 1969.

<sup>734</sup> *Ylioppilaslehti* 2/1965 and *Medisiinari* 4/1965. HAKALA 2011:52-54.

<sup>735</sup> JOKINEN&SAARISTO 2002:185.

<sup>736</sup> MUSTOLA 2007: 24.

<sup>737</sup> More about this in MELANKO 2012:22-40. Valdemar Melanko's *Puistohomot* ("Park homos") is a report about park gay culture in Helsinki, about which Melanko had written at the turn of the 1960s-1970s. Melanko wanted to study the park gay culture in Helsinki. He interviewed homosexuals in parks and made notions where they frequented and what where the social codes and ways of finding company, and reported his findings in letters to two researchers, Klaus Mäkelä and KimmoLeppo in 1969 and 1970.

E.O.S. In his visit at Eero's apartment, Eos had gotten a feeling that "Eero was inclined towards homosexuality".<sup>738</sup>

The coincidence at Eero's apartment bothered Eos so much that on July 31, 1966 he went to visit his journalist friend, Matti Klemola, who worked in the biggest national tabloid magazine, called *Ilta-Sanomat*, and spoke about the "homosexualist" he had found. Journalist Klemola, a cub reporter in his early twenties, discussed the issue with his chief editor Olavi Aarrejärvi and "because of the encouragement from the chief editors' side"<sup>739</sup> he went together with Eos to Eero's home to get more information about his lifestyle.

Klemola and Eos arrived at Eero's home a week later, laden with invasive work gear. Klemola had brought a tape recorder with him in order to surreptitiously record the discussions he would have with Eero. There they found Eero and his friend, who lived nearby but stayed in Eero's place as he took care of Eero's apartment and dog, and they invited the men in. The four men talked over glasses of Bacardi, and all of them got a bit drunk. At the time, Eero and his friend thought that Klemola and Eos were "Eos-men" too, and so they talked quite openly about their homosexuality. According to Eero, Klemola had brought a big bottle of Bacardi with him and started the discussion on homosexuality by saying that "he had "bought" young men in New York for only six dollars. This provocation, couple with the alcohol, loosened Eero's inhibitions, and he told about his methods of finding sex companions.<sup>740</sup> After a couple of hours, Klemola and Eos left the apartment. Eos had left his suitcase there and paid the rent, as Eero had promised to rent the furnished room to him.<sup>741</sup> That night a photographer from *Ilta-Sanomat* scouted around Eero's house and took photographs of Eero out with his dog, and of Eero's friend when he had looked out from the apartment's window.

When Klemola and Eos went back to Eero's home the next day, Eero and his friend seemed quieter than they had been the day before. Klemola supposed that they were suspicious of their motives and were consequently circumspect.<sup>742</sup> When Eero left the apartment for a short while Eos copied the information written in Eero's guest book while Klemola talked with Eero's friend. In this way Klemola and Eos gleaned information about other possible homosexuals who had visited Eero's place.

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<sup>738</sup> Police interrogation records 25.10.1966. "homoseksuaalisuuteen taipuvainen henkilö".

<sup>739</sup> Police interrogation records 25.10.1966. "kuulusteltava oli esimiestensä kehotuksesta [...]".

<sup>740</sup> *Ihminen ja yhteiskunta – Homo et Societas* 2/1968:3

<sup>741</sup> Eero's interview in *Ihminen ja Yhteiskunta – Homo et Societas* –magazine. 2/1968:3.

<sup>742</sup> Police interrogation records. 25.8.1966.

### 7.3. “The story of the nest of *homosexualists*”

Wednesday, August 10, 1966 started out like any other day, but was later recalled as a terrible moment for Finnish homosexuals of the time.<sup>743</sup> On that day, a front-page headline in the national tabloid *Ilta-Sanomat* shouted in capital letters: “HOMOSEXUAL NEST IN HELSINKI”.<sup>744</sup> The whole front page and the centerfold were occupied with this news, whose author was journalist Matti Klemola. The article stated that “homosexuality is about to become more open and dangerous in Finland”.<sup>745</sup> The ingress of the front page read:

“Recently, the activity of homosexual materials has gotten more visible forms in Finland, as the information revealed by *Ilta-Sanomat* shows. *Ilta-Sanomat* examined the lifestyle in an apartment which is used as a stronghold run by Helsinkian homosexualists, and found out that those circles are strongly interested in the military, for instance. Especially draftees are in the firing line, but officers and NCOs also interest them. The police started to examine the case based on the material *Ilta-Sanomat* gave to them. The story of the nest of homosexualists is in the centerfold.”<sup>746</sup>

The language used in the article was taken from military and hunting terminology. Homosexuals were portrayed as enemies of society, who chase innocent people from the streets and bring them to their nest. Eero’s private apartment was described as a stronghold of homosexuals, not as his home. “A nest” associates with a group that has infiltrated into society and functions from there. Novices of the military were said to be “in the fire line”. In addition, Eero was described as a predator who captures draftees.

Eero described it having been a “shocking surprise”<sup>747</sup> when he saw the headlines and his picture in *Ilta-Sanomat* that day. He had not been warned at all, and could not know that he had been spied on.

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<sup>743</sup> The scandal demonstrates the suppression of the 1960s for many of the today’s homosexuals, as it was the first scandal that created a public debate around homosexuality in the country. The scandal has a symbolic meaning but has still remained unstudied and unknown. MELANKO 2012:11.

<sup>744</sup> *Ilta-Sanomat* 10.8.1966.

<sup>745</sup> In Finnish: ”homoseksualismi on saamassa yhä avoimempia ja vaarallisempia muotoja Suomessa”. *Ilta-Sanomat* 10.8.1966.

<sup>746</sup> In Finnish: ”Homoseksuaalisten aineiden toiminta on viime aikoina tullut yhä näkyvämmäksi Suomessa, käy ilmi *Ilta-Sanomien* hankkimista tiedoista. IS tutustui erään helsinkiläisten homoseksualistien tukikohtanaan pitämän huoneiston elämään, jolloin voitiin todeta kyseisten piirien voimakas mielenkiinto mm. armeijaa kohtaan. Tulilinjalla ovat erityisesti varusmiehet, mutta myös upseeri- ja aliupseeriainekset kiinnostavat. Poliisi aloitti eilen IS:lta saamansa aineiston pohjalta tutkimukset Helsingissä. Kertomus homoseksualistien pesästä keskiaukeamalla.” *Ilta-Sanomat*, front page 10.8.1966.

<sup>747</sup> In Finnish: ”järkyttävä yllätys”. In *Ihminen ja Yhteiskunta – Ihminen et Societas* 2/1968:3.

Though Eero's name was not mentioned in the article, a tremendous amount of information was offered, such as a picture of him and of the building in which he lived. In the picture he is walking his dog, and some passer-by has stopped to pet the dog. The legend read: "the boss is hunting again..."<sup>748</sup> Eero's profession, age, and even the breed and sex of his dog were recounted. In fact, many people who knew Eero recognized him in the article.<sup>749</sup> It was also told in the article that the apartment had antique furniture, and that there were photographs of military people on the wall and pornographic literature in the bookshelf. The article also mentioned some other people who were part of this "homosexual circle", who visited "the stronghold" and had "suspicious lifestyles".

Compared to the series about homosexuality published in *Kalle* in 1951, which was analyzed in the previous chapter, this sensationalist piece in the *Ilta-Sanomat* fifteen years afterwards did not approach the general issue of homosexuality. Whereas *Kalle* wanted to discuss criminalization, the different political strategies in other Nordic countries, and tried to analyze the nature of homosexuality, the *Ilta-Sanomat* seems purely voyeuristic. There had been some articles about homosexuality in mainstream magazines before the article, too. For instance, in *Kauneus&Terveys* ("Beauty and Health") homosexuality had been discussed as early as 1958 and a couple of times later, too.<sup>750</sup> The view on homosexuality had been psychoanalytical and understanding. If taking into account the discussions about homosexuality during the sex spring a year before, the writing in *Ilta-Sanomat* seems totally out of place, representing views and values of the "old world". Therefore, while the rapidity and volume of condemnation might have been a surprise, the nature of the response itself could not have been so.

The shocking article received an immediate response from different levels of society. In 1991, Veli-Pekka Hämäläinen, one of the pioneer activists of gay-liberation movement in Finland wrote that the writing "caused a wide wave of sympathies towards homosexuals" even if its purpose was to increase reprehension against them.<sup>751</sup> The article was discussed in radio and television in the same day, and the discussions disapproved the style of the article.<sup>752</sup> *Suomen Kuvalehti* wrote in August 1966: "A meaningless writing in a scandal tabloid succeeded in a task that other, more proper

<sup>748</sup> In Finnish: "toimitusjohtaja jälleen pyydystämässä" in *Ilta-Sanomat* 10.6.1966.

<sup>749</sup> Eero's attorney letter to the court. 14.11.1966.

<sup>750</sup> "Homosexuality" in *Kauneus&Terveys* 2/1958:6-7; "Hidden homosexuality" in *Kauneus&Terveys* 9/1963:24-25, 53; "On sexual moral and criminal law" in *Kauneus&Terveys* 9/1964:21; "Sexual deviances" in *Kauneus&Terveys* 2/1965:42-44; "When women love women" in *Kauneus&Terveys* 11/1967:49, 86.

<sup>751</sup> In the prology of the republication of *Ihminen ja Yhteskunta Homo&Societas*. Kustannusliike Kustannusvastuu, Helsinki 1991.

<sup>752</sup> I have not had an access to these programs, but *Ilta-Sanomat* article from day after the scandal 11<sup>th</sup> August 1966 speaks for the fact that the programs had supported homosexual rights.

*journals, have failed: creating a discussion about homosexuality*".<sup>753</sup> Two important shifts can be found from the discourses: psychiatrists had become the most powerful authorities to define same-sex relations, and their discourses were used mainly to support decriminalization of homosexual acts. Another big shift in discourse can be found from the society-individual dichotomy: The uniformity of the society was questioned and rights of an individual were prioritized, which was part of the wider change of values in the society. For the younger generation individualism and solidarity were values more important.<sup>754</sup>

Only two days after the article was published, a petition to decriminalize homosexual acts was published in *Hufvudstadsbladet*, which was the biggest Swedish speaking newspaper of the time. Under the petition there were 89 signers, not just anyone, but notable members of the society's younger cultural elite.<sup>755</sup> The petition referred to other Nordic countries that had decriminalized homosexual relations between adults "a long ago", and because of this Finnish criminal law was said of being "outdated". The argumentation of the petition was based on human rights values. The criminal code and the scandalous article were said of being a form of group discrimination. Majority-minority dichotomy was present in the text too. The petition protested against the situation where the majority penalizes the different forms of living.<sup>756</sup>

The *Ilta-Sanomat* felt compelled to defend its decision to run the article. A day after the scandal broke, an editorial, entitled *Homosexuality*, tried to justify the article's publication. It stated that their open writing about homosexuality had put out for public discussion a topic that had previously been mired on the level of gossip. They called "homosexuality" "an absolutely complex issue", which was both an "individual and societal problem", and in addition, the editorial reminded its readers, also a crime. It was clear that *Ilta-Sanomat* was embattled, showing that the response to the article had been by and large condemnatory. They said, however, that the army had been satisfied with the article they had published. The army's satisfaction was based on the fact that "the army has a clear opinion about homosexuality: it does not fit there in any forms, such as do not fit any other forms of sicknesses or perversities."<sup>757</sup>

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<sup>753</sup> *Suomen Kuvalehti* 33/1966.

<sup>754</sup> KOLBE 1996:164-165.

<sup>755</sup> The signers were mainly Swedish-speaking people born in 1930s. There were politicians, writers, theatre people, musicians, and journalists. At the time of the petition they were at the beginning of their careers, but many of them became important and notable people in the society.

<sup>756</sup> *Hufvudstadsbladet* 12.8.1966.

<sup>757</sup> In Finnish: "Armeijalla on täysin selvä kanta homoseksualismiin., se ei sinne sovi missään myödessä yhtä vähän kuin mikään muu sairaalloisuus tai perverssi käytäntö."



The editorial referred to discussions held in society, which had mainly focused on legal aspects of the issue. The *Ilta-Sanomat* stated that the decriminalization attempts can be discussed and maybe even some forms of homosexuality could be decriminalized and managed in the future through medical treatments. However, the editorial was worried about “the sympathies that the society has showed”, and stated that “the sympathy of society cannot go such a long way that exceptional individuals, which they are, could make their aberration a normal expression of sexual behavior at all the levels of healthy society. Thus, homosexualism is not anyhow, a desired phenomenon at all.”<sup>758</sup> All in all, *Ilta-Sanomat* wanted to keep homosexuality on the margins, and promoted uniformity of society with words like “normal” and “healthy”. It condemned the “half-idolized” attitude towards homosexuals expressed in the media after the writing. As in the 1950s, loyalty towards society and its values was paramount, and the editorial concluded that “also homosexuals should show some sympathies towards the society”.<sup>759</sup>

#### 7.4. Legal process

While the discussions went on in the media, Eero lived through difficult times.<sup>760</sup> A day before the big headlines in *Ilta-Sanomat*, journalist Klemola, photographer Juha Numminen and the chief editor Aarrejärvi had delivered the information about Eero to the detective police. The information consisted of three photographs taken outside Eero’s home (which were published in the scandalous article too); a five-pages-long typewritten report about the discussions held with Eero and his friend in the apartment, as well as a long list of names and contact information about people whose names were found in Eero’s guest book. The main reason for the denunciation was the suspected homosexual activity in Eero’s apartment.

The interrogation process began immediately. The police interviewed nine people, including the janitor of the Eero’s house, two neighbors, two of Eero’s suspected partners, Eero’s ex-subtenant, the journalist Klemola, and Eero’s friend who had been in the apartment when Klemola visited there. Eero was not interviewed. Despite the fact that Eero and his partners spoke openly about their

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<sup>758</sup> In Finnish: ”Yhteiskunnan osoittama ymmärtämys ei voi mennä niin pitkälle, että se sallisi poikkeuksellisten yksilöiden – ja siitähän on kysymys – tehdä harhautumastaan terveen yhteiskunnan elämään sen kaikissa portaissa kuuluva normaali sukupuolikäyttäytymisen muoto. Homoseksualismihan ei kuitenkaan ole mikään toivottu ilmiö.”

<sup>759</sup> ”myös homoseksualisteilta täytyy edellyttää ymmärtämystä yhteiskuntaa kohtaan.”

<sup>760</sup> *Ihminen ja Yhteiskunta* 2/1968:3.

relationships, the police wanted to get confirmation from the neighbors: *Have you seen this man going to Eero's apartment? Have you heard anything suspicious from Eero's apartment?* The neighbors did not have much to tell, but they conscientiously told everything they had seen or heard about Eero and his friends. All the informants had noticed the "Homosexual nest" article, which had also been a topic of discussion in the neighborhood's store, where some obscurity existed about in which of the new buildings built to Vallila neighborhood the nest actually was situated.<sup>761</sup>

The investigations took more than a month, after which the prosecutor dropped the case against Eero, Eero's friend, and two young men who served in the army and at the moment lived in other cities. Because the latter two were less than 21-years-olds also intensive investigations about their life-courses were carried out. Their parents and teachers were interviewed, as the law required information about the living conditions of the suspected "young criminals".<sup>762</sup> The two young men were also asked questions about their life and family.<sup>763</sup> In addition, a social worker had done a home visit to another youngster's home. The main, though implicit, question was whether the men had had problems in their upbringing, which could explain their criminal behavior.

The case was tried on November 15, 1966. All four defendants arrived at court. In addition, there was attorney Leo R. Hertzberg defending Eero and another of the young men. Hertzberg came from a famous law office, whose principal, Herbert Gumpler, had helped homosexuals in legal processes. Gumpler had written an article earlier in 1966 entitled "On homosexuality through a attorney's eyes" for the publication *Genderless Finland*.<sup>764</sup> In the article Gumpler had exposed in many ways the irrationality of the same-sex fornication section. It is clear that Gumpler's systematic argumentation was the basis of Eero's attorney's letter to the court.

In fact, Hertzberg's letter reflected very clearly the discourses used in the emerging decriminalization discussion. The letter can be divided to four arguments:

1. Homosexual behavior is much more common and normal than previously thought.
2. The same-sex fornication section causes more harm than good.
3. Prison is not the right place for homosexuals.
4. All the developed countries have decriminalized homosexual behavior.

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<sup>761</sup> Police interrogation records 16.8.1966.

<sup>762</sup> Appendixes E §686 and G §686.

<sup>763</sup> Appendixes F §686 and H §686.

<sup>764</sup> GUMPLER, HERBERT. "Homoseksualismista juristin silmin" in *Sukupuoleton Suomi* edited by Ilkka Taipale, Tammi, Helsinki 1966. Pages 124-169.

Hertzberg's argumentation was based on "new knowledge" about homosexuality, in which Alfred Kinsey's report on the surprisingly high frequency of homosexual behavior among American men played the biggest role. Herzberg quoted the report in the letter, by saying that "Thirty-seven percent of American men over 16 years of age had experienced homosexual conduct, and that 4 percent were entirely homosexual."<sup>765</sup> Herzberg continued by saying that "even though no similar studies have been done in Finland, it is assumed that the numbers are more or less the same."<sup>766</sup> Gumpler, too, opened his article with references to the Kinsey reports, which in fact, had suddenly become an important reference in the normalization discourse. Homosexuality, even hated and untolerated, was really common, had been the main message of the report. The Kinsey reports had a huge impact on American gay liberation in the 1960s.<sup>767</sup>

Second, Hertzberg stated that the criminalization of homosexual acts causes more harm than good, because homosexuals have to live under the constant threat of being blackmailed or abused in other ways. This was viewed as causing individual problems that had also societal consequences. Interestingly, the blackmailing argument broke through only in the 1960s, even though it was discussed by the 1920s when Serlachius prepared his proposal for the new criminal code, and again in the 1930s, as is discussed in the third chapter of this thesis. Only in the 1960s were homosexuals, for the first time, viewed as individuals towards whom the suppressive policy caused mental and social problems. As *Suomen Kuvalehti* wrote after Eero's scandal: "For too long have homosexuals been persecuted in Finland, and the section that penalizes homosexuality in the criminal code is too old."<sup>768</sup> It seems that the law was viewed, for the first time, as a negotiable and relativistic matter. The suffering faced by homosexuals was widely discussed in other decriminalization writings too.<sup>769</sup> The argument for decriminalization was also made by those who wanted to minimize homosexual activity in the country and believed that homosexuals could better seek help if their behavior was not criminalized.<sup>770</sup>

The third argument of the letter was the irrationality of imprisonment punishment in homosexual cases. Hertzberg wrote how homosexual behavior spread in prisons, and therefore, if society wanted

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<sup>765</sup> Appendix K §686. In Finnish: "37%:lla Yhdysvaltojen 16 vuotta täyttäneistä miehistä on ollut homoseksuaalisia kokemuksia ja että 4% on yksinomaan homoseksuaalistisia."

<sup>766</sup> Appendix K §686. In Finnish: "Vaikka vastaavanlaista tutkimusta ei tietävästi ole suoritettu meillä, on syytä olettaa lukujen olevan samaa suuruusluokkaa."

<sup>767</sup> ZILNEY, LAURA J. and ZILNEY, LISA ANNE. *Perverts and Predators: The Making of Sexual Offending Laws*. Rowman and Littlefield Publishers, 2009:22. GUMPLER 1966:146.

<sup>768</sup> *Suomen Kuvalehti* 33/1966.

<sup>769</sup> KIHLMAN 1966:120-121. GUMPLER 1966:149. *Suomen Kuvalehti* 33/1966.

<sup>770</sup> Jouni Apajalahti (Conservative Party) made a private-member bill on decriminalization of homosexual acts in 1967. He reasoned his initiative by saying that the goal is to have as few homosexuals as possible, and if the act is illegal, homosexuals would be able to seek for help easier. *Hymy* 10/1967:20-21.

to reduce homosexual behavior, the imprisonment of a homosexual was the worst solution. Commonness of homosexual relations in prisons was a widely shared presumption; it was discussed in many articles written about homosexuality.<sup>771</sup> Professor of criminal law Inkeri Anttila espoused this view in 1964, when she stated “In my opinion, it does not seem to be reasonable to put homosexual people to imprisonment, as in prisons homosexuality is anyway easily spreading”.<sup>772</sup>

The fourth and last argument emphasised the backwardness of Finland compared to other countries. Herzberg concluded his letter by staying: “It should still be mentioned that the most developed countries of the world have removed homosexuality from their criminal codes”.<sup>773</sup> The developments in other European countries, indeed, had a huge importance in the forthcoming decriminalization process. As Dagmar Herzog, when trying to explain why the sexual revolution took place simultaneously in different European countries has stated that some countries functioned as role models in legal reforms related to sexual rights and abortion. That, then, created pressure for others to follow, even though they would not have gone in that direction if left to their own devices.<sup>774</sup>

Helsinki city court gave sentences to the three prosecuted men. Eero and his two partners, who were both serving in the army, were convicted, whereas Eero’s friend, who took care of his household, was acquitted. Eero was given a three-month sentence in “two continuous same-sex fornications” whereas both of his partners were given a one-month sentence. Their sentences were lighter because they were convicted as young criminals. All the sentences were given with two years’ probation. Eero’s friend was not convicted because no exact crime could be singled out. The court’s mechanical logic needed an exact crime, meaning that even though the friend had confessed both to being a homosexual and having had homosexual relations, the court was unable to hand down a guilty verdict.

Another, even opposing, example of the mechanical nature of the law was related to money. Eero, wealthy man that he was, had given gifts and pocket money to his lovers. The value of these presents was counted and was handled as “illegal benefit gained from the crime”<sup>775</sup>, which the men had to pay back to the state. The gifts, such as a ring, which in heterosexual relations would have been signs of affection, were diminished to an advantage gained from the crime.

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<sup>771</sup> *Kauneus ja Terveys* 2/1958. pages 6-7. “Homoseksualismi”.

<sup>772</sup> *Kauneus ja Terveys* 9/1964:21. In Finnish: “Mielestäni ei todellakaan näytä kovin tarkoitusenmukaiselta lähettää homoseksuaalisia henkilöitä vankilaan, jossa muutenkin homoseksuaalisuus helposti leviää.”

<sup>773</sup> In Finnish: ”Todettakoon vielä, että maailmamme kehittyneimmissä maissa homoseksualismi on poistettu rikoslaista.”

<sup>774</sup> HERZOG 2011:134.

<sup>775</sup> In Finnish: “rikoksesta saatu laitton hyöty”. The court decision 15.11.1966 §686.

Both the prosecutor and Eero appealed to the Helsinki court of appeals. According Eero, the sentences did not change in the court of appeal.<sup>776</sup> I have gone through the highest court files from 1967 to 1970 but Eero's case was not tried there. This means that after the decision of the court of appeal, neither of the parties appealed to the highest court.<sup>777</sup>

## 7.5. Emancipation

Eero was born in Vyborg in 1928, which means that at the time of the trial he was 36 years old. He recalled his parents having been “bighearted and warm people who took good care of him and his sisters”.<sup>778</sup> Eero's sisters were married and had families. According to Eero, he was the only “different kind” in his family, although he remembered there having been many “bachelors” in his family history.<sup>779</sup> Eero had worked as a florist, owning five flower shops around Helsinki, but had later left that business. Because of his health problems, Eero did not work, but still lived a notably wealthy life. Eero seemed to have had a vibrant social life; he organized parties and had many friends.

Eero was remarkably well-balanced with regard to his sexual identity, and was able to tell that to the police: “In his opinion he has not done anything shameful or criminal, but is just sexually deviant” the police wrote down in the interrogation document.<sup>780</sup> His positive self-perception must have had a key role in the process, in which, Eero became “without a doubt, the best-known homosexual of the country”<sup>781</sup> in the forthcoming few years. Eero's personal emancipation was quite connected to the collective homosexual emancipation process in the late 1960s Finland. Both of these issues will be discussed next.

Sexual liberation of 1960s Europe and America created an important opening for sexual minorities and their liberation efforts. Herzog listed the changes in attitudes towards heterosexual sex, which eventually had an influence on the perception of homosexuality. The changes were an adaption of anal and oral sex to heterosexual practices; acceptance of different kinds of relations, and the

<sup>776</sup> *Ihminen ja Yhteiskunta – Homo&Societas* 2/1968:3.

<sup>777</sup> The records of the court of appeal of Helsinki were not available for the research.

<sup>778</sup> *Hymy* 4/1972:79. In Finnish: ”Oma lapsuuteni oli onnellinen ja vanhempani lämminsydämisä ja ihania ihmisiä.”

<sup>779</sup> *Hymy* 4/1972. Page 79.

<sup>780</sup> Police interrogation records. In Finnish: ”ei ole tehnyt mielestään mitään häpeällistä tai rikollista vaan on seksuaalisesti poikkeava”.

<sup>781</sup> *Ihminen ja Yhteiskunta – Homo&Societas* 2/1968:3. In Finnish: ”epäilemättä Suomen tunnetuin homoseksuaali.”

general inflation of marriage as the only place for sexual expressions.<sup>782</sup> In Finland too, the homosexual liberation movement got started with the help of human rights activists who did not identify themselves as homosexuals.<sup>783</sup> First of all, the 1966 petition published in *Hufvudstadsbladet* was done by “heterosexuals”. Second, human rights organizations of the time put homosexual rights in their agenda.<sup>784</sup>

One of the associations, the *Marraskuu Liike* (“November Movement”), helped homosexuals most actively. Its main purpose was to promote individual rights and diversity by working against control policies that supported societal uniformity.<sup>785</sup> The November Movement helped homosexuals by taking an informal homosexual association called *Toisen säteen ryhmä* within their organization, as the possibilities for a homosexual association were not easy under the criminal law. *Toisen säteen ryhmä* and the November Movement published the first homosexual magazine, which published two issues both in 1968. The magazine, called *Ihminen ja Yhteiskunta – Homo&Societas* consisted of scientific articles and political writings about homosexuality. Even though the magazine was poorly advertised with only small notices published in *Helsingin Sanomat*, thousands of copies were sold and sent around the country. This spelled a huge need for information about homosexuality in the country.<sup>786</sup>

The purpose of the magazines was to increase knowledge about homosexuality. This was important, because it was thought that hostile attitude towards homosexuality was caused by ignorance. Hence, with education such attitude would disappear. In something of an ironic parallel, two decades earlier, homosexual behavior was said to be caused by ignorance, and best eliminated with education.<sup>787</sup>

In 1968 Eero participated in the November Movement’s annual meeting. The topic of the meeting was “*Society’s responsibility on the suffering it causes to its citizens. Debate over sexually deviants and their situation in the society.*”<sup>788</sup> In the meeting Eero spoke on his favorite topic, that of criticizing the police. Eero was also interviewed in *Ihminen ja Yhteiskunta- Homo&Societas* Magazine. The interview focused mainly on the scandal that had happened two years earlier. Eero

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<sup>782</sup> HERZOG 2011:169-170.

<sup>783</sup> Also Veli-Pekka Hämäläinen acknowledges this. In HÄMÄLÄINEN 1991.

<sup>784</sup> Marraskuu liike, Sexpo ry, and Yhdistys 9. More about the organizations in HAKALA 2011.

<sup>785</sup> HAKALA 2011:40-41.

<sup>786</sup> HÄMÄLÄINEN 1991:introduction.

<sup>787</sup> JALAS, RAKEL. *Sukuelämä terveeksi*. WSOY, Porvoo 1941:73-74.

<sup>788</sup> In Finnish: ”yhteiskunta vastuuseen kärsimyksistä joita se on aiheuttanut väestölleen. Keskustelu seksuaalisesti poikkeavien asemasta yhteiskunnassamme.” *Ihminen ja Yhteiskunta –Homo&Societas* 2/1968:22.

told his view about the events and criticized strongly the police, who, in his view, were controlling the city all the time, so that “nothing can happen”.<sup>789</sup>

The November Movement had many social injustices on their agenda, and homosexual rights were only one of the many issues the association wanted to fight for. Hence, homosexuality as a topic never gained the attention the homosexual members of the association would have wanted. So it happened that in late 1969 the first registered association for homosexuals, *Psyke ry*, was founded. The first leader of the association was Jorma Elovaara. In 1969, Psyke ry started to publish its own magazine, called *The 96*. The magazine functioned mainly on voluntary work. *The 96* was an important forum for Finnish homosexuals, in which law reform and other political issues were discussed. There were also identity-building papers concentrating on issues about what homosexuality is about, articles that focused on the association itself, and some practical information about being homosexual; such as where to find company, how to avoid the police, and how to practice sex with another man. *The 96* also followed quite intensively the developments in other European countries. There were also many erotic pictures of young men in the magazine. Compared to *Ihminen ja Yhteiskunta – Homo&Societas Magazine*, *The 96* was more entertaining and done more for the members themselves than for the spreading of knowledge about homosexuality to a wider audience.

Eero was not active in the Psyke association at its inception, but was elected its leader in March 1970. Why he was elected to this position? He was, no doubt, a known person, having spoken for homosexuals on many occasions. Eero had also been interviewed for a television program in 1967, in which a Finnish journalist Reino Paasilinna<sup>790</sup> directed a television documentary for Finland’s 50<sup>th</sup> Independence Day. The purpose of the program was to give a voice to “the forgotten groups of society”.<sup>791</sup> “Sexual deviances” were interviewed among other suppressed minorities, such as drug addicts, Sami-people, mentally disturbed; and forgotten war veterans. Besides the fact that Eero was a known person, he had also money and important social contacts. Eero had, for instance, arranged new club for the association from his building’s basement.<sup>792</sup> Eero had also promised to give economic help to the association if he was elected.

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<sup>789</sup> *Ihminen ja yhteiskunta – Homo&Societas* 2/1968:3.

<sup>790</sup> Reino Paasilinna also signed the petition for decriminalization of homosexual acts in 1966. In 1967 Paasilinna was a reporter in Finnish Broadcasting Company. Later he made a notable career as a politician both in Finland and in European parliament. He was also the head of Finnish Broadcasting Company in 1990s.

<sup>791</sup> Viimeisellä rannalla. Directed by Reino Paasilinna. Broadcasted in 3rd December 1967 at TV1 at 20:30. The documentary can be viewed in [http://yle.fi/elavaarkisto/artikkelit/viimeisella\\_rannalla\\_11220.html#media=11245](http://yle.fi/elavaarkisto/artikkelit/viimeisella_rannalla_11220.html#media=11245)

<sup>792</sup> PETÄJÄJÄRVI, MARTTI. ”Psyke ry:n alku arjen näkökulmasta.” in <http://ranneliike.net/teema/psyke-ryn-alku-arjen-nakokulmasta?aid=9039>. (read 4th May 2013).

As a leader of the homosexual association, Eero was interviewed by *Hymy* magazine in July 1970, which was the time when decriminalization of same-sex fornication was discussed in the parliament. The long article talked about homosexuality, the forthcoming decriminalization as well as the Psyke association. Eero spoke well about the problems that homosexuals face in society. His proud attitude was visible in his answers too. For instance, at the very beginning the interviewed asked: “So, Eero, You admit that you are homosexual?” to which Eero responded: “You are asking in a weird way if I ‘admit’ that I was homosexual. In a same way the police ask in interrogations ‘do you admit that you have committed the murder’? I just simply am homosexual; I was born as such and will die as such.”<sup>793</sup> All in all, the interview portrays a self-confident leader, who supports and protects people of his kind.

Regardless of the powerful impression Eero gave about himself and his association, Psyke ry had problems from the very beginning in defining its role. Some of the members wanted the association to be a social framework for homosexuals themselves, and some wanted it to have a more political role. This “identity problem” had been acute when Eero was elected the chairman of Psyke in March 1970. When the results of the elections were analyzed in the following *the 96*-magazine, it was said that the “member orientated wing”<sup>794</sup> won the elections, which meant that Eero supported the idea that the main role of the association was to improve the everyday life of homosexuals instead of focusing on political activity. Eero started to work on this immediately, by giving furniture, a television and other material to the club, in order to make the place cozier.<sup>795</sup> In his writing to *the 96* after the elections Eero noted that he hoped to add more members to the association and called the members of Psyke “our family”. Later on, and especially after the decriminalization of homosexual acts, Psyke ry, continued strongly in this entertainment direction. The younger and politically more active members of the association started to plan a new organization, which was aimed at changing attitudes in society and participating in political discussions. *SETA ry* was founded in 1974 to address this need, and is still functioning actively in Finland.<sup>796</sup>

Eero was one of the first homosexuals to receive publicity in the country, and therefore there were some articles written about him in the 1970s yellow press. Eero spoke openly not only about homosexuals and homosexuality in general, but a great deal about his private life as well. In the

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<sup>793</sup> In Finnish: ”[Eero] te myönnätte olevanne homoseksuaali?” ”Te kysytte omituisesti ”myönnäkö” olevani homoseksuaali niin kuin poliisi kysyy kuulusteluissa: myönnätekö syyllystyneenne murhaan? Yksinkertaisesti olen homoseksuaali, olen syntynyt sellaisena ja kuolen sellaisena.” In *Hymy* 7/1970.

<sup>794</sup> In Finnish: “Jäsenkeskeinen siipi.”

<sup>795</sup> PETÄJÄJÄRVI.

<sup>796</sup> More about the history of SETA ry in PIRTTIJÄRVI 2011. About SETA ry in [www.seta.fi](http://www.seta.fi)



public mind he functioned as some sort of official homosexual to whom many questions were asked about homosexuality. Eero enjoyed this position and even informed the magazines about his love life. For instance, he spoke openly about his long relationship with a younger man in an article that was published in *Hymy* in 1970. Eero was asked how it was to live with another homosexual, to which Eero answered:

”It is entirely similar as it is for a heterosexual man to live with a woman: caresses, gifts, common hobbies, jealousy. Of course we care about the looks too. If one of the forms of love is sacrifice, that is really common especially in homosexual relations. For example, I have paid for the education of my beloved already for five years, and brought him up in other ways too. Is not that a sacrifice in the name of love? Homosexual love, at best, can be at least as beautiful as heterosexual love is, and many homosexual relations have lasted decades, such as normal marriages. Even this is probably really difficult for you to understand.”<sup>797</sup>

The man who Eero had loved for over five years and who he had helped economically for years, was the same man who was convicted of same-sex fornication with him four years before. Eero had lived “a serene life of a housewife in a peaceful relationship”<sup>798</sup> with him, as it was described in *Ihminen ja Yhteiskunta – Homo&Societas* magazine in 1968. Their relationship was to end shortly, which then created wider quarrels between Eero and Psyke ry.

Indeed, less than a year later, in May 1971, *Hymy* wrote again about Eero’s private life, now with a sarcastic topic “Not even the love of homosexuals is eternal”.<sup>799</sup> Eero himself had brought the story about the break-up to the magazine. He described in many words how for the past six years he had given material help to his lover, and how he had even bought a car and a fur coat for the man he loved, and had helped his family too. Eero moaned how his lover, after graduating and getting a job, had cruelly left him and even threatened him in many ways. It is interesting that *Hymy* did not hesitate to publish the lover’s name and to mention even his working place in the article, which portrayed him first as a homosexual and second as a treacherous person.

<sup>797</sup> In Finnish: ”Se on täysin samanlaista kuin heteroseksuaalille miehelle on elää rakastamansa naisen kanssa: hyväilyjä, lahjoja, yhteisiä harrastuksia, mustasukkaisuuskohtauksia. Tietysti kiinnitetään huomiota myös ulkonäköön. Jos eräänä rakkauden kriteerinä pidetään uhrautumista, nimen omaan tätä tavataan homoseksuaaleissa suhteissa. Esimerkiksi minä olen kustantanut rakastamani henkilön opintoja jo viiden vuoden ajan ja muutoinkin olen kasvattanut häntä. Eikö tämä ole uhrautumista rakkauden nimissä? Homoseksuaalinen rakkaus on parhaimmillaan vähintään yhtä kaunista kuin heteroseksuaalinenkin rakkaus on, ja moni homoseksuaalinen suhde on kestänyt vuosikymmeniä kuten tavallisetkin avioliitot. Tätä teidän liene kuitenkin vaikea uskoa ja ymmärtää.” In *Hymy* 7/1970.

<sup>798</sup> In Finnish: ”Elää onnellisessa suhteessa rauhallista kotirouvan elämää.” 2/1968:3.

<sup>799</sup> *Hymy* 5/1971:135. In Finnish: ”Homojenkaan rakkaus ei ole ikuista.”

This was part of the style of the new sensationalist magazines such as *Hymy*. *Hymy* was extremely popular at the time, with over 800,000 readers in a country of 4 million inhabitants. *Hymy* had published many articles about homosexuality and different sexual minorities from the mid-1960s onwards.<sup>800</sup> *Hymy* did not judge, but instead, gave a platform to all kinds of people, the weirder the better, because strange stories sold. *Hymy* wrote, for instance, about a man who wanted breasts, thus *Hymy* paid (and photographed) the operation; about a young man who became a male prostitute, about women who loved one another; about a man whose wife fell in love with a woman; about a person who was either woman nor a man; and about a woman who loved a man who wore women's clothes. *Hymy* was interested in topics that broke traditional gender norms and roles. The magazine tried to find new areas of sexual deviance to bring into the "circus" that it was.

Because of the new style of press, stories about Eero's love life have remained documented until today. It seems that once Eero "had come out of the closet" it was suddenly difficult for him to define limits between public and private. Coming out as a proud homosexual in the late 1960s was an intimate matter, but which at the same time had a huge political impact in the society. In Eero's case, private became public, and also political. This may explain his activity in the media regarding the heartache in his love relationship. The indefinite line between private and public in his case, may have also caused also the overall cynical attitude towards homosexual love, that he later manifested. According Eero, it was not his love life that "failed" but homosexual love in general. The roots of homosexual love were culturally still so tender that his own experience could destroy his belief in homosexual love in general.

Indeed, after Eero's lover had broken up with him, Eero expressed disappointment in homosexual love in general. In June 1971 he granted an interview to another yellow press magazine, *Nyrkkiposti*, for which the headline read: "Homo couple is never alike to a married couple".<sup>801</sup> The article started with the lines: "[Eero] is one of the most known homosexuals in Finland. The king of the wankers, says he too, and starts laughing."<sup>802</sup> Eero told how terrible it was to lose his lover, and how he had to visit a psychiatrist and get some pills. He told how common people cannot even imagine how homosexuals can be cruel to one another, which was "much more than outsiders have ever done against homosexuals".<sup>803</sup> Eero stated too that "marriages among homosexuals are just

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<sup>800</sup>JUVONEN 2002:105-114.

<sup>801</sup> *Nyrkkiposti* 6/1971 In Finnish: "Homopari ei ole koskaan kuin aviopari."

<sup>802</sup> *Nyrkkiposti* 6/1971. In Finnish: "[Eero] on Suomen tunnetuimpia homoja. Runkkareiden kuningas, sanoo hän itsekin ja nauraa päälle."

<sup>803</sup> *Nyrkkiposti* 6/1971

madness”<sup>804</sup> and continued: “homos cannot anyhow love as man and woman.”<sup>805</sup> Eero had made an about-face from the year before, when he had said that homosexual relations, at best, are at least as good as heterosexual relations. The only way to interpret this is Eero’s own disappointment in love.

In addition, Eero attacked both bisexuals and Psyke ry. He said that the worst thing in homosexual life were bisexuals: “In my opinion, if one is a homo then one has to be a homo. One has to be able to be just an ordinary man or absolutely homo. I do not accept anything in between.”<sup>806</sup> Interestingly, Eero requires definite lines between homo- and heterosexuals. His lover had found another lover, a woman, and this had obviously shocked Eero. Eero was also highly critical towards Psyke ry, in which he was no longer at all involved; even though he had been its leader only few months earlier. Eero said about Psyke ry: “Its quality has dropped totally. There’s no order anymore. It’s full of freeloaders who are just searching for money instead of a company of people who are suffering the same problems.”<sup>807</sup>

Eero’s angry and disappointed laments could easily be understood as a response to his own love problems, but the members of Psyke ry did not appreciate his use of the yellow press for this purpose. Eero’s statements were strongly criticized in the following *96*- magazine. Martti Petäjäjärvi wrote an article about this to *96*, where he said that “even though he [Eero] advertises him as a king of wankers, he does not have a mandate to speak for all homosexuals”.<sup>808</sup> First of all Petäjäjärvi was not pleased with how homosexuals were described in the article, which had given sex a major place in homosexual relations. He was also terrified about how a homosexual could be so hostile towards another minority, that of bisexuals. Petäjäjärvi asked for solidarity among all sexual minorities. To conclude, Petäjäjärvi said that the Psyke association is better off without their ex-chairman Eero, who tried to control or extort the association with his own money.<sup>809</sup>

The conflict can be viewed as a homosexual identity-building process: who are *we* and who do *we* want to be? After the long suppression homosexuals were taken into the societal system, as its active members. Homosexuality was suddenly a topic of societal discussion and a wider audience wanted to know what homosexuality was about. Psyke ry, as the only registered homosexual association had the most visible presence to participate in the identity building process. When Eero,

<sup>804</sup> *Nyrkkiposti* 6/1971 In Finnish: ”Homojen avioliitot ovat hullutusta.”

<sup>805</sup> *Nyrkkiposti* 6/1971 In Finnish: ”Homot eivät kuitenkaan voi rakastaa kuten mies ja nainen.”

<sup>806</sup> In Finnish: ”Minä olen sitä mieltä, että jos on homo niin on sitten myös homo. Pitää pystyä olemaan aivan tavallinen mies tai sitten ehdottomasti homo.

<sup>807</sup> In Finnish: ”Sen tasohan on pudonnut täysin. Siellä ei ole enää minkäänlaista järjestystä. Sinne on pesiytynyt kaikenlaisia siipeläisiä. Sieltä kai etsitään lähinnä rahaa eikä suinkaan yhteyttä samanlaisista ongelmista kärsiviin.”

<sup>808</sup> *The 96* 5/1971:154. In Finnish: ”Vaikka hän mainostaakin itseään runkkareiden kuninkaana, hänellä ei ole valtuuksia puhua kaikkien homojen puolesta.

<sup>809</sup> *The 96* 5/1971:155.

as the association's ex-leader, stated on record that homosexuals are mainly looking for sex partners, he actually placed homosexuals in the old discourse that had legitimized the suppression towards them in Finnish society. That move hurt many, especially the younger generation of Psykery. They dreamed about a society in which homosexuals would be totally integrated within the culture, such that the category of homosexuality would be superfluous.<sup>810</sup> Suddenly, the strong leader was a traitor.

## 7.6. The Church and *the Sin*

The scandal changed Eero's life. After the scandal, homosexuality became a politically and culturally interesting topic, and many people wanted to contact him. His first public appearance was in 1967 in an anonymous television documentary directed by Finnish journalist Reino Paasilinna,<sup>811</sup> The piece aired on Independence Day, and Eero was interviewed as "a sexual deviant".<sup>812</sup>

Eero wore a fake moustache and a peruke in the documentary, which made him unrecognizable to people who did not know him.<sup>813</sup> There he was, interviewed by Reino Paasilinna, in a dark place under an electric lamp that gave a light from a side hiding a half of his face. His comments were also dark, as he told that homosexuals were outlawed and blackmailed. Eero assumed the presence of one hundred thousand "deviants" in the country, which number was later often presented in the calculations that were based on Kinsey's report. He said that "a deviant" could not get any help from the police, but other way around, that the police were hunting them. He reported that many miserable stories could be told, from blackmailing to even murder.

Eero's answers begged for sympathy, which well suited the topic of the documentary: it wanted to show how Finnish society mistreated its citizens. Eero brought into light the question of the police's arbitrary behavior towards sexual minorities. The police, for instance, had not renewed Eero's driver's license because he was "a faggot". All in all, Eero expressed that "deviants" would just like to live as anyone else in the society, without the suppression that created mental and social problems.

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<sup>810</sup>Article *Homoseksuaalin tiet* "The ways of a homosexual" discussed this dream in *Ihminen ja Yhteiskunta – Homo&Societas* magazine in 1968. *Ihminen ja yhteiskunta – Homo&Societas* 2/1968:9-12.

<sup>811</sup>Reino Paasilinna also signed the petition for decriminalization of homosexual acts in 1966. In 1967 Paasilinna was a reporter in Finnish Broadcasting Company. Later he made a notable career as a politician both in Finland and in European parliament. He was also the head of the Finnish Broadcasting Company in the 1990s.

<sup>812</sup>*Viimeisellä rannalla*. Directed by Reino Paasilinna. Broadcast on December 3, 1967 at TV1 at 20:30. The documentary can be viewed in [http://yle.fi/elavaarkisto/artikkelit/viimeisella\\_rannalla\\_11220.html#media=11245](http://yle.fi/elavaarkisto/artikkelit/viimeisella_rannalla_11220.html#media=11245)

<sup>813</sup>Eero wore perukes also in other occasions.

Eero's interview in Paasilinna's documentary film of 1967 had one particularly striking part: his attack on the church. He claimed that there were many priests in the church who either abused young people sexually or blamed sexually "deviants" as being "from Satan." In Eero's view, this was the principle reason for the high rate of suicide among "deviants" and for the fact that "mental institutions are full of this kind of people".<sup>814</sup>

When Paasilinna asked how the church's judgmental attitude was felt in practice, Eero, after a short hesitation, told about his own experience:

"...Well... There are... All the religious communities have these boy camps. There they practice, or at least, learn to practice this deviancy. And the priest is also there with them. And, like when I for the first time got into these practices, also our priest was with us. Afterwards we went together to ask forgiveness in the name of Jesus, so that he could forgive us the sins we had practiced together with our priest."<sup>815</sup>

Viimeisellä rannalla. Reino Paasilinna, 1967.<sup>816</sup>

These kinds of statements would easily create strong reactions in twenty-first century Finnish society, but at the time of the program, Eero's experiences of sexual abuse by his priest did not attract attention.<sup>817</sup> In fact, not even Eero himself wanted to be portrayed as a victim. On the contrary, Eero was only criticizing the double standards of the church, not the practice itself. In other words, the fact that they had "practiced deviancy" together with their priest was not the criticized issue, but, rather, that the priest had afterwards hollered that it was sin.

Among the same-sex fornication court cases there was one case in 1926 where a Norwegian priest of a revivalist movement was convicted of same-sex fornication and after the conviction evicted from the country. Another vicar was convicted in 1950s Helsinki<sup>818</sup>, but churchmen were otherwise absent from the court records I studied. Eero's statement, of course, opens a window to a world where powerful priest could manipulate people with fear of good and evil. In Copenhagen some religious associations gained attention in the early years of the twentieth century because of

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<sup>814</sup> In Finnish: "mielisairaalat ovat täynnä tämänkaltaisia ihmisiä."

<sup>815</sup> In Finnish: "Niin no... On tällaisia. Niin kuin kaikki uskonnolliset yhdyskunnat järjestävät näitä poikaleirejä. Siellä harrastetaan, ainakin opetellaan harrastamaan poikkeavuutta. Jossa on myöskin pappi mukana. Ja sen jälkeen, kun itse jouduin ens kertaa tällaseen tilanteeseen, jossa oli pappi mukana, niin sen jälkeen me menimme pyytämään Jeesuksen nimessä anteeksi tätä syntiä. Jota me olimme yhdessä papin kanssa tehneet."

<sup>816</sup> *Viimeisellä rannalla* 1967. 20th minute.

<sup>817</sup> I read through Helsingin Sanomat, Ilta-Sanomat and Kansan Sanomat from the week after the program was broadcasted. This was not discussed at all.

<sup>818</sup> Helsinki city court, 6<sup>th</sup> department, II section. 5.10.1955

homosexual practices, however, these issues were not anyhow discussed in Finland.<sup>819</sup> In addition, in the Löffström's homosexual questionnaire one informant said that one religious association was full of homosexuals.<sup>820</sup>

The Finnish Lutheran church had not, throughout much of the twentieth century, publically proclaimed their opinion on male sexual intimacy, probably because such relations had not gotten much societal attention. However, in 1966 the church published a short pamphlet, *Current Issue*, where the bishops of the country formulated the church's official opinion about different sexual practices, from marriage to dating and abortion. The reason for the pamphlet was "the big changes in society", such as industrialization and urbanization. The church was worried about increasingly liberal attitudes that threatened traditional forms of sexuality. One page of the pamphlet was dedicated to "homosexuality", in which homosexuality was viewed as sickness that was best managed with medical treatments and Christian faith. Homosexuality was dangerous: it was spreading and damaging the young and innocent. Every homosexual was responsible for not acting as one, even the reason for homosexuality was not always person's own fault. The pamphlet reminded that "The Bible has all its reasons to warn about this sin. The increase of homosexuality had always been a sign of a decadency of an era and moral".<sup>821</sup>

Indeed, the origins of the same-sex fornication section can be found in the old religious laws as discussed in the introductory chapter of the thesis. However, even the origins of the section were biblical; the sin discourse did not play a real role during the period of the criminalization of same-sex intimacy in Finland. The court documents show that the strongest word of this kind was "vice", which people used when they described same-sex practices at the beginning of the twentieth century. The word "sin" was not even used in the sexual moral pamphlets of the early twentieth century.<sup>822</sup> In addition, Pasi Saarimäki's research on sexual norms and practices at the turn of the twentieth-century Finnish countryside contains no reference to the word "sin".<sup>823</sup>

According absolute sexual morality, which had been the basis of the criminal code, any form of out-of-wedlock sexuality was considered immoral. Same-sex conduct was not in any way singled out and condemned as a sin before the 1960s discussions. As we many recall from the first chapter of

<sup>819</sup> The case in Copenhagen took place in 1908. It was mentioned for instance in *Työmies* 28.7.1908.

<sup>820</sup> Homoseksuaalisuuskysely 1993. Pälkäne/F1906.

<sup>821</sup> *Ajankohtainen asia* 1965: 12. In Finnish: "Raamattu ei suotta puhu tästä synnistä varoittavin sanoin.

Homoseksuaalisuuden lisääntyminen on aina ollut ilmauksena aikakauden siveellisen elämän rappeutumisesta."

<sup>822</sup> The three pamphlets that referred to same-sex practices are analysed in the second chapter of the thesis. In those pamphlets same-sex relations ("manly lust") was called a vice or an immorality.

<sup>823</sup> SAARIMÄKI, PASI. "Naimisen normit ja käytännöt. Esiaviollinen ja aviollinen seksuaalisuus 1800-luvun lopun keskisuomalaisella maaseudulla." PhD diss., Jyväskylän yliopisto, Jyväskylä 2010.

the thesis, common people did not share the educated people's and legislators absolute sexual morality, but instead had their own norms, which even supported sexual relations outside marriage.<sup>824</sup> The first chapter showed that same-sex relations had little meaning in agrarian society. Suddenly, in the 1960s, which marks the moment of sexual liberation, the church brought the sin-word into play to label homosexual relations.

In her master's thesis on argumentation strategies used in the parliament during the decriminalization discussion and registered partnership discussion, Heli Suominen noticed that the sin argument was the argument most commonly used when parliamentarians argued for maintaining homosexual relations under the criminal code. Indeed, parliamentarians used the sin argument, and even direct speech from the Bible was heard in the parliament during the decriminalization discussions in 1970. The sin argument, as age-old it seemed, was actually a new one in the context of same-sex intimacy. The Bible as an authority had to be brought into the picture when the old norms, defined by privileged people in the nineteenth century, were suddenly endangered.

Eero was remembered as having been religious himself. In his youth he had belonged to a revivalist movement, and he liked to listen to religious songs in his home. When he became the head of Psykery in 1970, he organized a Christmas Party for the members of the association. The party also included a mass in church. This was criticized in the magazine after the Christmas: "why we should support an institution, which is against us."<sup>825</sup> Indeed, the church's strong objection to decriminalization created a long-lasting distrust towards the church among sexual minorities. Many were religious, but the contradiction between their fate and the official opinion of the church was too strong.<sup>826</sup>

## 7.7. Decriminalization process

The Finnish government established a "Sexual Crime Committee" on December 1, 1966,<sup>827</sup> whose purpose was to prepare a legal proposal for the chapter of sexual offences. The sexual crime committee consisted of six professionals, all attorneys and doctors, (I shall take special note of

<sup>824</sup> BACKMAN, EERO. *Rikoslaki ja Yhteisunta I: Teoreettinen erittely rikosoikeuden tieteenkäsitteistä 1800-luvulla ja sen konkretisointi moraalien, uskonnon ja rikoslain suhteisiin Suomessa*. 1976:222-223.

<sup>825</sup> *96-lehti* 5-6/1970.

<sup>826</sup> NISSINEN, MARTTI and TUOVINEN, LIISA. ed. *Synti vai siunaus, homoseksuaalit, kirkko ja yhteiskunta*. Kirjapaja, Helsinki 2003.

<sup>827</sup> *Seksuaalirikoskomitean mietintö*. Valtion painatuskeskus. Komiteamietintö N:o A 12 1967. Helsinki 1968.

Inkeri Anttila, a new professor of criminal law at Helsinki University).<sup>828</sup> Since the codification of 1889, the old chapter of sexual offences had remained by and large untouched. Society had changed profoundly since then, a fact that made the changes to the law important. The committee stated that in the urbanized society of the 1960's, the law could no longer rely on a single moral code, that of Christian absolute sexual moral, which had been the basis of the old criminal law sexual offences' chapter. The other authority was scientific knowledge, which according the committee had offered new information about sexuality, which also made the changes to the law necessary.<sup>829</sup>

Part of the law reform process was to deal with the future of the same-sex fornication section, whose adequacy had come under discussion after Eero's scandal only three months earlier. The scandal, however, did not create the need for the changes. Instead, the pressure had already come from both without and within the country. Indeed, as early as 1964 the International Congress of Criminal Law<sup>830</sup> formulated statements which supported the decriminalization of homosexual relations, and the Nordic countries had ratified the so-called Helsinki contract in 1962, which encouraged the participating countries to harmonize their criminal codes.<sup>831</sup> In addition, Finnish professional thinking pertaining to homosexuality from the early 1960s onwards mostly explained homosexuality (through psychoanalytic theories) as a developmental arrest, which could not be cured in prison.

The International Congress of Criminal Law at The Hague stated in its report of 1964 that adult homosexuality should not be criminalized in any country.<sup>832</sup> The Congress had consisted of six hundred professionals from over sixty different countries all over the world, which granted its statements clout. Finland did not have a representative in the Congress, but the issue was still discussed in the country. Professor of the criminal code Inkeri Anttila commented on the report by saying that Finnish attorneys and psychiatrists do share the opinion presented at The Hague.<sup>833</sup>

Professor Anttila was interviewed in *Kauneus&Terveys* ("Beauty&Health") magazine in September 1964 regarding the issue. Both the magazine and Anttila viewed Finland as a liberal country,

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<sup>828</sup> The other five were law counselor Voitto Saario, MA Kaarlo Helasvuo, psychiatrist and senior physician Erkki Paavilainen, law counselor Lars Hugo Salonen, and law licentiate Olavi Heinonen. In addition, the committee heard representatives of many different organizations and professionals from different fields.

<sup>829</sup> *Seksuaalirikoskomitean mietintö* 1968:10.

<sup>830</sup> PLOSCOWE, MORRIS. *Report to the Hague: Suggested revision of penal law relating to sex crimes and crimes against the family, 1964-1965*. Read in 6<sup>th</sup> May 2013.

<sup>831</sup> <http://heionline.org/HOL/LandingPage?collection=journals&handle=hein.journals/clqv50&div=34&id=&page=>

<sup>831</sup> <http://www.norden.org/fi/tietoa-yhteistyoeatae/sopimukset/sopimukset/perussopimus/helsingin-sopimus> Read 6th May 2013.

<sup>832</sup> PLOSCOWE 1965. *Kauneus ja Terveys* 9/1964:21.

<sup>833</sup> *Kauneus ja Terveys* 9/1964:21.



whereas Southern European countries and the rest of the world were viewed as more conservative and old-fashioned than Finland. Criminalization of homosexuality destroyed this image: homosexuality was still a crime in a country that wanted to be viewed as liberal and progressive.<sup>834</sup> Anttila connected Finland to other Nordic countries by saying that “In Finland as in other Nordic countries too, sexuality issues have always been discussed appropriately,” in comparison to southern Catholic countries. However, Finland was the only Nordic country that still convicted homosexuals. In fact, many Catholic countries did not have a general ban on homosexuality, and, in addition, decriminalization processes were going on in many European countries, which throughout the 1960s led to decriminalization of homosexual acts among consenting adults in Hungary, Czechoslovakia, England, Wales, Bulgaria, East Germany, and West Germany.<sup>835</sup> When the new law proposal was discussed in 1970, concern about Finnish “backwardness” was also voiced in the parliament. Parliamentarian Matti Ruokola of the Agrarian party said “we are among the last countries in Europe that still criminalizes homosexuality, and this cannot be a merit for a civilized country”.<sup>836</sup>

Professor Anttila represented a new kind of thinking among professors of criminal law. As early as 1950 she had studied child molesters in an accurate and dispassionate way.<sup>837</sup> Whereas Professor Honkasalo had only less than a decade earlier supported legal control over same-sex intimacy, Professor Anttila held a totally new view. Anttila was influenced by Nordic legislations, and especially by the Swedish one.<sup>838</sup> Immediately after Eero’s scandal, Professor Anttila was interviewed on television on the subject of homosexuality and the criminal code.<sup>839</sup> She stated that the criminal code would soon be changed and therefore the legal authorities should apply the sense of the forthcoming law when dealing with homosexual cases.<sup>840</sup> Professor Anttila is remembered as having been upset about the scandalous article.<sup>841</sup> Eero had noticed her sympathies; he said in the police interrogations that after the scandalous article he had contacted Professor Anttila, and asked

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<sup>834</sup> In fact, the same problem is present in new marriage law discussion in Finland in 2013. Suddenly Finland is among the few European countries, which still do not recognize gay marriages. This fact is against the Finn self-perception.

<sup>835</sup> Hungary and Czechoslovakia in 1961, England and Wales in 1967, Bulgaria and East Germany in 1968, West Germany in 1969.

<sup>836</sup> In Finnish: ”Erityisesti homoseksualismin kriminalisoimisessa me olemme viimeisiä maita Euroopassa, ja on varmaa, että tämä ei ole sivistyneelle valtiolle kunniaksi.”

<sup>837</sup> ANTTILA, INKERI. *Alaikäisiin kohdistuneet seksuaalirikokset ja niiden tekijät. Kriminologinen tutkimus.* Suomalaisen lakimiesyhdistyksen julkaisuja, A-sarja, 50. Vammala 1956.

<sup>838</sup> HAKALA 2011: 13.

<sup>839</sup> I have not been able to watch the TV-program where Inkeri Anttila was interviewed, but it comes clear from other sources that she was interviewed and was promoting decriminalization of homosexual acts. In *Ilta-Sanomat* 11.8.2013,

<sup>840</sup> *Ilta-Sanomat* 14.8.1966.

<sup>841</sup> MELANKO 2012:11.

for help. According to Eero, Anttila had asked Eero to discuss the case with her after the police interrogations and that she would help him in court.<sup>842</sup>

Three months after the discussions on television and with Eero, Professor Anttila served as a core member of the sexual crime committee. The committee discussed on a broad level the issues of homosexuality in their report, and stated that the criminal code cannot work as a sexual educator, nor can the criminal code criminalize sexual behavior solely on the basis of its deviant nature.<sup>843</sup> The outcome of the committee's consideration was that "from the point of view of social policy, the most appropriate way to deal with the issue, at the moment, is to recognize the permanent existence of homosexual minority group and try to regulate their behavior through other available methods."<sup>844</sup>

The committee seemed to share the psychoanalytic idea of homosexuality and heterosexuality, because one of the main elements of discussion was the distinction between "unestablished" (*vakiintumaton*) and "established" (*vakiintunut*) sexualities. The whole debate was based on the idea that sexuality is formed and concretized only in early adulthood. During puberty, then, sexuality was understood as fragile and vulnerable to unwanted homosexual influences. This idea was the reason why the committee suggested the higher age of consent for homosexual relations.<sup>845</sup> Swedish criminal code was viewed as a model on this issue, as there homosexual relations had relatively higher age of consent.<sup>846</sup>

The higher age of consent in Eero's case was an important detail. Even if the general ban on homosexual relations was lifted in 1971. The relations Eero was convicted of in 1966 would have remained illegal under the new law. This is because Eero's two partners, who were both 17 years old at the beginning of the relationship, would have been treated as *victims* under the new law of 1971, whereas under the old law they were *partners in crime* and would have had been convicted. They were the kind of the men the new law wanted to protect and not to punish. In fact, their relationships with Eero would have remained illegal till 1999 when all the special regulations for

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<sup>842</sup> Police interrogation records.

<sup>843</sup> Seksuaalirikoskomitean mietintö 1968:11.

<sup>844</sup> In Finnish: "yhteiskuntapoliittisesti tarkoituksenmukaisimmalta ratkaisulta tällä hetkellä vaikuttaa homoseksuaalisen vähemmistöryhmän pysyvän olemassaolon tunnustaminen ja tämän ryhmän käyttäytymisen ohjaaminen niissä rajoissa, kuin se on mahdollista."

<sup>845</sup> Whereas in heterosexual relations the age of consent was 16 in homosexual relations it was 18.

<sup>846</sup> MÅNSSON, ULF. "Synti, rikos, ihmisoikeus. Oikeustarkastelun historiaa ja nykypäivää." in *Rakkauden monet kasvot. Homoseksuaalisesta rakkaudesta, hmisoikeuksista ja vapautumisesta*. Ed. Kai Sievers and Olli Ståhlström. WeilingGöös, Espoo 1985:352.

homosexual relations were removed from the Finnish criminal code. In comparison, the higher age of consent was removed in 1979 in Sweden as it was viewed “discriminating and unscientific.”<sup>847</sup>

As discussed in the first chapter of the thesis, before 1926 only girls were viewed as possible victims of child molestation under the Finnish Penal Code. Homosexual child molestation cases were treated as same-sex fornication cases in courts, and this meant that boys who were engaged in these relations were not understood as victimized; rather, they were considered perpetrators, but were left without punishment because of their age. The age limit after 1926 for child molestation was 16 years for both heterosexual and homosexual relations. Now, with the decriminalization, the age of consent in homosexual cases rose even higher, from 16 to 18 years.

The sexual crime committee submitted its report in 1968, but then there was no time to treat it before the elections, and therefore the whole proposal was deferred until summer 1970, when the government brought the law proposal to the parliament for the first time.<sup>848</sup> The Finnish parliament discussed the new law proposal in three different discussions, and voted for the new law on the 24<sup>th</sup> of December, 1970.<sup>849</sup>

The proposal of the Finnish government was identical in regards to the same-sex fornication section as the one proposed by the sexual crime committee in 1968. However, after the first discussion in the parliament on May 26, 1970 the proposal was sent to the law commission, which made a significant change to it. The law commission added a special section to the new law proposal, in which “*encouragement for same-sex fornication*” was proposed to be criminalized. In practice this was aimed against too-positive homosexual presentations in public places or in the media, presentations that were suspected of increasing homosexual behaviors. When the encouragement ban finally came to a vote, 99 parliamentarians voted for it, 66 against it, and 34 parliamentarians were absent. The Agrarian League, the Rural Party and the Christian Party supported the encouragement ban section. As Mustola (2007) has written, the new criminal law was a paradox in itself: it was illegal to encourage or promote a conduct that itself was legal.<sup>850</sup> Further, the meaning of the section was to keep homosexuality in a marginal position. Whereas the Swedish parliament had stated as early as 1973 that “from the state’s view homosexuality is absolutely an equivalent way of living”<sup>851</sup> in Finland the encouragement ban section kept homosexual way of living on the

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<sup>847</sup> MÅNSON 1985:352.

<sup>848</sup> Valtioapäivät 1970 Asiakirjat, Hallituksen esitys 52/1970.

<sup>849</sup> Täysistuntojen pöytäkirjat 26.6.1970, 30.6.1970, 13.11.1970, 24.11.1970.

<sup>850</sup> MUSTOLA 2007:236.

<sup>851</sup> MÅNSON 1985:352.

margins until 1999 when both the higher age of consent for homosexual relations and encouragement for homosexual fornication were removed from the penal code.

## 7.8. Closing Words

In the last chapter of the thesis, the transition period of Finnish homosexuality of the 1960s was studied. Indeed, the 1960s marked a full-spectrum structural change in Finnish society that affected lifestyle and values, and in which sexual norms in general were placed into question. The change also marked a significant turning point in Finnish same-sex history. In the chapter, the transformation was studied through the story of Eero, the very first man who came out to the media as a homosexual person in Finland. His story began in 1966 when the biggest tabloid magazine of Finland published a sensationalist article in which his lifestyle and homosexuals in general were portrayed in a derogatory way. This scandal would prove to be a watershed in the forthcoming process, in which homosexuality started to be discussed openly in the media and in which homosexuals acquired spokesmen and began the process of emancipation. Even if radicalized students and psychiatric experts had already pushed for decriminalization of homosexuality, only after the scandal did a totally new space open for different discourses on homosexuality. The purpose of the chapter was to analyze this space, as well as the decriminalization and emancipation processes that it made possible.

The chapter yielded a multitude of findings. First, I showed how the legitimization of the same-sex fornication section was placed into question at the same time that it became an acceptable topic of mass media discussion. Until 1965 the number of prosecutions and convictions remained high, but they started to decline after that. In the final two years before the decriminalization only a couple of sentences were handed out, which assumedly were child-molesting cases.

Second, I showed that homosexual emancipation needed societal spokesmen. I named people who worked in other human rights associations who had an important role. From the legal point of view the attorney Herbert Gumpler, and especially the new professor of criminal code, Inkeri Anttila, were major players in the process. Anttila said as early as 1964 that she did not see a need for the penalization of homosexual acts and later worked in the sexual crime committee that formulated the proposal for the decriminalization of homosexual acts.

Third, I showed through Eero's case how in the late 1960s homosexuals, for the first time, were asked to define homosexuality by themselves, whereas before they had been defined by others. This

opportunity created conflicts within the homosexual movement, because people wanted different things. The younger generation had relatively high expectations, whereas older folks like Eero were happy with the fact that homosexuality was no longer considered a crime. At this point homosexuality was clearly differentiated from homosexual child-molesting cases.

Fourth, the chapter discussed the changing discourses in medical and legal thinking regarding homosexuality. One of the most important elements was the Kinsey report, which documented the prevalence of homosexual behavior in the population. The breakthrough of psychoanalytic thinking pertaining to homosexuality had also arrived in Finland. Homosexuals were also viewed from a human-rights point of view, thanks to the numerous political associations that questioned in a broad way the state's suppression policies.

Fifth, I showed that the pressure for decriminalization came primarily from outside the country. As early as 1964 an international committee of legal experts stated that homosexual conduct should not be criminalized in any country, and in fact, by the end of the 1960s decriminalization processes were going on in many European countries. It was evident in many of the sources that Finland did not want to be seen as old-fashioned, but instead wanted to be viewed as modern and civilized. The concern was more about how others would see Finns than about specific issues. The decriminalization of homosexual acts also faced a great deal of fear among parliamentarians, because of which the encouragement ban and the higher age of consent were set to the new law, which limited the rights of homosexuals until 1999.

Sixth, I analyzed the sin discourse, which is even now used against homosexual relations. I showed that even if the origins of the same-sex fornication section were in religious laws and even if there are many negative references to homosexuality in the Bible, the sin discourse was not explicitly articulated prior to 1965, at which point the bishops of the Finnish Lutheran Church publically defined homosexuality as a sin. Remarkably, prior to 1965 there was an absence of discussion of homosexuality as a sin in the sources studied. Only then, as societal values went into massive flux, did the church participate in public discussions of sexuality. The relative strength with which the church at that point opposed homosexuality was a reflection of its anxiety regarding societal rejection of its long-held values.

Last but not least, I wanted to examine in depth the scandal that had already become a symbol of the suppression of homosexuals in Finland. I also wanted to make Eero a visible person, because despite being one of the pioneers in the homosexual emancipation movement he has remained hidden to historiography. As Eero was so active at the time, it was easy to construct the atmosphere

of the late 1960s by following his steps. Eero's story embodies homosexual emancipation, as he was a proud homosexual with a strong gay identity. The youngest of the "seven queer brothers" was able to say in front of the police and the media that he *was and would always be homosexual*, and was proud of that.

A new era had begun.

## CONCLUSIONS (1894-1971)

In this thesis I studied how male same-sex relations and desires were perceived, controlled and lived through in Finland during the period of 1894-1971, when such relations were criminalized in the Finnish Penal Code. The main sources were the over one hundred same-sex fornication trial documents that were produced in the processes in which such relations were evaluated, explained and punished. The documents were read together with other contemporary sources that discussed sexuality and same-sex intimacy, such as medical, juridical, and moral writings, law reforms, police documents and newspaper writings. In addition the findings of the “Finnish case” were compared with other studies done on twentieth-century histories of male sexual intimacy in other parts of Europe. Further, I chose seven cases for microhistorical analysis, in which the stories of seven men were reconstructed. The thick-description approach revealed many interesting aspects of male same-sex intimacy. The microhistorical qualitative analysis was combined with statistical analysis and contextualization.

The statistics of convictions showed that same-sex fornication crime was nearly nonexistent until the late 1920s when the number of convictions started to multiply, peaking in the postwar era when over half of all (1073) sentences were given in a ten-year period. In 1971 same-sex fornication was removed from the criminal code, and a couple of years before that the number of convictions started to decline. These statistical notions formed the basis of this research. I wanted to study the discourses behind these changing numbers of convictions, how the control was legitimized and rationalized and how it later lost its justification. Previous studies in Finland and abroad had revealed that such changes in numbers somehow reflected the process in which the homosexual category got established in Finland.

The thesis was constructed chronologically, starting with Juhani’s story, which recounted the teacher Juhani’s frequent same-sex relations in the early twentieth century Finnish village. In the second story, Tuomas, a bootlegger, was convicted of “self-pollution” in a fast-growing industrial city of Kotka in 1922. Aapo’s story from 1932 Helsinki was told in the third chapter. Aapo, an educated and well-travelled man, hosted several homeless men in his apartment in the midst of the economic depression. The fourth chapter focused on Simeoni, who in 1936 was castrated surgically because of his “abnormal and unnaturally strong sexual drive”, in his case, homosexual drive. The fifth case concentrated on wartime “soldier love” through Timo’s story, who in 1942 was convicted in a court martial of same-sex fornication. The sixth chapter, told about the 1950s suppression and

the conviction peak through the story of Lauri who was convicted with his lover in 1952 Olympic Helsinki. The last chapter told about homosexual emancipation and decriminalization of same-sex fornication through the story of Eero, who was convicted in 1966, and subsequently became one of the first homosexual activists in Finland.

In order to best understand the thesis one must take into account the queer theory. Indeed, the queer theoretical point of view made it possible to recognize and analyze the differing meanings of male sexual intimacy. This, I would say, has been rare in the Finnish historiographical context, which has implicitly applied contemporary homosexual categories to historical contexts. This research deconstructed the homosexual category and showed that the history of male sexual intimacy is much more than the story of oppression and liberation (i.e., gay historiography), or the story of scientific recognition of something called “homosexuality” (i.e., the Foucauldian view). Instead, the discourses on same-sex intimacy have varied extensively, as has the word “homosexual” borne various meanings and connotations. The microhistory approach showed how these different discourses were adapted to individual lives and self-perceptions, and further showed how a person’s position in society greatly determined the person’s possibilities to access different kinds of discourses on male sexual behavior.

The changing discourses on male sexual intimacy found in the sources can be divided into two different types; those, which placed it in the *person*, and those, which described intimacies that were found in *actions*. The first could be called biological and the latter cultural types of male same-sex desire. The sources showed that since the beginning of the twentieth century a division of this kind was made in a rural Finnish understanding. The same division was made later in scientific and political writings, even though the connotations changed remarkably, affecting also the policies used against or for these “types”. The following table introduces the main discourses found in the sources, following the division into the two types.

<b>Biological types</b>	<b>Cultural types</b>
Manlover, “miehimys”, boylover	Bad habit
Innate homosexual	Pseudohomosexuality
Innate homosexual	Environmental homosexual
Established homosexual	Unestablished homosexuality
➔ gay identity	➔ queer identity



Part 1 of the thesis covered the period from the beginning of the 20<sup>th</sup> century till the 1930s. It showed that at the beginning of the twentieth century, in the rural Finnish understanding, men who desired to have sex with other males were called *manlovers*, *miehimys*, or *boylovers*. However, these labels were not used for all the men who experienced male sexual relations; on the contrary, it seems that it was aimed at those who most actively showed their interest in other males. Normally, men who ended up having sex with other men did not have any specific labels, nor did such acts have much significance. The action as such was mostly understood as *bad habit*. Some thought it was caused by masturbation, whereas some thought that men acted that way if they did not have women around. All the same, in a rural Finnish understanding, male sexual desire did not have much cultural significance and such behavior was by and large tolerated.

This view of rural male sexual intimacy was already drawn by Jan Löfström in his 1994 thesis, while this research showed with extensive source material that ignorance toward male sexual relations was even wider than previously thought. Only nine same-sex fornication cases were tried during the first two decades of the 20<sup>th</sup> century, and in four of the total nine cases minors were involved. The trials held in rural courts show that voluntary adult male sexual relations did not interest the commons or the investigators. In addition, the criminal code did not recognize boys or men as possible victims of sexual abuse. The sources showed that this was not only a matter of the criminal code's perception, but moreover, the same attitude was present among legal authorities (evidenced in short sentences given to men who had had sexual relations with boys), and among common people (evidenced in their careless attitude and high tolerance towards such relations).

With regard to ignorance over abusive sexual relations between males, I explained it in the context of general lack of autonomy over one's body and life. The rural poor gained such autonomy only alongside of the sense of class-consciousness. I described the widespread ignorance with regard to autonomy over one's body and life, which changed for the rural poor only after they developed a sense of class-consciousness. Kirsi Pohjola Vilkuna and Pasi Saarimäki came to similar conclusions in relation to heterosexual non-normative sexual relations in rural communities at the turn of 20<sup>th</sup> century Finland. In this research it was shown that the same attitude applied to homosexual relations, creating a situation in which not too much interest was put on same-sex relations whatsoever. Absolute sexual morality, which had been the leading doctrine behind the criminal code, did not apply in the rural reality.

At the beginning of the twentieth century, echoing ancient Greek perceptions, some educated people enjoyed privileged knowledge about male same-sex intimacy as the highest form of love. Indeed, in a country where less than half of the population was literate, education determined the frames of possibility for sexual identity and self-understanding. Juhani and Aapo, educated people that they were, were able to view their sexual preference as fashionable, a modern way of living. Modernization had indeed affected Aapo's view of male sexual intimacy. In the rapidly changing society, he had a perception that in the modern world there were places "women were no longer used for sexual purposes". Juhani, too, had spoken about sophisticated male sexual relations, saying that sophisticated people no longer used women for sexual purposes.

German physician Magnus Hirschfeld's view on homosexuality was the leading theory in most of Europe and especially in the Nordic countries until the 1920s. Hirschfeld's theory divided homosexuality into *innate* and *pseudo* types. The division fitted well the Finnish common perception of manlovers (=innate homosexuals), and the rest, who just ended up performing meaningless sexual actions with other men (=pseudohomosexuals). Among the Finnish medical and juridical authorities this was the main subdivision of something called "homosexuality" until the first half of the 1930s. Finnish encyclopedias and medical writings of the early 20<sup>th</sup> century used the same concept. These relations were described as rather common, but at the same time they were viewed as more like masturbation than actual homosexuality.

Innate homosexuals were viewed as being homosexuals by nature. They were thought of having feminine features and even a feminine soul captured in a male body, and were considered sick people who could not be cured by imprisonment. This Hirschfeldian discourse on homosexuality started the decriminalization processes on homosexual relations in the most Nordic countries. The same was about to happen in Finland in the 1920s, when in 1922, Serlachius, the professor of the criminal code of the time, proposed the decriminalization of adult homosexuality because he viewed the punishment causing more harm than good (e.g., that homosexuals were blackmailed). However, Serlachius' legal proposal was considered too liberal (it also supported the decriminalization of abortion and adultery) and did not develop into a law. Hirschfeldian theories on homosexuality in any case offered possibilities for self-perceptions to those who had access to medical literature of the time.

Part 2 dealt with the period from the 1930s to the end of the Second World War. Part 2 showed that the more liberal view of the 1920s on same-sex intimacy subsided fast in the 1930s. In the third chapter I demonstrated that even Professor Serlachius changed his view on adult homosexuality by

the time of Aapo's trial in the Supreme Court of Finland. In the decision, Serlachius supported a one-year sentence instead of the proposed one-month sentence on adult same-sex fornication. Until this research, Serlachius has been remembered as being liberal towards same-sex intimacy.

The shift in Serlachius' attitude towards male sexual relations was not an exception, but predicted the changing attitude of the 1930s, which in this research has been viewed as a crucial explanation for the latter repressive attitude towards male sexual practices. The history of homosexuality of this decade was largely unstudied in Finland. In contrast to Finnish historiography, to the works of Tuula Juvonen and Kati Mustola, which have concentrated on the post-war period and on the war, this research looked at transformations over time, and showed that it was already in the 1930s that the discursive and mental founding for the post-war repression were laid out.

Indeed, during the 1930s the discussion around homosexuality increased in Finland. For instance, the blackmailing of homosexually behaving men was suddenly viewed as their own fault. If they would not act like that no one could blackmail them, according to the logic of the time. In the shortages of the 1930s, "homosexualists" were in this way blamed for consuming too much police capacity. Thus, homosexually behaving men were outlawed. Not only was the urban underground blackmailing these individuals, but even the Finnish Secret Police used knowledge about people's sexuality in order to get them work for them.

The psychoanalytic view on sexuality as a more fluid matter reached Finland at the same time that homosexuality was viewed as becoming more common in the urban sphere in the urbanizing country. According to the psychoanalytic view, sexual inclinations become established only in early adulthood, before which it is open to all influences. This perception of Moll's and Freud's suggested that people could also "become" homosexuals, which happened mainly through *homosexual seduction*. Exactly the same kinds of concerns were expressed in Germany in the 1930s, which in 1935 instituted stricter laws against homosexuality. Because of the strong association between Nazi German and the Finnish scientific world this attitude reached Finland by the eve of the Second World War. Concern about homosexuality was related to concern for the future of the whole nation. The seduction discourse has remained unanalyzed in the Finnish historiography.

A comparison of Swedish and Finnish writings on homosexuality written by legal authorities showed that the Swedish perception of same-sex intimacy did not include the idea of seduction, but homosexuality was viewed as "innate", "hidden" or "pseudo." They rationalized that if someone was "seduced" to homosexuality it meant that the person already had homosexual desire.

Pseudohomosexuality took place in gender-segregated communities, but did not lead, according to Swedish legal authorities, to a permanent change in inclination. In comparison, the seduction discourse applied in Finland suggested that any “normal” youngster or man could “become” homosexual if he had been seduced.

When positioning Finland vis a vis other Nordic countries regarding homosexual rights, the scientific contact of Finland and Nazi Germany has to be taken into consideration. Marjatta Hietala has provided extensive quantitative and qualitative data showing that Germany had been in the forefront of the scientific world from the turn of the 20<sup>th</sup> century until the Nazi regime, after which the Nordic countries pulled back their scientific collaboration with Germans, except Finland, whose scientific connections with Nazi Germany got tighter than ever, especially after the alliance of 1941. I concluded that this connection, by and large, explains the “Finnish delay” regarding homosexual rights compared to other Nordic countries. Future studies may reveal other kinds of long-term consequences that the tight scientific connection with the Nazis caused in the post-war mentality and policies of Finland.

Thinking of the changing discourses on homosexuality, the earlier tolerated pseudohomosexual behavior started to be viewed as problematic when the seduction discourse became more powerful. Pseudohomosexuality had been viewed as a substitute for female sex. It suggested that men engaging in pseudohomosexual relations would prefer women over men, if they were available, whereas the seduction discourse implied that once seduced by a homosexual, a man might well not want to return to women at all. Because of this distinction, pseudohomosexuality did not endanger the institution of family or reproduction, whereas the seduction discourse implies that the institution of family and heterosexuality have to be protected. Thus, homosexual behavior was viewed as tempting, but as an unmanly thing to do in a society where people were expected to set up families in a heterosexual matrix.

The perception of homosexual seduction was very similar to the sobriety movement’s perception of alcoholism. In fact, according to the theory, male same-sex desire was “homosexualism”, the very word suggesting a sickness reminiscent of alcoholism. According to the theory, both began as an innocent habit but later came to be a necessity, a sickness that could not be cured. Though dramatic, I also found the seduction discourse a rather “queer” perception of sexuality. Against the notions according which homosexuality and heterosexuality formed innate and natural categories, the seduction theory viewed sexuality in a more flexible way. It showed that heterosexuality was not the natural or the strongest sexual drive, but instead, it was so weak that it needed to be

protected via a huge control apparatus. At the same time, homosexuality was not an absolute “disgusting habit of some abnormal people”, but the seduction discourse implicitly suggested that it was tempting, which, however, for the sake of the nation, had to be kept on the margins.

Juvonen and Mustola explained the post-war same-sex fornication conviction peak having been caused by the fact that men had had homosexual relations during the war. According to both authors, this created the stricter gender norms and attitudes towards deviant sexual behavior in the post-war period. The sources of this study, in many respects, confirm that the military environment offered new possibilities for male sexual relations. However, if taking a long time span view on the issue, one sees that the male sexual intimacy was not particularly a war phenomenon, but instead the same kind of behavior had taken place also in pre-war society, particularly in gender-segregated environments. However, because of the new seduction discourse, during the warfare, the attitudes towards homosexuality became increasingly hostile. Pseudohomosexual behavior which well until the war had been among the common people a harmless habit was suddenly viewed as dangerous.

I argued that the war actualized the anxiety over homosexuality as gender-segregated spaces, such as the military environment, had been traditionally viewed as spaces of same-sex actions. The war nationalized the sexual expressions of Finnish men by disseminating the fear over homosexuality and steering their sexual expressions to a heteronormative setting. The war was the period in which many Finns learned that male sexual actions and manlovers were not harmless as previously thought, but actually a great risk for the future of the nation. The 1930s mentality placed society’s best interests before those of the individual, of which the sterilization and castration laws of the 1935 are the strongest expressions. While the castration laws were in effect, two people who had been convicted of adult same-sex fornication were castrated.

The 1930s was a time of the recognition of boys as possible victims of child abuse. Homosexual relations with minor boys went under the child molesting section instead of that of same-sex fornication, and the sentences got stricter. This new notion did not, however, separate homosexuals who had sex with men from those who desired also boys or adolescents, but a “homosexual” was viewed as a possible child molester well into the 1960s. I suggested that this had to do with the historical notions of *manlovers*, a word that connoted a man who was sexually interested equally in men or boys. When homosexual discourse became more apparent, all the old memories that people carried about manlovers were associated with the new *homosexualist*. The age qualification was established for homosexual relations in the latter part of the 1960s, when sexuality in general became more openly discussed and homosexuals themselves started to define their group identity.

The culture and policies of postwar Finland supported families, and indeed a huge baby-boom generation was born. The values of the time were conservative and society guided people toward specific moral values. I argued that homosexuality constituted a threat to the Finnish nation and population: if Finnish men turned to homosexuality, who would seed the forthcoming generations? Increased interest in population created also an interest in control of sexual deviants, such as homosexuals.

In the historiography, Juvonen in particular has tried to find reasons for the post-war conviction peak. She went through numerous sources, which showed that the attitude of the 1950s was hostile towards homosexuals. Referring to some memorials of the war, which suggested the common sexual relations between soldiers at the front, she concluded that the post-war hostile attitude and the peak were caused by the fact that the veterans had to actively forget their adventures to male love at the front. I have already given one new explanation to the post-war attitude, and it was the seduction discourse and the feared spread of homosexuality in the society. In the postwar years, the Finnish press anxiously looked at the developments in liberal Sweden where the “homosexual disease” or Swedish disease” was already spreading. I argued that the fear was reality-based: Sweden was the first point of reference when tracing the results of the liberal sexual policies, and compared to less urbanized Finland, Stockholm’s free homosexual life seemed so strange that some saw it as a threat.

In addition, this research showed other new elements on the post-war conviction peak. The sources showed that homosexuality was not the only controlled phenomenon, but was lumped together with the group of unsocial elements of the society, which were controlled because of their unwanted visibility. Files of Helsinki police showed that the police actively searched for homosexuals especially before the Helsinki Summer Olympics of 1952. Indeed in years 1951 and 1952, which were the clear peak years in numbers of convictions, nearly half of the same-sex fornication sentences were given in Helsinki, a number that declined rapidly after the Olympics. Second, the hostile attitude towards homosexuality was not aimed at homosexuality as understood from a twenty-first century point of view. From the early twentieth century onwards, *malelover*, *faggot*, *homosexualist* and *pervert* had been terms for men who desired equally men or boys, and for a long time this was not problematized in Finland. These roots explain the reason why homosexuals were viewed as possible child molesters until 1960s Finland.

Third, reading through the cases tried throughout Finland in the postwar period, one point becomes clear: the same-sex fornication crimes were associated with overall social instability –that is,

drunkenness, homelessness, joblessness and extreme poverty. In the postwar period, the same-sex fornication crime increasingly became an urban crime, when the cases tried dealt mostly with relations practiced in the public sphere or in drunk-tanks. Especially the cases tried in the cities in North Finland (Oulu, Kemi and Rovaniemi), where same-sex fornication convictions were more frequent than in other parts of the country, demonstrated general social instability. These parts of the country had suffered a great deal during the Second World War, which caused social instability, which in turn, caused more same-sex fornication convictions. The parts of Finland that were somewhat less affected by the war and which did not have huge social challenges in the postwar period, also had only a few same-sex fornication convictions. In conclusion, the conviction peak can be viewed also as an outcome of the overall instability of the post-war traumatized society.

If going back to the different discourses on male sexual intimacy, the seduction discourse changed the understanding of homosexuality in the post-war period. The seduction discourse “created” a new type of homosexual, that of *environmental homosexual* (or cultural/learned type of homosexual), which labelled men who had learned their homosexual preference during their lifetime. In many studies around Europe the distinction of environmental homosexual and pseudohomosexual has not been clearly understood. At least in the Finnish case, pseudohomosexuality and environmental homosexuality were different, whereas the earlier stood for random male sexual actions and the latter was the outcome of the seduction, a more fixed form of homosexual preference that was learnt in homosexual experiences.

The perception of “innate” homosexual remained much the same as Hirschfeld had defined it nearly half a century earlier. At this point homosexual behavior was constructed as disgusting, ridiculous and unmanly. Femininity was the physical and mental feature of an innate homosexual. The attitude towards innate homosexuals was anyhow much more sympathetic, whereas those who had chosen homosexuality were viewed as betrayers. Innate homosexuals were viewed not benefitting from either psychiatric or juridical treatments. In courtrooms this was shown in an increase of medical statements in which people’s homosexual tendencies were evaluated and categorized as innate and learned types. This also affected people’s self-perceptions, and many thought of themselves as having learned their homosexual tendencies from others.

The 1960s saw a rapid transformation of society. The notion of a single-value society was questioned and young radicals called for plurality and individual values. At this point, society lost the justification for control policies, which had tried to exclude from society many parts of its population. This change of the 1960s was remarkably important for homosexuals of the time, as it

made it possible to build up a group identity. Once the group identity was established, it allowed the more explicit requirements for societal rights.

In the latter part of the 1960s, *the innate homosexual*, which had remained in a marginal position in the discussions of the 1950s (when the focus was put on spreading homosexuality), reappeared in discussions. This was because alongside the sexual revolution, homosexually identified people participated in public discourse-making for the first time in Finnish history, and most of them were considered “homos from birth to death” as Eero described his sexual identity. In this very connection, the Church decided to take its stand on homosexuality, and in 1966 homosexuality was called a *sin*. Remarkably, no sources from the previous decades had defined male same-sex intimacy as such.

In Finland the seduction discourse was still rather strong in the 1960s, as when decriminalization of homosexual acts was discussed in the parliament or when homosexual activists produced material on homosexuality. The homosexual-seducer image did not disappear from the Finnish perspective, and was still vivid when the decriminalization of homosexual acts was discussed. Those who promoted homosexual rights heavily criticized the seduction discourse. The seduction discourse was one of the beliefs that needed to be corrected through “appropriate knowledge” about homosexuality by the homosexual emancipation movement. (Only a few decades earlier “the appropriate knowledge” was used to educate people about the dangers of homosexual behavior.)

At that point the psychoanalytic theories on sexuality were already established in the country, as also evidenced in the widely used discourses of *established* and *un-established* sexualities. This worked both ways: a homosexually desiring youngster could still be educated to heterosexuality, and a heterosexual youngster to homosexuality. This understanding justified psychoanalytic treatment for homosexuals. It also affected the law-making process when same-sex fornication was removed from the criminal code. At the same time, a higher age of consent was set to homosexual relations than to heterosexual ones. The same theory was also behind the Encouragement Ban Section, which banned positive and encouraging presentations of homosexuality. The section stood in the Finnish penal code until 1999.

### **Further considerations**

This research treated the period up until the early 1970s. A logical question would be, what happened after decriminalization. The decriminalization of same-sex fornication was only one



point, but would be important to study its consequences and later battles. The 1970s constituted a time of popularization of homosexuality, made possible through gossip magazines and jokes. The 1980s would bring the AIDS crisis, which still, regardless of its dramatic effects on the perceptions of gays, has remained by and large an unstudied issue in Finland. The late 1990s saw the democratization of homosexuality in Finland. All the marginalizing elements of the homosexual lifestyle and ways of being were actively replaced with the images of middle-class gay couples and families. The registered partnership law was passed and discussions around adoption and marriage rights started. These would all be interesting objects of study, and this research would offer many explanations and ways to understand different developments in later decades.

In this study, the Church's view on male same-sex intimacy became evident only as a side product. It would be interesting in future work to test the preliminary findings of this research about the rather late intervention of the Church regarding the discussions of male sexual intimacy. The sin discourse seems like an eternity old, and therefore it is used as a strong statement against male sexual desire. Thus, it should be deconstructed as to when and to what purposes it appeared.

The peculiar connection of Germany and Finland in the war years was viewed as one of the explanations for the strong adaption of the seduction discourse in Finland. It would be interesting to further investigate if the Finnish-German connection also explains other specific phenomena in post-war Finnish society. Regarding the history of homosexuality in Europe the spread and the consequences of the seduction discourse in other Axis powers would be an interesting object of study.

In the new millennium people do not necessarily desire to be placed under any labels regarding their sexual preferences or practices. This queer stance that has arisen has criticized the gay movement for having diminished sexual presentations under the society's norms and structures. This research gives a history to those statements, which question the tight gender and sexual norms of the current society. Indeed, whereas the old manlover figure and the scientific theories on innate homosexual, could be viewed as the root of the modern gay identity, the ambivalent, dangerous, and protean type of male sexual expressions, which were more difficult to define and control, could be viewed as the root of the contemporary queer identity.

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The e-mail response from the head editor Markku Seppä from War veteran association in 14.10.2011

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