

Maria Rosaria Pelizzari

*A big bad wolf in sheep's clothing. Case studies of accounts of sexual abuse from trials taking place during the early 1900s*

#### Abstract

The aim of this paper is to analyze by means of historical case studies, the reaction of the common people in urbanized Southern Italy at the beginning of the 1900s on discovering criminal behavior which for convenience sake, I define as 'sexual abuse'. In this sense I have outlined the proceedings relative to trials for "libidinous acts", "rape", "indecent behavior" concerning children, in act at the Tribunal of Naples. Our *case studies* seem to renege the idea, widely diffused, of a female world, belonging above all to the working class, incapable of reacting publicly to sexual violence. The cases selected involve victims and the accused who live in the same building, in the same street or nearby in the same neighborhood. Issues in our paper concern how children were protected in the event of effective or attempted violence. How in the neighborhood 'gossip' was spread relative to the abuse, what effectively triggered police intervention and finally, how the neighborhood reacted as concerns the victim or the accused and the prejudice emerging from the documents reporting the Court proceedings. By means of the documents relative to the trial proceedings, a preliminary analysis can be put in place in order ascertain the way in which the narration of sexual crime is constructed according to the evidence of the various witnesses, summoned to court by the Authorities. Such evidence ranges from and includes the version of the accused and that of the victim to that of the witnesses, from red tape jargon expressed in the language of the Court Minutes to the scientific lexicon of medical-legal reports which all concur in tracing the outlines of an event that reflects facets of life experience and consequently, of socio-cultural history.

As concerns the reactions following the discovery of the abuse, it is possible to delineate models of behavior which are more or less constant. Above all during the period immediately following the discovery of the episode, word of mouth seems to involve mainly the women of the neighborhood. In the reconstruction of the narration of the sexual abuse, women emerge as the protagonists at crucial moments: they provide first aid, they carry out perfunctory 'check ups' on the victim, help the mothers to find a doctor to verify and attest the circumstance in the event of a formal complaint and the type of abuse and harm suffered.

*Keywords:* History of sexual abuses, rape trials in the early 1900s, criminal Court of Naples, sexual Violence and public opinion.

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*State of the Art*

Historical studies on violence generally, in particular those relevant to sexual violence have to date, failed to encounter much interest in Italy. With some relevant exceptions<sup>1</sup>, which show how over the last ten years the issue – linked above all to the cultural mentality underlying the subject of sex, from the perspective of juridical discipline, its practice and public opinion and debate on issues such as “honor”, “modesty”, “homosexuality” and so on – is beginning to interest an ever increasing number of scholars and historians. In the more general context of Women’s Studies, English and French works in particular, with a focus on sexual violence in various historical and geographical contexts can be traced to the end of the 1970s<sup>2</sup>.

Recently, new bibliographical and electronic resources have enhanced the scientific scene. Stefan Blaschke, who has put together a vast bibliography dedicated to sexual violence throughout history, entitled *A History of Rape: Bibliography*, has also set up a blog on the issue: *The History of Rape Blog*<sup>3</sup>. In effect, this sort of global bibliography on violence, is a work in progress, unfettered by limits of time or space or by any thematic or disciplinary approach. Not only the historical aspects of sexual violence are taken into account but also the literature dealing with such issues in the context of human and social sciences: ranging from philosophy to sociology, from psychology to literature, from medicine to criminology, from art to forms of representation of violence in the mass media. The works analyzed touch upon “borderline issues”, in that they trigger reflection on gender violence throughout history as well as in more general terms: physical attributes; gender and militarism; sexual abuse in wartime; theoretical considerations on masculinity, the male-female relationship, not to mention profiles, images and social constructions relative to gender.

*Some preliminary considerations*

The aim of this paper is to analyze by means of historical case studies, the reaction of the common people in urbanized Southern Italy at the beginning of the 1900s on

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<sup>1</sup> Here I refer to some basic scientific studies for those wishing to examine the issue in more depth: Donato e Ferrante, (2010); Arrivo (2006); Arrivo, 2002; Guarnieri, *L'ammazzabambini*, (2006); Guarnieri (1998); Guarnieri (2003); Gribaudi (2002); Lucrezi, Botta, Rizzelli (2003). On the concept of virility and virilism, see Bellassai (2011). On public debate in Italy, relative to sexual behavior between the 1800s and the 1900s, see Wanrooij (1990). For an analysis on the notion of public scandal, see Rizzo (2004); e Rizzo (2003). Ongoing research is mentioned in the section *Il genere della violenza. Linguaggi e rappresentazioni*, a cura di Maria Rosaria Pelizzari, in press (2013), in Laura Guidi, Maria Rosaria Pelizzari (Ed.), *Nuove frontiere per la Storia di genere*, Padova: libreriauniversitaria.it Editore Webster, with contributions from Arianna Bonnini, Giulia Castelnovo, Annalisa Di Nuzzo, Roberta Galeano, Lola Gonzalez Quijano, Vitulia Ivone, Annamaria Musilli, Maria Rosaria Pelizzari, Federico Sanguineti, Giuseppe Maria Viscardi. The issue of domestic violence was recently debated at the VIth Congress of Società Italiana delle Storiche (Padova-Venezia, 14-16 febbraio 2013) in the panel *Il nemico in casa*, a cura di Claudio Azzara, with contributions from Arianna Bonnini, Cecilia Cristellon, Ermanno Orlando and Guido Panico.

<sup>2</sup> Many of the studies on criminal issues and gender, not to mention on *body history* provide interesting starting points for historical analysis: Brownmiller (1975); Chesnais (1982); Shorter (1984); Tomaselli, Porter (1986); Ackley (1990); Corbin (1992); Arnot, Osborne (1999); D’Cruze (2000); Vigarello (2001); Davidoff (2005); Palk (2006); Sabeau, Teuscher, Mathieu (2007); Bourke (2009). As concerns Latin America, a useful reference is to be found in Stabili (2009).

<sup>3</sup> See Ermacora, Tiepolato, (2011). The bibliography is online at: [http://de.geocities.com/history\\_guide/horb/index.html](http://de.geocities.com/history_guide/horb/index.html)

discovering criminal behavior which for convenience sake, I define as ‘sexual abuse’<sup>4</sup>. In this sense I have outlined the proceedings relative to trials for “libidinous acts”, “rape”, “indecent behavior” concerning children, in act at the Tribunal of Naples<sup>5</sup>. It should be underlined in this respect that in the process of Criminal Court trials for sexual crime it is possible to glimpse, by means of “criminal facts” and their representation in the Halls of Justice, the fleeting and certainly not negligible cultural aspects and mindsets as concerns carnal violence. The issues are complex and require in-depth observation. Case studies are ideal for this kind of historical-cultural investigation as they lend themselves to illustrating the assumptions and prejudices of the parties concerned.

By means of the documents relative to the trial proceedings, a preliminary analysis can be put in place in order ascertain the way in which the narration of sexual crime is constructed according to the evidence of the various witnesses, summoned to court by the Authorities. Such evidence ranges from and includes the version of the accused and that of the victim to that of the witnesses, from red tape jargon expressed in the language of the Court Minutes to the scientific lexicon of medical-legal reports which all concur in tracing the outlines of an event that reflects facets of life experience and consequently, of socio-cultural history. In other words, behaviors and attitudes are delineated in which predictably, roles and stereotypes relative to gender, impact to a great extent. However, nothing as will be seen, can be considered obvious or taken for granted. Some cases enable on the contrary, the reconstruction of a scenario which is much more complicated and articulated than might have been expected.

Our *case studies*, relative to the denouncing of crimes committed in the city of Naples and in the surrounding province, on victims (both male and female) under 15, seem to renege the idea, widely diffused, of a female world, belonging above all to the working class, incapable of reacting publicly to sexual violence. The sample involved is quite limited, however, it reflects a model of social behavior which could probably be extended to the wider context of working class areas and the suburbs of Naples. The cases selected involve victims and the accused who live in the same building, in the same street or nearby in the same neighborhood<sup>6</sup>. Issues in our paper concern how

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<sup>4</sup> The ‘sexual abuse’ I refer to concerns the morbid attention both manifest and covered up, paid to children by persons who are not part of the family context. As regards the time and place in which the abuse takes place this varies from case to case even though there is evidence of recurring places and circumstances. In this respect, it should be noted that in the Codice Zanardelli dated 1889, sexual crimes were defined in the Criminal Code as “crimes against public decency and family morality”. Illicit sexual behavior was recognized as such only when the act had been perpetrated using threats and violence and not when there had merely been explicit opposition on the part of victims undergoing the sexual abuse. The distinction between bodily violence (rape) (art. 519) and sexual molesting (art. 521) was commonly applied. The seriousness of such illicit sexual conduct was determined on the basis of specific criteria: the age of the victim, state of health and the relation in place between the abuser and his victim. In the case of children being involved in acts of bodily violence, the Criminal Code envisaged illegality only if corruption of the underage victim could be proved.

<sup>5</sup> The documentation, relative to the reporting of the crime to the appearing in court, from the medico-legal reports to the defense counsel’s petitioning, to the records of interim sentencing up to the pronouncing of the final, definitive sentence is all conserved at the Archivio di Stato di Napoli (ASNA), in the dossier Tribunale Penale (TP), *Processi (PR)*. Reference is to facts occurring in Naples and the surrounding province.

<sup>6</sup> Preliminary reflections relative to 40 cases are proposed, classified at the time as “rape”, “sexual molesting”, “acts of sexual violence”, “indecent behavior”, young persons aged 15, occurring in Naples

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children were protected in the event of effective or attempted violence. How in the neighborhood 'gossip' was spread relative to the abuse, what effectively triggered police intervention and finally, how the neighborhood reacted as concerns the victim or the accused and the prejudice emerging from the documents reporting the Court proceedings. From such documents the reality of routine daily life emerges clearly; made up of shadowy corners, dark, isolated alleyways, lunch breaks or tea breaks from work during which, far more often than we might possibly imagine, children, small boys and above all small girls were prey to sexual interest on the part of adults who used to hang around their houses or their families for one reason or other. The 'big bad wolf' was generally not a stranger but rather as we have already mentioned, a neighbor or even a frequent visitor to the house. In the cases narrated we often find the involvement of youths rather than «dirty old men»<sup>7</sup>. About 50% of the accused are aged between 26 and 59, they are usually married at the time of the accusation, or widowed. They are neither socially marginalized nor dropouts. In effect, all the accused surprisingly, are distinguished by their 'normal status'. The environment is mainly working class. The context in which most of the soliciting occurs is framed is the street, often lived as an extension of the home.

*The discovery of the fact.*

As concerns the reactions following the discovery of the abuse, it is possible to delineate models of behavior which are more or less constant<sup>8</sup>. Above all during the period immediately following the discovery of the episode, word of mouth seems to involve mainly the women of the neighborhood. In the reconstruction of the narration of the sexual abuse, women emerge as the protagonists at crucial moments: they provide first aid, they carry out perfunctory 'check ups' on the victim<sup>9</sup>, help the mothers to find a doctor to verify and attest the circumstance in the event of a formal complaint and the type of abuse and harm suffered. These women are generally quite competent, they are district midwives, capable of giving injections, they know how to prepare medicinal brews and tisanes and so on. Women emerge in the front line in rows in public between the families involved: the victim's mother on the one hand and the mother or wife of the alleged guilty party on the other. It is above all, the mothers and/or wives of the

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and surrounding province during the period between 1902 and 1904, and between 1915 and 1917, present in the trial proceedings relative respectively to 1904 and 1917. These are the preliminary findings of a wider analysis relative to trials for sexual crimes against victims aged under 21, heard during the period 1901-1904, 1917, 1936 and 1938. These periods were chosen because they are the first in the 1900s in which the recording and classifying of trials electronically it in place at ASNA and labeled with the type of crime committed.

<sup>7</sup> Out of 20 cases, relative to sexual abuse against little girls, only one man is aged 63. In general, ages range from 16 to 29 (9 out of 20) and from 30 to 59 (8 out of 20). In 2 cases, both are under 15. As concerns victims of the male sex, they are even younger, above all when groups of three or more individuals are involved. In fact, out of 20 cases relative to sexual abuse on children of the male sex, 11 defendants are under 15, 8 are aged between 30 and 59 and one person is over 60.

<sup>8</sup> For the year 1917 the trials filed electronically number 6545. Those relating to crimes of a sexual nature against women or children (either male or female) number 172 (circa 2,62%), include those for indecent behavior: 21 (12,2%); sexual molesting, 33 (19,2%); and rape, 118 (68,6%). Relative to 1904, classification is still ongoing. To date, I have calculated 252 trials for sexual crimes. These include: indecent behavior and sexual molesting of children, 23 (9,14%); for rape against children, 40 (13,09%).

<sup>9</sup> Of particular significance, the case described in ASNA, TP, PR, anno 1917, fs. 14/ 664.

accused who intercede to ask the complaint to be withdrawn, offering money or threatening reprisals in an attempt to save their sons or husbands.

How can such a decisive presence of the families with the women at their head reacting publicly to the discovery of the abuse suffered by their children, be interpreted? We are examining cases, linked probably, to what can be explained in part by the experience of Southern Italian (in particular Neapolitan) communities, who habitually shared their every day existence in the narrow streets. Furthermore, an important element should be considered: the cases I am referring to, as I have already mentioned, are not cases of abuse perpetrated by members of the same family as that of the victim, but cases involving neighbors, blatant episodes resulting even in venereal disease. Neighbors having the run of the child's house are often involved; they would coax the designated victim into their own house or shop or they would abduct and take them into some country lane or other secluded place<sup>10</sup>. While reading the documents of the trial proceedings one is immersed in situations and circumstances that seem quite similar to those that we have often read or heard about nowadays, rather as though particular facts repeat themselves over and over again from one place to another, from one epoch to another. But what has changed and what has remained the same over such a long period of time? Circumstances (dark corners, neighbors considered above suspicion, small gifts, soliciting, fear, shame and so on) seem to be repeated more or less in a similar fashion. On the contrary, the ways in which the discovery of the abuse is experienced seems to have changed. In particular, the way in which the young victim would be taken under the wing of the community. A kind of informal court would be set up, it seems to me, based on the most accredited 'authority', in the neighborhood. The 'court' would pronounce a preliminary judgment or sentence relative to the fact thus orienting behavior. Cultural and mental mechanisms would be triggered which helped to guide opinions. These consisted in common points of view of the kind that become deep rooted day after day from each person's experience or contact with their peers.

Particularly dramatic for the neighborhood was the discovery of habitual soliciting on the part of an adult resident of several young girls living in the same area. In these cases it would happen that an episode of sexual molesting, come to light by some quirk of fate, would trigger the reactions also of the other victims and their families who, up to that moment, had preferred to keep their silence<sup>11</sup>. As already mentioned, various family groups of both the victim and the accused formed the framework delineated. We could also say at the risk of appearing banal, that environments typical of the culture of Neapolitan alleys are often the same everywhere; homes or communities take on a significant role in the network of family relations. Resorting to the law in some subsequent cases, became common practice on the part of the women involved all of whom previously had always tried to punish the aggressor with their own hands<sup>12</sup>.

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<sup>10</sup> I have not taken into account cases relative to sexual crimes occurring within the family; the nucleus of the family or extended to relations living in the same house, as these cases, precisely because of their profound psychological implications, will be the object of a specific future study.

<sup>11</sup> Exemplary is the case reported/narrated in the trial against Michele Mennella, known as *Naso di cane*, (*Dog-nose*) a man accused of molesting several little girls from the neighborhood, aged between 8 and 14. ASNA, TP, PR, anno 1904, 186/11345.

<sup>12</sup> The mother of a little girl abused by a farm worker, had stabbed the man in the face and on his hands with a knife. ASNA, TP, PR, anno 1917, 96/4881.



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They had always preferred as far as possible to avoid going to court, above all during wartime while all the men were at the Front<sup>13</sup>. In our view, it might be interesting to compare similar processes in other Italian scenarios of the same period.

Some accounts furthermore, mention useful elements for delineating the relation between mothers and adolescent offspring. Documents of court proceedings report mothers who were wont to control the sexual habits of their children and therefore, were well aware of anything that was not quite right in that sphere. This was not only the case during the prolonged periods of absence of the head of the family. Women emerge who report of attentively watching over their children and noticing periods of confusion, fatigue and physical pain caused by scenarios that generate suspicion. Some mothers, beset by suspicion, describe getting up during the night and turning back the top sheet of their children's beds to look for noticeable signs of abuse on their children's (male or female) bodies<sup>14</sup>. They would do this right up to the age of adolescence ( 14 years of age) in order to detect evidence of any alarming manifestations.

*Relations between the big bad wolf and his victim*

From the particulars that emerge in the reports, it appears that already well before 12 years of age, children of both sexes had fully grasped the implications of behaviors linked to sex, collocating them in the sphere of sin and immorality. This did not stop them from accepting in some cases, being touched in their private parts and even allowing an adult to rub his genitals against theirs for a due recompense. The acceptance of money or small gifts was indicated by the defense lawyers as a sign of precocious perversion, above all in the little girls, defined in more than one case as blatant prostitutes. Mainly poverty stricken, the children - it was often insinuated in defense of the accused - were immoral because of the "bad examples" they were exposed to in the family. During the debate ongoing in Italy between the 1700s and 1800s, the cause of juvenile prostitution was indicated in general, as the result not of male demand, but rather, of the immorality that distinguished the lower classes. In practice, the origins of prostitution could be traced to the sexual precociousness of the young proletariats. The argument for the natural «immorality» of the working classes offered a "scientific explanation" for these widespread sexual practices that were no threat either to the established public or social order or to male power as such<sup>15</sup>. As concerns infancy, prejudice of a social nature was recurrent at the time: anthropological research and the Lombrosian studies were concentrated on the children of the poorer classes even though the idea of congenital perversion in young children, regardless of their social condition, was not unknown in the Italian scientific culture, even before the advent of psychoanalysis<sup>16</sup>.

The expressions most frequently used by little girls and boys to indicate that they had been asked to do something of a sexual nature were of two kinds: «he wanted to do

<sup>13</sup>An emblematic case in 1916 is that of the mother of a little girl molested by a twenty year old mentally disabled youth, who with her sister and a neighbor, organized a raid to look for the youth and beat him. ASNA, TP, PR, anno/Year 1917 , 29/1506.

<sup>14</sup> An emblematic case in ASNA, TP, PR, anno 1917, fs. 14/ 664.

<sup>15</sup> See Gibson, Rafter, *Introduzione*, in Lombroso, Ferrero (2010), pp. 1-43.

<sup>16</sup> Cfr. Guarnieri, *Un piccolo essere* (2006), pp. 253-284.

disgusting things with me» or «he wanted to have fun with me». Disgust/enjoyment co-exist with an equally negative value in the reconstruction of the facts on the part of both the victims, the accused and the witnesses. The smaller children despite their naiveté were usually capable of describing sexual organs realistically. Generally, they would use local slang as in the case of the little girl who declared: «he took me to his house one day and sat me down on the inside window ledge then he put his pesce on my sciaccarella and hurt me»<sup>17</sup>. The use of dialectal expressions shows the backdrop against which everything to do with sex was quite familiar: from traditional slang on the subject to information on basic notions.

The victim – except in the case of the abuser being discovered red-handed – would generally prefer to keep the fact secret due either to shame or to parental reaction or because of intimidation by the big bad wolf<sup>18</sup>. Initially, the little boy or girl tended to keep silent about the event because, on the basis of current psychological interpretations, they did not fully realize they had suffered any abuse. They would remove the fact from their mind or deny it. Their rationale was the following: the less the use of force involved, the more responsible and guilty the victim felt for the violence he or she had suffered. The silence of the victim seemed to derive from the shame of having been the “object/subject” of “disgusting things”. The confines between guilty party and abused victim was at that time, as is often the case today, culturally tenuous. According to Jean Claude Chesnais, «sexual violence remains the only crime where the perpetrator believes he is innocent and the victim feels only shame» (Chesnais 1982, p. 155). If the victim kept his/her silence, they did so because from a very early age it was impressed upon them that their intimate and genital sphere represented something secret and demanded discretion, in a word: unmentionable. The shame for what had happened and the fear of punishment were widespread both among the girls as well as the boys, Both the object and the subject of sexual abuse had been conditioned by deep rooted taboos, consequently, anyone abusing children knew that they were to some extent, abusing not only the body of the victim but also the spirit or if you like, the soul of the abused child.

### *Sexually abused little girls*

The female body is always present even when the word body itself is not expressly mentioned: everything revolves around the female body, it is the object of the abuse but it has to show over and over again that it is also the victim of what has happened. The flesh of the victims of rape during trials is observed, analyzed and studied through the signs of its past, offered to the perceptions of strangers and immodest or brazen onlookers<sup>19</sup>.

As can easily be imagined, the actual body of the victim in relation to the offence suffered and in order to establish the guilt of the accused, had a different value deriving

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<sup>17</sup> ASNA, *TP, PR*, anno 1904, 190 / 11479. The word(s) are underlined in the Court Minutes. [«mi condusse un giorno a casa sua e facendomi sedere sul poggiolo interno della finestra mi pose il pesce sulla sciaccarella facendomi sentire dolore»].

<sup>18</sup> This kind of behavior emerges in periods, places and socio-cultural scenarios which are quite varied, see Sohn, in Corbin (1992), for some interesting similarities.

<sup>19</sup> In this respect see Pelizzari (2007), pp. 101-118

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from various circumstances that determines its consistency. It would be evaluated/assessed on the basis of several factors: age, social class, economic conditions, public acclaim and above all, anatomical integrity/virginity. Integrity that was observed in detail, described and measured, as upon this concept the positions of the accused and the defense were based.

The female body was presented in the first place, as a source of provocation. In any circumstance, even if a little girl of six years old was involved. As in the case of Anna Romano, a child who lived in a warehouse at Soccavo, an area in Naples, at the time not yet urbanized. Her case, similar to many others that could be cited, enables us to delineate, clearly, the mechanism with which the account of the accused's defense plea was structured, and within which the victim's sexuality in practice, is made responsible. Anna was only seven years old, yet she was described by the accused as «a seven year old girl characterized by vices and lascivious behavior. She looks much older than she is, being quite well developed, taking into account her age»<sup>20</sup>. A child's body that reveals in other words, the signs of lasciviousness, evidenced by blossoming development, 'guilty' of fostering provocations of a sexual nature and consequently looking deceptively older than her real age. Whatever their age, female victims in rape trials are always described as sending out explicit signals of sexual incitement which are almost unconsciously received by the male who gives in to nature's call. Here in fact is how Anna's seducer described to the judge the scene of the sexual violence:

I was working on my own in the fields when the little girl Anna Romano came up to me. She started to make a great fuss of me and I got so excited that I started to touch her genitals, I merely put my organ between her legs without penetrating her vulva and without having intercourse. That's all I did to the little girl<sup>21</sup>.

Confirming his client's plea, the defense lawyer described the event. He told how the man an honest laborer who, while working hard at his job, was seduced by the "brazen hussy" aged 7: «The Court is asked to reflect on the fact that Russolillo while working in the fields in his shirt sleeves and wearing only underpants, was subjected to caresses and tickling by the girl»<sup>22</sup>. The fact that he was provoked was made clear. Another example of standard scenarios is the case of Anna Rampone, who had confided to an aunt, receiving unwelcome attentions from the husband of the woman in whose house she was in service. Her aunt denounced the fact and this started an investigation relative

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<sup>20</sup> *Processo contro Russolillo Antonio*, anni 24, /trial against Russolillo Antonio, aged 24, (ASNA, TP, PR, anno 1917, b. 96, fs. 4881, cc. nn.). [Trovandomi solo a lavorare in campagna fui visitato dalla bambina Anna Romano, la quale scherzando mi faceva mille moine. Eccitatommi cominciai a toccarla nelle parti genitali ed appena misi l'asta virile tra le gambe senza introdurla nella vulva e senza coire. Oltre a ciò alcun altro atto o meno commisi sulla bambina].

<sup>21</sup> [Trovandomi solo a lavorare in campagna fui visitato dalla bambina Anna Romano, la quale scherzando mi faceva mille moine. Eccitatommi cominciai a toccarla nelle parti genitali ed appena misi l'asta virile tra le gambe senza introdurla nella vulva e senza coito. Oltre a ciò alcun altro atto o meno commisi sulla bambina]. The word is underlined in the Court Minutes.

<sup>22</sup> [«Pensi la Corte al Russolillo, il quale, lavorando in campagna in maniche di camicia e sole mutande, veniva accarezzato e solleticato dalla ragazza»].



to the moral status of the little girl and her family<sup>23</sup>. The girl, aged only 11, was described with such a wealth of particulars as to result sordid, lascivious and a liar, well versed in blackmailing and threatening to denounce so called victims. Orphan of both parents and above all the daughter of an alcoholic who had never instilled in the child any sense of honesty, her accusation of having undergone sexual abuse on the part of the husband of her employer was easily demolished by the defense, considering that the man involved was an extremely respectable citizen. If in fact it was not easy to demonstrate that sexual abuse had taken place against little girls and adolescents from modest working class or middle class families, it was practically impossible, for a little girl from a broken home or from a family with a bad reputation, to demonstrate or prove that they had suffered such abuse. Their pleas would not even be heard: public opinion in the vicinity did nothing but spread and confirm the idea of the man's integrity and honesty considering him accused unjustly for the sole purpose of blackmail on the part of «a lurid and tattered brat». The defense invoked the degradation of the family environment as proof of the fact that the girl could not be anything but habitually engaged in fraud and calumny. The passage below is decisive in preventing proceedings going to court:

The Rampone child brought up badly, often left to her own devices and obliged from a very early age to earn her own living in service here and there, more often than not living rough, was reared with the malignity that is often a reaction against misfortune, showing herself dedicated to telling lies, ready to defraud and used to resorting to calumny<sup>24</sup>.

#### *Male adolescents and abuse*

In the case of underage males, either victims or perpetrators of abuse, a medical check-up was necessary in order to find signs of a precocious disposition for «lurid intercourse against nature». Above all in the case of male adolescents aged between 12 and 13, victims of abuse on the part of slightly older boys or even boys of the same age, the defense would cast serious doubts on whether the victim effectively wanted to rebel with all his strength against the violence: in other words, consent deriving from curiosity was indicated, insinuating future 'perverse' sexual inclinations. Even though, in some defense proceedings based mainly on medico-legal examinations, considerations emerged that tended to include 'games' young boys played together (stripping off their clothes, touching their genitals up to the point of asking one another to indulge in mutual masturbation, not to mention more or less successful attempts at anal intercourse) within the range of those typical of the age of transition from boyhood to manhood and consequently, not manifestations of future inclinations for the so-called sexual acts against nature<sup>25</sup>. In more than one Court case for sexual abuse and rape, episodes taking place among small groups of adolescents occur over and over again.

<sup>23</sup> Processo contro Ricci Antonio, anni 30/Trial against Ricci Antonio, aged 30/ (ASNA, TP, PR, anno 1917, b. 8, fs. 347, cc. nn.)

<sup>24</sup> Idem. [La Rampone ormai oggi giovinetta cresciuta ai mali esempi, spesso abbandonata a se stessa, costretta a buscarsi fin da tenerissima età duro tozzo di pane, facendo la serva appresso questo o presso quegli, vivendo spesso randagia, venne su con quella malignità che sovente è una reazione contro la mala propria sorte, mostrandosi capace a mentire, facile alla frode, corriva alla calunnia].

<sup>25</sup> See the case of Amedeo, aged nearly 7, who had been subjected to a 'game' on the part of a group of three adolescent aged between 11 and 12, all next door neighbors who, offering the child 25 centimes «wanted to persuade him to *let them sexually abuse him*». ASNA, TP, PR, anno 1904, 186/ 11315.

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The age of the boys involved range from 11 to 17 years of age, often they were workers and were used to spending time together all day long. The groups had a well established pecking order where the older and stronger boys would exert their influence and leadership, playing an active part in the sexual act.. The various accounts of the 'fact' sketched borderline cases, not very clear scenarios that needed to be contextualized in order to be better understood<sup>26</sup>.

Once the fact had been denounced and the witnesses had been heard, it had to be established whether the boys, above all those of under thirteen years of age, were physically capable of committing sexual violence. Consequently, particular importance was attributed to medical check-ups. The examination had to establish the stage of development and the potential of the child's sexual organ. The Italian Criminal Code Zanardelli was extremely severe, in particular when the sexual abuse in all its forms concerned a victim who had not yet reached his 12<sup>th</sup> birthday<sup>27</sup>. Cases of violence on little boys of six or seven years old committed by their peers aged eleven or twelve were frequently reported. Despite their very young age, the 'perpetrators of abuse', in some cases were even arrested. They were considered in practice, men in miniature, with all the responsibilities and duties that such precocious status could imply. It is likely that the interest and the severity shown towards manifestations of this kind, defined at the time as 'libidinous acts', concealed the will to repress, at the source, any type of sexual intimacy that could 'degenerate' into homosexuality. The reasoning used by the lawyers reflected well, and contributed at the same time to their shaping, the judgments and opinions linked to sex and its 'degenerations'. One eleven to twelve year old adolescent, accused of sexual abuse was defined indifferently as a «rascal», based on his age, but also «depraved», as he was guilty of disgusting behavior which if not corrected could lead to future sexual perversion which was feared by both legislator and the society at large<sup>28</sup>.

I will at this stage defer from examining other specific cases and analyzing the details albeit quite significant of the various accounts. On the contrary, I would like to underline however, that in the many proceedings held to ascertain whether the child victim had a normal personality, nursed leanings towards perversions or was in fact a passive pederast, various elements emerge. Above all, such elements include the type of erotic games common amongst adolescent males, often preliminary to adult sexual life which as some medical examinations stated, certainly did not indicate signs of future 'perversion' tendencies but rather a kind of initiation in the rituals of sex which in the

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<sup>26</sup> Collocated between 'forbidden' game and attempted sexual abuse would seem to be the case of Vincenzo aged 14 and Anselmo aged 17, both mill workers at Torre Annunziata. ASNA, TP, PR, anno 1917, 14/664.

<sup>27</sup>The Law regulating sexual crimes was art. 331 (children under 12 were contemplated in paragraph 1 of art. 331).The legislator was concerned above all about the potential psychological and social ruin of the young victim. As children of 12 were involved it was not necessary to show that abuse had effectively taken place, as this was established exclusively by the age of the victim. The age limit established relative to the victim was high ( paragraph 2 of art. 331) - 15 years of age when the person perpetrating the abuse was a guardian, trustee or tutor. The higher age limit was introduced as in such cases the reverence and fear that the abusers would transmit given their status subjected the young victims even more to their will. See *I delitti contro il buono costume e l'ordine delle famiglie*, in Pessina (1909), pp. 1-267.

<sup>28</sup> Relevant is the case of Amedeo in ASNA, TP, PR., anno 1904, 186/ 11315.

future might quite easily have evolved either into heterosexuality or homosexuality. The exceptional nature of the trials as a source consist in the possibility of their providing precious elements relative to the history of the victims' childhood and adolescence, not to mention consenting by means of medical-legal reports, to clarify the history of the science of sex in its shaping during the 1800s and 1900s. The greatest preoccupation of the magistrates and experts concerned the possibility that an erotic game played by children of the same sex could eventually lead to the 'pathology' of homosexuality. In this respect, it is worthwhile noting that the modern medical concept of homosexuality appears towards the mid 1800s in the context of legal-medical treatises and reports, above all with reference to individuals of the male sex, on the basis of which, anatomy and behavior sets were examined<sup>29</sup>. Medical examiners during the trials had to render comprehensible the hidden and apparently undecipherable motives underpinning certain illegal acts such as male prostitution; or provide a psychological explanation for sexual relations between males that bordered on illicit manifestations such as sexual molesting and abuse. Consequently, it is of interest as concerns the studies on homosexuality, to analyze the relative medico-legal reports. From the original way of reporting the behavior of the individuals observed, during the 1800s and the 1900s, a detailed scientific account of pederasty emerges: from an in-depth analysis of the anatomy and physiognomy both of the victims and of the guilty parties, to the investigating of their childhood, their sexual habits of how and when their primeval sexual instincts and passionate desires were first manifested<sup>30</sup>. Medical studies began describing in detail even those who were traditionally, distinguished by the term of pederasts or sodomites, revealing the symptoms of a latent sexual malaise and imagining a sexual causality underpinning their behaviors. Although not representing the only factor at the origin of the interpretations on pederasty, it is worthwhile noting that precisely the ever more frequent provision of medico-legal reports during the trials gives a decisive contribution to the construction of the new anthropological statute of homosexuals<sup>31</sup>. Consequently, even for homosexuality, on a par with violent and perverse heterosexual behavior, juridical accounts provide areas of historical knowledge. The scientific theories on the perverse nature of children as well as that of homosexuals are compared with specific cases in a context of dramatic debate, i.e. court proceedings.

### *Concluding remarks*

Within the framework delineated, I would like to re-examine some particular aspects of gender, useful for integrating the interpretation of the documents of the trial proceedings. What is the role of the victim's gender in these circumstances? The child's body as mentioned previously, had a fundamental role throughout the trial, therefore, besides stating the obvious, it should be noted that the gender of the victim implies specific attitudes of judgment or opinion involving all the parties concerned.

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<sup>29</sup> Particularly relevant is the reading of the Clinical history" drawn up by Prof. Almerico Radice, and Dr. Ettore Mariotti. ASNA, *TP, PR*, anno 1917, 14/664.

<sup>30</sup> See, Rizzo (2004) e Vigarello (2001). See Schettini (2011) for interesting points of reference.

<sup>31</sup> See Scurti (2005), pp. 283-317.

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Statistics regarding trials involving sexual abuse suffered by male children and adolescents on the part of slightly older peers, report mainly the debate between accused and defense centered on the consequences of the future sexuality of the victims. Would «those initiating rites or sexual games» lead to homosexuality or not? Again, were the behaviors of the victims to be considered the revealing of a kind of a sexual nature in terms of «passive pederast»? Naturally, the debate during the trial, utilizing the bundles of medical reports, would make reference to the child's body or rather, to its purely biological function. During those years, studies on homophile behavior, although on the increase, were moving on concepts of a positivistic character. To be expected then were investigations relative to genital organs. There was no mention on the other hand, in psychiatric studies nor more pertinently, in juridical studies, of elements of knowledge linked to psychoanalysis, at that time in Italy, more or less unknown. Despite the naiveté of the little girls, the child's body remains the core element or focus of attention. To be expected are the reports on the child's hymen requested by the defense lawyers in their search for attenuating circumstances. Less expected perhaps is the insistence on the part of the defense in requesting an evaluation of the good name of the particular victim's family, a good name which in most cases is decisive for establishing the claimant's good faith. In this respect, it should be underlined that the court tended to believe the word of little girls belonging to families recognized as honest even though of a modest social status. Another element which was assessed most carefully in order to establish the degree of chasteness and modesty in which the little girls lived, was linked to their lexicon. The words used to describe the fact could prove a looseness of language relating to environments wherein sexuality was quite explicit and even exhibited. Exemplary was the denomination direct –obviously using dialect or slang– of the male and female sexual organs. How did the little girls describe the abuse inflicted on them and how naive was their account of the fact? In the case of a sexually abused little girl, particularly when the abuser was a boy aged between 13 and 16 years of age, the fine line between abuse and erotic games between adolescents was difficult to draw or define. This justification however could only be applied in the case of males. It was as is obvious, far too different from that of males, the relation with sex that a little girl on the threshold of adolescence could possibly have, made up of discretion and defense of her intimacy, her physical and moral integrity which had to be preserved until marriage, when then and only then, her sexuality could be expressed, the aim of which, at least officially, being that of procreation. Acts of sexual abuse could never be configured as moments of erotic experience: a male could have precocious sexual initiations, a woman certainly not. Thus, paradoxically, we can say that in these cases a little girl usually succeeded in proving the sexual abuse afflicted.

At this stage, another element emerging from our study should be taken into consideration: ranging from female protagonists reacting in public at the moment of discovery of the abuse, not to mention the conspicuous presence of the mothers, their constant observation of the 'strange' behavior of their children and the request for help from the other women of the neighborhood and rendering public the fact to encourage public disapproval of the alleged guilty party. All this publicity might be surprising,

seeing as the operative words are shame and modesty in denouncing sexual abuse or violence. It should be emphasized however, that protesting on the part of the neighborhood occurred above all in cases of children being sexually abused by individuals who were not members of the victim's family. It should be underlined furthermore, that the source of the information we have gleaned is from the content of accusations deposited with the Police Authorities or from evidence given during court trials. Consequently, noting the repetitive nature of the accounts, a basic structure can be hypothesized which remains more or less the same over and over again in numerous episodes. The desire to render the episode public, the attempt to involve other people, or the need to resort to midwives or experienced old wives to have their daughter or son examined, all most likely, also conformed to the need to construct a kind of consolidated framework on which to base the accusation, wherein the parents of the sexually abused little boy or girl intended to show at least the following elements: their incredulity and surprise on discovering something that they had never even remotely imagined happening (which consequently did not foster suspicion that blackmail was being planned); The incontrovertible signs of sexual abuse on the little girl's or boy's body; the involvement of various witnesses. Everything in short, irrespective of awareness on the part of the protagonists, tended to construct a public reputation in opposition to that proposed by the defense lawyers. The little boys and above all, the little girls certainly did not live in environments dominated by lust and vice. Their behavior was not allusive, their families were ever present. How genuine or spontaneous or in good faith the mothers were in trying to build up such a reputation, one might ask, depended on the extent of the difficulties they knew would be encountered or they would be subjected to during the long trial after denouncing the episode?

Does this scenario refer only to the beginning of the 1900s? The follow up to my research which traces events up to the eve of the break out of the Second World War could perhaps provide an answer. One observation in any event, should be made: it seems almost as though once the discovery by the victim's family of the sexual abuse comes to light, the desire emerges to inform other people not only in terms of a predictable request for help logistically so as not to remain isolated in such terrible circumstances, but also I would say, to guarantee the evidence of witnesses in court. Discretion, the desire to keep the episode secret, are factors that surprisingly, do not emerge. Consequently, with reference to the cases examined which, it should be underlined, have in any event, been tried in Criminal Courts, it would be feasible to conclude that the desire to render the episode unrestrictedly public had the principal goal of obtaining justice.



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Maria Rosaria Pelizzari teaches Contemporary History at the University of Salerno, where she is Deputy of Rector for Equal Opportunity, and director of OGEPO (Interdepartmental Centre for the diffusion of Gender studies, and culture of the Equal Opportunities). Since 2009 he serves on the board of the Italian Society of Women Historians, since 2013 she is one of the editors of "La camera blu". She is interested in social and cultural History, with particular reference to gender-based violence, the gambling and the urban history. She has published, among other things (of gender history): *Le donne e la storia. Questioni di metodo e confronti storiografici* (ESI,1995); *1946-2006: appunti di storia di genere* (SA, 2007); *Eleonora de Fonseca Pimentel: morire per la rivoluzione* ("Storia delle donne", 4, 2008); *Il corpo e il suo doppio. Storia e cultura* (a cura),(2010); *Violenza e ruoli di genere nel racconto pubblico dell'eroe negativo. Il caso storico delle brigantesse dell'Italia post-unitaria* (2010).