

Omosessualità, omofobia, diritto penale

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Abstract: For a long time criminal law, in adhesion to religious morality, has treated homosexuality only with a repressive intent. Only after the Enlightenment had taken a stand against the criminalization of the homosexual conduct, the crime of sodomy was phased out, along timelines that differ from country to country. In Italy, the State, while abolishing the crime of sexual acts 'against nature' at the end of the Eighteenth century, also demanded implicitly that gay people renounce to claim publicly their rights. In recent years, the Catholic Church has made much effort and used its authority - at an International level - against the decriminalization of the homosexual behavior. The Catholic world is also the source of the recent utter closure against the introduction in Italy of crimes meant to punish conducts consisting in discrimination due to sexual orientation, and of aggravating circumstances of the same offense based on homophobia and transphobia.

Keywords: Homosexuality, crime of sodomy, Homophobia, Discrimination.