

abolished in 1808 by Joseph Bonaparte and although restored by the reactionary Ferdinand VII in 1814, it was abolished by the liberals after they came to power in 1820, and definitively abolished by royal decree in 1834. Its crimes are still remembered as a high-water mark of the attempt to impose uniformity of belief by systematically prosecuting and punishing all who were guilty of "error," and it has served as a sad precedent for totalitarian states of the twentieth century that have demanded the same sort of ideological unanimity from their subjects. The mass purges and atrocities of Soviet Russia, Nazi Germany, and other dictatorships that explicitly rejected the legal doctrines of the Enlightenment have revived these horrendous practices of the Old Regime. The Holy Office, responsible for the conduct of the papal Inquisition since 1542, was replaced by the Congregation for the Doctrine of the Faith in 1965.

In retrospect, it must be conceded that the number of homosexual victims of the Inquisition, even at its fiercest, was but a small percent of the whole. Marranos (nominal Christians of Jewish descent), Nicodemites, sundry heretics, and other offenders outside the sexual realm made up the bulk of those persecuted by the inquisitors, while a minority—perhaps only a fifth—of those convicted of sodomy were actually burnt at the stake. The object of the show trials and executions was to intimidate other, potential offenders, not to exterminate an entire segment of the population, since the modern notion of the "exclusive homosexual" did not exist at this time.

It is clear from the historical record that even in that era a few thinkers did everything in their power to calm the irrational panic unleashed by credulity and superstition, so that the peak of intolerance was always followed by a decline in the number of prosecutions and in the severity of the sentences. The Iberian peninsula seems to have reached the height of persecution of sodomy first, in the ear-

lier half of the seventeenth century; France (without the device of Inquisition) in the second half under Louis XIV; Holland in the first half of the eighteenth century, and last of all Protestant England in the eighteenth and early nineteenth century. By the time such Continental reformers as Beccaria and Voltaire began their attack on the criminal practice of the Old Regime, mass trials and executions for sodomy were largely a thing of the past, and an enlightened public opinion was preparing for the abolition of all offenses motivated by superstition and fanaticism—a step finally taken by the Constituent Assembly during the French Revolution, some time before the persecution of sodomites was to reach its peak in England.

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### INSANITY, MORAL

Moral insanity, defined as "madness consisting in a morbid perversion of the natural feelings, affections, inclinations, temper, habits, moral dispositions, and natural impulses, without any remarkable disorder or defect of the intellect or knowing and reasoning faculties, and particularly without any insane illusion or hallucination," was a widespread psychiatric concept in the nineteenth century. In the English-speaking world it was particularly propagated by James Cowles Prichard (1786-1848), whose fame, however, rests upon his work as an anthropologist and comparative linguist. Educated at Cambridge and then at Oxford, in 1811 he became a physician at Saint Peter's Hospital in Bristol and in 1814 at the Bristol Infirmary, besides which he developed a substantial private practice.

In the *Cyclopaedia of Practical Medicine* Prichard published an article "Insanity," which he afterwards expanded into a separate treatise that became a classic in this branch of medical literature. Its outstanding contribution was the definition of the form of mental derangement that gained the name of "moral insanity." The subject had earlier been broached by Philippe Pinel (1745–1826), the founder of modern psychiatry, and then by his pupil, Jean Etienne Dominique Esquirol (1772–1840), who wrote extensively on the moral causes of insanity, which even more than his predecessor he considered to predominate over the physical ones in a ratio as high as 4 to 1, as in a memoir which he presented to the Society of Medicine in 1818. In the eyes of his contemporaries Prichard's merit was that of proving for the first time the existence of insanity "without marked intellectual aberration."

In *A Treatise on Insanity and Other Disorders Affecting the Mind* (1835), Prichard only incidentally touched upon what were later to be called sexual perversions or parhedonias. For him the fundamental criterion of the pathological was quantitative, so that he could write of instances "in which the unusual intensity of particular passions or emotions has been thought to constitute mental illness" and add that "a series of compound epithets has been invented for the purpose of affording names to such states of the mind and its affectations. Nostalgia [here meaning a longing for an absent lover] and erotomania have been considered as disorders of sentiment; satyriasis and nymphomania of the physical feelings. The excessive intensity of any passion is disorder in a moral sense; it may depend physically on certain states of the constitution; but this does not so clearly constitute madness as the irregular and perverted manifestation of desires and aversions." Prichard concludes with the pertinent remark that "this species of insanity has been the real source of moral phenomena of an anomalous and unusual kind, and of certain perversions

of natural inclination which excite the greatest disgust and abhorrence."

Prichard further conceded that courts and medical writers in England recognized no such disorder as moral insanity, where insanity was held coterminous with mental illusion, with what German writers called *Wahnsinn*. "English writers . . . know nothing of moral insanity either as requiring control in the exercise of civil rights, or as destroying or lessening culpability in criminal ones." Thus from both the medical and the forensic standpoints Prichard's thinking never reached the insight which psychiatrists from the late 1860s onward were to achieve—but only after reading the work of the pioneer homosexual apologists Ulrichs and Kertbeny. He could not go beyond the concept of a quantitative change in the sexual drive, as did his successors, who recognized and defined a set of qualitative ones which they classified as perversions of the sexual instinct and held that they limited, if not entirely abolished, the responsibility of the subject in criminal cases.

Another concept propagated by Prichard was that of *monomania*, which had been introduced by Esquirol in 1814. The British author defined this as "partial insanity, in which the understanding is partially disordered or under the influence of some particular illness, referring to one subject, and involving one train of ideas, while the intellectual powers appear, when exercised on other subjects, to be in a great measure unimpaired." This notion did influence early psychiatric authors on sexual inversion such as Julien Chevalier, who in his dissertation of 1885 classified the phenomenon as an "instinctive monomania," that is to say, an illness affecting only one aspect of the instinctive life while leaving all the others sound and normal. Individuals suffering from instinctive monomanias could even possess great intellectual gifts, could be "dégénérés supérieurs" (superior degenerates). The abandonment of the whole concept natu-

rally invalidated this particular application of it as well.

Discarded also was Esquirol's emphasis on moral rather than physical causes of mental illness, which Prichard had dutifully echoed in his work of 1835. On the eve of Westphal's discovery, a paper was published in an American psychiatric journal which analyzed recent statistics to show that all cases were now ascribed either to physical or to "unknown" causes. In other words, that the notion of moral causality had been abandoned. This triumph of materialism in psychiatry paved the way for the acceptance of the concept of *psychopathia sexualis* by Krafft-Ebing and later authors. It is instructive that Westphal's immediate predecessor in the psychiatric division of the Charité (Berlin's general hospital), Wilhelm Griesinger (1817-1868), actually had a male homosexual patient under examination, but dismissed his sexual proclivities as a "revolting aberration." Only when armed with the insights furnished by the early homosexual apologists could the new generation of psychiatrists overcome the narrow vision—and spontaneous aversion—that had hobbled such investigators as Prichard and Griesinger.

Warren Johansson

### INTERMEDIATE STAGES, SEXUAL

Homosexuality has sometimes been regarded as a type of sexual intermediacy, part of a continuum that stretches between the male and female poles. The notion stems from the propensity of the early investigators of sexual abnormality to devise conceptual schemes that would embrace larger categories of psychopathology, and also fit their new discoveries into the evolutionary framework that had been popularized by Charles Darwin and Ernst Haeckel. Richard von Krafft-Ebing, in his *Psychopathia sexualis* (first edition 1886), carried this schematizing tendency to inordinate lengths, even classifying delusion of change of sex as the last degree of

abnormality of which sexual inversion was the first.

Magnus Hirschfeld followed his lead by changing the original title of the scholarly organ of the Scientific-Humanitarian Committee, *Jahrbuch für homosexuelle Forschungen*, to *Jahrbuch für sexuelle Zwischenstufen* (Yearbook for Sexual Intergrades), which first appeared in 1899 and lasted, with some interruptions, until 1923, when catastrophic inflation deprived the Committee of financial resources. Hirschfeld, with propaganda for repeal of Paragraph 175 of the Penal Code of the German Reich as his aim, for years endeavored to prove that homosexuals belonged to an "intermediate sex" that fell on the continuum between the male and the female and was characterized by a whole set of traits that were located on the statistical mean between the norms for the opposite sexes. He laid great stress on subjects who displayed marked inversion of the secondary sexual characters (pronounced effeminacy in men or masculinity in women), conveniently ignoring those homosexuals and lesbians who, while being exclusively attracted to their own sex, in no way depart from its normal physical type. Commensurate with the *Zwischenstufentheorie*, the pages of the *Jahrbuch* carried articles on transvestism, hermaphroditism, and androgyny from the standpoint of cultural history as well as material on all aspects of homosexuality proper.

This notion of sexual intergrades, confusing the orientation of the sexual drive with the anatomical traits of the sexes, stemmed in part from the classical notion of the hermaphrodite as combining male and female, and also from the notion that *natura non facit saltus*, "Nature makes no sudden leaps," but rather all phenomena are arranged along a continuum within which a certain group may be legitimately so defined. Sigmund Freud rejected the whole notion, maintaining that it was absolutely incorrect to set the homosexual apart as a special type or variety of human being, and that all human