

# THEOLOGICAL AND PSYCHIATRIC ASPECTS OF HABITUAL SIN

## I

### THEOLOGICAL ASPECTS

My only function in appearing before you is this: to introduce and outline for your discussion the various elements that must be considered when a moral theologian faces the problems that arise from a study of sinful habits. This will provide us with a moral framework within which we can receive, evaluate, and apply to our problem the findings and conclusions that will be presented to us by Father Hayden in his paper on "The Psychiatric Aspects of Sinful Habits." Although we may later discuss the manner in which these habits are formed and the means by which they can be corrected, these remarks will be limited to the consideration of sinful habits as an impediment to the freedom of the human act with consequent diminution of moral imputability and subjective guilt. Our main problem, then, is only one aspect of that basic, more general problem that has always plagued moral theologians, made more acute in modern times by reason of the findings and claims of the various schools of psychiatry and clinical psychology.

These remarks have three main parts. (1) An exposition of those principles of our commonly admitted teaching which, by their generality and vagueness, will show us why and where moral theology (and moral theologians) should welcome the help of modern psychiatry to understand more clearly the manner in which sinful habits can interfere with the freedom of the human act, and to assess more exactly the extent to which subjective imputability may be diminished. (2) The consideration of some of the authoritative directives of the Holy See which deal with the acceptance or rejection of the claims of modern psychiatry. (3) An application of our principles to some of the more common habits of sin.

PART ONE: SOME OBSERVATIONS ON MORAL PRINCIPLES

I deliberately omit here the definitions and divisions of sinful habits as well as the principles governing the imputability of individual acts placed under their influence. These may be found in any moral manual, and you know them as well as and better than I do. My observations on our common teaching touch two points: the admitted fact of diminished moral imputability; and the manner in which sinful habits, as well as other impediments to the freedom of the human act, bring about this diminished human freedom.

*Diminished Moral Imputability*

1. Moral theology admits that the habit of sin, considered in itself, may be and often is completely sinless. Even when a habit of sin has been contracted deliberately and sinfully, once the habitual sinner repents of the sin involved in contracting the habit and sincerely resolves to use efficacious means to correct the habit, the habit itself is considered involuntary and sinless. This means that, hereafter, and as long as he remains in the same good dispositions, the individual acts placed under the influence of habit are no longer attributed to him *in causa*. This means, further, that the formal guilt of any future individual acts, placed under the influence of the acquired habit, must be judged from the individual acts themselves, i.e., according to the amount of effective control he was able to exercise in each instance, considering all the internal and external circumstances of the act.

This is a commonplace of moral theology. It is emphasized here because when the priest meets a habitual sinner, either in or out of the confessional, he is dealing generally with a sinner who sincerely repents of his acquired habit and is willing to use the necessary means to correct his habit of sin.

2. There is a unanimous agreement among moral theologians that there is a diminution of freedom in the individual acts that are actually placed under the influence of an acquired sinful habit. However, the norms given to measure the extent to which subjective guilt is lessened are not very helpful. It is conceded that

formal sin may be totally absent when the intellect's power of deliberation is destroyed; but there is little to aid us in determining precisely when the intellect's part in the formation of a human act may be considered completely suppressed. Again, it is admitted that a sinful habit can so interfere with freedom that the agent will not be guilty of subjective mortal sin; but the norms given to determine when this actually takes place are such expressions as, "When the power of deliberation is notably impeded," or "When the influence of the habit is very strong," or "When the attention of the mind is greatly distracted from the nature or the sinfulness of the act." Later we will return to the consideration of the intellectual element necessary in the formation of a free, human act.

Among moral theologians there is a general unwillingness to admit that the regular effect of habit is to free the habitual sinner from the guilt of mortal sin. There is no admission of a general presumption against the presence of formal mortal sin merely because an act was placed under the influence of habit. With this we fully agree.

3. It must be emphasized that habit is only one of the many different influences exerted on the free, human act to diminish its moral imputability. Before judgment can be passed on the subjective imputability of any given act, all these various influences must be considered.

(a) Some habits plant their effect in the organic faculties of man. It seems clear, then, that in such habits as those of impurity or excessive alcoholic drinking subjective guilt will be less than in the case of habits which do not affect the man's organic faculties.

(b) Some habits are acquired to repeat acts to which there is a strong, natural impulse in the sensitive appetite even before the habit is acquired. To the diminution of subjective guilt caused by habit must be added the diminution admitted for those acts which are placed under the influence of passion.

(c) Consideration must also be given to the impeding effect on freedom exercised by natural temperament, natural organic disposition, education, environment, and all the internal and external experiences of a man's life. All these can be contributing factors to lessened moral imputability in any given act placed under the in-

fluence of habit—and that, even in those we consider normal as distinguished from those we consider abnormal.

We must maintain that there is a distinction between the normal and the abnormal, i.e., the neurotic and the psychotic. There is no evidence to prove that the mere fact that a person has contracted a sinful habit places him, by that very fact, in the class of the neurotic or the psychotic. However, it must be admitted that the psychic stresses, under which a sincere person may labor when he is striving to correct a habit of sin, can cause or reveal neurotic symptoms, especially when a penitent is being handled by a confessor who takes no account of the many factors influencing diminished subjective imputability and treats the penitent, enmeshed in a habit of sin, without sympathy and understanding or even with harshness.

(d) Finally, there is the problem of the abnormal: the neurotic in varying degrees and the psychotic. Even these enter the confessional long before they first visit a psychiatrist. Usually they are entirely unaware that they may be obliged, some day, to have recourse to a psychiatrist for help that the priest cannot give them in their emotionally and mentally unbalanced condition. A priest who is alert to the possibility of abnormality in his penitent will judge subjective guilt with greater leniency and will be prompt to seek the aid of a psychiatrist or refer the penitent to him. To explain these deviations from the normal, psychiatry appeals to unconscious motivation which determines to a greater or less degree the line of action in which they are abnormal. For the explanation of this, we are fortunate in having with us Father Hayden, priest, physician, and psychiatrist.

#### *The Manner of Operation*

In many moral textbooks only one explanation is given of the manner in which sinful habits and other impediments to human freedom may diminish or completely remove subjective guilt. It is shown clearly and correctly how the free activity of the will can suffer interference indirectly when the impediments to freedom disturb the cognitive element necessary for the formation of a free, human act. These impediments diminish or destroy the power of deliberation—that mental power of weighing and assessing alterna-

tives—by causing ignorance of or inattention to the nature or sinfulness of the proposed action. However, one is left with the impression that this is the only manner in which the freedom of man can suffer interference, and that a man must always be judged to have acted freely or with partial freedom unless it can be shown that habits of sin or other impediments have suppressed or disturbed the cognitive element of the human act. This is to hold that, as long as sinful habits or other impediments leave undisturbed the mental perception of and attention to the sinful nature of the proposed act, that act, if it does take place, must always be free and sinful. There seems to be on the part of moralists an unwillingness or hesitancy to admit that with the use of reason completely unimpeded the will can be anything but perfectly free and in complete control.<sup>1</sup> This general attitude may be based on these words of St. Thomas, "In quantum ergo ratio manet libera, et passioni non subjecta, in tantum voluntatis motus, qui manet, non ex necessitate tendit ad hoc ad quod passio inclinat."<sup>2</sup> To state that man is always free in his actions unless passion or other impediments interfere with the cognitive element of the human act is not what St. Thomas says here; nor is it a justified conclusion from the words of St. Thomas, as we shall see later. It is also contrary to fact. Apart from the testimony of psychiatry on the existence of compulsive acts and irresistible impulse, I am sure that every priest has met with this experience: a penitent has admitted clear knowledge of and actual advertence to the sinful and gravely sinful nature of a proposed action, yet has also protested sincerely but stubbornly that he had little or no power to resist and is convinced that he is not guilty of sin or, at least, of mortal sin. Such testimony demands a deeper study of the nature and extent of the cognitive element required for a free, human act—and on this point the distinction between conceptual cognition and evaluative cognition is a help. Needed also is an explanation of the manner in which compulsive acts and irresistible impulses operate despite clear knowledge of the sinfulness of the action.

<sup>1</sup> Cf. Vermeersch, *Theo. Moral.*, I, n. 83; Merkelbach, *Summa Theo. Moral.*, I, n. 88, c, 3, and note; Noldin-Schmitt, *Summa Theo. Moral.*, I, n. 318.

<sup>2</sup> I, IIae, qu. 10, a. 3.

*Conceptual and Evaluative Cognition*

For the distinction between conceptual cognition and evaluative cognition, I refer you to an article by Father John C. Ford, S.J., "Criminal Responsibility and Catholic Thought," in the *Bulletin of the Guild of Catholic Psychiatrists* 3 (Dec., 1955) 3-23. Father John J. Lynch, S.J., also makes some observations on this distinction in "Current Theology: Notes on Moral Theology," *Theological Studies* 17 (June, 1956) 168-169. The distinction between conceptual cognition and evaluative cognition, although not new, has been given new importance by reason of its use by Monsignor Arthur Wynen in a Rota decision of 25 February, 1941. The case before the Court concerned the validity of matrimonial consent that was attacked on the grounds that the man was incapable of giving free consent to marriage because he suffered from "constitutional immorality." (Today we would refer to such a man as a psychopath.) Although it was admitted that the petitioner was generally intelligent, it was claimed that he could not form an evaluative judgment on the serious nature of the ethical implications of marital consent. His consent was, therefore, not free due to the lack of certain cognitive elements required for a free, human act. Actually, in the *quaestio facti* it was decided that there was insufficient evidence to prove that the man was incapable of giving valid matrimonial consent.

However, it is important and significant for us that in the *quaestio iuris* Monsignor Wynen thought it necessary to examine at length the psychological and psychiatric grounds alleged. He admitted as a matter of principle and as not inconsistent with scholastic philosophy and theology, that it is not enough for freedom and imputability that there be mere conceptual cognition; there is also required in addition the ability to weigh and evaluate the substantial elements of the proposed action.

The Latin text of this Rota decision may also be found in *Periodica de Re Morali, Canonica, Liturgica* 30 (1941) 5-19. Cited here is the translation of Father Ford.

" . . . In not a few judgments there is really a twofold cognitive function which can and should be distinguished: the one merely

representative or *conceptual*, the other deliberative or *evaluative*; and this twofold function is principally in evidence in judgments which concern 'practicable things' [agibilia], in other words, in practical judgments. The mere conceptual cognition expresses *what* the object of cognition *is*, the evaluative cognition expresses what importance or worth it has, or *what value it has*. Generally a man perceives both aspects together in the same act of cognition; especially as an adult in those matters which pertain to ordinary, everyday experience. But neither factually nor conceptually do these two cognitions express the same thing; they express rather *diverse aspects* of the same object. Experience shows that the merely conceptual judgment is formed earlier and much more easily; an evaluation cognition is acquired later and with more difficulty. Furthermore it is to be noted that the *use of reason*, which is required for every human act, regards both conceptual cognition and evaluative cognition, and demands a capacity for the *exercise* of reason, and for the *dominion* of reason, that is the capacity of a man to dispose of himself and of his action according to that twofold cognition of the object. . . .

"Now it is one thing for a man to *lack* the requisite evaluative cognition, and another for him to *pay no attention* to it. A child of five years who sets fire to his father's hayloft, although he has conceptual knowledge both of the hayloft and of the fire, *does not have* evaluative cognition *of the crime*, that is the objectively *very serious* violation of right order which he perpetrates; and consequently this violation cannot be imputed to him. He does have, however, both conceptual and evaluative cognition of his act inasmuch as it is a *wrongful childish deed*, and accordingly, in this respect his act is imputed to him and is deserving of punishment. But an adult who posits the same external act, generally has not only conceptual knowledge, but also evaluative cognition of the crime he commits, but he pays no attention to it; because notwithstanding it, he proceeds to the commission of the crime, and therefore should be fully accountable for it. And this essential difference between the child and the adult as regards imputability of their own acts, obtains even more in civil law and especially in the law of contracts than it does in criminal law. A child of five years, who spends a thousand lire on

sports and childish amusements, although he may understand very well conceptually what a thousand lire are, and what sports and childish amusements are, and what buying and selling are, nevertheless because he lacks the necessary mental development and maturity, is not yet able to *evaluate and weigh*, not even as to substantials, what it is to spend a thousand lire on sports and amusements. Therefore, even from the viewpoint of the natural law alone, he must be said to *contract invalidly*.

"Whenever a man who, because of his age, is presumed to be endowed with the power of sufficiently evaluating something, is said nevertheless to have acted without sufficient evaluative cognition, that can arise either from the fact that he *did not want*, or from the fact that he *was unable*, to evaluate and weigh the proposed action sufficiently. One who *does not want* to acquire this knowledge will generally not escape either the subjective imputability or the objective obligatory force of his act, since he affects ignorance, and it is hardly ever possible to discern whether sufficient evaluative cognition was lacking—at least of a confused and implicit kind. But one who is *unable* to evaluate at least the substance of his proposed action, is obstructed in his natural power of appreciation, either by an impediment which is merely temporary and transitory (drunkenness, delirium, violent fever, etc.) or by an habitual defect (whether congenital or acquired during the course of his life); this type of habitual defect is present in not a few mental diseases and psychic anomalies, among which in recent times has been numbered the so-called 'constitutional immorality.'"

This lengthy citation is justified by the importance of the views expressed and by the help given us to understand the nature of the intellectual element required for any free, human act. Freedom depends on the control actually exercised by the will; this depends on the power of deliberation, the power to assess and weigh alternatives; and this, in turn, depends on the evaluative element in the cognition of the act proposed to the will. It is a fact that some habits, those of impurity, for example, are often contracted during an early period of life when the evaluative cognition of the substance of the action as a grave sin is either absent or partly deficient. While evaluative cognition of ordinary actions is generally present in nor-



mal adults, this necessary type of cognition may be disturbed and even temporarily effaced under the influence of habit or other impediment to human freedom even while the conceptual cognition remains unaffected. This may be one explanation of the fact that some people candidly admit that they had clear knowledge of the sinfulness of an action—a knowledge that was in fact only conceptual—while just as sincerely protesting that they were unable to act otherwise. This inability may well be the objective truth and not merely their erroneous, subjective conviction, because their evaluative cognition of the sinful nature of the proposed action was temporarily disturbed or inculpably inoperative. More readily may we admit this in the case of those who suffer from some degree of psychic anomaly.

#### *Compulsive Actions and Irresistible Impulses*

The least we moralists should do is to listen with an open mind to the evidence adduced by psychiatry and psychology for the existence and effect of these psychic anomalies. We may not deny their existence *a priori* on the alleged grounds that our scholastic philosophy and theology have proved that every action is free and controlled by the will when there has been previous cognition (at least, evaluative) of its nature and moral character. No proof can be given for such a position and it is not the meaning of the principle of St. Thomas cited earlier.<sup>3</sup>

Man is an *unum per se*. All his appetitive faculties are radicated in his one soul. For this reason a spontaneous impulse of his sensitive appetite can trigger a spontaneous impulse of his rational appetite toward the same sensitive good even when it is known to be morally evil. But his executive powers are also radicated in his one soul. For this reason it is also possible that the impulse in his sensitive appetite is so strong that, despite evaluative cognition of the sinful nature of the act to which there is the impulse, the executive powers carry out the act completely or partially on the level of an *actus hominis*. In this case no will act is posited to command the external action. St. Thomas wrote that, to the extent that reason

<sup>3</sup> I, IIae, qu. 10, a. 3.

remains free and not subject to passion, to that extent the *movement of the will, that remains*, does not tend with necessity to that to which passion inclines. In compulsive actions there is no movement of the will that remains; we are in the sphere of the *actus hominis*, not of the *actus humanus*. It is one thing to say that every act of the will that follows unimpeded deliberation is completely free; that is true, and St. Thomas said that. But it is a very different thing to say that every external action of man that takes place despite clear attention to the sinful nature of the action is a (denominately) free action and under the complete control of the will; St. Thomas did not say that, and it cannot be proved.

At our annual meeting in 1950 Father Ford read to us a paper on "Depth Psychology, Morality, and Alcoholism." Commenting on an article by Allers on irresistible impulses, Father Ford said,

There are two sources of irresistible impulses according to Professor Allers. The first is the force of the impulse itself, as in cases of violent fear, anger, despair. The second is the knowledge that, unless one gives in, an intolerably painful situation will continue, as, for instance, in the case of a pathological impulse to masturbate. I believe both mechanisms are operative at times in the alcoholic, but the typical case is the latter. The agent yields to the impulse to avoid intolerable pain. He says afterwards, "I had to give in;" "I could resist no longer."<sup>4</sup>

When we say that the impulse to avoid an intolerable situation may be irresistible, we do not mean that the intolerable pain envisaged constitutes an objective excusing cause and that it is therefore permitted to freely yield to the impulse. We are dealing with the negative principles of the natural law which admit no excusing causes. We are not therefore espousing the principles of "Situational Ethics." The obligation to strive against the impulse remains despite the fact that it involves intolerable pain. What we mean is that in such a situation it is sometimes no longer physically possible to resist. The action takes place on the level of an *actus hominis*: this is the compulsive action and irresistible impulse.

<sup>4</sup> *Proceedings of the Fifth Annual Meeting of the CTSA, 1950, p. 120.*

## PART TWO: SOME PAPAL DIRECTIVES

In two Allocutions especially the Holy Father indicated definite reservations on both the tenets and the methods of procedure of some modern psychiatrists. These were the addresses to the First International Congress on the Histopathology of the Nervous System, Sept. 14, 1952, and the address to the Fifth International Congress on Psychotherapy and Clinical Psychology, April 13, 1953.

In selecting certain passages that seem pertinent to our discussion, I would first note that there is a definite insistence on the distinction between the normal and the abnormal. This would also imply that the conclusion drawn from the study of the abnormal must not be mechanically transferred to the normal. It must be proved to apply also to the normal.

Original Sin did not take away from man the possibility or the obligation of directing his own actions himself through his soul. It cannot be alleged that the psychic troubles and disorders which disturb the normal functioning of the psychic being represent what usually happens. The normal struggle to remain on the right path does not prove that it is impossible to follow that path, nor does it authorize any drawing back.<sup>5</sup>

In this connection a question immediately arises. If we grant that unconscious motivation supplies the explanation of much that takes place in the abnormal, does it follow that unconscious motivation is also operative, to a greater or less degree, in the normal? I believe that a constituent element of the abnormal is precisely this, that he is unable, in many instances, to exercise control over his actions by the operation of his mind and will, whereas in the normal that power of control remains. Cannot the reason for the presence of control in the one and the absence of control in the other be this: in the normal, unconscious motivation is not a determining factor; in the abnormal, it is often the factor that determines his line of action?

A second point on which the Holy Father insists is that there is no essential difference between the essential man and the existential man. Even when man is considered with all the internal and external circumstances of a lifetime that go to make up his character

<sup>5</sup> *Acta Apostolicae Sedis* 45 (1953) 280.

and psyche, he is still the same man, composed of body and soul—with the soul placed by God in the seat of government to rule and control him by the operation of its faculties.

The study of the constitution of man ought, in fact, to take as object the “existential” man, such as he is, such as his natural dispositions, the influence of his milieu, education, his personal development, his intimate experiences and external events have made him. It is only man in the concrete that exists. And yet the structure of the personal ego obeys in the smallest detail the ontological and metaphysical laws of human nature of which We have spoken above. They have formed it and thus they should govern it. The reason behind this is that the “existential” man identifies himself with the “essential” man. The essential structure of man does not disappear when individual notes are added. It is not further transformed into another human nature. But the constitution of which We have spoken just now rests precisely in its principal terms on the essential structure of the real man, the man in the concrete.<sup>6</sup>

In his Radiomessage of March 23, 1952, the Holy Father spoke out against those who either in principle or practice follow the general presumption that sins of impurity in the youth of today cannot be subjectively grave because of the influence of antecedent passion.

Conscious of the right and of the duty of the Apostolic See to give authoritative directives on moral questions when there is need, on the 29th of October of last year We proposed principles to enlighten the consciences of men on the problems of conjugal life. With the same authority We declare today to educators and to youth itself: the divine command of purity of body and mind retains its full force even for the youth of today. Modern youth has the obligation and, with the help of grace, the possibility of preserving itself in purity. We reject, therefore, as erroneous, the assertion of those who regard lapses as inevitable in adolescence, and therefore as unworthy of serious notice, as though they were not grave faults, because, they add, as a general rule passion destroys the freedom needed for an act to be morally imputable.<sup>7</sup>

Other directives of the Holy See may be found in the condemnation under date of 2 February, 1956 of the system of “Situational

<sup>6</sup> *Acta Apostolicae Sedis* 45 (1953) 280-281.

<sup>7</sup> *Acta Apostolicae Sedis* 4 (1952) 275.

Ethics," and from the condemnation of two books: *Vie chrétienne et problèmes de la sexualité* by the Abbé Marc Oraison, and *Morale sans péché* by Hesnard.

The case of the Abbé Oraison is important. He is a priest, physician, and psychiatrist who with zeal and sincerity attacked a difficult and fundamental problem. When his book was officially condemned, he immediately made his submission to the Holy Office. Had his knowledge of theology been equal to his skill as a physician and psychiatrist, he would not have been led into the errors and exaggerations that justifiedly brought about the condemnation of his book. It is impossible to mention all that is objectionable in his book—which, however, contains many clear and helpful insights—but his fundamental principle seems to be a distortion of the notion of Original Sin with the corollary that almost no one is ever normal in the matter of sex. Practically all human beings are the victims of sexual pathology. There is, therefore, a presumption that sins of impurity are mortal sins only materially for the generality of mankind, and this presumption will yield to contrary proof only in very rare instances. This presumption is applied not only to sins of masturbation, but also to acts of homosexuality, fornication, adultery, and conjugal onanism. In the confessional, penitents are to be treated on the presumption that there has been no subjective mortal sin in the commission of these violations of an admitted objective sexual code.

The significance of the condemnation of Oraison's work is this: the problem of subjective guilt still remains. Simply because his sincere effort met with condemnation, we must not allow ourselves to give up all further research in the field and conclude that modern psychiatry has nothing sound to offer us. In fact, all these directives of the Holy See already cited should only make us prudent and circumspect in first examining and then applying the findings of modern sciences to our moral problems; they should not make us close our eyes to the truth because it has contained an admixture of error. There are also directives of the Holy See which favor and encourage research in the field of psychiatry and the application of its established findings to the problems of human conduct.

First, there is the evident fact that, in all the discourses in which

the Holy Father dealt with the findings of psychiatry, there is no condemnation of the science as such, not even of depth psychology, nor of unconscious motivation. There is only the warning that the conclusions drawn from research must not contradict reason or faith or the principles of ethics.

Science affirms that recent observations have brought to light the hidden layers of the psychic structure of man, and it tries to understand the meaning of these discoveries, to interpret them, and to render them capable of use. People speak of dynamisms, determinisms, and mechanisms hidden in the depths of the soul, endowed with immanent laws whence are derived certain modes of acting. Undoubtedly these begin to operate within the subconscious or unconscious, but they also penetrate into the realms of the conscious and determine it. People claim to have devised methods that have been tried and recognized as adequate to scrutinize the mystery of the depths of the soul, to elucidate them and put them back on the right road when they are exercising a harmful influence.

These questions, which lend themselves to the examination of scientific psychology, belong to your competence. The same may be said for the use of the new psychic methods. But theoretical and practical psychology, the one as well as the other, should bear in mind that they cannot lose sight of the truths established by reason and faith, nor of the obligatory principles of ethics.<sup>8</sup>

In the same Allocution, the Holy Father warns us that we should not reject the established findings of psychic research because they are new or because their terminology is different from that to which we are accustomed. Speaking of a claim that there has been discovered a certain dynamism in the unconscious that impels man toward the Infinite, the Holy Father comments,

Having laid down the principle, there still remains the question of this mysterious dynamism. On this subject one might make the following remarks. We would certainly not find fault with depth psychology if it deals with the psychic aspect of religious phenomena and endeavors to analyse and reduce it to a scientific system, even if this research is new and if its terminology is not found in the past. Prudence and reserve are needed on both sides in order to avoid false interpretations and to make it possible to

<sup>8</sup> *Acta Apostolicae Sedis* 45 (1953) 278.

your science to clarify the question of the existence, the structure reach a reciprocal understanding. It pertains to the technique of and the mode of action of this dynamism. If its outcome proves to be positive, it should not be declared irreconcilable with faith or reason. This would only show that, even in its deepest roots, *esse ab alio* also implies *esse ad alium*, and that St. Augustine's words, "Thou hast made us for thyself, O Lord, and our heart shall not rest until it rests in thee," find new confirmation in the very depths of man's psychic being.<sup>9</sup>

Further indications that the Holy See finds positive values in the results of psychological and psychiatric research may be found in the papal Allocutions of Oct. 3, 1953 and Oct. 15, 1954 on the problems of responsibility in the face of civil law and its punishments, and in the lengthy statement on the Catholic philosophy of criminal guilt and punishment delivered in two parts on Dec. 5, 1954 and Feb. 5, 1955. Whereas in the first two Allocutions the Holy Father emphasized the essential control of his actions by the normal man in the ordinary stresses of daily life, in the lengthy philosophical statement on guilt and punishment he made more explicit reference to the effect of mental illness on criminal liability. He speaks of the difficulties experienced by the human judge in obtaining moral certainty of guilt before pronouncing sentence, since he cannot look directly into the soul of man and read there his guilt or its absence, and offers this advice,

According to the circumstances of the case, the judge will not fail to consult reputable specialists as to the capacity and responsibility of the accused, and will take into account the data of the modern sciences of psychology, psychiatry, and characteriology.<sup>10</sup>

#### PART THREE: SOME CONCLUSIONS AND PRACTICAL APPLICATIONS

I will first list three general conclusions on the subjective guilt in the individual actions of the habitual sinner who is normal, and then consider five categories of masturbators whose case deserves special consideration. The general conclusions have particular reference to the habit of masturbation, but I consider them generally valid.

<sup>9</sup> *Acta Apostolicae Sedis* DE (1953) 284.

<sup>10</sup> *Acta Apostolicae Sedis* 47 (1955) 65.

1. Even in the case of an involuntary habit of masturbation, there is no evidence to support the claim that the subjective imputability for the individual acts is so far diminished that these habitual sinners must be presumed not guilty of subjective mortal sin.

2. The degree of culpability will vary with the subject and with the type of habit, and even with the same individual at different times. An effort must therefore be made to judge each individual act in itself, considering all the elements involved, besides the fact of the habit of sin, that also diminish imputability.

3. If all the elements that diminish imputability are carefully assessed in each case, I suggest that, *far more often than we have generally been willing to admit in the past*, there will be serious doubt whether the subjective guilt of mortal sin was actually contracted, and, at times, there will be sufficient evidence to warrant the conclusion that there was no subjective mortal guilt.

In the five categories that follow, there is no claim that all those who answer to the given descriptions are neurotic or in need of the help of a psychiatrist. Some may be—and it will always be well if the priest keeps this possibility in mind when dealing with these five categories. Nor is there any claim that the acts of masturbation of these people are of a compulsive nature to the extent that they are always free from the guilt of subjective mortal sin; in individual cases this may be true. However, even among those who are not really neurotic, masturbation will often be a symptom of some general defect of character or of some deep-seated personality problem—and it is these that must be cured before the habit of masturbation can be checked. In those cases in which the priest does judge that the help of a psychiatrist is necessary, it will often be impossible for the penitent to be sent to one—and this for many reasons, the obvious ones being that there are not enough reliable psychiatrists available, and the penitents too often have not the funds necessary to pay for the help they need. In these cases, the priest himself can go to the psychiatrist and, with due safeguards for the seal of the confessional, describe the symptoms of the penitent and apply the remedies suggested by the psychiatrist. A psychiatrist who is unable to give charity to many different individuals, will often be willing to help the priest to direct them.



I am sure that priests will easily recognize these five categories of masturbators.

1. *Excessive number of times.* Even one deliberate and fully imputable act of masturbation is excessive. In calling the number of times excessive we mean that the sexual appetite, in its normal functioning, does not seek complete sexual satisfaction so often. Even in the normal man, there can be a fairly wide difference in the frequency and extent of the sexual response to stimuli; but there are limits to normal satisfaction. When a boy admits that he has been masturbating over a period of time every day and several times a day (even six to ten times), it would generally be admitted that this is abnormal. Whatever be the subjective culpability, it is unlikely that the priest will be able to help this boy without the aid of the psychiatrist.

2. *No Improvement.* This may be the case of the ordinary adolescent boy or girl. It may be that the habit was formed before they had any evaluative cognition of the seriousness of the sin. They are sincerely conscious now of the obligation to break the habit, and are using all means, both natural and supernatural, suggested by the confessor to help them. Nevertheless, there is no real improvement. It may be that the lapses are reduced to once or twice a week, but they persistently stay at that level despite all efforts to eradicate the habit completely.

In these cases I seriously doubt the grave subjective guilt of the penitent. When the confessor finds that the natural and supernatural means at his disposal cause no marked or lasting improvement in his penitent, he should seek the help of the physician or psychiatrist.

3. *Married Men.* Though relatively rare, the priest sometimes meets the married man who has a habit of masturbation. He will admit that his wife never refuses his requests for the exercise of his marital rights, and he has no explanation to offer for his continued masturbation. These are puzzling cases. Some personality problem may have to be discovered and cured; often it will be some kind of psychic anomaly that needs the help of a psychiatrist.

4. *Weird Phantasms.* This is the masturbator whose acts are

prompted by and/or accompanied by weird, extravagant, and phantastic activity of the imagination, often homosexual or otherwise deviate in character, and usually of a compulsive nature. It may be that the habit of masturbation itself is also more or less compulsive.

5. *Anguish and Innocence.* The last category is that of the masturbator who is in this ambivalent state: he is tormented with a deep-seated sense of guilt and anguish at times; yet almost in the very expression of his anguish there is also the conviction and the protestation that he cannot possibly be really guilty of the acts which cause his mental and emotional depression. He claims he is the victim of an irresistible impulse to masturbate and, at the same time, is overwhelmed by a tormenting sense of guilt.

Whatever be the truth about the objectively compulsive character of his impulse he really believes that he cannot control his impulse. His state of depression, anguish, and guilt usually manifests itself also in other aspects of his activity. Again, some other problem than that of masturbation may have to be probed and solved before any help can be given in curing the habit of masturbation.

Although less often than he meets the masturbator, the priest does have to deal with some homosexuals. In trying to judge the subjective guilt of their overt acts, the priest should be warned against a tendency on the part of some psychiatrists to consider the homosexual impulse irresistible or almost so. I know no evidence to justify the claim that the mere fact that a person is a homosexual is presumptive proof that subjective imputability is so diminished that his overt acts cannot be subjective mortal sins. In fact, there is proof of the contrary in this: it is a fact that priests, using only the natural and supernatural means at their disposal, have managed to bring some homosexuals to the point where they no longer commit overt acts.

In itself homosexuality is a qualitative deviation that seeks sexual stimulation and satisfaction in persons of the same sex. There is no evidence to show that it is also a quantitative deviation. Just as some heterosexuals may be quantitatively deviate, suffering from hypersexuality or nymphomania, some homosexuals may also be quantitatively deviate. He is not to be judged such from the mere fact that he is a homosexual. I suspect that, when some psychiatrists claim

that the homosexual impulse is irresistible or practically so, they are applying to all homosexuals a conclusion they have drawn from their clinical experience in dealing with deviates who were also mental defectives.

While we must admit some diminished imputability in the individual acts of the homosexual with the habit of overt activity, there is this difference between the homosexual and the masturbator. The masturbator, in a certain sense, carries his occasion of sin always with him. The homosexual must find one of his kind or, at least, a willing partner before he can satisfy his impulses. Even when the partner in sin has been found, there is usually the necessity of seeking his company on the individual occasions when he feels the impulse to sin. For this reason, to judge the homosexual's subjective guilt there is the added difficulty of assessing the degree of control with which he entered a proximate and free occasion of sin.

However, to the priest who has tried to help homosexuals or who has even read *The Invert* by the pseudonymous Anomaly, it is clear that a strong, religious minded character who must face the fact that he is the victim of a physical or psychic deviation in his sexual orientation, is under tremendous psychic stresses. These stresses are caused by his very condition, by his past and perhaps occasional present lapses, by the very effort needed to control his relations with the persons who appeal to his affections as well as to his sexual impulses, and by the necessity of choosing a way of life and a sphere of activity in which he can lead a useful and holy life. For these reasons the priest will deal understandingly and kindly with the homosexual who wants to emerge from the habit of overt activity; he will seek the help of a psychiatrist when his own means bring no improvement in his penitent; and he will welcome any results of psychological research that may help him assess subjective imputability.

In his paper on "Depth Psychology, Morality, and Alcoholism," Father Ford expressed these views on the subjective guilt of the alcoholic:

I do not believe it is possible now or ever to lay down a rule of thumb by which to judge the subjective morality of the alcoholic's

drinking. There are so many kinds of alcoholics, and in each alcoholic there are so many stages of compulsion, and in each stage there are so many different circumstances in which the act of drinking takes place, that the formulation of any general rule would be so vague as to be worthless. But the following considerations lead me to assert that the responsibility of the average alcoholic for his drinking is notably diminished, that our judgment of his sins of drinking should incline toward leniency, and that there are many cases where he is not guilty for becoming drunk. (*Op. cit.*, p. 133.)

For anyone who may think that the alcoholic is fully responsible for his failure to use the means necessary to effect his cure, these words of Father Ford may be of help.

Although the alcoholic may be powerless over alcohol, and unable at times to resist the craving for drink, yet it is within his power generally speaking to do something about his drinking. He is therefore responsible for taking the necessary means to get over his addiction. Some need psychiatric help; many need medical help; almost all need spiritual help. But the same elements of confusion, ignorance, hopelessness and despair may modify considerably the subjective responsibility in these matters too. But today there is new hope for the alcoholic, because the kind of help he needs is more and more easily available to him. (*Op. cit.*, p. 136.)

These remarks on sinful habits in general can close on the same note. I do not think we will ever arrive at any norms for judging subjective responsibility that will always give moral certainty or that can be applied almost mechanically. Yet that should not stop us from accepting the findings of psychiatry to improve the norms we have. Moreover, the priest who does not close his mind to the established claims of psychiatry will judge habitual sinners with greater leniency; he will more often doubt, at least, the presence of subjective mortal sin; he will show a kind, compassionate, and understanding manner in dealing with them; he will also realize that the very elements that diminish the subjective guilt of the habitual sins can also, at times, diminish the guilt involved in the failure to use means to break the habit of sin.

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