



# The Sexual Offender and His Offenses

ETIOLOGY, PATHOLOGY,  
PSYCHODYNAMICS AND  
TREATMENT

Published by The Julian Press, Inc.

80 East 11th Street, New York 3, N. Y. Copyright 1954, by Dr. Benjamin Karpman.  
Design: Marshall Lee. Manufactured in the United States of America by H. Wolff, N. Y.

Fourth Printing, November 1957

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I. REVIEW OF THE LITERATURE  
[1912-1951] II. PSYCHODYNAMICS  
OF SEXUAL OFFENSES AND A  
FORMULATION OF THE PROBLEM

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JULIAN PRESS, INC., *Publisher*



# THE SEXUAL OFFENDER AND HIS OFFENSES

## *Etiology, Pathology, Psychodynamics and Treatment*

The sale of this volume is restricted to the medical and legal professions; to ministers and educators; and to adult students of the psychological, biological and sociological sciences.

To Dr. Bernard Alan Cruvant  
whose broad humanism and sound clinical sense  
paved the way for a more humane treatment of  
the sexual offender.

## Preface

Among the many problems presented by disturbances in mental life, none appears to have attracted so little attention as the problem of sexual abnormalities. There are two probable reasons for it. One is that not until recently has psychiatry, particularly conventional institutional psychiatry, paid much attention to sexual disturbances among the insane, regarding these as secondary to more important mental disturbances. Of course, all sorts of sexual peculiarities have been observed among the insane, sometimes in a rather crude form, as in the instance of frank and open masturbation, or more often in the forms of symbolic representation, as when a patient would tenderly hug and kiss a pin-up girl; but all these were regarded as being secondary and incidental to mental disturbance. Further, whereas it has long been recognized that man cannot always control his mind and, therefore, cannot always be responsible for entertaining ideas over the presence of which he has no control, it has always been claimed that sexual problems, being presumably only physical, must always be under the control of the individual. Therefore, any deviation from the normal sexual path—and it must be admitted there are many—was always attributed to wilfulness on the part of the individual, who was regarded as simply unwilling to control his behavior. Nevertheless, we have observed individuals from time to time whose sexual behavior was grossly and more than ordinarily abnormal, although they seemed to be entirely normal in other respects. Studying such deviates, some workers in the field began to doubt the original assumption of the absolute and sane normality of the sexual instinct or its controllability by sheer will, and accordingly began to show a particularly searching interest in the problem of sexual deviations. Because of the large number of such cases, these workers became impressed with the observation that while the individual fetishist, sadist or exhibitionist seems to be entirely normal, but wilful, this could not be true of all of them, since many have decried their own behavior and, therefore, could not be fully integrated mentally. Many workers in the field, therefore, began to suspect that there must be something profoundly wrong with these people, even if in other respects, and to all intents and purposes, they seem to be normal and responsible.

Admittedly, the growth of knowledge in regard to sexual abnormalities has been rather slow and anything but spectacular; nonetheless there has been a rather continuous development, which the reader can see for himself after a perusal of the bibliography. By 1910, Wulffen had brought together

all the available material, and we may regard his book as the last of the descriptive epoch, even though since then the publication of descriptive material has not entirely ceased. What Wulffen's work didn't have, and what by virtue of the situation at that time, it couldn't have, was a discussion of the problem from the standpoint of the psychodynamics involved. For one thing, Wulffen himself was a lawyer and not a physician, and was not likely to look for any orientation in psychodynamics. Secondly, there was no psychodynamic literature available at that time; the only existing psychology of criminality consisted of the study of the purely mental functions of criminals.

Generally speaking, the decade following the publication of Wulffen's work was almost sterile, due in large measure to the interruption occasioned by World War I, which engulfed Europe in 1914, and then, by including the United States, virtually embraced the entire world. It took some time after the war was over for things to settle down, which explains why the literature on this subject, and perhaps on other subjects as well, has been so meager.

While Wulffen's book represents the last major effort of the descriptive aspect of sexual abnormalities, a new and entirely different trend was already in the making. It was the era of psychodynamics inaugurated by Freud's psychoanalysis. As concerning particularly our present work, we single out for consideration his "Three Contributions to the Theory of Sex." Since the publication of that remarkable classic, there has been a slow but unremitting growth in the direction of expounding and elaborating our knowledge of the mental abnormalities, from the standpoint of psychodynamics. But in its early stages psychoanalytic literature was so concerned with the problem of elaborating upon the general clinical and theoretical aspects of psychoanalysis itself that it did little with the side problems, such as those presented by criminality in general and sexual offenses in particular. Therefore, during the decade 1921 to 1930, we find very little material on sexual offenders as such; merely the elaboration of material on which sexual offenses are based, for instance, general discussions of pedophilia, fetishism, scopophilia and so on—reactions which need not be criminal. It was only during the third decade that we began to note some very substantial contributions to the problem of sexual offenses as such.

A full forty years have now passed since the publication of Wulffen's work, which is now chiefly of historical interest, having been supplanted in a large measure by the psychodynamic approach. The first ten years that followed Wulffen's publication may be regarded as an incubation period for the growth and development of the study of sexual abnormalities which was to follow. There appeared several fruitful studies, chiefly from psychoanalytic sources, which were concerned with the probable causations of abnormal behavior, including sexual behavior. Then, by very slow steps, in a slightly hesitant, almost timid manner, literature began to appear taking up the problem of sexual deviations, and this grew imperceptibly

but with almost geometric proportions. Between 1921 and 1932 there were only about a half-dozen articles published dealing directly with sexual offenders. From 1933 to 1941 there were about five times as many, while from 1942 through 1951 there was a total of over one hundred.

Much of this material has appeared in individual studies, which did not attempt to relate themselves to other previous studies. Thus, one would report a case of fetishism which, however, would not attempt to correlate it with other aspects of fetishism. Or another contributor would report a case of transvestism and fail to take up the relation of this phenomenon to other behavior to which it might be genetically related, i.e., fetishism, homosexuality. This was mainly because workers were still groping in such darkness, not yet having found a guiding line. So in the course of years there has accumulated a substantial amount of individually published material in a great number of different journals but with little attempt at correlation. Taking an over-all view of the situation, when the work in a particular subject reaches such a point, it then becomes the task of some workers in the field to gather together the material on one subject and attempt to synthesize and correlate it as a whole. The present author feels that the time is ripe for attempting such a correlation of all the studies which have become available on sexual offenders in the last forty years. While admittedly a great many of these are not very substantial, nonetheless they do indicate trends; when one gets them all together, the broader aspects of the development can be better appreciated. The integrating and synthesizing of this material should help us, in the author's opinion, to orient ourselves with reference to the situation and to map out plans for future work. It is also hoped that an objective, strictly scientific handling of the material in a restrained way, without appeal to the passions of the public, will provide us with something substantial as a background. Quite possibly it is the lack of adequate clinical and scientific information on the subject which is responsible for the vast amount of popular misinformation that is found with reference to it. Once there has been made available adequate information, the chances for a broader mental hygiene program, a more healthful medical, and even legal and popular planning will be entirely possible.

## PLAN OF THE WORK

The work naturally divides itself into two almost equal sections. In the first section, a fairly complete review of the literature on the subject is given. This is a bibliography covering forty years, from 1912 to 1951. Virtually nothing was found in the first twelve years of bibliography, from 1912 to 1923, though all the journals had been examined very carefully in order to ascertain whether there was any pertinent reference material available. Rather than abstract individual articles one by one, I have abstracted from each article its essentials, under various headings, which gave me an opportunity to study the variety of conditions under which sexual offenses arise

and sexual offenders act. At the end of each chapter, I have made a succinct summary which should help the reader to collect his impressions under one organized heading.

Out of this welter of contributions, one emerges with mixed feelings of discouragement and respect; discouragement at the vast amount of nonsense, often very harmful, that is being published under the guise of popular enlightenment; respect for the few sincere workers who, by dint of persistent effort and careful clinical studies, have materially advanced our knowledge of the sexual offender.

It is unfortunate that in by far the greatest number of studies, especially those that are supposed to be for popular enlightenment, the sexual offender has been viewed as a mere cross section, and that no attempt has been made at a longitudinal reconstruction: his origin, his development, especially the digression from the path of normal development, his position in the scheme of things sexual and also his position in the general scheme of cultural development; this in spite of the fact that there has long been available the ingenious and careful clinical studies that date from Freud's great classic, "Three Contributions to the Theory of Sex," the masterful case studies by Stekel, both later elaborated upon by such gifted minds as Abraham, Ferenczi, Lorand, Rabinovitch and a few others who contributed so much to the framework within which one has to work in order to understand the sexual offender.

The second section of the work presents my view of the subject through the medium of my personal clinical experiences, as well as the psychological background developed in the course of over thirty years of work in psychoanalysis. I have always shied away from theoretical discussions, attempting to buttress all my considerations with actual clinical experiences. When sufficient material on a particular aspect of the subject has accumulated, I then draw conclusions. Out of this material, if enough of it is available, I form concepts which on the surface may seem like theoretical discussions, but which are actually based on clinical experience. In other words, my process is entirely inductive rather than deductive. Just as in the first section, here, too, I have prepared a summary following each chapter which presents to the reader the highlights of the particular topic there discussed.

Human behavior as a definitive psychobiological phenomenon can only be understood in relation to other biological phenomena. Here, in the very nature of things, the sexual instinct must be considered as of prime importance in the development of sexual psychopathy. For this reason, in Chapter 15, I discuss in general the biological aspect of sex and psychobiological deviations. Following this, I take up the problem of overt homosexuality, which is not of any particular import in the sub-human animal world but clearly becomes significant in the human being. Both the absolute homosexual and the bisexual find a place here. Still more important than overt homosexuality is the much larger and vastly more significant problem

of latent homosexuality. It is out of this that much of what we know as sexual psychopathic behavior emerges. In both these chapters, dealing with overt and latent homosexuality, the problem of masturbation looms large; and careful, even if brief, consideration is given to this topic. (Limitations of space have prevented me from enlarging on this topic to which alone a whole volume could be devoted.) Intimately connected with homosexuality is the problem of incest. Though in a sense they may have separate roots, they are so closely intertwined as to make one appear almost an integral part of the other. The study continues with the presentation of the thesis that perversions are particular types of neuroses, highly specific to be sure, but nonetheless stemming basically from the same sources. That sexual perversions are basically facultative rather than constitutional in their nature becomes clearly evident in the study of sex life in prison where the more normal heterosexually-constituted individual becomes a prey and a victim to the paraphilias because of inadequate outlet for a normal sexual drive. Because of the fact that for the most part the sexual offender has been considered merely in cross section without any attempt to understand him as a part of a definite psychobiological development, it was necessary to take up the consideration of the legal aspects. The legal mind, it appears, does not understand, and apparently is unable to grasp, the psychodynamics of sexual development; it cannot for the same reason understand the sexual offender in his total development. Yet, since it is the law which controls the fate of the sexual offender, it is absolutely necessary for psychiatrists and lawyers to get together on a common platform. The chapter on the normal pervert is perhaps rather new in the field of sexual psychodynamics, since by all standards a pervert is considered abnormal and therefore, logically, there could be no such thing as a normal pervert. I have no intention to argue this point. For the most part, I agree entirely that any perversion is abnormal, especially if in the term perversion there is implicit the completion of the perverse act and such act is not merely a preliminary to the normal sexual act. But what I have in mind is to point out that though an individual may be perverted in the sexual field, this reaction, and the psychology concomitant with it, need not prevent him from being an otherwise useful and entirely honorable member of the community; just as an individual may be a cripple, or show some other defect or diseased physical condition, but still maintain a normal position in society.

Following this, I present my formulation of the entire problem of sexual offenses as seen from my own clinical experience. In order to use as objective an approach as possible, I have gathered the opinions of some thirty men and women, most of whom are experts in this and related fields. While the general medical practitioner cannot be considered an expert, it is a fact that he sees a great many conditions of this kind in his general practice, and it seemed important, therefore, to get his point of view.

The work concludes with a bibliography which may be divided roughly into two parts: those marked with an asterisk are references which have

been used directly in the work itself; those not so marked represent my general background which has not been utilized by direct quotations in the text but is evident throughout in the presentation of the material. Thus, though I do not quote Freud's "Three Contributions to the Theory of Sex" directly, nor along with it the cases of Stekel, which contributed so much to our understanding, nonetheless they form a part of the experience without which this work could never have been written. (In the chart placed in the Appendix, I present, for the convenience of the reader and in the diagrammatic form of a tree, the various paraphilias and their relations to other psychobiologic reaction types.)

Inasmuch as Section II discusses virtually the same topics as Section I, though it has considerably different content, there is bound to occur a certain amount of unavoidable duplication. Additionally, in Section II itself, repetitions occur. It is difficult to discuss transvestism without discussing fetishism and the two without discussing homosexuality and other paraphilias that are related to these. For this reason, I felt it necessary to prepare, in addition to a summary for each chapter, a final, one might say grand summary, which organizes under various headings the diversity of topics discussed throughout the book but avoiding duplications and repetitions. This amounts to a synopsis enabling the reader to fix in his mind the whole book with the specific arguments and comments omitted.

For many years I have been teaching classes of medical students, nurses, social workers, college students, lawyers, post-graduate medical students and so on. I have found by experience that one can convey the material to an audience best by using the audio-visual method. When seeing and hearing are combined, it impresses itself better and is retained better in one's mind. In the Appendix, I have two charts: one which shows the ramifications and the interrelationship between the neuroses and psychoses on the one hand, and neuroses and paraphilias on the other hand; and if there be a third hand, the relation of all these to psychopathy, which I regard as a distinct mental disease that sends its ramifications into many aspects of human behavior. The second chart gives in a diagrammatic form the various paraphilias and the subdivisions of each, the same including the synonyms as well as varieties.

A word should be said about the inclusion of a psychogenetic inventory. In direct analysis, what is commonly known as the couch method, the physician depends for his information chiefly on free associations and dream interpretation which latter stimulates the production of more associative material. Some patients, however, are not adapted to this method and for these I have developed the questionnaire method, as represented by the inventory. Extensive as it may appear, however, such inventory is exceedingly small compared with the immense number of questions that one can ask and keep on asking a patient, modifying, enlarging, amplifying and so on before the material is exhausted. The inventory lists only general questions, specific questions being prepared for each case individually. Thus,

if a patient is an only child, certain questions are asked of him or of her that would not be asked of him or of her if he or she were a member of a large family. The purpose of this inventory is not to expect the reader to use it on his neighbor or branch out into history-taking but mainly to show the wide variety of aspects and facets there are in human life.

There are many questions that are of too remote or of too technical a nature which I have omitted. Thus, I have questions on death and dying as formulated by Schilder and Bromberg, by Caprio and others. Nor have I included such highly technical material that deals with the "body image" as formulated by Schilder, Head and others. By the term "body image" we mean the picture of our body as it appears to us mentally. It embodies the stream of sensations that bombard the surface of our body, as well as the positions of the body; what is known as the postural model of the body. But our body has an inside as well as an outside; it has a gestalt or a shape, the totality of reactions being synthesized with a consistent whole.

I have accepted the original Freudian approach, eschewing for the most part other approaches, such as that of cultural analysis, because I found the strictly analytical biological approach far more remunerative in results than any other that I have tried; and I have tried them all. The Adlerian approach covers but one aspect of the situation, the feeling of inferiority being often no more than the result of guilt, open or cryptic. Jung eschews the biological and the sexual in favor of the spiritual approach which, at least in my experience, does not work here. The work of cultural analysts, represented by Karen Horney, Fromm, Sullivan and others, has been found to be of no help in this study since they, too, ignore the very basis of disturbed sexuality—its biology and pathology. In going over the literature on the subject, I have been impressed with the fact that not a single study by these cultural analysts was found that bore on the problem of sexual offenses or sexual pathology in its proper and intimate sense. This is a singular, serious and unfortunate omission. It is like studying geography when you wish to find out the location of oil in the bowels of the earth; what you need is a geological exploration. Their histories are like treatises on geography before the discovery of the Americas—a large continent surrounded by a vast ocean expanse, so much missing. After having struggled with these approaches and found them wanting, I inevitably came back to the Freudian approach which is the only one in my experience to give me a proper perspective and, what is still more important, helpful clinical demonstrations of effective psychotherapy and cure.

## ACKNOWLEDGMENTS

Grateful appreciation is given here to Miss Edna Florance and Mr. Joseph Upper for their generous editorial assistance in the preparation of this manuscript. To Dr. and Mrs. Francis Neil Waldrop, I am indebted for their meticulous and uniformly excellent preparation of the subject index. I am under further obligation to Mr. Raymond McNamara for preparing so carefully and meticulously the name index. To Dr. Sarah T. Shtoffer, Dr. Frank S. Caprio, Dr. Michael J. Woodbury, Dr. Leon J. Epstien and Dr. Genevieve McEldowney, I am indebted for proofreading. To Professor Alain Locke, I am indebted for much useful help in the general social orientation incident to the problem. To Mrs. Jean Collins and Mrs. Mozelle B. Teter, I am indebted for their superior and meticulous secretarial assistance given. To the American Academy of Arts and Sciences, I am indebted for a considerate grant which helped me whip the manuscript into final shape. I am particularly grateful to Dr. Hudson Hoagland, Executive Director of The Worcester Foundation for Experimental Biology and member of the American Academy of Arts and Sciences, for his sponsoring, sympathetic understanding and encouragement given.

The case material used in the text is drawn from a broad clinical experience extending over thirty years. Dates, names, ages, settings and other data have been so changed and telescoped that out of the presentation there emerges a composite clinical picture having no reference to any actual person.

The author also wishes to point out that due to the fact that so much of the material contained in this work has been compiled and extracted from numerous sources, it was virtually impossible to achieve anything but a relative degree of consistency in style.

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