

## THE EXPERT OPINION IN THE HALSMANN CASE

(1931)

The Oedipus complex, as far as we know, is present in childhood in all human beings, undergoes great alterations during the years of development and in many individuals is found in varying degrees of strength even at a mature age. Its essential characteristics, its universality, its content and its fate were recognized, long before the days of psycho-analysis, by that acute thinker Diderot, as is shown by a passage in his famous dialogue, *Le neveu de Rameau*: 'Si le petit sauvage était abandonné à lui-même, qu'il conservât tout son imbécillité, et qu'il réunit au peu de raison de l'enfant au berceau la violence des passions de l'homme de trente ans, il tordrait le cou à son père, et coucherait avec sa mère.'

If it had been objectively demonstrated that Philipp Halsmann murdered his father, there would at all events be some grounds for introducing the Oedipus complex to provide a motive for an otherwise unexplained deed. Since no such proof has been adduced, mention of the Oedipus complex has a misleading effect; it is at the least idle. Such disagreements as have been uncovered by the investigation in the Halsmann family between the father and son are altogether inadequate to provide a foundation for assuming in the son a bad relationship towards his father. Even if it were otherwise, we should be obliged to say that it is a far cry from there to the causation of such a deed. Precisely because it is always present, the Oedipus complex is not suited to provide a decision on the question of guilt. The situation envisaged in a well-known anecdote might easily be brought about. There was a burglary. A man who had a jemmy in his possession was found guilty of the crime. After the verdict had been given and he had been asked if he had anything to say, he begged to be sentenced for adultery at the same time - since he was carrying the tool for that on him as well.

In Dostoevsky's great novel, *The Brothers Karamazov*, the Oedipus situation stands at the focal point of interest. Old Karamazov has made himself detested by his sons through heartless oppression; in the eyes of one of them he is, in addition, a powerful rival for the woman he desires. This son, Dmitri, makes no secret of his intention to avenge himself on his father by force. It is therefore natural that after his father has been murdered and robbed he should be accused as his murderer and, despite all protestations of his innocence, condemned. And yet Dmitri is innocent; another of the brothers has done the deed. A dictum that has become famous occurs during the trial scene in this novel: 'Psychology is a knife that cuts both ways.'

The Opinion of the Innsbruck Faculty of Medicine seems inclined to attribute an 'effective' Oedipus complex to Philipp Halsmann, but refrains from defining the measure of this effectiveness, since under the pressure of the accusation the necessary conditions for 'an unreserved disclosure' on Philipp Halsmann's part were not fulfilled. When the Faculty go on to refuse even 'on the supposition of the accused being guilty to look for the root of the deed in an Oedipus complex', they are carrying their denial too far without any necessity.

In the same Opinion, we come up against a contradiction which is by no means without significance. The possible influence of emotional shock on the disturbance of memory with regard to impressions before and during the critical time is minimized to the extreme, in my opinion unjustly. The assumptions of an exceptional state of mind or of mental illness are decisively rejected, but the explanation of a 'repression' having taken place in Philipp Halsmann after the deed is readily allowed. I must say, however, that a repression of this kind, occurring out of the blue in an adult who gives no indication of a severe neurosis - the repression of an action which would certainly be more important than any debatable details of distance and the passage of time and which takes place in a normal state or one altered only by physical fatigue - would be a rarity of the first order.