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## A CLASSIFICATION OF BORDERLINE MENTAL CASES AMONGST OFFENDERS.

VICTOR V. ANDERSON.<sup>1</sup>

One of the most urgent problems in the proper development of medical expert work in our criminal courts, is a workable classification of those borderline mental cases which belong neither to the feeble-minded nor the insane, and are yet clearly abnormal in mentality.

This paper will discuss the plan we have adopted of classifying these border line mental types in the Municipal Criminal Court of Boston. No reference is made to the various psychoses, to those suffering from alcoholic deterioration, to the epilepsies, etc., for obvious reasons. Our discussion simply has to do with a borderline group of individuals found amongst delinquents in general, who apparently have been very difficult to classify and about whom a most confusing terminology exists. They have been a source of much trouble to social workers, to criminal courts, and to various institutions. They seem unable to profit properly by any sort of treatment, and are suspected by those intimately associated with them of being "crazy," "born criminals," and what not. A more scientific terminology popularly applied is "moral imbecile," "moral insanity," "emotional defective," "delinquent type of mentality," etc.

The terms being apparently used interchangeably, one physician may classify an individual as a moral defective, while another will diagnose him as a defective delinquent, and still another may call him an emotional defective, and so on. All the while the examiner may have only a vague conception of what he really means by his terminology.

Now for practical use in the study and treatment of offenders, a classification should be definite, workable and based on demonstrable facts, rather than loose generalizations. Nothing is gained by categorizing individuals unless our classification conveys such well-defined knowledge of types as will serve a practical end.

The term "defective delinquent" is being used by different examiners to define markedly divergent types. To some it means delinquent individuals who as a result of mental examination are found

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to be defective in mentality. Then the logical classification, from a mental standpoint, would be mental defectives. But other examiners are apparently using the term "defective delinquent" to cover a class of individuals who as a result of careful mental examination give no evidence of mental defect; but their conduct is abnormal, they have certain character defects, and they are antisocial—they forsooth must be defective anyway, so why not call them defective delinquents?

Then there is a tendency to use the term to fit otherwise normal individuals who have criminal tendencies, presupposing that repeated criminality is proof of a defective mentality; a correlation wholly unjustified, unless we use the term defective as a social classification, and not as a mental. In other words, unless we are going to make "defective" refer simply to conduct that is abnormal and not in keeping with social standards rather than back to its definite cause in a particular type of mentality.

Altogether we have presented to us a rather loose and confusing symptomatology connected with the term "defective delinquent," and when the state is prepared to have these individuals committed to separate institutions, the difficulties of definition one fears will be insurmountable.

It would hardly seem necessary to discuss seriously such a classification as moral imbecile or moral insanity, did it not persistently crop up in the literature, and did not physicians now and then make use of such a diagnosis. To justify this classification one would have to presuppose the existence of a special moral faculty, an ethical department separate and distinct from the rest of the mental life; a presupposition wholly unjustified in the present light of scientific methods of studying the human mind.

In fact, we have come to realize that our moral judgments are inextricably mixed up with social judgments; that general intelligence, learning, experience, etc., are brought into play in the exercise of every moral judgment; that millions of brain processes are involved in every thought and act, and conduct is an expression of the whole machinery at work; that there is no ground for the presupposition of a separate sense that sits in judgment, approving or disapproving of our actions. In short, a mentality incapable of forming moral judgments is likewise incapable of forming normal judgments along other lines, and is (*ipso facto*) a defective mentality, and is demonstrable by a thorough examination of general intelligence, judgment, reasoning capacity, etc. These are *mental defectives*, and not moral imbeciles.

But the term is more frequently used to refer to a type of dis-

tinctly antisocial individuals who are not defective in mentality and are not lacking in capacity to form moral judgments, nor are they devoid of moral feelings, but are hampered with a constitutional instability of their nervous systems which renders them very impulsive, vehement, inhibitionless and emotional; in other words, they are easily unbalanced, and thus especially liable to serious social difficulties in a complex environment. These are *psychopaths*, and not moral imbeciles.

A careful study of other supposed cases of moral imbecility brings to light victims of a vicious social environment, early immoral teachings and practices, individuals suffering from mental conflict, etc., etc. Healy has well said that the great probable source of difference of opinions as to the existence of such a type is in the extensive theorizing and the lack of careful statement, either of definition, or of the results of survey of all investigable elements of mental life.

Certainly if in all cases of so-called "moral imbecility" the examiner would make a thorough study and record of the various mental abilities and disabilities of his patient, the self contradictions so frequently found in the literature would hardly be possible. For our own part we find no need for the term as we have not yet run across a single case of moral imbecility or moral insanity.

But what serious objections are there to using the term "defective delinquent"? There are none, if by it we mean those delinquent individuals who are defectives. In other words, if we draw the line somewhere, restricting it to the mental defectives, making the term workable, and not allow it to cover several divergent types; else those of us who are having to do the practical work of classifying mental cases in courts and penal institutions will find the anomalous situation of a group of defective delinquents being composed of some offenders who are clearly *mental defectives*, some who are not defectives, but are *psychopaths*, and others who are neither defective nor psychopathic in mentality, who are not pathological but psychological types, *the delinquent type of mentality*. Three types, requiring entirely different treatment and offering a wholly different kind of prognosis from standpoint of reformation. In other words, we will find that the term "defective delinquent" is a social classification and not a mental, and is being used to refer to acts, antisocial in character, which from the mental side have their basis in wholly different types of mentality.

As previously stated, there is no objection to calling those amongst our courts and penal cases, that are defective in mentality, "defective delinquents," nor is there any objection to calling those

that are insane, "insane delinquents," and those that are epileptic, "epileptic delinquents," if we do not mean to imply that they belong to mental types different from the mental defective, the insane and the epileptic. (But what is the use of it all? The very fact that one mental defective has been caught in his antisocial conduct, and another has escaped, is not sufficient ground for a difference in mental classification of the two.)

If we do imply that the defective delinquent is a different type from the mental defective, then on what logical basis do we use the term as a mental classification—for how can they be defectives and still not mental defectives? This is a contradiction. The term defective, used with reference to the mind of an individual, should carry with it a lack of normal mental development and should have a very definite meaning to us. This condition is demonstrable by exact methods of measurement. The term defective used with reference to the social aspect of one's conduct may as well be applied to those with a mentality that is disordered, as those with a mentality that is defective, and from such a point of view the majority of the fifty-odd thousand delinquents coming before our courts in one year could be classified as defective delinquents. The fact is that the term is being used constantly to refer to a group of individuals who, when their abilities have been thoroughly and scientifically studied, give no evidence of mental defect but are rated as adult in mental development. They are called defective delinquents, however, because they possess certain personality maladjustments, certain character deviations, are distinguished by an antisocial line of conduct, are unreliable, changeable, impulsive, erratic, lacking in inhibitions, restless, at times showing great motor activity, becoming violent, and practically insane, under the influence of emotion, alcohol, drugs, etc. While under detention they clear up and give no evidence of psychoses or mental defect, only to have another outbreak when things go wrong in their environment. These are the *psychopaths*, as previously hinted at, and should not be confused with defectives. In institutions they give far more trouble than defectives, require a great deal more discipline, and seem little improved by any form of treatment. They are often absolutely unmanageable, and from the standpoint of our courts they require an entirely different disposition from the defectives, and must be clearly differentiated. One often finds enlarged thyroids; several cases seen by the writer had had both ovaries removed and had active changes in character dating from this incident, pointing it seems to the possibility of changes in certain internal secretions serving as a basis for this condition of nervous and mental instability. We must

consider these individuals in the light of adjustment of their personality, rather than in terms of development of general intelligence, as we do the defectives; and realize that their antisocial conduct is due less to their stupidity, less to their lack of understanding of the demands of a normal social organization and inability to foresee the consequences of their acts, than to a disturbance in the co-ordination of the proper nervous mechanism; a poorly balanced mentality, rather than one that is defective. To call them "defective delinquents" confuses the issue, in that it emphasizes the social aspect, and is simply a social interpretation of their conduct; it does not point to the nervous and mental instability, rather than defect, that is the cause; furthermore, it allies them with the mental defectives, a type wholly different in mental makeup and treatment. The only logical classification that is free from confusion and serious criticism is the term "psychopath." This term fits so admirably the characteristics of this group, suggesting a relationship to the psychoneuroses and psychoses, rather than to feeble-mindedness, that we have used it as a definite classification of this type from the first.

It might be well to mention that among several hundred offenders examined we have found almost as many "psychopaths" as "mental defectives," suggesting that this condition may be of as serious importance as a basis of criminality as mental deficiency; and it may be that it explains the wide divergence in reports as to the percentage of defectives among criminals; some investigators claiming as high as 89 per cent, others as low as 20 per cent. The latter is possibly nearer the truth than the former, inasmuch as 89 per cent undoubtedly represent the entire field of this borderline group about which we are speaking, and thus includes not only the mental defectives but the psychopaths and mental delinquents as well.

Finally, after we have accounted for the mental defectives and the psychopaths among the recidivists, there still remains a very large group of repeated offenders who are not normal in mentality. Exact mental measurements fail to show any defect or sub-normality in general intelligence—they are not defectives. Carefully given psychiatric tests show no evidence of a psychosis; personality studies do not reveal any of the character makeup, temperamental peculiarities and disposition of the psychopath. They are not impulsive, poorly balanced and neurotic individuals; they are not lacking in inhibitions and liable to great emotional extremes, violent outbursts of temper, etc., as are the psychopaths, who are often quite conscientious and sincere and try repeatedly to do better, but fail because of their very marked nervous and mental instability. On the contrary, this par-

ticular type the *delinquent type of mentality* are fairly intelligent (depending upon their accustomed walks of life). They have a stable mentality, are cool and calculating, deliberate, planning out situations in advance, indolent and superficial, very selfish, egoistic, heartless and even cruel at times. In them the self-preservation instincts are undisciplined and the nobler sentiments are lacking. They are strongly individualistic. In short, they possess a mentality that differs from the average or normal in that it is particularly non-social. It expresses itself as deviating purely along delinquent lines, and for this reason we have called them "mental delinquents," rather than defective delinquents, inasmuch as their mental condition is to be explained, as we shall show later, purely on psychological rather than pathological grounds; is acquired rather than innate. Their reformability is a well-known fact, and thus their antisocial tendencies are not based on a lack of capacity for conduct in keeping with normal standards. These individuals have not had at the proper stage of their development those socializing influences which produce altruistic tendencies that discipline the instincts and emotions. The dominant note in their makeup is a non-moral and purely egotistic attitude, which tends to become more marked as character is formed around the unrestrained exercise of their primitive tendencies; tendencies which in themselves are normal, and present at certain stages of every individual's development, but which are checked when powerful inhibitions are laid down through fear of punishment, reward, expectation of social praise or blame, etc., which later on are to be reinforced through the growth of the higher and nobler sentiments that are of so much importance in the formation of character and the direction of conduct of individuals and societies.

We must remember in this connection that character is not something born with an individual, but is built up on the native basis of disposition and temperament in the course of one's life and is the sum of acquired tendencies. There can be but little doubt that the sentiments constitute a large part of what is properly called character, and the organization of these we will remember, in the developing mind, is determined by the course of experience. Our judgments of value and of merit are rooted in our sentiments, and our moral principles have the same source, for they are formed by our judgments of moral value. Thus we can easily conceive how, if the raw material of virtue and vice are the same, and desires which in themselves abstracted from their relation to the higher self are neither moral nor immoral but simply non-moral, that the fundamental problem in a man's morality is his socialization by society. Now several things may take place to prevent this.

He may be so defective in mentality as to be unable to measure up to the standards and laws of a normal social organization, and thus constitutionally incapable of profiting properly by experience. In this case he is not a criminal but a "*mental defective*."

He may be so unstable and poorly balanced in mentality as to be continually liable to impulsive conduct, and thus incompletely socialized, as are the "*psychopaths*."

Or, as a result of acquired habits of thought and action, initiated during the formative periods of childhood and adolescence, he may have developed a character that is distorted and delinquent in its tendencies, and as a result he may be, for practical purposes, a "*criminal*" in his makeup. His environment may have focused upon him at some particularly weak moment a host of powerful influences, easily calculated to break down his weak inhibitions; especially is this true if the influences were exercised in the immediate service of desires springing directly from some one or other of the primary instinctive impulses. Now we have only to remember that habits are formed only in the service of instincts, and once initiated how around them the entire character may be developed, for an acquired mode of activity becomes by repetition habitual, and the more frequently it is repeated the more powerful becomes the habit as a source of impulse, or motive power. In this way it is not difficult to understand how under particularly unfavorable circumstances the *delinquent type*, or, in popular speech, the "*criminal type*" develops.

I submit, then, that among our borderline mental cases we have three distinct types, recognizable as definite entities, the *mental defectives*, the *psychopaths* and the *delinquent type*, each creating very definite social problems; each having a very definite constitutional makeup and requiring for proper treatment and solution an entirely different kind of treatment.