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SOME ASPECTS OF MENTAL ABNORMALITY IN RELATION TO CRIME

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Crime is a form of social deviation so pervasive that, according to some students of the problem, it is "the largest American industry", representing "a multi-billion dollar drain upon our national resources".¹ Mental abnormality, another form of deviation, has sometimes been indicted as of fundamental etiological significance in relation to social offenses. It has been dismissed by some as an adventitious phenomenon. That a relationship exists between the two now seems incontrovertible, though, except in the most obvious instances, the nature of the correlation continues to be a subject of much dispute. It is the purpose in this paper to discuss some aspects of this question as it concerns members of the legal and police professions.

CRIMINALITY AND SOCIAL DEVIATION

Criminality is a socio-legal concept, not a psychological one. A particular society functioning in a specific era determines what types of behavior merit penal sanctions. "Criminality is action contrary to the penal code. Acts of this kind may be committed by every conceivable psychological type, normal as well as pathological".² Statutory regulations determine whether behavior is criminal; individual psychological motivations determine whether behavior is abnormal.

All societies have to deal with the deviant. No culture is so completely satisfying or flexible as to accommodate successfully the entire range of human reactions. Individual human beings, by virtue of unique combinations of endowment and interpersonal experiences, emerge so different that provision must be made for isolation of some of those who fail—who fall by the wayside. This is why we have jails and mental hospitals. Their primary function still is to protect society from the actively or potentially dangerous deviant. Rehabilitation is not the first but the second order of business.³ The numbers of aberrants and the methods of handling them vary from time to time, place to place, and society to society. We always will have them, how-

¹ *Medico-Economic Frontiers: Crime*, LEDERLE BULLETIN, Vol. XVIII, No. 1, February 1953, p. 44.

² FENICHEL, OTTO: *THE PSYCHOANALYTIC THEORY OF NEUROSIS*, W. W. Norton & Co., Inc., New York, 1945, p. 505. Fenichel goes on to support the concept that the character structure of many criminals is an internally consistent one, i.e., that while their social goals are undesirable their internal psychological structure is a harmonious one.

³ I am aware that this may not be a popular point of view among modern penologists. Nor am I advocating it. I think it would be less than realistic, however, to deny that in the public conception this is still the main reason for the existence of the penal-type institution.

ever, not only for reasons given above, but also because most societies are continually shifting their definitions of the conventional and the acceptable, and because social living involves denial of impulses. Every society, if it is to maintain its existence, must draw the line somewhere. While no society is ideal, including our own, I believe it is a reasonable assumption that the preponderant numbers of our abnormal citizens are those whose adaptive failures stem from developmental and/or constitutional inadequacies rather than because our society is too rigid or inflexible.

Only a segment of our abnormal citizens are sufficiently eccentric to have forfeited their rights to a free existence. Many live on the fringes of society—hoboes, tramps, drifters, vagrants, over-night or 30-day guests of the county or of the state. If they have talent and some productive capacities, they may get by through their gifts for creative achievement. If they have money, they are also likely to escape becoming a statistic in our institutional population by securing private care, by luxurious isolation or by literally fleeing from the problem.

ABNORMALITY AND THE MEANING OF BEHAVIOR

It should be apparent from what has been said that abnormality or mental illness makes no distinction between rich or poor, intelligent or feeble-minded. The “raving maniac”, however, is more a creature of modern mythology than fact. The occasional agitated and aggressively disturbed individual makes news and, therefore, tends to become a stereotype for the mentally ill person. More typically the mentally ill citizen is confused, unhappy, fearful. Sometimes he may not know where he is, who he is and why he is doing what he is doing; he may be unkempt and disheveled. The illness is, in fact, expressed in a variety of ways, depending upon the person, the internal and external problems with which he is unsuccessfully grappling, and, to some extent, the reactions to his behavior by others in his environment.

Mental abnormality is an exaggeration of normal attitudes and behavior. We all know people whom we consider over-sensitive or over-critical, unduly suspicious or excessively hostile and sarcastic, whom we recognize as too mild and meek for their own good or as overly assertive and demanding, or who are too much preoccupied with health and body functions, who tend to over-worry, over-drink, over-smoke, who are overactive or over-inhibited. We do not usually consider such people abnormal. Where do we draw the line? The line can be, and sometimes is, a thin one. The traits just listed are found in a varying extent in all of us. The difference is one of degree. The abnormal person is suffering from an intensification of these traits.

Most behavior is designed to help the individual maintain or re-establish a physical and psychological equilibrium, in response to the many stimuli which affect him both from within and from the outer environment. That is, behavior always has a purpose. An example of a stimulus originating from within the person is hunger pangs. The individual usually disposes of the tension created by this stimulus by eating—and equilibrium is restored. An environmental stimulus might be a sudden and unexpected verbal attack. “You are a good-for-nothing Scoundrel! I hate you! The response is in the direction which the individual’s previous experiences and estimate of the present situation suggest will be most likely to bring the desired

result—re-establishment of the earlier condition of balance. It may take the form of a verbal counter-attack—"And you are a liar and a cheat!", submissive behavior—"Excuse me, I meant no offense", flight from the scene, or something else. Each response points up the fact that though the desired end-result is a common one—the organism's effort to retrieve a balance—the behavior oriented toward this goal involves an individual solution. This principle holds true for all activity, including that which to others may seem senseless, self-destructive or without purpose. Some people persistently lie even when there is no advantage to be gained, except for what it does to maintain a shaky inner feeling of self-esteem. Some "clever" criminals commit a stupid and obvious blunder or return to the scene of their exploit or may do other things which seem senseless or self-destructive. It makes sense when the individual's inner drives are uncovered, when we learn that the unconsciously motivated need to be caught and punished are major factors leading to this particular criminal act. This is behavior with a purpose! Children sometimes do this when they provoke their parents to the limit of endurance—"You're asking for it!"—so that the latter finally will punish them. Then the child feels better—no more "guilty conscience"—the balance has been restored. Efforts toward equilibrium may fail, but always the individual is doing the best he can, given the existing circumstances and his own limited powers of adaptation. Some people are born with basically restricted powers of adaptation because of inferior intelligence, birth abnormalities, or other factors. Others may evolve poor adaptive resources, from a social point of view, because they have been so badly damaged emotionally during their early most impressionable years that they have not learned how to cope satisfactorily with situations with which others deal readily.

The degree of stress to which the organism has been subjected also has significance. We have learned that every one has his "breaking point" though what this point is varies from individual to individual. It occurs when a particular individual meets a certain level of stress. The owner of a new truck returns the vehicle to the dealer complaining that a spring broke under a load. He wants the "defective" spring replaced. The dealer counters that the driver overloaded the spring. In the sense we have been discussing, both are correct: for that particular spring that load (stress) was too great.

By abnormal people, then, we mean individuals whose attempts to deal with problems stemming from inner conflict are either grossly unsuccessful or are expressed in socially unacceptable ways. A fear of open spaces sometimes is the means for keeping personality functioning intact. This neurotic equilibrium may, for a variety of reasons (changes in life circumstances, for example) fail. Then the symptom must widen its boundaries in a further effort to "hold the line". Presently the individual feels in danger in almost any free space and ultimately is driven back to the confines of his own room. From a social point of view this is certainly an unsuccessful solution. As another example, the exhibitionist, who is really under the stress of proving his masculinity to himself and others, does so in a socially condemned way, i.e., by disrobing publicly. As seen by Wegrocki abnormality is "the tendency to choose a type of reaction which represents an escape from a conflict-producing situa-

tion instead of a facing of the problem . . . it is not the mechanism [behavior] that is abnormal; it is its function which determines its abnormality"⁴

Abnormal individuals, however, generally hold to reality sufficiently to recognize that they are abnormal or that others consider them so. This being the case they frequently are frightened of their own impulses and/or of what others are planning to do. To hide his fear, the abnormal individual puts on a mask of anger or aggressiveness, dealing with this source of anxiety in the same way which characterizes much "ordinary" behavior in fear-provoking situations. The common element is the avoidance of anxiety or the attempt to master it. Coping with anxiety⁵ and the gratification of needs are the twin cornerstones of mental activity and the latter's expression in behavior.

This concept deserves further exposition. Anxiety may be defined as a subjectively experienced, usually intense, feeling of dread, apprehension or fear, the immediate source of which may or may not be known to the person. It differs from fear in that it is irrational and internalized, but like fear is designed to "warn" the person of impending danger, so that appropriate defensive measures may be taken. One normally fears an external source of danger, e.g., a dangerous animal on the loose, and mobilizes his energies toward effective means of self-protection. Anxiety (which is an acutely uncomfortable reaction) warns the individual that an internally forbidden impulse is in danger of breaking through into awareness. An adolescent may avoid going to parties because of the apprehension that budding erotic impulses may overwhelm him (rationalized, perhaps, as "Only sissies go with girls").

Situations which provoke anxiety are a resultant of the individual's life history. Chronologically, they are those experiences which threaten the infant with annihilation, the toddler and young child with loss of parental love and protection, and the older child with loss of self-esteem, identity, or the feeling of "worthwhileness". These are the prototypes of anxiety-producing situations of later life. Practically speaking, when one experiences fear in the absence of any external source of danger, this is indicative of an anxiety attack. (A familiar example in adulthood is the feeling of dread or apprehension in meeting a new boss.)

INDIVIDUAL AND SOCIAL FORMS OF DEVIATION

Thus a selective process may be said to operate in relation to abnormality as it is seen by the legal and police professions. Mental conflict may be resolved or solutions sought via two avenues: through symptoms, which represent defenses against unacceptable inner impulses, or through behavior, the acting out of the inner conflict.

The symptomatic solution, in instances of gross pathology, may involve a retreat of the personality to earlier, more primitive, less integrated modes of problem

⁴ WEGROCKI, HENRY J.: A CRITIQUE OF CULTURAL AND STATISTICAL CONCEPTS OF ABNORMALITY IN PERSONALITY IN NATURE, SOCIETY AND CULTURE (Ed. by KLUCKHORN AND MURRAY), Knopf, 1949, Ch. 40, pp. 560, 561.

⁵ In a very illuminating article delinquency is discussed as "integrated" (i.e. purposive) behavior directed toward another person in which avoidance of overwhelming internal anxiety may underlie a wide variety of "psychopathic" (i.e. anti-social) behavior in the youthful offender. See BLOCH, DONALD A., M.D.: *Some Concepts in the Treatment of Delinquency*, CHILDREN, Vol. 1—No. 2., pp. 49-55, Children's Bureau, U. S. Dept. of Health, Education and Welfare.

solving. This may highlight the disparity between the individual's actions and his chronological age status or give a bizarre or inappropriate cast to his functioning. This individual often becomes a mental hospital patient; he is recognized as in need of treatment because his malfunctioning (usually) does not involve social transgressions but rather individually destructive patterns or self-defeating maneuvers.⁶ A rugged, masculine-appearing male may be bothered by voices which suggest that he would like to have sexual relations with another man. He is struggling with impulses toward homosexuality which he cannot accept in himself; he tries to keep them out of awareness, to bury them in a level of the mind designated as the unconscious. However, the attempt is unsuccessful because the impulses are too strong or his defenses too weak. The only thing he can do is to try another form of defense—by a trick of the mind to convince himself that others are accusing him of these impulses toward members of his own sex. Thus, the “accusing voices”. But he is afraid, because these voices are a temptation—deep down this is what he wants to do—but also these voices are a threat because he is resisting such impulses with all his might.

Where the individual “acts out” his internal problems through antisocial behavior he becomes classified as an offender and is more likely to be viewed as “willful”, “perverse”, a “bad actor”. A handsome, personable young man of a family with substantial means, and with considerable funds of his own experienced several incarcerations for forgery. He invariably used his father's name on these checks which were cashed away from home. Detection always occurred under circumstances which brought maximum embarrassment to his father and other family members. After the third of such episodes his relatives in anger and disgust stopped covering his checks, and he went to prison. Subsequent therapeutic intervention in this pattern, through prolonged psychotherapy, unmasked the unconsciously motivated cycle of crime and punishment in this case. This man had failed to meet the impossibly high standards of his “self-made” father whom he both feared and tried to emulate. The check forging represented, unconsciously, both an attempt to “be” his father and to punish the latter for his unreasonable demands. At the same time he could not escape his own feelings of guilt over thus usurping both his father's role and his bank balance so that invariably he “got caught”.

Since such behavior has socially destructive implications and there is no obvious impairment of capacities to distinguish between “right” and “wrong” or to control impulses, this kind of person is often labeled “psychopathic”. Frequently he evokes strong retaliatory feelings both among the generally law-abiding public and those charged with the administration of justice and the incarceration and treatment of the offender.⁷ This complicates the task of rehabilitation.

It is among these criminal recidivists that psychic abnormality may play a conspicuous role in predisposing toward or precipitating anti-social behavior. The extent

⁶ This is well illustrated in KARPMAN, BEN: *Psychosomatic Neurosis as Expressive of a Barrier Against Indulgence in Craved but Prohibited Sexual Drives*, JOUR. OF CRIM. LAW, CRIMINOL. AND POL. SCI., Vol. 44, No. 6, March-April 1954.

⁷ For a fascinating discussion of the psychological equivalents common to offender, judge and citizen see REIK, THEODORE: *THE UNKNOWN MURDERER*, Hogarth Press, London, 1936.

to which this is so is of great practical concern, but also difficult to ascertain, since criminals keep up with the times, like other people, and they are aware that a plea of insanity has its uses.

SOME IMPLICATIONS

There are basic considerations explicit in the criminal codes of Western societies. Life and property are under the protection of the law, irrespective of local variations in the statutes implementing this protection. Somewhat more equivocal are the conditions under which the transgressor is held accountable, because the element of individual responsibility seems in the process of modification. Within our own complex, heterogeneous society it appears possible for individuals even without discernible pathology of personality to evolve anti-social goals.

One may identify with the "wrong" person, as Fenichel⁸ puts it, thereby accomplishing the necessary healthy psychological patterning after adult parental figures, but with models who have an anti-social outlook themselves. Further, "The influence of group associations has important meanings involving the maintenance of status and self-esteem. The social contagion of an established practice, including an anti-social or criminal one, can be effective in introducing some drug addicts to the use of narcotics. Emulation of a popular group figure or leader means identification with an admired or feared individual and often gives one a needed feeling of acceptance. The addict who lives in an area where delinquency and addiction rates are high gets his code of behavior from the 'delinquent' group without regard to what the law stipulates or what society as a whole condemns".⁹

For the emotionally abnormal offender anti-social behavior may be part of a repetitive pattern of functioning in which ultimate punishment may be sought rather than avoided; or punishment may simply be a necessary evil of relatively less importance than the imperative need to gratify strong inner impulses, which though socially proscribed, are necessary to the preservation of the individual's psychological equilibrium.

To what extent, then, does punishment serve as a deterrent to crime? It is doubtful that we can know since only 12.5 percent of major crimes are ever officially solved. "In fact, so few offenders are actually caught and convicted that legal punishment can no longer be considered a major factor in the control of crime".¹⁰ Even assuming that certainty of punishment existed, the deterrent effect of punishment could be applied only to those with "normal" motivations. For the emotionally disturbed offender isolation, while necessary (in some cases) as an aspect of community protection, should not support us in the comfortable illusion that this is in any way therapeutic to the person. It may provide an opportunity for treatment if the public is willing to underwrite the costs of implementing a treatment structure within the framework of confinement.

⁸ FENICHEL, OTTO, *op. cit.* p. 505.

⁹ BERLINER, ARTHUR K.: *The Drug Addict—Criminal or Victim*, FOCUS, Vol. 33, No. 3, May 1954, p. 81. This phenomenon appears to be particularly evident among certain minority groups in which "cultural" factors play an important role in such transgressions as narcotic addiction.

¹⁰ SCUDDER, KENYON J.: *Prisons Will Not Solve Our Crime Problem*, FED. PROBATION, Vol. XVIII, No. 1, March 1954, p. 34. Mr. Scudder cites Federal Bureau of Investigation statistics on this point.