

4 MOTIVES FOR FEIGNING INSANITY.

(3.) To avoid punishment.

(4.) To obtain total discharge.

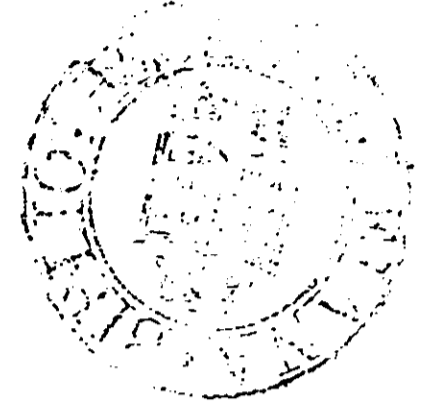
Slaves, also, in their wretchedness, that they may escape slavery, feign insanity.

And other causes may be imagined, of which histories moreover are to be found;* as of Ulysses, and Brutus, and others, among the ancients: as of David, "who changed his behaviour before them (in Gath), and feigned himself mad (demented) in their hands, and scrabbled on the doors of the gate, and let his spittle fall down upon his beard."†

Such are the motives for feigning insanity.

* Cf. several cases hinted at in the Cyclopædia of Med.; Art. Feigned Diseases.

† 1 Sam. xxi. 13.



CHAP. II.

INSANITY INQUIRED INTO AS A DISORDER
WHOSE PHENOMENA CAN BE FEIGNED.

PAINFUL is the contemplation of an insane mind! Painful the thought, that in the history of man's self-abasement, it is written, that he is willing to ape the total effacement of the Divine image in him. What we know, and what we feel, of our guilt and misery, accounts for *this*; but how to solve the problem of the existence of the phenomena simulated is past our reason; and we have humbly to confess that, as in much else, so also in this, from our reason we must pass on to our faith, lest we be overwhelmed in the darkness of the scene.

Doubtless it will be found that a disorder which was once held by ignorance and superstition as partaking of inspiration, is not easily counterfeited: doubtless it is already remarked,

that insanity, which is the disorder of *a mind*,* can be understood only by him who is instructed in the qualities of *a mind* in its most fair estate. And so it is : to feign insanity with success depends not more on the skill of the simulator than on the incompetence of the judge ; so, at least, have said excellent authorities of our own time. It must be so. The mind is made as variously as the body. Is the body fearfully and wonderfully made ? Much more the spirit : the spirit, which is the end of the body—the harmony of sweet sounds which the decaying instrument exists but to give utterance to.

And therefore it is, that insanity, in times of ignorance, was ever misunderstood. The vulgar thought it mysterious ; the half-informed (less wise) classed under one or two heads the multitude of phenomena, which they either saw not, or could not unravel, and by violence and ill-treatment drove into fury and fatuity some that else had reason to guide, and will to act ; therefore it was that, to counterfeit insanity was thought easy, to detect the shadow difficult,—

* I do not mean in the litigated sense ; not, that is, that insanity has not corporeal disorder as its cause ; it often has, it often has not, visible alteration in the structure of the body.

therefore that some impostors escaped, and some real sufferers were degraded, punished, and urged into self-destruction.

The original must be known before the copy can be criticized. We must study insanity before we can pronounce its symptoms feigned. We have half wished that Hamlet had never spoken the words which Sir Henry Hallford, in one of his classical Essays, called “Shakespeare’s test of Insanity.” Had we the papal keys, we should proscribe that Essay. It has tended to keep alive a notion that there is *a test for insanity*. We do not know that Shakespeare believed the test that Hamlet urged madness would gambol from. That Hamlet said it, does not prove the fact ; nor is its truth attested by the successful application of it by Sir Henry. It showed that some insane men have bad memories. Mischievous, indeed, is an inference too frequently drawn, and warranted by the tone of that Essay, that they that have sane memories are not mad.

Let an inquirer into this subject of testing insanity reflect on the distinct forms of spiritual existence that we have within us, our

various moral and intellectual powers, our conscience, our will; let him superadd the complexity of the organism through which these primarily act upon, or are influenced by, the material part of us; and he will not be hasty to suppose that disorder in so complex and so fine an instrument will give rise to any common phenomena. And we hesitate not to affirm, that the more he inquires into the question, (in the present state of our knowledge,) the more decided will this be his opinion. Whether he follow the acute suppositions of Malebranche,* or of Antony Arnauld,† whose theories are as rational as any we now have, or whether he prefer “demonstration” to reasoning, and trace with Reil and others, the fibrous structure of the brain into its simple, but minute and infinite, articulations, he will return, having had much inquiry, and, as seems to me, reaped little fruit. To explain, indeed, the manner of healthy or diseased union between our animal and spiritual existences, whether in kind or in

* Recherche de la Vérité, ch. v. p. 109, (Ed. Charpentier,) and elsewhere.

† Art de Penser, Partie 1^{er}. ch. i. p. 37, *et seq.* (Didot); also Hallam's Literature of Europe, vol. iv. p. 212, *et alia.*

degree, has been impossible to either metaphysicians or physiologists, and, in our times, when justly nothing in things physical is believed, without proof, the search excites a smile not seldom. Experiment has taught little, and pathology has raised difficulties without clearing them, by showing, on the one hand, that probably an all but imperceptible change in the transparency of a delicate membrane may be the cause of derangement; and on the other, by revealing cases where enormous alterations of structure occur, with little mental disturbance. The conclusion to be drawn from such statements is, that if the phenomena of insanity were fully understood, they *could* not be simulated; and that, with the light we even now possess, it is nearly impossible for an impostor to escape. That light grows brighter as years pass by, and perhaps future ages, if it be so decreed, may obtain, by the study of insanity, and by our increased knowledge of the lower animals, a much deeper insight into the hidden parts of our double nature.

Besides, it is to be borne in mind, that it is not insanity that an impostor can or will imitate, but the popular idea of it; so that the

medical jurist requires but a touchstone to test that idea by; having a good knowledge of insanity as a disease, he ascertains what points in it, or beside it, the feigner mocks; and furnishes himself with tests for those parts which are the most likely to contain alloy.

There exist in many imaginative writers professed portraiture of insane persons. Had time and space allowed it, we had intended to have collected the descriptions of our modern authors for criticism. The greatest of Shakespeare's plays teems with his observation on this scene of man's career. Lear, however, written after Hamlet, is the more perfect study. The latter has left a yet and ever-to-be unsettled strife among commentators, who cannot decide as to his madness or madness "in craft." That no one can determine this, appears excellent evidence of the care with which the picture was drawn. No one doubts Lear's insanity; or, do they doubt, let them read an article in the "Quarterly Review"* upon the subject, the night they desire to lie sleepless. But the medical jurist will never meet with feigned insanity under such finished forms. We have already noticed the

* Vol. xlix. A.D. 1833.

nature of the mental aberration which David assumed. The *one* verse quoted paints distinctly the popular idea, and the consequent effect upon the people. And the only other kind generally recognised, is derived, we suspect, not unfrequently from the Scripture account of the demoniac, "Whom no man could bind, no, not with chains; because that he had been often bound with fetters and chains, and the chains had been plucked asunder by him, and the fetters broken in pieces; neither could any man tame him. And always, day and night, he was in the mountains, and in the tombs, crying, and cutting himself with stones."*

The subject of insanity being so great, and so wholly without the limits of an Essay, we claim the privilege of *assuming*, for the present, that the popular idea of insanity is, or was till lately, based upon the two forms, Dementia and Mania. The next step is to trace the general characteristics of true insanity—our touchstone.

Now genuine insanity exhibits two distinct classes of symptoms—those of *excitement*—both in the bodily organs, and in the mental faculties—observed in mania and all kinds of fury,

* St. Mark v. 3—5.

and those of *depression* in idiocy, imbecility, and melancholia in their several kinds and degrees. Increased knowledge has added to the divisions of the disease, and not always with advantage to the administration of law. Our early lawyers were content with the general term, *non compos mentis*: and Lord Coke divided this into four classes, which unhappily were not exhaustive; and he thereby did some injury to the subject.* Although, since his time, some points have been made more clear in the legal view of insanity, yet *a* late answer of the judges to the House of Lords would show that the law of the land does not yet recognise any very certain nosological arrangement of mental disease. In fact, though some system has been attained by writers of the present century with much of truth in it, yet any of the classes of disease so mapped out are ever running the one into the other, a circumstance of great importance to the jurist. The will, the affections, the understanding, in any or all of their parts, may be disordered, and hence the word Monomania (comprising Kleptomania, Erotomania, Pyromania, Suicidal and Homicidal Monomania, and

* See Prichard on Insanity, chaps. i. ii. 1842.

others) has been deemed necessary as the symbol for certain phenomena; and, till lately, men were little prepared for the fact, that the moral powers may be disturbed without apparent lesion of understanding.

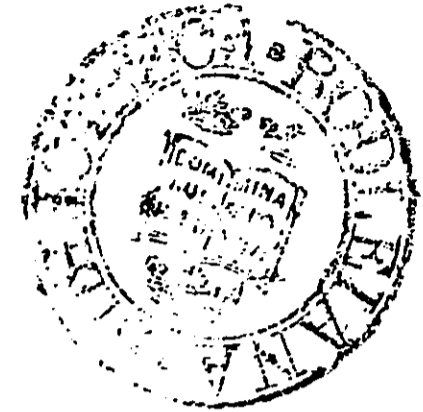
All these questions *may*, in the present day, be interwoven with cases of suspected feint, because counsel might be very apt to attempt to prove the existence of some of the obscurer kinds of disease in the previous life of the prisoner. Under such circumstances it may sometimes be more easy to show the responsibility of the accused, than his freedom from disease. A case, much worth notice, and elucidating this, is found in Marc, vol. ii. p. 275; and we hint here at these nicer points, only because they abut closely on some parts of the discussion of our Thesis.

In Chapters III. IV. V., that follow, are given the characteristic symptoms of Mania, Dementia, and Melancholia. These will be the characters, a vague notion of which the feigner impersonates; and in Chap. VI. is a brief account of Puerperal Mania. A female, convicted of a capital crime, might plead pregnancy in bar of execution, which proved, her execution would

be delayed; if now she became maniacal, she would be altogether reprieved. It would therefore, in so shocking a case, perhaps, be asked whether the insanity was real. I have seen two cases recorded where a woman was tried for the murder of her child, and acquitted on the plea of insanity at the time. It would therefore in such cases now be deemed necessary to prove the insanity, though probably in our courts much leniency would be shown in the whole inquiry. The one is related by Sir M. Hale of a woman tried in 1668; the other was that of a woman tried at Jedburgh in 1785;* and in this case the poor creature was sentenced to death, but the royal mercy interposed.

Nothing but study of the real disease can fit us for correct judgment of a case. Reading may convey much, and must be had recourse to: but it alone is insufficient. They are nice intervals that separate sanity, eccentricity, and madness; and it may be impossible to predicate of an individual that he feigns, is diseased, or is of sound mind, without close practical inquiry into the laws of health, and the laws of disease.

* Hume on Scotch Law, 3d ed. vol. i. pp. 41, 43.



CHAP. III.

CHARACTERISTICS OF MANIA.

To compare mania with a dream were to give a characteristic and popular idea of it. Various in form, in character, in intensity of pain or of pleasure; now, real in premises, and false in reasoning; now, true in reasoning and wild in axioms, uncertain in duration and in periodicity; both the dream and the maniacal disease are mental processes, creative of thought, reason, the chief ruler, the while not holding sway.

But it is necessary to discard all popular and erroneous notions, such as that favourite dictum of Mr. Locke, "that madmen put wrong ideas together, and so make wrong propositions, but argue and reason right from them."* Dr. Prichard justly speaks in strong language on the falsity of this.† One great objection to it

* Locke, "Conduct of Understanding," Book II. chap. ii. § 12, 13.

† Prichard, "On the Nature of Insanity," § 2.