

From the “Feeble-minded Offender” to the “Sexual Psychopath”

MENTAL HYGIENE, EUGENICS, AND THE “FEEBLEMINDED OFFENDER”

In 1907, Clifford Beers, an ex-asylum patient, published a memoir, *A Mind That Found Itself*, in which he called for treatment reforms in mental institutions (Grob 1994, p. 152). Beers also collaborated with well-known figures such as psychiatrist Adolf Meyer, resulting in the establishment of the National Committee for Mental Hygiene (NCMH) in 1909 (Grob 1994, pp. 154–155). In 1912, psychiatrist Thomas W. Salmon became medical director for the organization and subsequently pushed for a focus on work of a more public nature (Grob 1994, pp. 152, 156). Salmon envisioned mental hygiene as directly engaged with social issues of his time. In a paper delivered to the New York Neurological Society in 1917, Salmon proclaimed that concentration on asylum reform “isolated” both patients and psychiatrists, but that “the establishment of psychiatric clinics and of out-patient departments in hospitals for mental diseases, [as well as] the rapidly extending work of the psychiatrists in the courts and in the schools,” offered opportunities for psychiatry to influence other areas such as adult crime, juvenile delinquency, and education (Salmon 1917, pp. 90–99). This mandate for expansion allowed psychiatrists to intervene directly in the social welfare of children under the auspices of preventative medicine.

Of course, professional and public concern over children was already established before the NCMH became involved. The legal concept of *parens patriae*, or “father of the country,” charges the state with the responsibility “in the interests of humanity” to intervene against “injury to those who cannot protect themselves” (Failer 2002, pp. 68–70). As adopted in the juvenile court system, *parens patriae* prevented wayward children from being tried as adults and also facilitated the growth of “children’s services” specialists whose authority extended beyond the criminal justice system into the family, the school, and even public space (Richardson 1989, pp. 77–80). By realigning itself with previously socially entrenched child protection institutions, the NCMH, Salmon, and other psychiatrists found new purpose in the turn towards arresting childhood delinquency, especially Salmon, who “was influenced by the evolution of the Chicago juvenile court and psychopathic clinic” (Richardson 1989, p.80).

In Chicago, Harry Olson, an ardent proponent of eugenics, presided over the Chicago Municipal Court system, where he set up the Psychopathic Laboratory to examine alleged criminals for “defects” and to ultimately send them to institutions (Willrich 1998, pp. 67–69). Olson advocated for a “city central laboratory in connection with the city’s Health Department,” to oversee intervention by the criminal justice system as well as in “schools, orphan asylums, foundling asylums, municipal lodging houses, and other public and charitable departments” (Olson 1915, p. 62). He also believed that the “feeble-minded” were responsible for most criminal activity (Olson 1915, p. 62). The idea of an “innate inferiority” that “predisposed” individuals to crime and deviance provided a convenient excuse for confinement of people with various degrees of mental illness since such a psycho-physiological condition automatically designated a person as “incurable.” A designation of “feeble-mindedness” also both qualifies and disqualifies an individual for *parens patriae*. On the one hand, a person considered feeble-minded “cannot protect themselves” and so becomes a “ward of the state” in that the state is charged with looking after the individual’s “best interests.” Such paternalism, as seen above, regularly took the form of forced institutionalization and, according to Jones (2016), forced sterilization (p. 122). On the other hand, a person diagnosed as “feeble-minded” and so “predisposed” to criminality becomes an “enemy of the state” or “black sheep” and as such supposedly does not possess the same level of “humanity” that law abiding members of the “human family” possess in relation to the state whenever it acts in its capacity of “father of the country.” And so, the “feeble-minded” and “incurables” also became

“incorrigibles” who needed to be “taken care of” in a double sense for the psycho-physiological “hygiene” of society.

Prominent eugenicists espoused these types of ideas to win public support. In “The Detection of the Potential Criminal,” a speech presented in 1918 to the Berkeley School for Police, then again at the State Conference of Social Agencies, and published the following year, A. Warren Stearns (1919) claimed that feeble-minded persons “do the same thing over and over again despite correction ... are attracted by things they want and do not look forward to the future [and that they comprise] between twenty and thirty percent, roughly, of all those now in prison” (p. 517). Similarly, in a 1919 pamphlet, *Mental Disease and Delinquency*, V.V. Anderson, the “Psychiatrist in Charge of Special Work in Mental Deficiency” for the NCMH, claimed that a Boston study of the careers of one hundred recidivist “feeble-minded delinquents” revealed that “none ... possessed a degree of intelligence above that of the average American child of 12 years ... 75% had the mental level of children under ten years [and] 75% had never been legitimately self-supporting” (p. 6). At a time when the national homicide rate had increased for the past five years, eugenicist-hygienic “solutions” for social ills found a receptive audience among the public.¹ Peter Mortenson, Chicago school system superintendent, and Harriet Vittum, senior resident at the Northwestern University Settlement House, voiced their opinions in a newspaper article concerning the recent murder of Janet Wilkinson by Thomas Fitzgerald, a developmentally disabled man. “Put them where they can harm no one,” Mortenson (1919) said, adding that, “Men like Fitzgerald are like children ... They have no fear for the future” (p. 3). Vittum (1919) said that Fitzgerald “must be put away, where he can do no one harm” (p. 3). In the same article, a Mrs. Vosbrink (1919) observed that “Fitzgerald and men like him” should be “committed to some institution when accused of minor offenses” since he “had been arrested before for offenses against little girls” (p. 3).

The general public not only appropriated the eugenicists’ use of childhood metaphors to discuss developmental disability and crime, but also they absorbed mental hygienists’ ideas regarding the psychosexual development of children. Mental hygienists borrowed from Sigmund Freud, whose lectures at Clark University in 1909, and the translation into English of his study, *Three Essays on the Theory of Sexuality*, had a profound influence on American culture (Heins 2007, p. 37). Between 1910 and 1920, *Three Essays* appeared in print three times in America,

in 1910, 1916, and 1918, respectively (Strachey 2000, p. xxi), a frequency of reprints and sales that speaks to a definite cultural interest in psychosexual development and criminal causality. Freud's idea that "the sexuality of psychoneurotics has remained at, or been carried back to, an infantile stage" (Freud 2000, p. 41) was echoed by early twentieth-century psychiatrists in their attempts to present reasons for adult sex crimes against children. They argued that a developmental symmetry existed between the criminal and the victim; in other words, the "feebleminded" offender was, in terms of psychosexual development, a child, and so offenders chose children for their victims (Robertson 2001, p. 4–5).

Yet, even as Freudian psychoanalysis made its way into American culture, the American public rejected Freud's more controversial theories (Robertson 2001, p. 11). Americans were not ready to accept the presence of a multifaceted sexuality in infancy (homosexuality, masturbation, and perversions as part of normal development) forcibly suppressed and sublimated (redirected into other expressive channels through the process of acculturation) until puberty when sexuality re-emerges as heteronormativity (Freud 2000, pp. 37, 40–59, 73). In his child-rearing home manual, *The Mental Hygiene of Childhood* (1919) William A. White mixed Freud's libido theory and Darwin's theory of evolution to castigate the willful ignorance of Americans: "in order to progress along the path of evolutionary development, it became necessary to divert portions of the great creative energy from immediate sexual aims to sublimated forms of activity ... They [parents] do not believe it [childhood sexuality] is so, because they do not want to believe it" (pp. 112–113). According to Robertson (2005), the idea of children possessing "a fixed, innocent character with a fluid, developing body" developed during the Enlightenment and continues to the present day (p. 17). In early twentieth-century America, notions of childhood purity were also expressed via ideas of bodily and mental *contagion*. Within this social context, the feebleminded offender, "born contaminated" mentally, and so already bodily contaminated through a genetic "predisposition" to crime, became a "social pathogen," an "unhygienic" agent for the transmission of "diseases" to others who would in turn contaminate the body politic.

And so, while differences existed between mental hygienists and the public regarding childhood development, both groups shared a fear of hereditary contagion by the developmentally disabled. An article in the popular magazine *Outlook* summarized for readers research by mental hygienists that compared two genealogies, one "normal" and one

“mentally defective” to demonstrate that the first contained no mental illnesses nor deviance, while the latter contained “a very high percentage of mental defectiveness and a large number of criminal records” (Griffin 1913, p. 311). In *The North American Review*, an article entitled “Social Decadence” linked an individual’s “social worth” to external factors and heredity; the article cited a comparative study between the descendants of two families from the eighteenth century, the Jukes and the Edwards (Nearing 1913, pp. 630). According to the article, the Jukes, representing “defect and social cost ... *produced* twelve hundred social *burdens* or social *scourges*,” while the Edwards “[have] *given* to the race nearly fourteen hundred social *servants*” (Nearing 1913, p. 633 emphasis added). It is not without significance that the Jukes are described as *producers*, implying the disposable items made possible by industrialization and automation, while the Edwards are described as *givers*, implying creativity, promise, autonomy, and humanistic fellowship. In fact, such comparisons and idea repetitions across different cultural institutions show the extent to which the idea of the “feeble-minded offender” served as a convenient folk devil for cultural anxieties regarding crime, sexuality, and mental health.

Stanley Cohen (1972) defines folk devils as particular groups singled out by the majority as “distinguishable social types ... that society erects to show its members which roles should be avoided and which should be emulated” (p. 10). Folk devils also are seen as irredeemable threats to social cohesion that require eradication (Goode and Ben-Yahuda 1994, pp. 28–29). As a folk devil, the feeble-minded offender *cannot help* but commit crimes; therefore, to protect society from them, and to protect the feeble-minded from themselves, containment measures (for example, revisions of *parens patriae* and Olson’s Psychopathic Laboratory) were enacted. However, the above comparisons in *Outlook* and *The North American Review* reveal a contradiction in the discourse of the feeble-minded offender-as-folk devil: the feeble-minded offender is expressed as a threat resolvable *only* through its excision from society *but* his or her presence within society is *required* to promote normative values. In other words, despite the overwhelming amount of discussion, research, articles, and social services involved concerning the need to remove developmentally disabled persons from society to ensure public safety, developmentally disabled persons remained a “valued” cultural resource. Current and potential “feeble-minded offenders” must be *indefinitely* discovered, isolated, and most importantly, *publically displayed* via medical,

social service, mass media, and judicial institutions in order to maintain and strengthen the normative cultural order.

THE “FEEBLEMINDED OFFENDER” AND THE PANIC FIGURE IN THEODORE DREISER’S *THE HAND OF THE POTTER*

The 1912 murder of Julia Connors by Nathan Swartz provides a useful example for examining stigma and disability in early twentieth-century America. Swartz murdered Julia Connors, a twelve-year-old girl, after an attempted rape in a Bronx tenement; he later confessed to his father and then committed suicide at his father’s request (“Girl” 1912, p. 1). When police found Swartz’s body they also found a shirt collar on which he had written, “I am *guilty and insane*. Caused by the *beautiful make-up of women*, which has made me passionate;” police additionally retrieved a letter Swartz had written in which he said, “I’m sorry I done it, but I got crazy, *as I often do*, and *you can’t blame me nor anyone else*” (“Beautiful” 1912, p. 4 emphasis added). Swartz saw himself as someone who *could not help* but commit crime, as not only guilty of murdering Julia Connors, but as guilty in his *whole being* even *before* the crime occurred, as a “disease” condemned to search for a “host,” in this case, the “beautiful make-up of women.” In fact, by admitting his guilt then committing suicide, Swartz “protected” society. He also “protected” himself from himself, or rather, he protected himself from a mental illness he “blamed” for *defining himself as a person* and that he viewed as untreatable.

The Connors/Swartz case was taken up by the naturalist author, Theodore Dreiser, who adapted it into a stage play, *The Hand of the Potter* (1918), published by the respected firm of Boni and Liveright (Dreiser 1918). However, *The Hand of the Potter* was not staged until 1921 when it opened at the Provincetown Playhouse (“Garrick” 1921, p. 22), due to its controversial subject matter; as one supportive theater critic observed, “It was a foregone conclusion that [the play] ... would never reach even the best of the commercial stages” (Lewisohn 1921, p. 762). Unlike the stage play, the 1918 print edition of *The Hand of the Potter* reached a broad enough audience for Boni and Liveright to publish an anthology of book reviews from newspapers, popular magazines, literary journals, and medical journals, as well as letters from well-known literary figures (1919). Judging from the anthology, the book received

mixed reviews. Some praised it as high tragedy (Lewisohn 1919; Black 1919; Forrest 1919), while others condemned it as an affront to dramatic art ("Chronicle" 1919). A possible reason for such polarization of opinions, besides the subject matter, could stem from revisions Dreiser made to the manuscript.

Dreiser initially completed the play in 1916 but wrote additional material for the final draft of 1919; the new writing consisted of a dialogue between three reporters who discover a suicide note left by the killer (Cotsell 2005, pp. 107–108). The reporters, Armsby, Quinn, and Leach, discuss the dead murderer, Isadore, in the context of a debate on criminal responsibility. Quinn asserts, "they're [mentally ill offenders] no more guilty than any other person *with a disease* ... There's *something in him* that *pushes him on in spite of himself*. This felly's letter says so. I believe that if the public knew more about these cases it might be able to *catch some of these fellies earlier an begin to treat 'em or put 'em away somewhere* where they'd come out aal right" (Dreiser 1918, pp. 193–194 emphasis added). Leach shows less sympathy; "They ought to be *watched*," he says, "and at the first sign *shut up for good*...It's just as well that they are *bounded* in this way" (Dreiser 1918, p. 195 emphasis added). Quinn responds with an indictment of the social and biological forces that create criminals like Isadore:

QUINN

Who's denyin' it, I'd like to know? Me? What *you say is aal true enough*... but what makes me tired in you in you an' others an' the papers is all this shoutin' about...men without a spark ave anything but evil in 'em...an' doin' naathin' aal day long but lie in wait for little girls...by the papers ave the last six weeks ye'd think the streets were full ave demons in the shape ave men...I've been studyin' these very kinds ave cases for years... *Some people don't aalways have aal they want mentally or physically*... Sometimes *they're made to do things*...by *forces over which they have no control*. (Dreiser 1918, pp. 196–197 emphasis added)

Quinn's monologues appear to offer a more sympathetic view of mental illness and crime. By making Quinn a *raisonneur* (a character who voices the opinions of the playwright), Dreiser seems to condemn the casting of mentally ill persons in the role of folk devils and to dissent from popular views of the period. Gainor (1996) suggests just such an interpretation, writing that Dreiser's added scene "refuses to allow his audience to

feel safe in their assumed distinction from his antihero, implicating everyone in the downward spiral he has represented,” a move that disrupts the tendency of naturalist genre conventions to reinforce the normative cultural order (pp. 147–148). In fact, this radical element of the play might account for the hyperbole of the opposing reviews in the 1919 anthology. Still, other interpretations remain available. A second reading of the italicized phrases above shows a marked similarity to eugenicist ideologies regarding the developmentally disabled. Dreiser inadvertently allows his characters to espouse eugenicist rhetorics of identification, segregation, and of the incurable-incorrigible “feeble-minded offender” who must be removed from society. Additionally, by polarizing Quinn and Leach, Dreiser inadvertently reifies normativity and increases the potential of social stigma by flattening the characters into stock characters of the “liberal journalist” (good) and the “conservative journalist,” (evil) *both of which support eugenicist “solutions.”* This flattening process recalls stereotypes of the “mentally ill offender” (evil) and “innocent child” (good) to reinforce ideas of the “irredeemable criminal” and the “innocent victim,” and so opens the play to interpretation as enacting the normalization function of melodrama.

Theater critic Eric Bentley (1991) identifies the basic trait of “popular melodrama [as] goodness beset by badness, a hero beset by a villain, heroes and heroines beset by a wicked world,” and identifies a “human villain” that appears “superhuman, diabolical” as requisite for effective melodrama (pp. 200–201). *The Hand of the Potter*, read as a text situated within its cultural context, presents audiences with a recognizable dichotomy between good and evil, heroine and villain. And while the text does not explicitly present Isadore as evil or villainous, it is this same cultural context of mental illness as social contagion, in connection with Dreiser’s unintentional characterizations, that *represent Isadore to audiences* as an evil character, a threat to the uncritically accepted “good” of the normative social order of which they are a part. In fact, Isadore is set up as the villain in the first act of the play.

The opening scene depicts the Berchansky family, who, although poor, are a loving, close-knit group: Aaron, the father, is reading; Masha, the youngest daughter, is also reading, and Rebecca, the mother, is gathering them all together for a day in the park (Dreiser 1918, pp. 15–18). Just as they are about to leave, Rae, the middle daughter, comes home with news that Isadore, the estranged sibling only recently released from prison and on probation, has returned, news that causes “a visible pain

[to pass] over the faces of the others” (Dreiser 1918, pp. 19–20). This scene, compared with the ending analyzed above, adheres to what Jeffrey D. Mason (1993) calls the “classic pattern” of melodrama: “a situation both ideal and normal” until “some influence, depicted as external” jeopardizes it, “and ends when evil is vanquished and the virtuous characters return to the condition they cherish and deserve” (p. 16). Thus, the generalized structure and cultural function of melodrama, intersecting with constructions of developmentally disabled persons as “feeble-minded offender” folk devils, becomes recognizable as aspects of a moral panic regarding crime, mental illness, and sexuality:

A condition, episode, person, or group of persons emerges to become defined as a threat [mental illness, crime, and sexuality] to societal values and interests [social ideal jeopardized]; its nature is presented in a stylized and stereotypical fashion by the mass media [the Connors/Swartz case or the “feeble-minded offender”]; the moral boundaries are manned by editors, bishops, politicians and other right thinking people [public commentaries/“heroes” and “heroines”]; socially accredited experts [Olson and others] pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to [segregation, sterilization]; the condition then disappears, submerges or deteriorates and becomes more visible [evil vanquished]...Sometimes the panic is passed over and is forgotten...[or] it might produce such changes as those in legal or social policy or even in the way society conceives itself [virtue triumphs and normality returns]. (p. 9).

Sarah Wright (2015), in her article, “Moral Panics As Enacted Melodramas,” identifies two types of melodrama connected with Cohen’s model. The first, “expanded melodrama,” occurs when the state is granted supreme authority to address an issue as it sees fit; the second, “enacted melodrama,” is defined as when the public spectator identifies with the victims and so acts and feels as if they are victims of folk devils (pp. 1247, 1252). Both of these types of melodrama occur when its genre conventions exceed the narrative sphere and enter the “cultural mode” to influence current events (Wright 2015, pp. 1247–1248). To engage with the question of how the public might have allowed extreme measures by the state (such as sterilization) and how people perhaps invested but not directly involved in a panic might have believed they were victims of folk devils’ actions, an additional element is required.

As will be seen below and in the following chapters, an essential component of the moral panic model as it applies to the history of deinstitutionalization, stigmatization of mentally ill persons, and the development of American popular culture is the *panic figure*. The panic figure is positioned between “good” and “evil” and functions as guardian of the normative order, appearing whenever foundational social dichotomies are weakened. In other words, the panic figure instigates public indignation and promotes extreme solutions to moral panics. Its position between good and evil is no accident; its qualities, function, and operational modes are inherently dual. In contrast to melodrama, the panic figure operates simultaneously and deliberately in the *narrative mode* (where it works as a trope in cultural productions often in the form of a character), and the *cultural mode* (where it works in the form of a social actor). Although the panic figure often appears as melodrama, a key difference is not only that it operates in narrative and cultural modes *at the same time* but also that, as opposed to being transferred from one mode to another, both modes work in tandem on a *shared social problem*. Thus, a discreet moral panic remains traceable over extended periods of time through its symbiotic transformations within artistic genres and as cultural events.

The Hand of the Potter offers a useful method of defining and discussing the panic figure in more detail, especially as it applies to the “feeble-minded offender.” In the opening scene in which Rae Berchansky arrives home and tells her family about Isadore’s release from prison, Dreiser’s stage directions and dialogue identify her as the panic figure. Rae appears as a dual character; in other words she occupies a liminal status in society, exhibiting both normative and transgressive traits. Although an accepted member of the family, Dreiser describes Rae as a “manicure” (1918, p. 19), a profession many at the time associated with petty crime, lower-class status, untrustworthiness, and an assumed sexual availability (Willett 2005, pp. 61–63). And while she adheres to a socially enforced capitalist work ethic by serving seven customers in one day without taking any breaks (Dreiser 1918, p. 19), her attire and language mark her as walking the line between social acceptance and social deviance. Dreiser imagines her wearing a hat that makes her appear “mannish,” a black and white checkered suit, and other mismatched items, and using slang such as “Wotcha doin’ ... Quitcha kiddin’,” and “swell job” (Dreiser 1918, pp. 19–20).

Rae also performs the dual social function of the panic figure—to warn others of a rupture in the accepted order and to instigate communal actions against the threat. Her job consists of alerting her family

regarding Isadore's return, to remind them why Isadore went to prison ("two years ... for assaultin' a little girl") so as to push for intervention ("Why don't he get out o' New York ... Why don't you put him away before he does any more damage?") (Dreiser 1918, pp. 21–22). When Masha shows sympathy for Isadore, Rae pushes harder, creating dread and panic by evoking images of potential crimes; Rae reveals that Isadore was seen outside a department store then abruptly ends the discussion with "Have it your way. You'll probably find out when it's too late" (Dreiser 1918, pp. 21–22). So, then, from the beginning of *The Hand of the Potter*, Isadore, even before he appears on stage or speaks a line, is presented as a threat whose very presence portends criminality and deviance because of his mental illness; he is a "feeble-minded offender." The panic figure creates hyperbolic uncertainty so as to make crime expected, indeed inevitable; this ratcheting up of threat levels, combined with the fact that the play is based on a true crime familiar to audiences of the period, creates an atmosphere of agitation, of *something must be done*. The panic figure's second function as conservative agitator also operates to safeguard social rules of behavior. Durkheim (1893/1984) identifies two types of legal responses to criminal conduct, the "repressive," that directly punish the offender, and the "restorative," that negate the offender's actions by returning the affected social sphere to its former state (pp. 28–29). In *The Hand of the Potter*, Rae functions as an instigator of the repressive response so that the restorative response can perform its work.

Of course, for the repressive response to work successfully, an offender must be visibly identifiable. Thus, in the play, when Isadore enters, he appears "so strangely composed mentally and physically that he is bizarre ... so badly composed chemically that he seems never to be of one mood;" he also "has a restless, jerky, fidgety gait and manner," an uncontrollable spasm in his left arm, and "a receding forehead" (Dreiser 1918, p. 27). On the one hand, Isadore remains estranged from his entire family, while on the other hand, his unconventional clothing and language resembles Rae. Isadore wears a "cheap" ring, "a glass [imitation] garnet of great size" in his "flaring yellow" tie, a "slightly soiled" collar, and "yellow and patched" shoes (Dreiser 1918, p. 27). He also uses slang such as "Whaddy ya all," "You get me," "snitched," and refers to his father as "pop" (Dreiser 1918, pp. 28–31). A comparison of character descriptions and dialogue between Isadore and Rae shows that Isadore, the folk devil, attempts to fit in but only accents his outsider status, while Rae, the panic figure, makes no effort to conform yet remains a part of the family, and by extension, accepted by the normative order.

The Berchansky family leaves for the park; Rae and Isadore remain behind (Dreiser 1918, p.33). While Rae dresses in her bedroom, Isadore becomes more agitated, complaining of how “make-ups,” hairdos, “stockin’s an’ ... open shirtwaists an’ ... shoulders an’ arms,” open mouths and “red lips” torment him. In the stage directions, Dreiser (1918) writes that Isadore “stiffens,” his eyes burn with “A strange, fierce, animal light,” he breathes “heavily and clenches his hands,” as if, it seems, he were overcome with a sickness (p. 34). At this moment, Rae emerges from her bedroom, “powdered and painted,” the very image of Isadore’s desires; Isadore, unable to resist, attempts to sexually assault her but Rae fights him off and threatens to call the police and tell their family (Dreiser 1918, pp. 35–36). At this moment, Rae’s earlier warning proves correct, thus justifying the “feeble-minded offender” moral panic. In fact, Isadore himself then admits an inability to control his sexuality, complains that he “ain’t quite right,” and pleads with Rae to understand how he constantly fights against his pedophilic desires (Dreiser 1918, p. 36). At first, the confrontation between folk devil son and panic figure daughter might make Isadore appear somewhat sympathetic to audiences but it should be kept in mind that Isadore consistently states that he cannot control his impulses, thus presenting himself not just as an individual case but as a representative of a *social problem that lies beyond cure*. By presenting Isadore as a stand in for fate, the play forecloses any possibility of individual rehabilitation and affirms eugenicist arguments that segregation and sterilization are the most viable form of “sympathy” available.

THE “PANIC FIGURE” AND THE “SEXUAL PSYCHOPATH” IN FRITZ LANG’S *M*

Ideas regarding “feeble-minded” persons as “unsalvageable” were bolstered by the fact that “feeble-mindedness,” implied not only a condition, but a “mental plateau” (Snyder and Mitchell 2006) of development beyond which a person so diagnosed could never surmount (pp. 80–81). In fact, “feeble-minded” was an umbrella term under which eugenicists created a hierarchical scale of disability that used “normal” children’s intelligence as its determining measure. According to Snyder and Mitchell (2006), a feeble-minded person cognitively lagged “at least four years” behind his or her biological age (p. 81). Within and below this categorization, the mental

capabilities of “morons” became arrested at “a twelve-year-old’s intellectual capacity,” “imbeciles” were allegedly “stuck at a mental plateau of seven or eight,” and “idiots” could not develop beyond the mentality of “a two-year-old” (Snyder and Mitchell p. 81). However, these discriminatory classifications carry broader implications. Within the context of mental illness and crime, the “higher up” the classification scale an individual placed also determined how “dangerous” they seemed to the social order. As Snyder and Mitchell (2006) contend, at the time, there existed “a continuing faith in the visible world that could lead one to an interpretation of an otherwise nonvisible, cognitively based capacity” (p. 80) that linked physiognomy to mental health. Such correspondences, based on empirical “validity,” meant that where a person fell on the cognitive scale determined whether they had a greater or lesser amount of physical traits. According to eugenicist empiricism, a person designated as an “imbecile” possesses a greater number of physical markers than a person designated as a “moron.” A lesser amount of physical markers makes an individual’s mental capacity more difficult to detect, that is to say, the “feeble-minded offender” might be able to pass for normal. In fact, a “moron” may pass for normal as well, especially if such individuals had not yet encountered the criminal justice system. The moral panic regarding mental illness and crime gained urgency and justification for eugenicist containment practices through the idea that, not only did identifiable feeble-minded offenders exist, but also that mentally ill offenders existed who resisted established methods of diagnostic identification, offenders who looked and acted normal.

And yet, problems arose regarding the efficacy of “feeble-minded” as a diagnostic tool. Large numbers of persons contained in places specifically designed for alleged mentally ill offenders proved, under psychiatric examination, to be of normal cognitive abilities (Freedman 1987, p. 88). However, instead of diagnosing these offenders as normal, examining doctors revised existing medical categories to include another definition, “psychopathic” (Freedman 1987, p. 88). Psychiatrists of the time, unable to admit flaws in their diagnostic link between criminality and mental illness, simply “discovered” a new illness: psychopathy. According to Freedman (1987), the emergence of the psychopath as a clinical entity coincided with the Great Depression, the economic collapse that caused nationwide unemployment, poverty, the demise of traditional family hierarchies, and the rise of a large group of jobless, itinerant males (pp. 89–90). Persons adopting an itinerant lifestyle resist easy

identification and become more difficult to locate. The idea of the psychopath as a quasi-invisible, alienated individual does not signal a clean break with the idea of the feeble-minded offender. In fact, as time passes, both diagnoses fused together and evolved in medical circles as well as in the popular imagination.

Hans Beckert, the child murderer in the film noir *M* (1931) embodies this new type of cultural figure. The baby-faced, short-statured Beckert, as portrayed by Peter Lorre, certainly appears childlike, which calls to mind clinical and public explanations for the feeble-minded offender's alleged preference for child victims. However, Beckert is not developmentally disabled. Neither does he bear any physical markers such as tics or muscle spasms. Nor does he suffer from delusions or hallucinations. Beckert has personality and sexuality disorders, but he also has a firm hold on reality. In fact, Beckert's undetectable mental illnesses correspond to his average physical features in the same way that the feeble-minded offender's developmental disabilities were believed discernible via his or her physical body. Like Isadore's claim in *The Hand of the Potter* that he "ain't quite right," Beckert asserts that he "can't help it," that he is the instrument of an "evil thing inside" (Harbou 1968, p. 103). Yet unlike Isadore, whose appearance and bodily spasms render him readily identifiable and thus a candidate for the asylum, Beckert's ability to roam the streets undetected makes him eligible only for death. In the film's final scenes Beckert stands in front of a court made up of the city's criminals who tell him that they will not allow him the chance to be sent to an asylum, or receive a pardon "free as air ... protected by the law because of mental illness" (Harbou 1968, pp. 102–103). And yet, while the criminal tribunal claims they must kill Beckert to prevent the possibility of his killing again (Lang 1931), behind their sentence lies a deeper panic based in the greater fear of Beckert's anonymity.

As Vincent Brook (2009) explains, in *M* "Beckert is more spoken about than seen, and he has no meaningful dialogue ... til the very end. Even his murders either took place in the past, occur off camera, or are portrayed through indirection" (p. 73). But Beckert's absence, his resistance to every effort aimed at identifying him, *is his presence*. His aura of menace comes from anonymity. His physical presence does not do justice to the size of his representation throughout the city. For instance, the panic Beckert's crimes produce in the city is shown through a series of interconnected cuts to scenes related to the possibility that he could be anyone. Groups of agitated people gather

around a wanted poster reading “10, 000 Marks Reward, WHO IS THE MURDERER?” then the scene blends with a radio announcer’s voice connecting a recent murder to eight previous homicides; the announcer says “We must draw your attention to the fact ...” and is interrupted mid-sentence by a visual cut to a few elderly men in a café discussing the murders when one of them picks up the sentence where the announcer left off: “... That the first duty of every mother, of every father, is to warn their children of the danger which always threatens them” (Harbou 1968, pp. 19–20; Lang 1931). As the men continue talking, they begin to accuse each other of being the killer until a fight breaks out. This scene cuts to a scene of the police, having received an anonymous tip, searching an innocent couple’s home while an officer says “Any man in the street ... ” while the film cuts to an elderly man reading a newspaper as he leans against a lamp post, with the officer’s voice, “... could be the guilty man,” heard in voice-over (Harbou 1968, pp. 20–27; Lang 1931). This same man is approached by a little girl who asks him for the time; as she leaves he is accosted by another man who sees the interaction as suspicious, which draws a crowd; the crowd, believing the elderly man is the murderer, calls for the police, but when an officer arrives, he has with him a recently arrested thief who taunts him, claiming that the police arrest thieves because they cannot find the child killer (Lang 1931). A certain amount of truth hides within the thief’s jab; the police are desperate to locate the killer, so they begin conducting ineffectual raids at known criminal gathering places (Lang 1931). The raids only underscore the social disruption caused by Beckert’s present-absence. These tightly constructed scenes show that Beckert’s movements among the public produce an atmosphere in which no one is above suspicion and therefore all persons become possible offenders (Gellen 2015, p. 430).

The equilibrium enjoyed between the law and the criminals—in that crime necessitates law and law creates crime—is threatened by Beckert because he does not operate within the socially agreed definitions of the Good v. Evil binary, that is to say he does not look like what he is. In fact, while Beckert appears ordinary, he is not a member of any *socius*—neither citizenry, judiciary, nor criminal. In response to the crisis, the criminal community decides to find the killer through its informal network of contacts, but they realize that any efforts on their part will only lead to mass arrests (Lang 1931). As Shranker, a bank robber, points out, an unorthodox type of criminal is needed to locate the killer:

SHRANKER

There must be people ... who can *go anywhere without being noticed* ... who can *follow anyone on the streets without arousing suspicion* ... who can follow children right to their front doors without any trouble. In fact, people *no one would suspect of being guilty* ... The beggars' union. (Harbou 1968, pp. 51–52 emphasis added)

Shranker chooses the city's homeless population as a surveillance force because their relationship to the social order is similar to Beckert's status, making them ideal candidates for enacting the repressive response that will result in the restoration of normative symbiotic relationships between the police and the criminals. The beggars' union is made up of subjects who are, paradoxically, non-subjects. Obviously they are not police. Neither are they citizens as understood by hegemonic standards of employment, property ownership, or heteronormative marriage. Nor are they criminals, since, although they remain a fringe element of the criminal subculture, they are not "professionals," that is, they lack artisanal skills such as safe cracking, forgery, or bank robbing. Therefore, the tripartite liminal spaces the beggars occupy mark them as folk devils (Cohen's type of person society says one should never emulate) to such an extreme that, within the social order, they are regarded as anonymous, innocent, and most of all, undesirable candidates for identification.

In fact, the panic surrounding Beckert and the methods employed to find him depend on a mistaken idea of identity as synonymous with being seen. When Beckert is finally identified, it is not by the police, the public, or even the criminals, all of whom expect to be able to visually apprehend him. Although Beckert is captured after he is visually marked with the letter "M," which allows all the criminals to see him, Gellen (2015) demonstrates that the decisive moment in the film comes about because the blind beggar hears and recognizes Beckert's distinctive whistling (pp. 438–440). Within the current context, it should be added that, once Beckert is physically identified, once he can be seen, eugenicist correlations between physical appearance and mental illness immediately come into play. While he is pursued by other criminals and when he faces the criminal tribunal, Beckert looks the way a mentally ill offender "ought to" look: his hair is disheveled, his eyes seem to almost pop out of their sockets, he hunches over and his tense fingers call to mind a rap-torial creature such as a bird of prey. Such a contrast between the film's

earlier boyish, almost cherubic-faced Beckert presents the idea that mentally ill persons might deliberately wear a “mask” of normative behavior to hide their “true” and “inescapable” “dangerousness.”

Legal scholars such as Freedman (1987), Lave (2008–2009) and Jones (2016) cite 1937 as the beginning of widespread public concern regarding the hidden danger posed to communities by the sexual psychopath, and as the year when laws explicitly using the term “sexual psychopath” came into being, mainly due to a series of high profile child murders and subsequent public outcry (p. 92; pp. 550–551; pp. 148–149). And, while some high profile crimes against children did in fact cause public outcry in cities around the country, it is worth noting that the sexual psychopath laws proliferated *en masse* a year after the execution of notorious child murderer and cannibal Albert Fish. Fish was sixty-four years old when arrested by Detective William King in 1934 for the kidnap and murder of ten-year-old Grace Budd in 1928 (“Fish Held” 1934, p. 6) and executed in 1936 (“Slayer” 1936, p. 20). Fish eluded capture for six years (“Fish Held” 1934, p. 6) and the gruesomeness of his crimes may have contributed to a heightened public concern regarding sex crimes that, as Freedman (1987) asserts, all proof to the contrary, led to a mistaken belief in a sudden proliferation of sexual assaults (p. 92).

Freedman (1987) and Jones (2016) also claim that national enactment of legal protocols regarding the sexual psychopath “was not driven by the clinical professions” (2016: 149) but rather by “the media, law enforcement agencies, and private citizens’ groups” (1987: 84). Such a direct idea of causation is misleading. The sexual psychopath laws should be looked upon as products of a network of interacting social actors, with traces of each discoverable within each other. For example, 84% of respondents answered “Yes” to a 1937 Gallup Poll questionnaire, “Do you favor sterilization for habitual criminals and the hopelessly insane?” (Gallup 1937). While, given previous discussions of debates regarding sterilization, the influence of mass media and even citizens’ rights groups is immediately observable here, it is crucial to remember that it was the eugenicists and other clinical professionals, by influencing popular attitudes, who pushed sterilization into high gear as a solution regarding crime and mental illness, who entered into medico-judicial positions and who agitated for judicial action as a way of identifying candidates for sterilization. However, direct responsibility for the emergence of legal protocols regarding the sexual psychopath cannot be attributed to

a single group or even a group of discrete entities acting towards a single goal any more than the idea of the “sexual psychopath” can be considered separate from the “feeble-minded offender.” Instead, causation should instead be attributed to a non-linear cluster of social actors and social actions emerging from interconnected and mutually influencing areas. Only in this way is it possible to understand the growing clinical-cultural impact of the moral panic regarding mentally ill persons in twentieth-century American popular culture, particularly regarding the sexual psychopath.

HERVEY CLECKLEY, PANIC FIGURE

A fuller understanding of the social actors involved in moral panic regarding the sexual psychopath should begin with an exploration regarding “psychopath” as a popular term. The first popular use of the word “psycho” as a noun and as a shorthand for “A psychopath; (more generally) any person exhibiting odd or deranged behaviour, esp. when violent or hostile” or “Mental, nut, psycho, psychot, a psychopathic case” appears in 1942 and is recorded in *The American Thesaurus of Slang* by Berry and Van den Bark (1943) (OED). Thus, the emergence of “psycho” as a colloquial term occurred one year after the publication of Hervey Cleckley’s *The Mask of Sanity* (1941), a study that represents a turning point in the clinical identification of that newly diagnosed social “problem,” the psychopath. After over a quarter of a century, *The Mask of Sanity* remains the most influential text on the topic and continues to set the standard for current investigations in the field (Westen and Weinberger 2004, p. 599). And yet, while Cleckley’s book is considered *the* book on the psychopath, it was not the *only* book. In fact, despite its overwhelming influence, *The Mask of Sanity* might not have been the best study of psychopathic behavior at the time.

Lawson G. Lowrey (1943), reviewing the book for *The American Journal of Orthopsychiatry* notes that, while *The Mask of Sanity* is an “excellent account” containing “an extensive analysis of the literature,” and is “well written and interesting to read” if a little “overdramatic in spots,” the book ultimately is “a valuable *addition* to the long list of books and articles that have appeared in the last few years” (p. 374 emphasis added). In other words, Lowrey praises Cleckley for his rigor of presentation, but does not see *The Mask of Sanity* as an exceptional departure from other texts on the same topic. Lowrey goes on to say

that Cleckley’s overview of others’ work seems “indicative of more types of psychopathy than he [Cleckley] chooses to recognize or describe by his case studies” (Lowrey 1943, p. 374). His comment implies that not only does Cleckley fail to offer anything unique to the existing scholarship on psychopathy, but also that the examples presented in *The Mask of Sanity* cover even *less* ground than other, previously published studies. Another reviewer, William Healy (1942), himself a noted psychiatrist, describes Cleckley’s book as “an immensely interesting attempt ... to restate the facts and re-open the discussion about psychopathic personalities” (p. 141). Of course, some of these reviewers’ coolness towards *The Mask of Sanity* might result from Cleckley’s claim to offer nothing less than a radical *re-reading* of the nature of psychopathy up to the publication of his book, hence the book’s full title, *The Mask of Sanity: An Attempt to Reinterpret the So-called Psychopathic Personality* (Cleckley 1941 emphasis added).

The “reinterpretation” in question involves Cleckley’s “effort to refine and narrow the concept of psychopathy” in the face of “historic trends that had broadened the term to encompass a wide range of disparate conditions” (Patrick 2006, p. 609). In “Section One: An Outline of the Problem,” Cleckley critiques the disconnect between explanations of “psychopath” found in medical reference books and the term as understood by professionals working directly with patients. He points out that, while reference books classify psychopathy as a form of psychosis, professionals view psychopathy as a distinct from psychosis and employ “psychopath” as simply a faster way of saying “psychopathic personality,” a term that includes personality disorder but that excludes psychosis and neurosis (Cleckley 1941, pp. 18–19). However, Cleckley goes much further than a complaint against reference books; he calls for a separate diagnostic category for the psychopath, a category whose criteria he will provide (1941 p. 23). Yet even these radical claims are less significant for the life trajectories of mentally ill persons than Cleckley’s assertion that “true” psychopathy is not rare but rather a frequently overlooked diagnosis because psychopaths appear *as if* they are “sane” and so avoid the legal system and psychiatric treatment (1941, pp. 21–23). Such a figure as this, someone represented as an insoluble clinical and criminal threat to society, as an offender immune to rehabilitation or punishment (Cleckley 1941, pp. 285–290) would certainly inspire fear among the public.

For instance, although Patrick (2006) makes a good case against reading Cleckley as promoting the idea of psychopaths as inherently violent

criminals, he fails to consider the holistic implications of Cleckley's words (pp. 606–608). Patrick (2006) quotes Cleckley as saying that while some psychopaths “do commit major crimes and sometimes crimes of maximal violence ... many ... do not [so much so] that such tendencies should be regarded as the exception” and that the psychopath is “scarcely whole-hearted, even in wrath or wickedness” (Cleckley 1976, pp. 262–263 qtd. in Patrick p. 607). A further reading shows Cleckley adhering to the diagnostic legacy of the feeble-minded offender when he writes that if psychopaths do engage in criminal acts “they gain ready expression and ... no punishment can discourage them ... [they] often seem to ignore the consequences ... [and] even repeat it many times” (Cleckley 1941, p. 209). Cleckley goes on to write that crimes committed by psychopaths are not the result of “irresistible drives and overwhelming rages of temper ... but a relatively weak emotion breaking down even weaker restraints” (1941, p. 210). Patrick (2006) reads Cleckley as stating that psychopaths suffer from “pervasive whimsicality ... fundamental to the disorder” (pp. 608–609), and that this absence of “aim” or motive for antisocial behavior is the defining feature that separates psychopathy from delinquency (p. 609). A consideration of Cleckley within the context of the failure of the feeble-minded offender diagnosis by psychiatry within an already established elaborate medico-juridical network of doctors, law enforcement, psychiatric, and penal institutions, shows that the main issue is not whether or not psychopaths are violent or even tormented by drives. Rather, the issue is the greater implication of unknown persons who *could* commit crimes for negligible reasons or no reason at all, who lack affect, who do not require provocation and so *could* strike anywhere and at any time.

And so, while Patrick performs an admirable close reading of the syntax in *The Mask of Sanity*, a close reading of the rhetoric of the text reveals that the force of Cleckley's argument lies in his ability to stimulate emotions by insisting on the seemingly biological inevitability of the psychopath's condition and so life trajectory. Healy (1942), in his book review, faults Cleckley for failing to have reviewed all available research on psychopathy, particularly the work presented at the 1930 International Congress of Mental Hygiene (p. 140) (presumably as a rebuttal to Cleckley's blanket accusation that psychiatry as an institution pays insufficient attention to psychopathy), which Healy attended. The First International Congress of Mental Hygiene, of which Cleckley must have at least been aware, contains valuable material that, if it were more

widely known, or at least had been engaged with by Cleckley, might have made a significant intervention in clinical and public interpretations of psychopathy.

For instance, while Cleckley (1941) concludes *The Mask of Sanity* by stating that psychopaths remain “*at large*, lacking supervision, without any treatment, and *causing woe*, confusion, and *despair beyond any measure* of these things that we could possibly convey” (p. 293), using excessive and criminalizing terms, a paper presented at the First International Congress contradicts Cleckley’s insistence on the inevitability of the psychopath. In “The Social Significance of the Psychopathic,” Karl Birnbaum (1932) asserts that psychopathy, while partially biological, is also exacerbated with variations in social stimuli (pp. 561–562). Birnbaum (1932) suggests that diagnostic criteria observable in psychopaths such as “oversensitiveness, defiance, hate, aggressive bearing towards others, withdrawal from the environment” exist only as *possible qualities* that *develop in degree depending on the particular milieu and life experiences* a psychopath encounters (p. 562, emphasis added). Cleckley, on the other hand, presents a diagnostic profile of antisocial behavior: “superficial social agreeableness and above average intelligence; rationality; no feelings of social obligations; habitual liar; no sense of accountability; lack of judgment; inability to learn from experience; above average conceit; lack of affect but able to successfully imitate real emotions; lacks capacity for self-reflection; inability to respond to kindness; alcoholism; no suicidal impulses; promiscuity; no discernable developmental disabilities; erratic behavior” (pp. 238–255) that is strikingly individualistic, that does *not change* by degree in accordance with environmental changes.

Thus, while Cleckley’s study claims to reduce and clarify the definition of psychopathy, in reality, *The Mask of Sanity* serves a Durkheimian repressive/restorative social function of, according to Genter (2010) *broadening the category* of psychopathy into a highly regulated, yet constantly amended list of criteria until the academic and the corresponding popular definition could apply to anyone (p. 141 emphasis added). The actual contribution to psychiatry of *The Mask of Sanity* is as a “valuable addition” (Lowrey) and “restatement” (Healy) that causes a wide variety of behavioral problems, lifestyle choices, addictions, and general life issues to become inextricably bound up with moral failure and the potential for violent criminality. Birbaum’s (1932) hopeful insistence on the psychopath’s “capacity for change, a certain plasticity in a favorable as well as in an unfavorable sense” (p. 572) cannot compete with the

utilitarian social value of Cleckley's untreatable outcast; and it is just this usefulness that contributes to the popularity and clinical influence of *The Mask of Sanity*.

Cleckley's book must be reassessed as a product of intellectual labor among other products within a "field of restricted production ... a system producing cultural goods ... destined for a public of producers of cultural goods," aimed at accumulating "symbolic capital ... cultural recognition accorded by the peer group whose members are both privileged clients and competitors" (Bourdieu 1993, p. 115). Such a change in approach allows for a reading of the book as an appeal for professional legitimacy. As mentioned above, Birnbaum, as a competitor, offers an intervention into the debate over psychopathy that veers away from the sort of neurobiological determinism Cleckley offers, and so threatens the psychiatric-criminal justice re-legitimizing enterprise in the wake of its own empirical evidence against the feeble-minded offender industry. Lowrey and Healy, as book reviewers (clients) and as fellow mental health professionals (competitors), may or may not bestow professional legitimacy (and by extension the respect of the wider field of psychiatry) by favorably reviewing Cleckley's work. A nod from Lowrey, a founding member of the American Orthopsychiatric Association (Tulchin 1958, p. 1), or from Healy, an authority on mental illness and crime (whom Cleckley directly challenges in *The Mask of Sanity*) (Cleckley 1941, pp. 188–190), would ensure, if not professional acceptance, then at least serious engagement, from Cleckley's colleagues.

Nevertheless, *The Mask of Sanity* was quickly taken up as a breakthrough and became orthodoxy; it was referenced in Walter G. Bowman's *Studies in Genius* (1947) and cited Cleckley as stating that "500, 000" psychopaths exist in America (p. 146). By the end of the decade, Cleckley's ideas became standard in many textbooks. *The Abnormal Personality* (1944) by Robert W. White cited Cleckley as identifying psychopaths as "a group characterized by a diffuse and chronic incapacity for persistent, ordered living of any kind" (p. 401). The second edition of the textbook, *The Principles and Practice of Clinical Instruction in Nursing* (1946) by Deborah MacLurg Jensen recommended *The Mask of Sanity* for the ninth week of its sample syllabus (p. 531). Cleckley's influence (as well as the residual influence of the discredited "feeble-minded offender" diagnosis) appeared in the textbook, *The Engrammes of Psychiatry* (1947) by J.M. Nielsen and George N. Thompson: "Their [psychopaths'] emotional reactions again remind us

of the explosive emotional outbursts of children and reinforce [sic] our conviction that this emotional immaturity is a manifestation of the general personality immaturity or arrest” (p. 188).

The utility of *The Mask of Sanity* for psychiatry imbued the text with enough force to move beyond the status of a competing theory to that of a paradigm shift within the profession as well as other specialized areas. The US government consulted *The Mask of Sanity* while compiling *The Training of Vocational Counselors* (1944), a manual that recommends specific skill sets pertinent to earlier discussions of the societal demand for identification and segregation of mentally ill persons: “Must have a knowledge of the functions and services of community facilities such as placement, rehabilitation, social, health, legal, and recreational services ... Must be able to recognize various types of physical and mental disabilities and, wherever indicated, be able to make referral for special service to agencies qualified to render such service” (“Vocational” p. 7). And, while not cited outright, Cleckley appeared again in J. Paul de River’s law enforcement textbook, *The Sexual Criminal* (1949). According to Leon (2011), de River’s work for a time enjoyed national prominence and a wide influence, in part due to his fame as developer of the first Sex Crimes Bureau in America (p. 38).

Like Cleckley, de River organizes his text by case studies of different types (“Sadism,” “Ideal Sadism,” “The Juvenile Sadist,” and so on) (de River 1949, pp. 9–10). Of special interest is his chapter, “Sadistic Homicide and Lust Murder,” in which he offers an assessment of each case. Without exception, de River’s assessments show the influence of *The Mask of Sanity*. For example, “K.A. is legally sane ... above the average in intelligence ... belongs to the explosive type of personality ... There was never a time that K.A. did not know what he was doing;” L, after consuming “an excessive amount of alcohol, inhibitions were dulled,” and C “is medically and legally sane ... boastful ... cleaves his way through the environment, not thinking of others” (de River 1949, pp. 124, 128, 135). B is “medically and legally sane ... show[s] little remorse ... has a past record of sexual attacks on young girls” and K, a multiple murderer, is “a sexual psychopath” (de River 1949, pp. 144, 162–163). The case of T even bears the residue of the feeble-minded offender: “he was aware of his actions” and while “he is a mentally sub-normal moron, he is medically and legally sane” (de River 1949, p. 141).

Cleckley also actively popularized his work by serving as expert witness in at least two murder trials. He testified for the prosecution in the

case of Jesse MacKethan, a young working-class man who murdered and dismembered a friend, Luther Aids, saying that MacKethan was “abnormal sexually” and “should be classed as a psychopathic personality ... not totally incompetent or entirely without responsibility” (“Butcher” 1945, p. 7). He also spoke for the defense in the case of William Yearwood, a young veteran accused of shooting businessperson Harry Williamson, describing Yearwood as “not feeble minded” but “lacking in emotional control” (Cleckley ctd. in “Yearwood” 1946, pp. 1–2). In this way Cleckley obtained legitimacy in both the “field of restricted production” and its corollary, “the field of large-scale production,” a cultural field characterized by “the subordinate position of cultural producers [to] the imperatives of competition for conquest of the market” (Bourdieu 1993, p. 125). What is so remarkable about the success of Cleckley’s ideas is that his presentation of the psychopath does not alter in translation from one cultural field to another. In other words, Cleckley does not change his specialized presentation when he presents it in public space and yet his ideas are readily taken up within the popular sphere. The reason for the cultural domination of the concept of “the mask of sanity” is that Cleckley uses cross-class terminology and, as shown above, he frames his appeal for legitimacy around social issues that resonate with specialists and laypersons alike. Moreover, as also shown above, Cleckley faults specialists for not doing enough to address a broad social problem (an attack that appeals to laypersons’ distrust of intellectuals) and his method of presentation (making a truth-claim against other, allegedly lesser, truth-claims) adheres to the protocols of academic argumentation accepted by the intellectual class. Cleckley’s liminal social position as intellectual-outsider and intellectual liaison-to-laypersons marks him as a prototypical panic figure, one who is both accepted by two cultural spheres yet not fully at home in either, whose role is to set in motion the diagnostic, defensive, punitive, and purgative mechanisms of social discourses and institutions against the “psychopath.”

The widening influence of *The Mask of Sanity* across multiple cultural fields can also be described using Cohen’s (1972, 2010) model of the “inventory” stage, which Cohen describes as “elements of fantasy, selective misperception, and the deliberate creation of news” (p. 31). Cohen breaks the inventory down into three subheadings, each describing a component of moral panic construction. The first consists of “exaggerating grossly the seriousness of the events,” through ballooning harm caused and amount of aggressors, often through loaded

words and phrases (Cohen 1972, 2010, pp. 19–20). Cleckley does this when he employs words such as “at large,” “causing woe, confusion, and despair beyond any measure” (p. 293) and Bowman (1947) does the same when he attributes a figure of “500, 000” psychopaths (p. 146) to Cleckley. Cohen’s (1972, 2010) second component is “prediction ... the implicit assumption, present in virtually every report, that what happened was inevitably going to happen again” (p. 26). Cleckley (1941) suggests as much when he states that “no punishment can discourage” psychopaths and that they will “even repeat it [deviant behavior] many times” (p. 209). White (1944) echoes Cleckley when he calls psychopaths “a group characterized by a diffuse and chronic incapacity for persistent, ordered living of any kind” (p. 401). Cohen’s (1972, 2010) third component is “symbolization,” in which impartial terms come to “symbolize complex ideas or emotions” (p. 27). Finally, Cleckley’s public role as expert identifier of “psychopathic personalities” and expounder of the definition of “psychopathic personalities” in murder trials becomes invaluable as a legitimizing tool for maintaining and re-legitimizing the mental illness/criminality link among the medical and criminal justice professions and among the general public in the face of the failure of the “feeble-minded offender” diagnosis. The result of Cleckley’s choice of trials in which he participates can be seen not only in media accounts but also in the selection of cases assembled for de River’s *The Sexual Criminal*.

Wright (2015) sees Cohen’s notion of “the inventory” as an essential process in the melodramatic aspect of a moral panic. She writes, “the inventory” delineates “good and evil ... them and us” (p. 1250). The hyperbolic nature of the inventory thus strengthens normative boundaries in defense against the folk devil “threat” to the social order. Not only do “good/us” and “evil/them” barriers flatten into easily recognizable stereotypes (as seen in *The Hand of the Potter*), but the corresponding range of behavioral stereotypes that fall under “good” begin to shrink dramatically and the shrinking definitions of “us” become more inflexible. And yet, the stereotypical actions and actors that are categorized as “evil/them” expands to a disproportionate amount, eventually overtaking all other discursive fields to become anything that does not fall under the shrinking “good/us” stereotype. It is clear now that, while the connotations of “psychopath” increasingly became limited to violent crimes against persons (“evil”), the criteria for *identifying a type of person who may have committed or might someday commit* a violent crime

(“them,” or a “possible psychopath”) multiplies outward from within and beyond Cleckley’s vague delinquent “clinical profile”:

“[The psychopath] is a very attractive person superficially ... of a superior general objective intelligence ... free from demonstrable irrationality ... has no sense of responsibility whatsoever to others [has] a total disregard for truth ... never sincerely accepts any blame for the various misfortunes which befall him and which he brings down on others ... shows no sense of shame ... humiliation or regret ... cheats and lies without any apparent compunction ... show[s] execrable judgment ... [cannot] profit from experience ... [shows] incapacity for object-love [and] poverty of affect ... has no capacity to see himself as others see him ... shows little of the ordinary responsiveness to special consideration or kindness ... alcoholic indulgence is very frequently prominent ... [is not suicidal ... prefer[s] ... sex relations ... in sordid surroundings and with persons of low intelligence and social status ... shows a striking inability to follow any sort of life plan ... [and goes] out of his way to make a failure of life. (Cleckley 1941, pp. 238–255)

Conceptual repetitions and insufficiently specific criteria aside, Cleckley, as panic figure, magnifies the “threat” posed by the psychopath to an intensity of moral panic that Wright (2015) calls “enacted melodrama,” a phenomenon in which one’s “subject position shifts from an empathizing viewer to an anxious actor. [Subjects] enter the narrative and *enact* the role of the victim in a conscious way” (p. 1252). By using the conventions of melodrama to not so much describe crimes and their victims but to make every social member a potential victim, Cleckley ensures that everyone, during the course of his or her daily routines, not only reads about victims but also feels their personal safety threatened and so actively remains vigilant for the signs of psychopathy in others.

Under the constraints of flattening, stereotyping effects and the increased activity of systemic regulations, subject-victims perform what Brooks (1976) terms the “melodrama of psychology,” an externalization of “conflict and psychic structure ... a drama of pure psychic signs—called Father, Daughter, Protector, Judge, Duty, Obedience, Justice” whose own opposition produces inevitable denouement (pp. 35–36). It is just this *pushing out* of the affective into the *acting out* of rigidly prescribed stereotypes that makes the moral panic over the “mask of sanity” so effective. Actor-victims take on roles representative of social functions, institutions, and ideals, such as Daughter, Mother, Justice, Father, and

so on. What’s more, these stereotypes imbue actor-victims with infallibility in the eyes of other actor-victims, which they may not have been granted under different circumstances. For instance, whereas a police officer might have once been suspected of brutality, within the moral panic melodrama he or she is now only a symbol such as Protector, Law, or Justice because, as a fellow actor-victim, everyone is engaged in the same conflict against “evil/them.” Ambiguity or personal differences are buried as long as active performances of the stereotypes are (publically) maintained.

SEX CRIME PANICS AND THE CHANGING FACE OF THE PSYCHOPATH

As mentioned earlier, 1937 is generally considered the year when the first sex crime panics began.² Freedman (1987) notes that two of the most important sex crime panics occurred “roughly from 1937 to 1940 and from 1949 to 1955” (p. 92); however, to reach such a conclusion one has to adhere to a particular definition of what a “panic” consists of and how it takes shape. Garland (2008) provides a word of caution when labeling events as “panics;” he defines the folk devils that form the impetus for panics as “cultural scapegoats whose deviant conduct appalls onlookers...because it *relates to personal fears and unconscious wishes*” (p. 15 emphasis added). In other words, a moral panic is never about what it claims to be about; rather it is always symbolic and displaced. A moral panic is symbolic in that it stands in for a larger, repressed anxiety and it is displaced in that the folk devil becomes the scapegoat whose eradication, as discussed above, is desired but whose presence is always needed as a focus to strengthen repression of the anxiety. It is the tension between the desire to destroy and need-dependence that produces social stigma; this tension also produces the panic figure. As previously discussed, the panic figure operates within two melodramatic modes: the cultural or social and the narrative or fictive on one social problem or moral panic. The panic figure, as an agent of the “repressive” and “restorative” social function, confronts the folk devil in order to strengthen the repression by providing an impetus for activation of the restorative. And yet, despite this elaborate social process, the “repressed”-and-forever-displaced anxiety always remains because it is never actually addressed. All this is to say that sex crime panics operated

before 1937 (with the feeble-minded offender as folk devil) and between 1937 and 1948 (with the sexual psychopath as folk devil), and that these sex crime panics were not about “sex crimes” per se, but rather about different cultural and social pressures regarding normative “values” and that these pressures consistently shifted and overlapped. In fact, they overlapped and shifted so much so that they could only be contained under the broad and ever-expanding diagnostic criteria of the “sexual psychopath” due to its allegiance with the excessive restrictions of melodrama’s social function as re-establisher of strict normative cultural and social boundaries.

With the sexual psychopath in the role of “Villain” or “Evil” and the psychiatrist in the role of “Hero” or “Good” only the role of “Innocence” or “Virtue” remained, which, as seen previously, fell to children, especially female children. For instance, an article in the December 1948 edition of the popular magazine, *The Saturday Evening Post* entitled “What Can We Do About Sex Crimes?” uses photographs of child sex crime victims to tell a story of social restoration. The photos, arranged in a column, show eleven-year-old Isabelle Mallon, six-year-old Suzanne Degnan, and eleven-year-old Jacqueline Maxwell as symbols of childhood innocence; Isabelle and Suzanne wear light colored dresses and Jacqueline wears a dark colored dress (p. 32). At first, Jacqueline seems out of place in the layout; her dark dress appears to set her outside of well-known symbols with innocence and purity such as the light-colored dresses worn by Isabelle and Suzanne. A closer look at the dress collars worn by all three show Isabelle wearing frills while Suzanne and Jacqueline both wear “Peter Pan” collars, a popular style at the time. The style comes from the popular children’s book, *Peter and Wendy* by J.M. Barrie (1911); Peter Pan never grows into adulthood, either physically or mentally, and so eternally retains childhood innocence. These three photographs appear next to another column of three images; the second column shows each victim’s killer. Taken together, such a deliberate matching of Isabelle Mallon with George Neill, Suzanne Degnan with William Hierens, and Jacqueline Maxwell with Robert Coombes forms three visual narratives: the failure of current mental health procedures in detecting sexual psychopaths; even the most normal and respectable person could be a sexual psychopath; and that the sexual psychopath will repeat deviant behavior until caught and punished.

All three narratives bear the residual influence of Cleckley. This effect is achieved by presenting similar basic information about the victims

(visual and textual) then matching each image of the victim with a selective image and corresponding text about the perpetrators. For instance, the girls share three types of identification in their respective captions: name, age, and name of perpetrator. The caption under Neill says psychopathic traits “were apparent—but ignored;” Heirens “was from a good family;”³ and Coombes was “a three-time inmate of correctional institutions.” It is also important to note that each perpetrator looks physically normal; Hierens and Coombes appear almost *handsome*. The idea of the psychopath as not just a predator, but also as a *charmer* who pretended to share normative values was insisted upon by Cleckley (1941, p. 238). And so, while the images and corresponding text appears organized to be read from left to right, the *total aesthetics* of the layout moves from right to left; that is to say, the complete effect makes the victims secondary, as an encounter within the larger cultural melodrama, as “Virtue.” Here, “Virtue,” although represented as three victims of sexual homicide, as three people, is actually defined not as people, but instead as causation points for the confrontation between the “Villain/psychopath” and the “Hero/psychiatrist.”

The article text is no less hyperbolic. In the introduction, David G. Wittels (1948) addresses the question posed by the title (“What Can We Do About Sex Crimes?”) with the ominous statement that during the previous year, “officially known sex offenses—amounted to nearly 24,000 cases, with thousands more unreported” (p. 30). He then answers his question by adding that a large number of crimes “could be prevented—but not under our present laws” (Wittels 1948, p. 30). What seems to be—and in fact is—a typical text layout designed to attract readers also, within the specific contexts of moral panic and an increasingly tight intertwining of mental illness with violent crime in the public mind, also serves to promote melodrama’s cultural mode: the repudiation of the “Villain/psychopath” by the “Hero/psychiatrist” in order to restore “Virtue/victims” to a previous state of purity. Wittels (1948) opens his body copy with an anecdote: “During the coffee-and-liqueurs stage of a small dinner party a few months ago, the talk somehow got around to the spate of hideous sex crimes which were then occupying a good part of the newspapers.” The guests turned to well-known psychiatrist, Matthew T. Moore for explanations regarding sexual psychopaths (p. 30). Moore, having recently spoken for the defense regarding a rape-murder case, explains to his dinner companions that the offender in question, a “psychopathic personality—was born a moral cripple—unable

to censor and control his impulses as normal people do” and that “[i]t was practically inevitable that, under suggestion or in certain sets of circumstances, he would commit some serious crime” (Wittels 1948, pp. 30–31). Moore’s wording carries residuals of the “feeble-minded offender” diagnosis and his belief in criminal determinism also echoes *The Mask of Sanity*.

Yet, this observation is not surprising, given Moore’s neurobiological approach to mental illness. By the time the *Post* article was published, Moore (1951) had already performed psychosurgeries similar to lobotomies (“transorbital leucotomy”) on a number of mentally ill persons, and would eventually publish the results of his operations on persons between the ages of fourteen and seventy (pp. 801–802). According to Wittels (1948), Moore points out that, regarding the biological fate of the “moral cripple” under discussion, his crimes were preventable; “Psychopathic personalities can easily be detected early in life by any trained psychiatrist,” Moore tells his companions before continuing, “This young man was twice pronounced a psychopathic personality—each time he was let loose, because our laws make no provision for the commitment or strict supervision of such people” (p. 31). Moore then finishes up with a cryptic analogy: “If I let a leopard loose in a crowded street ... and it kills someone, who is to blame—the leopard or I?” (Wittels 1948, p. 31). At first, Moore’s position might seem sympathetic, even if his analogy could have been thought through with a little more sensitivity. And yet, the question he poses to his fellow dinner guests contains another, more pertinent question: Regardless of who is to blame, what will inevitably happen to the leopard?

RETRIBUTION FOR EXCESS NORMALITY IN *THE LEOPARD MAN*

The question of the “death” of the folk devil—whether literally (suicide or execution), punitively (enforced segregation), sexually (castration), or surgically (psychosurgery)—as compulsory social restorative, took on an additional urgency as the sexual psychopath lost those physical markers associated with the feeble-minded offender. The more clandestinely “normal” the psychopath’s bodily “mask of sanity” began to appear in the public and in the clinical imagination, the more the psychopath’s *literal* death was demanded in popular culture representations. In the film *The Leopard Man* (1943) an escaped panther is blamed for a series of murders committed by an unsuspecting professor by the

name of Galbraith; both are hunted down and killed (Tourneur). The film takes place in an unspecified American town in New Mexico; Kiki, an entertainer, sits in her dressing room and ruminates over her lack of local success with Eloise, a cigarette girl (Tourneur 1943). “This is a bad town for blondes,” Eloise notes, referring specifically to audience preferences for Clo-Clo, a Latina entertainer who lives in the area (Wray and Tourneur 1943, p.2). Eloise’s casual racism signifies a particular sense of alienation felt by Kiki. As a blonde white woman in mid-twentieth-century America, Kiki feels confident that her desirability transfers to any environment. Yet Clo-Clo’s success disrupts her assumptions, transforming her into an uncomfortably *liminal* figure: the prototypical “blonde bombshell” generally coveted by male desire and as an outsider in an environment dominated by Latin culture fetishized by tourists who should (but do not) desire her.

Jerry, fully aware of Kiki’s liminal position, brings her a panther on a leash and suggests that she enter the nightclub with it and Kiki does so, disrupting Clo-Clo’s act; the panther escapes and later that night kills a local child (Tourneur 1943). Kiki and Jerry both show up at the funeral parlor where the child, Theresa Delgado, is being mourned by her family and both surreptitiously donate money to Theresa’s funeral expenses; however, neither the family nor the law holds Kiki or Jerry responsible for Theresa’s death (Tourneur 1943). In fact, Sheriff Robles openly tells Jerry “There is no way we can hold you legally responsible” (Wray and Tourneur 1943, p.22). Later, outside the funeral home, Kiki and Jerry are so absorbed in their personal guilt that Señor Delgado has to ask them to let his family pass down the street (Tourneur 1943). While the lack of outrage expressed by Sheriff Robles and the Delgado family might seem strange due to the town’s predominately Latin American population, their politico-cultural position forbids them from blaming Jerry. At the time, many of the town’s residents would have been immigrants brought to the United States through the Bracero Program (“Bracero” 2017). The Bracero Program, a joint venture between Mexico and the United States, grew out of the latter’s need for agricultural workers during World War II. While publically touted as beneficial to both nations, Mexican workers in the program were routinely exploited by employers (“Bracero” 2017). Bracero workers therefore would have found themselves in the position of being invited workers in a foreign land who nevertheless lacked citizenship rights and most certainly would have felt anxiety about asserting themselves. The funeral

parlor scene in *The Leopard Man* subtly brings out this tense relationship between Mexican workers and the white Americans who exploited them. The Delgados, as immigrants, cannot vent their frustration over Theresa's death because Jerry, although responsible for bringing the leopard to the club, as a white American, still retains privileges that grant him immunity from legal responsibility and mark him as a liminal figure. Jerry's liminality implies a displacement of the Durkheimian repressive-restorative imperative that is offensive to the social order. Racism dictates Jerry go unpunished, while the law requires restoration.

The social tensions arising from the situation recast Jerry as a panic figure. As more murders occur, Jerry's liminality allows him the ability to freely move about the town, visiting every crime scene, examine evidence, and conclude that the current attacks are made by a human not an animal (Tourneur 1943). Eventually his suspicions become so acute, he and Charlie, the man who rented Jerry the leopard, drive up to the local museum to speak to Professor Galbraith, who also visited the crime scenes (Tourneur 1943). Earlier in the film, Galbraith describes himself to Jerry and Kiki as a "naturalist" who "used to teach zoology" but quit for unspecified reasons and who now works as a curator at the small local museum specializing in indigenous artifacts (Wray and Tourneur 1943 p. 27). Although the film strives for ambiguity at this point, it is clear from the exchange between Jerry and Galbraith that the latter is the leopard man:

JERRY

It could be a man.

GALBRAITH

It could be. Why would a man kill her? For what? It wasn't robbery.

It wasn't a crime of jealousy or passion. She had no enemies ...

JERRY

There are all sorts of men –

GALBRAITH

(sagely)

I can understand what you mean – demented men, pathological cases. But what sort of man would kill like a leopard and leave the traces of a leopard?

JERRY

Some crazy guy.

GALBRAITH

But he would have to know about leopards – have access to leopard claws and hair (Wray and Tourneur 1943, p. 50).

Not only does Galbraith, consciously or unconsciously, hint at himself, a former zoologist, as a likely suspect, he also provides the film audience with an education in one of the psychopath’s fundamental traits: lack of motivation for his or her actions, which adheres to Cleckley’s model. When Jerry encounters Galbraith again, more traits are added to the psychopath’s profile:

GALBRAITH

Yes. There have been men who kill for pleasure – strange pleasure. There was Blue Beard in France – Jack the Ripper in London. It’s not uncommon.

JERRY

If there were a man like that, with a kink in his brain around here loose, what would he be like.

GALBRAITH

To the eye? Like other men.

JERRY

I don’t mean that. How would he act? What would he do?

GALBRAITH

He’d act normally when he was with other people. It would be a man who suffered remorse and even pity when it was all over.

JERRY

Couldn’t you tell a man like that when you saw him?

GALBRAITH

No. He would be a hard man to find, Jerry. Particularly if he was a clever man. He would go about his ordinary business calmly and coolly except when the fit to kill was on him.

JERRY

You've thought about this before. You know it isn't the leopard ... Don't you?

Galbraith makes no answer. (Wray and Tourneur 1943, pp. 69–70)

Galbraith's profile of the leopard man follows Cleckley's model: lack of any physical markers of disability, above average intelligence and the ability to hide his or her pathology from others. Galbraith also follows Cleckley in another important respect: his insistence that sexual psychopathy is not a rare form of mental illness.

Yet Galbraith also deviates from Cleckley by adding that the sexual psychopath is capable of affect. At first, such an addition might seem like a mistake, but, recalling that social definitions of the psychopath become larger as the social definitions for normality shrink allows for an understanding of a social desire for inclusion of persons who do not strictly adhere to Cleckley's model but who also do not fit under the ever-diminishing definitions of "normal," such as Galbraith. In fact, when Galbraith is finally caught, his confession is more reminiscent of the feeble-minded offender from *The Hand of the Potter* or from *M*:

GALBRAITH

Why do you accuse me? ... you don't understand ... I didn't want to kill, but I had to ... in the darkness I saw her white face turned up to me – the eyes dark and wide with fear ... the little frail body – the soft skin ... (Wray and Tourneur 1943, pp. 86–87)

Galbraith presents himself as unable to control his impulses and as an anomaly who feels almost sorry for his victims. And it is Galbraith's remorse and his inability to control his impulse to express sexual desire as violence against women that Jerry, as the panic figure, uses to initiate the repressive-restorative social function. He does not operate alone. He convinces Belmonte, the lover of one of the victims, to help him; Kiki also decides to join him (Tourneur 1943). Her liminal position in the town makes her a panic figure as well, in that she sets the

stage for Galbraith’s capture by visiting him at the museum and insisting they turn out all the lights to better observe a celebration in the town below (Tourneur 1943). Galbraith is unable to resist the combination of darkness and opportunity. The shooting script describes him as almost transforming before the audiences’ eyes, in a trance, watching Kiki with “the set, bloodless look of a man lost in some fearful resolve” before his “fingers curve claw-like as he pushes down the switch” (Wray and Tourneur 1943, p. 83). As Galbraith attacks Kiki, she cries out, and Jerry and Belmonte run in; they chase the professor into the desert where Belmonte shoots and kills him (Tourneur 1943).

Within the narrative mode in which the film participates, Galbraith’s death is required to complete the repressive-restorative function. Galbraith simply looks too normal, passes among others too easily, and like Hierens, occupies *a position of social respectability assumed impossible for the sexual psychopath to occupy successfully*. At the same time, within the cultural mode simultaneously working on the same social problem, Cleckley (1944) argues for the “death” of the clinical definition of “psychosis” in order to accommodate psychopaths and so make them eligible for institutionalization (p. 124). He further recommends that altering diagnostic criteria to include psychopathy as a form of psychosis would prevent those “who commit murder and unnatural crimes on children [and] are too often at present released from prisons on probation” from recidivism (Cleckley 1944, p. 126). A *Time* article of the period seems to support Cleckley in its assertion that in Massachusetts alone “there were 1040 known sex offenders whom the state had freed after they had served their sentences,” one of whom was Robert Coombes (“Mother” 1947, p. 26), who is featured in the *Post* article. The courts also had the death of the sexual psychopath in mind as a mode of curtailing recidivism. Between 1937 and 1947, executions for sex crimes were high: 196 for rape; 76 for rape-murder; 16 for rape-robbery; 13 for murder-rape-robbery; 8 for attempted rape; and 2 for attempted rape-burglary (Espy and Smykla 2004, pp. 310–351).⁴

At the same time, a few key events began to erode the cultural presence of the asylum. One was a *Life Magazine* exposé on humanitarian conditions in the nation’s asylums, “Bedlam: 1946,” written by Albert Q. Maisel. Maisel (1946) castigates mental institutions for frequent incidents of overcrowding, physical and emotional abuse of patients, and understaffing (pp. 102–103). The article is also important for its discussion of poor state oversight of many institutions’ fiscal operations. An

asylum in Iowa received funds for one hundred and thirty orderlies while keeping just sixty-two on its payroll, and a New Jersey institution budgeted for elaborate dinners for doctors and served bulk items to patients (Maisel 1946, pp. 109–110). More than a catalog of atrocities, “Bedlam 1946” comes at a time when the federal government considered adopting a large role in addressing mental health at the state and local levels.

The Mental Health Act of 1946 set in motion the process for a federally directed national infrastructure for community care and was largely the work of Robert H. Felix, then in charge of the Division of Mental Hygiene (Grob 1994, pp. 208–210). In his paper, “Mental Hygiene and Public Health,” Felix (1948) noted that thus far, the federal government had given grants to forty-five “states and territories” for community care projects; of these forty-five, half previously had no community mental health services available (p. 680). The following year saw the formation of the National Institute for Mental Health (NIMH), an organization with a stated goal of undermining the asylum as the primary mode of mental health treatment (Grob 1994, pp. 212–213) and that was instrumental in forging interdisciplinary alliances with “psychiatry, psychology, psychiatric social work, and nursing” (Felix 1948, p. 679). And yet, it should be stated here that such moves towards improving life for mentally ill persons carried with them cultural residuals from the eugenicist era.

A return to the beginning of this chapter shows a haunting similarity between Felix’s NIMH community care model and Salmon’s NCMH push against asylum reform in favor of outpatient care. Moreover, the NIMH engagement with social workers and other non-medical professionals is reminiscent of the NCMH collaboration with the education system and social hygiene organizations. Of course, a crucial difference between the two is while the latter placed an undue emphasis on criminality, the former devoted their efforts to reintegration and a better quality of life for mentally ill persons. However, an unintended consequence occurred due to Felix’s equation of mental health with public health. While mental health and public health are inextricably linked and form the basis of a solid public health practice, when viewing the equation from a cultural perspective (what the public equates together) a cultural connection between mental health (moral failure) and public health (disease) becomes potentially dangerous for mentally ill persons. In fact, over time, a community care/public health model will, at least in a cultural sense, become equated with the perceived threat posed by the sexual psychopath: latent, potentially everywhere, and so possibly anyone—until it is too late.

NOTES

1. Between 1915 and 1919, the national homicide rate grew each year, from 3 633 in 1915 to 5 973 in 1919. However, Douglas Eckberg notes that totals prior to 1933 remain incomplete. For more detail, see Susan B. Carter, et al., *Historical Statistics of the United States, Millennial Edition*, 2006.
2. See Estelle B. Freedman, “‘Uncontrolled Desires’: The Response to the Sexual Psychopath, 1920–1960;” David W. Jones, *Disordered Personalities and Crime: An Analysis and History of Moral Insanity*; and Tamara Rice Lave, “Only Yesterday: The Rise and Fall of Twentieth Century Sexual Psychopath Laws.”
3. Heirens was noted for his exceptional intelligence. Arrested for burglary as an adolescent, he was given a three-year term at the St. Bede Academy, where he distinguished himself academically.
4. I do not include these statistics here as an apology for perpetrators of sex crimes but rather to show the high incidence of these types of crimes in relation to the rarity of the “sexual psychopath” as a diagnostic category and their subsequent impact on mental illness stigma.

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