APART from manifest psychotics, there exist a large number of persons who, while not insane in the ordinary sense of the word, are nevertheless abnormal from the standpoint of natural science. These so-called psychopathic personalities, or *demifous*, are now regarded by most psychiatrists as differing in degree rather than kind from the true psychotics, and to make a classification or to attempt a description of all these cases would be equivalent to writing a treatise of psychiatry, since they exhibit in reduced or miniature form clinical syndromes similar to those observed in recognized insanity. Their types are infinite, as numerous and varied, indeed, as those of the true psychoses, the psychological classification of which can only be general and relative. From the point of view of social life, these individuals can be roughly divided into two classes: the useful or creative, and the harmful or destructive. In the former category would be included individuals of striking aptitudes who exhibit at the same time evidence of mental instability. While, however, genius and mental disorder are sometimes associated, the majority of psychopaths are a burden rather than a joy to the community; they solve no problems, but create a great many; they discover grievances where none exist; they deplete the energies of normal persons and create strife and unhappiness both in and outside the domestic circle.

All these *demifous* perpetrate extravagant or sensational acts, and, some of them, minor delinquencies, the effects of which do not extend beyond the family circle. Quite a number, however, commit more serious delinquencies, and when the circumstances of the crime call for an opinion as to the mental condition of the perpetrator, they come under the notice of the psychiatrist. It is cases included under the category of *demifous*, comprising individuals who occupy a position between the sound of mind and the certifiably insane, which create the divergence of opinion between medical and legal authorities. The whole subject has recently been in the foreground, but the endeavour made to obtain a revision of the law in regard to the criminal responsibility of the insane has not been successful. Lord Justice Darling’s Criminal Responsibility (Trials) Bill was rejected by the House of Lords, and it is unlikely that the subject will be reconsidered by our legislators.
for some time to come. It is not the function of this JOURNAL to consider administrative problems, but some reference may here be made to the views expressed by Dr. Sullivan in his book on Crime and Insanity as to the aims, limitations and functions of the psychiatrist in regard to the question of criminal responsibility, as they would seem to do much to clarify the confusion which now exists. The interest of his contribution to this problem consists in the fact that he repudiates the view that it is part of the function of the psychiatrist to determine who should or should not be held accountable for his actions. He points out that criminal responsibility is a purely legal question. The law, which is the formal expression of the will of the community, is the sole authority in the definition of responsibility; it can impute full responsibility to all offenders, whether they be sane or insane, and, if it does choose to recognize insanity as a condition excluding or diminishing responsibility, it may fix whatever limits it thinks fit to the mode and extent of such recognition. Dr. Sullivan goes on to show, however, that the existing tests fail to express the will of the community as to who should be excused from punishment on account of mental disorder, and that they may legitimately be the subject of criticism on that account. He advocates the adoption of a simpler test of responsibility, and emphasizes the necessity for establishing a system which will enable the psychiatrist to present an impartial account of the mental state of the accused from an objective and biological standpoint. He considers that with these modifications of the law the decision as to the responsibility of the accused might be left to the decision of the jury without risk of prejudice to the interests of the community or the prisoner.

Such a procedure as that advocated by Dr. Sullivan would certainly enable the mental expert to state his views more satisfactorily in criminal cases than is at present possible, but it would not, of course, lead to a recognition by society of the mental status of many of the cases considered by psychiatrists to be biologically abnormal and to come under the category of psychopathic personalities. After describing in detail the case of a pathological liar and swindler, Kraepelin observes that, while the alienist may see in him a morbid personality, it is improbable that a judge would ever regard him as anything but a crafty and dangerous impostor. He describes also the case of a man aged 64 who had engaged in a series of lawsuits which had left him completely ruined. The official police report referred to 81 prosecutions on criminal charges, 41 informations laid by him against others, and 110 civil law suits. The misery inflicted by such persons on inoffensive members of the community is inescapable, and the psychiatrist who recognizes in these types a deviation from the normal can scarcely be accused of prejudice.

Dr. Henri Damaye, a French psychiatrist, points out that these
abnormal persons are to-day more dangerous to the public order and
good feeling in families than the recognized insane, and, while we have
protective legal measures against the latter, none exists against the
former. And as things are at present, when the danger of the _demifous_
is not yet known or even suspected by the public, how can the law
intervene? Legislation only concerns these morbid types in an indirect
way when their deeds render them accountable to the law, and even
then they are not recognized in many instances as abnormal. Dr.
Damaye feels that the instruction of the public and the dissemination
of knowledge in regard to mental pathology may be at the present time
the best means of protecting the individual against the psychopathic
types with whom he may be associated. He considers, also, that it is
most regrettable that such persons have the same powers and civil
rights, and the same liberty in the education of their children, as the
sound in mind. There is a natural reluctance to restrain in any way
the liberty of the subject unless it is obviously necessary, but in a number
of these cases some kind of restriction would seem to be desirable, more
especially for the protection of their families, who suffer most from their
peculiarities.