More Ludicrous Than Dangerous:

The Case of Cleckley’s Psychopath

Abstract

A seminal influence on the literature of psychopathy is Hervey Cleckley’s *The Mask of Sanity*, originally published in 1941, a brilliantly descriptive work centered on case studies of patients notable less for the danger they pose to society than for their sheer absurdity. Their lives seem to be a never-ending series of pranks and swindles, all committed for no earthly reason. What are we to make of a person like this, all at once a source of grief and shame to family, a pest to the authorities, a scandal to neighbors, a joker in the deck of psychiatric classification, and a figure of some amusement to Cleckley himself? Here I theorize that while Cleckley’s psychopath and those now known by the same name appear to possess a similar mentality, the codes and practices of the former’s world channel his antisocial impulses into minor crimes, absurd cycles of deviant behavior, and pointless offenses against propriety. Hence the dissimilarity of Cleckley’s absurdists and the much more disturbing figures we meet in, say, Hare’s survey of psychopathy, *Without Conscience* (1993). We should not assume that psychopathy plays out identically in all times and places.

**Joker in the Deck**

Probably few fields of investigation owe more to a single seminal work than the study of psychopathy owes to Hervey Cleckley’s *The Mask of Sanity*, originally published in 1941. The title refers to the psychopath’s ability to mimic normal responses even as he pursues a wildly abnormal life of pranks and thefts, all for no apparent purpose. Because such persons did not fit into any existing category of disorder, and probably too because their behavior seemed so nearly incomprehensible, they were largely overlooked by psychiatry at the time despite being impossible to ignore. (Cleckley himself, a professor of psychiatry at the University of Georgia School of Medicine, saw hundreds.) It was this void that called forth Cleckley’s masterpiece, a richly descriptive work centered on case studies of nine (soon to be 13, then 15) patients so vividly absurd that they seem almost to have risen from a Hogarth print. One of them defecates into the interior of a piano.

Without providing any particulars to back up his judgment, Cleckley assures the reader that it is pranksters like this—not the predators and hardened criminals now denoted by the word “psychopath”—who represent the overwhelming majority of psychopaths in the United States. While he grants that some psychopaths commit crimes of violence up to and including murder, they are (so he claims) exceptions to the type. None of his profiled patients fall into this category, or, indeed, close to it. Though they do cause trouble, many of their characteristic acts—such as lying, offending decency, stealing from relatives—seem beyond the law’s reach, and even when they do end up behind bars, it is more likely to be in the local jail than the state prison. They themselves are often the primary loser by their deeds (as Cleckley emphasizes), and they are regarded by the authorities more as nuisances than threats to the community. Cleckley surveys their careers with a note of ironic wonderment.

Compared with psychopathy as now understood, the antics of Cleckley’s patients read like misbehavior. What are we to make of someone all at once a source of grief and shame to family, a pest to the authorities, a scandal to neighbors, a joker in the deck of psychiatric classification, and a figure of some amusement to Cleckley himself? Here I theorize that while Cleckley’s psychopath and his counterpart in more recent literature appear to possess similar traits, the codes and practices of the former’s world channel his antisocial impulses into minor crimes, absurd cycles of deviant behavior, and pointless offenses against propriety. While this theory, which assumes that time and place influence the enactment of the disorder in question, cannot be proven, it is consistent with the picture of psychopathy in *The Mask of Sanity*.

**Similar Features, Different Characters**

In a development that could never have been predicted in 1941, Cleckley’s study launched what eventually became a vast literature. Wrote a leader of the field, Robert Hare, in 1993, “*The Mask of Sanity* . . . is the clinical framework for much of the scientific research on psychopathy conducted in the past quarter-century.”[[1]](#endnote-1) A decade later it could still be said that “Virtually all current research on psychopathy presupposes the observations of a brilliant clinical observer (Cleckley, 1941) whose clinical immersion among psychopaths over 60 years ago . . . provides the foundation for the measure considered the gold standard in psychopathy research”[[2]](#endnote-2)—a reference to Hare’s Psychopathy Checklist-Revised. This instrument generally used to assess psychopathy is not just in the spirit of Cleckley’s findings about the psychopathic mentality but reflects them in some detail.

Cleckley distilled 16 traits of the psychopathic mentality (here somewhat abbreviated):

1. Superficial charm

2. Absence of delusions

3. Absence of “nervousness”

4. Unreliability

5. Untruthfulness

6. Lack of remorse or shame

7. Inadequately motivated antisocial behavior

8. Poor judgment and failure to learn by experience

9. Egocentricity and incapacity for love

10. Poverty of affect

11. Lack of insight

12. Unresponsiveness (or lack of consideration for others)

13. Fantastic behavior with or without drink

14. Suicide rarely carried out

15. Impersonal sex life

16. Failure to follow any life plan

The PCL-R divides symptoms into two groups, emotional and behavioral, with most items lining up with Cleckley. In the first group are:

1. glibness and superficiality (approximates Cleckley’s superficial charm)

2. egocentricity and grandiosity (= Cleckley’s egocentricity)

3. lack of remorse or guilt (approximates Cleckley’s lack of remorse or shame)

4. lack of empathy (somewhat like Cleckley’s unresponsiveness)

5. deceitfulness or manipulativeness (= untruthfulness)

6. shallow emotions (= poverty of affect)

In the second are:

1. impulsiveness (approximates Cleckley’s failure to follow any life plan)

2. poor behavioral controls (overlaps Cleckley’s fantastic behavior)

3. need for excitement

4. lack of responsibility (= unreliability)

5. early behavior problems

6. adult antisocial behavior (= Cleckley’s inadequately motivated antisocial behavior)

Even the few items in PCL-R without an equivalent or near-equivalent in Cleckley’s list are probably consistent with it. Thus, while Cleckley does not specifically highlight the psychopath’s need for excitement (item 3 on PCL-R), he does note in passing that the psychopath’s career “is always full of exploits.”[[3]](#endnote-3) In sum, psychopathy as envisioned in PCL-R consists largely of the traits identified by Cleckley, each presented in a brief “chapter” in the section of *The Mask of Sanity* devoted to the disorder’s clinical profile. Hare himself has noted that the “conceptual framework” of PCL-R, originally designed to diagnose psychopathy in criminal populations, reflects Cleckley.[[4]](#endnote-4) In all, the parallels between the traits identified by Cleckley and those featured in PCL-R suggest that the psychopaths presented in *The Mask of Sanity* possess a make-up or, perhaps better, a potential similar to high-scorers on the Hare instrument. If psychopathy as we now know it could be reduced to a single mark of Cain, it would be a lack of conscience (hence the title of Hare’s overview of psychopathy, *Without Conscience*), and even this notorious attribute—or something like it, “lack of remorse or shame”—is seen in Cleckley’s psychopaths. Indeed, PCL-R’s “lack of remorse or guilt” is based on Cleckley.

If only because PCL-R descends from Cleckley, a high-scorer may exhibit a facial resemblance to a Cleckley psychopath despite leading a life well outside the pattern of *The Mask of Sanity*. Hare offers the case of an inmate “with a horrendous criminal record” and the highest possible score on PCL-R who nevertheless presented himself as sincere and well-meaning. Said the inmate in an interview,

I’ve wasted a lot of my life. You can’t get back the time. I’ve tried that before, to make up the time by doing more things. But things just went faster, not better. I intend to live a much more slowed-down life, and give a lot to people that I never had myself. Put some enjoyment in their lives. I don’t mean thrills, I mean some substance into someone else’s life. . . . I *know*, it would give me a great deal of pleasure, make me feel a whole lot better about my life.[[5]](#endnote-5)

For comparison, consider the first of Cleckley’s psychopaths, “Max,” who commits minor crimes and goes into and out of courtrooms and psychiatric hospitals too many times to count as if this in itself were an exploit of note. When Cleckley encounters Max in a hospital,

he was for a week or more friendly, cooperative, and apparently content. . . . He became very friendly with me at this period and talked entertainingly and with enthusiasm about his many adventures. He denied all misconduct on his part but admitted that he had often been in trouble because of his wife and others. It was not the denial of a man who is eager to show himself innocent but the casual tossing aside of a matter considered irrelevant or bothersome to discuss. After briefing laughing off all his accusations, he at once shifted the subject to his many triumphs and attainments.[[6]](#endnote-6)

Where Hare’s high-scorer covers up a criminal history with talk of benevolence, Max brushes off his record and turns the conversation to his own greatness. To confine ourselves for the moment to the first cluster of items in PCL-R, both men exhibit “glibness and superficiality” (the first by projecting himself as other-centered, the second by his vacuous chatter); both show “egocentricity and grandiosity” (the first by suggesting that others are waiting for him to inject meaning into their lives, the second by celebrating his exploits); both show a “lack of remorse or guilt” (the first by writing off his entire criminal history as so much lost time, the second by blaming anyone but himself for his difficulties); and both show “deceitfulness or manipulativeness” (the first by covering up the record of his brutality, the second by projecting a sort of social charisma). As it happens, the only particular of the high-scorer’s history known to us is that he “brutalized his wife and abandoned his children.” In the only known instance of Max causing bodily injury to another, he breaks the jaw of “his legal wife,” though in Cleckley’s judgment the act was unintentional. Importantly, Max also shows a complete lack of empathy in that he simply does not understand, despite his intelligence, what moves other people, as Cleckley makes clear. Yet despite a certain resemblance between these two figures, Max spends little time in prison, and instead of a “horrendous criminal record” compiles a kind of comical biography (to be reviewed below).

If, like Max, Cleckley’s psychopaths show a cluster of attributes similar to those of the hardened criminals whom PCL-R was intended to identify, then the expression of their antisocial potential has somehow been stunted. As Hare wrote in 1980, PCL-R represents “an attempt to develop a new research scale for the assessment of psychopathy in prison populations.”[[7]](#endnote-7) Cleckley’s psychopaths, however, stay out of prison as a rule, instead passing into and out of psychiatric hospitals in what Cleckley depicts as an unending cycle. Such crimes as they commit are almost never crimes of violence, and they themselves appear to Cleckley, and the reader, not so much as threats to society as irritants and provocateurs—dishonest and callous to be sure, but foolish, even preposterous, self-defeating, and not much of a danger to the world around them. The latter are descriptors no one would think of applying to the criminal psychopath. It is because the dangerous potential of their disorder has somehow been held in check that Cleckley’s psychopaths seem so unlike Hare’s even though the clinical markers of the latter were first identified by Cleckley.

The difference between Hare’s psychopaths and Cleckley’s nonviolent lot is difficult to overstate. One Clifford Olson, proclaimed “the prototypical psychopath” in *Without Conscience*,[[8]](#endnote-8) tortured and killed eleven children. While it is hard to see how such a monster could be typical of anyone or anything, ruthless violence is indeed the keynote of *Without Conscience.* Of the first psychopath sketched, Hare comments that “many of his crimes had been violent.”[[9]](#endnote-9) An unnamed psychopath is “doing time for kidnapping, rape, and extortion.”[[10]](#endnote-10) A physician kills his wife and children; a lawyer embezzles from and finally murders his client. Not one of the psychopaths in *The Mask of Sanity* ever commits a crime like these, even though many of Hare’s criminals score high on an assessment derived from Cleckley. (Tellingly, in an unusual case cited by Hare where one of Cleckley’s subjects, “Gregory,” failed to kill his mother only because his gun malfunctioned, it turns out that Gregory did this “at a very early age,” so that we cannot assume he knew what he was doing.[[11]](#endnote-11) This, then, is the sort of exception that proves the rule.) One psychopath who figures in *Without Conscience* has a long history of “petty thefts and con jobs,”[[12]](#endnote-12) which sounds more like Cleckley’s offenders, except that the man’s thefts eventually lead to armed robbery. Another feels no remorse over having stabbed a robbery victim “who subsequently spent three months in the hospital as a result of his wounds.”[[13]](#endnote-13) Hare’s psychopaths live out the dangerous possibilities inherent in traits like “lack of remorse or shame”; Cleckley’s commit many an act of shamelessness that inflicts a purely moral injury on the community.

Hare’s cast of characters includes the notorious Ted Bundy; Cleckley’s consists of anonymous locals. Hare’s commit atrocities, Cleckley’s stunts and thefts. Hare’s figures stand out for their ruthlessness, Cleckley’s for their foolishness. Hare’s psychopaths “tend to have no particular affinity . . . for any one type of crime but tend to try everything,”[[14]](#endnote-14) while Cleckley’s refrain from violence even as they give the impression of being totally free of moral inhibitions. Of the subject of one of his case studies (who urinates on some evening gowns, then folds them and replaces them in a drawer), Cleckley writes, “Anna, like so many whose conduct closely resembles her in her other respects, seems never to have committed a major felony or tried to do serious injury to another.”[[15]](#endnote-15) Those psychopaths who do commit major crimes “should be regarded as the exception rather than as the rule,” states Cleckley.[[16]](#endnote-16) Cleckley’s psychopaths are not innocuous, but compared to Hare’s they are comedians. The acts that seem to define them precisely because they are unthinkable and accomplish nothing—as when an inebriated doctor on a house call slithers on the floor like an alligator in a bog—such acts have no place in Hare’s *Without Conscience*. Note that on the face of it a performance like the doctor’s meets almost all behavioral criteria in PCL-R despite not being a criminal offense.

Given that *Without Conscience* was written for the mass market, it might be said that Hare sensationalized to play on popular fascination with psychopathy, enlivening his text with plentiful references to the likes of Bundy. Yet Cleckley’s ludicrous offenders stand in contrast not only to murderers like Bundy but run-of-the-mill criminals. “In contrast with typical repeat offenders (‘ordinary criminals’), [Cleckley’s] psychopathic individuals lack clear motivation for much of their antisocial behavior, fail to gain systematically from such behavior, harm others inadvertently rather than on purpose, and rarely ‘commit murder or other offenses that promptly lead to major prison sentences.’”[[17]](#endnote-17) Quite unlike the criminals of concern to the psychopathy literature, Cleckley’s offenders lead lives consisting of a never-ending series of antics and improprieties, none of which appears to achieve anything; but they are undeterred by the failure of everything they do.

By the same token, a repeat offender nowadays is not likely to be depicted as ridiculous even by an author who cites Cleckley, or to be described in Cleckley’s own pet phrases of ironic amusement, such as “our hero.” Nor is the psychopathy literature alone is its focus on offenders sharply unlike Cleckley’s colorful characters who cause scandal, trouble and some damage, but, all told, generate more sound than fury. While the psychopathy literature and the post-1980 DSM approach the anti-social actor from different angles, the DSM psychopath seems no closer to Cleckley’s than Hare’s; DSM descriptions of cold, predatory psychopaths “contrast with Cleckley’s characterization of psychopathic inpatients as affable, emotionally calm, and generally uninclined toward serious acts of violence.”[[18]](#endnote-18) The offender described by Cleckley so memorably—a clownish troublemaker, a sort of unofficial anarchist who for some unknown reason commits only petty offenses—seems to have disappeared from the literature, leaving checklists as the record of his former existence.

**Max**

Above I offered a trait-for-trait comparison between the manner of one of Hare’s psychopaths and Cleckley’s first psychopath, Max. To bring out the difference between the full-blown criminality of Hare’s figures and the semi-comical deviance of Cleckley’s nonviolent offenders, I now propose to review, at least in part, Max’s life-story as given by Cleckley. Held up as a figure not of menace but ridiculous bravado, it is Max whom Cleckley terms “our hero.”

Max’s story is so full of “adventures” in some diminished sense of the word that the involved, 20-page account of his life in *The Mask of Sanity* seems to be much abbreviated. He has been arrested “dozens of times,”[[19]](#endnote-19) not counting arrests that exposed him to penalties he escaped by getting himself admitted to a psychiatric hospital. Max uses the hospital to dodge jail (or to get out when in), then manages to be discharged from the hospital because he exhibits no known mental disorder, then goes on a petty crime spree, then gets arrested again, riding the same carousel round and round, year after year. His manner throughout all this is not that of someone worn down by repetition or oppressed by the trials he brings on himself; in fact, he rides in circles with élan and self-fanfare, celebrating his abilities and accomplishments. On the rare occasion he actually has something to brag about. In one case, after being sent to prison for forgery, he prevails on the governor of Mississippi to release him into the custody of a psychiatric hospital. There he demands his discharge with a kind of play-acted superiority, and when the demand is denied kicks out some window-bars and makes his escape. Back in police custody within hours, he returns to the hospital, where he is given the catch-all diagnosis of psychopathic personality (not for the first time) and held until, a few days later, the governor pardons him in full and he is at liberty again. He seems to emerge from the ordeal not chastened or exhausted but vindicated, refreshed, and ready to renew the chase of his own tail.

Between hospital admissions Max leads a life so disorderly that he brings embarrassment to the madame who happens to be his legal wife.

Though enjoying a good part of the revenue from this ever-lucrative business, Max troubled himself little to maintain the dignity of the house. In fact, he went out of his way, it seemed, to complicate matters for his wife. If not through his daily or nightly brawls or uproars in various low grogshops, dancehalls, “juke-joints,” etc., then by putting slugs into slot machines or serving as fence in some petty thieving racket, he brought the police in search of him down on the House of Joy which maintained him.[[20]](#endnote-20)

It is characteristic of Max that his acts of fraud lack the cover of secrecy and that no one seems to get hurt in the minor riots he is mixed up in. His misdeeds are part petty crime, part theater. Not only do they remind us of the imposing displays he stages inside the walls of psychiatric hospitals, they start the process of getting him sent to these institutions by attracting the police. Our general impression is of someone living not life but a semblance of life to its fullest, someone who invests all he has in a course of behavior not only pointless but ridiculous. It bears emphasis that a way of life that seems to us a sort of energetic pantomime engages Max like a game of skill. Described by Cleckley as quick-witted, alert, ingenious and clever (as well as preposterous), he has the virtues of a good gamesman.

It was Cleckley’s conclusion that because the psychopath knows only a shadow of human emotion, he does not experience failures as someone with a normal emotional endowment would (that is, as bitter or humiliating defeats) and therefore cannot possibly be instructed by them. From this point of view, the cycle of arrest to hospital to freedom to arrest which is Max’s life stands as an emblem of therapeutic futility; Max emerges from treatment exactly as he began it, learning no more than he does from the continual reverses he suffers when free. However, in the light of the dangerous strains of psychopathy fueled by traits like his (and featured in the Hare scale), it appears that the absurd, semi-comical life he pursues has the benign effect of channeling his deviance into minor scrapes and scandals. Certainly the cycle in which his life is invested looks like a vicious one, with each arrest setting off a chain of events leading to another; but we can also view it as a virtuous cycle that ties up psychopathic potential and plays it out at no great cost to society. This effect arises not because society has wisely devised its ways to reduce the danger posed by persons like Max, but because of coincidence or historical accident. Specifically, at the time his story is set (evidently the 1930’s), it so happens that the courts usually send persons like him not to prison but a mental hospital, and yet when admitted they can be held for only so long because they do not meet the standard for indefinite detention. Thus they are released—free to start the cycle all over again.

A sketch of a psychopath published in 1970 by Hare, and comparable in its level of detail to case studies like Cleckley’s, allows us to imagine, as in a thought-experiment, what might have become of Max under different historical conditions. As we meet “Donald,” he is completing “a three-year prison term for fraud, bigamy, false pretenses, and escaping lawful custody” following a term for fraud that ended with his escape from the prison hospital[[21]](#endnote-21)—all activities within Max’s repertoire. Superficially the man is Max’s twin, yet he has not a drop of Max’s theatrical absurdity. Donald seems distinctly more cynical and predatory than Max (he impersonates an officer of a philanthropic foundation, for one thing), spends more time in prison, and does not go into and out of asylums in the sort of nonsensical cycle that seems to occupy Max and claim his energies. Perhaps Donald is what Max would have become if the conditions in which he lived had not shaped his disorder into something more ludicrous than dangerous.

Let us analyze the cycle in which Max is caught up.

**Minor Offenses**

 In order to initiate the arrest-to-freedom cycle, Max’s offenses must be fairly minor. Indeed, an offense serious enough to attract the police but not serious enough to land him in prison (and Max’s biography overflows with such misdeeds) seems to be the key to the entire sequence. While Max cheats people, then, his crimes are desultory, petty and, importantly, nonviolent. (It is largely because Max has “seldom, if ever, tried to do anyone serious physical injury” that he has enjoyed “immunity from penal consequences.”)[[22]](#endnote-22) They are also covered in at best a thin veil of secrecy, as if Max were more interested in staging his exploits than in getting away with them. If he seems to find fulfillment in pursuing what looks very much like a cycle of futility—if he celebrates his history as a series of adventures and his release from psychiatric detention as an achievement or escape—the fact is that he can have all this drama or dumb show only if he keeps his crimes below the level likely to get him in real trouble. On occasion he fails to calibrate his crimes properly and gets sent to prison, and does not like it. Thus we learn that he “wearied sharply of prison” upon being incarcerated at one point “for forgeries a little more ambitious than his routine practice.”[[23]](#endnote-23) The implication is that as a rule Max took care not to expose himself to the risk of imprisonment.

The idea of a psychopath rational enough to manage his behavior to this extent may clash with the portrayal of the psychopath in *The Mask of Sanity* as a nonsensical creature. However, while Cleckley’s psychopaths behave erratically, they are not without method. Thus, Cleckley observes that his psychopaths know how and when to mime normal behavior—know what phrases to parrot, for example, “when trying to obtain parole, discharge from the hospital, or some other end.”[[24]](#endnote-24) If psychopaths like Max have this much artistry at their disposal, maybe they have enough self-command to keep their infractions within the limits necessary to preserve their relative immunity from punishment. Cleckley distinguishes emphatically, and repeatedly, between the criminal psychopath (like Hare’s) and his own allegedly more representative population of troublemakers, petty thieves, and public nuisances.[[25]](#endnote-25)

The typical psychopath, states Cleckley, “is not likely to commit major crimes that result in long prison terms. He is distinguished by his ability to escape ordinary legal punishments and escapes. . . . His characteristic behavior does not include felonies which would bring about permanent or adequate restriction of his activities.”[[26]](#endnote-26) The implication, surely, is that the psychopath enjoys a certain impunity exactly because he refrains from crimes that would cost him his liberty. Cleckley agrees but does not adopt the obvious explanation for this wise policy: that the psychopath prefers to stay out of prison. According to Cleckley, the psychopath’s offenses do not rise to the penitentiary level, and in particular do not include crimes of violence, because the psychopath is a person of weak urges; in effect, he doesn’t have enough of a drive to commit a major crime to go to the trouble of perpetrating one.

Cleckley observes of Max, for example, that when he got into disputes with other patients during one hospital stay, “no signs of towering rage appeared or even of impulses too strong to be controlled by a very meager desire to refrain.”[[27]](#endnote-27) Elsewhere Cleckley notes “the general feebleness of affect common to all members of this series.”[[28]](#endnote-28) The psychopath experiences “a casual and weak impulse, a half-hearted whim” rather than a strong urge; nothing about him “suggests a great stress or inner conflict in which strong opposing forces clash.”[[29]](#endnote-29) In Cleckley’s telling, the motives of psychopaths are so trivial that it’s a wonder they commit any offenses, or even engage in action at all. Yet they commit offenses time and again. Nor do they act as if they had no particular aversion to going to prison. They are distinguished not by an almost complete lack of checks (implying desires so feeble that they need no check) but by skill in playing the system they find themselves in, whether this means committing all manner of improprieties that cannot be prosecuted, escaping serious penalties when their actions *can* be prosecuted, or knowing how to get themselves released from psychiatric detention.

 Regardless of the make-up of Max’s psyche, his practice of limiting himself to lesser crimes wouldn’t count for much unless the authorities showed restraint in prosecuting him. It seems countless arrests of the psychopaths in *The Mask of Sanity* lead to no legal action. The typical psychopath, Cleckley reports, “is often arrested, perhaps a hundred times or more. But he nearly always regains his freedom and returns to his old patterns of maladjustment.”[[30]](#endnote-30) By implication, the authorities view the psychopath’s misdeeds as something like public intoxication—shameful and annoying, but one of the costs a community bears for *being* a community. Max himself, a drinker, has been hauled “to jail and to the police barracks dozens of times for charges not sufficiently serious for him to utilize the expedient of psychiatric hospitalization as a means of escape.”[[31]](#endnote-31) Thus, even when Max is prosecuted and sent to a mental hospital in lieu of prison, that course is so acceptable to him that he himself often chooses it. As it happens, the courts send Max to mental hospitals with such regularity that it is as if they were bound by the example they themselves have set. “One cannot help but wonder,” writes Cleckley, “if the juries, the courts, and other authorities are not overwhelmed by precedent and, seeing that [Max’s] grounds for impunity have been upheld so often in the past, fail to challenge them adequately.”[[32]](#endnote-32)

 In short, there are strong inducements for Max to hold his crimes to the level the authorities find tolerable and consistent with public safety, and by heeding these signals he remains free to practice his deviant way of life. In all probability, if he committed a crime like armed robbery he would be sentenced to prison by the same courts that send now him for psychiatric evaluation.

At the end of Cleckley’s portrait of Max, several townspeople he has harmed, unable to get relief through the courts, seek to have him committed as insane. However, the psychiatrists, including Cleckley himself, can only testify that this man does not suffer from psychosis and therefore does not qualify for their custody. Like the authorities who exercise their power with restraint, the psychiatrists feel bound by their profession’s inability to assign Max’s disorder an official place in the system of mental pathologies. And so “Max, neat and well-groomed, insouciant, witty, alert and splendidly rational, arose, beaming, to hear again the verdict of freedom.”[[33]](#endnote-33) Why would Max advance to more serious crimes when his life is so satisfactory as it is?

**No Provision for Psychopathy**

 Even if the courts kept Max out of prison by sending him to a mental hospital, that destination would hold little attraction for him unless he could get himself discharged in short order. Thus, if Max “utilizes the expedient of psychiatric hospitalization as a means of escape,” it is because he knows how to escape the hospital itself. By a twist of history, he is delivered again and again to these institutions at a time when there is no provision for holding him because he has no place in the existing taxonomy of mental disorders despite his life of incorrigible deviance. As suggested by the metaphor of a mask of sanity, psychopathy includes the ability to simulate normal reactions, an ability Max calls upon when he seeks to resist being sent to a mental hospital (as in the victory just cited) or feels a need to extricate himself from psychiatric custody.

 The latter occasions are many. Reviewing his record, Cleckley reports that “many groups of psychiatrists had, after careful study, continued to find [Max] free of psychosis or psychoneurosis, in other words, sane and responsible for his conduct and even without the mitigating circumstance of a milder mental illness.”[[34]](#endnote-34) Just as Max exploits the leniency of the authorities by committing all sorts of crimes and infractions unlikely to incur prison sentences, he exploits the non-recognition of psychopathy as a specific mental disorder (the problem Cleckley sought to remedy by describing this unique syndrome) and uses his skill in impersonating a sane individual to get back onto the street. In order for the cycle of freedom to confinement to freedom that defines Max’s life to remain intact asa cycle, his release from psychiatric hospitals must be assured, and so it is. “Back at another psychiatric hospital he showed no evidence of an orthodox psychosis and after a short time got his discharge.”[[35]](#endnote-35)

 Yet a psychiatric hospital represents more than an escapable prison for Max. It is an arena where he can put his skills to work, a stage where he can perform a drama with himself as hero. If he shows many of the traits of Hare’s psychopath minus the latter’s ruthlessness, the hospital setting gives them a field of action. How better to exercise “glibness and superficiality” than in conversation with a psychiatrist like Cleckley, who was struck by these qualities in Max? (“He became very friendly with me . . . and talked entertainingly and with enthusiasm about his many adventures.”) In his sessions with Cleckley Max also engages in “‘tall talk’ designed to deceiver the listener and put the talker in a good light,”[[36]](#endnote-36) thus fulfilling Hare’s criterion of “deceitfulness and manipulativeness.” A man who can enlist the state’s governor to release him from custody and even pardon him outright will have his sense of “grandiosity” (as Hare calls it) flattered and validated. Max is a good checkers player, and to him detention in a psychiatric hospital is a life-sized game of checkers; in that he plays by treating others—both patients and staff—like game-pieces, the very setting calls forth his “lack of empathy” and “shallow emotions,” also PCL-R categories.

For this patient, then, the challenge of playing or talking his way out of psychiatric custody activates the emotional attributes of psychopathy. Bearing in mind that this repetitive game which seems so inane to us seems to Max more like a contest, exploit or adventure, it appears that periodic hospitalization allows Max to act the psychopath in ways that are expressive but not dangerous. Outside hospital walls he also bears himself as if he were the hero of some tale of notable deeds despite the actual littleness of his actions.

Thus, proper expression of his antisocial tendencies keeps Max out of prison, the proper exploitation of his disorder gets him released from psychiatric detention by showing him to be non-delusional and even non-neurotic, and the proper staging of his disorder allows him to magnify petty deeds to heroic proportions. Of course a non-dangerous psychopath bears little resemblance Hare’s figures despite their common traits. Married to a madame, a figure of clownish bravado who seems to take pride in getting into and out of trouble, Max is in fact so unlike Hare’s ruthless psychopaths that we have to remind ourselves that the scale Hare devised to identify the latter descends from *The Mask of Sanity*.

**Endless Repetition**

 If one thing above all makes Max’s way of life seem ludicrous, it is that he pursues the same cycle of arrest-hospital-freedom-arrest over and over again, times beyond counting. So committed Max to this peculiar pathway that the reader of the tale of his life gets lost in repetitions and backstories worthy of the *Thousand and One Nights*. A record with dozens of arrests beyond the more significant ones, with court appearances so numerous that the defendant seems to generate his own precedents—such a record defies narration itself.

 While a patient who reverts to “old patterns of maladjustment” as soon as he leaves the asylum, and will return to the asylum itself in due course, has shown no improvement, we may set our sights too high in judging anything less than improvement as therapeutic failure. Though Max makes no progress, at least he does not graduate to worse crimes as one of Hare’s psychopaths might do. His career shows no such trend or pattern. Stuck in a permanent cycle, he does the same things ad infinitum, which is to say that his crimes remain petty despite his dangerously profound detachment from other human beings. One’s impression is of antisocial potential locked up in the pointless repetitions that are the most salient feature of Max’s biography. From this perspective, the cycle that constitutes his life is a virtuous one in that its character *as* a cycle tends to entrench the habit of minor crime. Max may well be incorrigible, but at least it is petty frauds and absurd postures and performances that can’t be corrected—not ruthlessness. “Max is not by inclination and has never been a violent or murderous person but in his conflicts with the law has appeared usually in the role of petty bully, sharper, thief, and braggart.”[[37]](#endnote-37)

**Crimes Against Taste**

As a result of a combination of circumstances, Cleckley’s psychopaths enjoy immunity from serious punishment, provided they do not endanger the community. No evidence is given in *The Mask of Sanit*y that they find this restriction oppressive; indeed, they seem to prosper under it. Cleckley is like a naturalist documenting a flourishing species. It’s as if persons like Max became more inventive and outrageous in response the conditions they work under, trying out all possible ways of insulting the norms of the world around them. As the description of Max as a braggart suggests, many of the offenses recorded in *The Mask of Sanity* do not rise to the level of crime at all, except in the sense of being crimes against propriety. Some of thesebeggar tastelessness itself, as when a certain gentleman dons his Doberman’s collar and leash and gambols through the neighborhood like a dog. As absurd as it may be, this sort of expressionism is characteristic of the disorder investigated by Cleckley.

If one offense seems to typify Max himself, it is a crime not against persons or even property but taste. In an episode recounted at length, Max during one of his detentions requests a loaf of bread, “stating that he would mold from it creations of great beauty and worth.”[[38]](#endnote-38) He proceeds to chew the bread, spit it out, and work the disgusting mass into decorative shapes including a cross, all of them hideous. And he keeps this up for a week like an artist in a workshop, inviting the hospital authorities and influential ladies to admire his productions and somehow earning parole as a result. The entire episode is like him. Spewing bread from his mouth is a form of expression in the most literal sense, and, as such, seems related to his practice of dramatizing his talents at all times and in all places, including places of confinement. The sickening objects he fashions, including a cross, read like actions in a war against propriety, a cause that occupies many of Cleckley’s patients, including one who marries taxi drivers, bar patrons and vagrants, another who sprawls drunk on an altar, and a third who neatly pens a breathtaking obscenity on the door of “the Latin instructress.”[[39]](#endnote-39) Max makes a mockery of his culture’s norms of “beauty and worth” as he mocks the sanctity of marriage by wedding a madame. Provocative acts like these vividly express the core values, as it were, of Cleckley’s psychopaths but do not figure in the literature that derives from Cleckley and still cites his name.

In this connection we note a subtle but telling difference between Cleckley’s list of psychopathic attributes and the PCL-R equivalent. If there is one proverbial attribute of psychopathy it is a lack of guilt; hence Hare’s *Without Conscience*. But where PCL-R refers to “lack of remorse or guilt,” Cleckley refers to “lack of remorse or *shame*.” While a crime against persons or property should in principle elicit guilt, an offense against propriety—such as urinating on evening gowns or wriggling on the floor in the middle of a professional consultation—calls for shame; and this is what Cleckley’s psychopaths do not feel. As we recognize by the term “community standards,” dictates of propriety vary, and the psychopaths of *The Mask of Sanity* seem in touch with those of their time and place, which they offend ingeniously. The gentleman trotting like a dog advertises his shamelessness on the very lawns of his well-to-do neighbors.

Much as Max exploits the rules and practices of the world around him to get himself into hospitals he can get out of, others target the standards of propriety whose officers are everywhere to be found in *The Mask of Sanity*—ministers, rectors, teachers, principals, scoutmasters, public figures, police, social workers, influential somebodies. The indecency shown by Cleckley’s patients appears to have a local character or inflection. A prominent reviewer of the first edition of *The Mask of Sanity* living in Boston notes that he has never seen anything like the displays of shamelessness chronicled there, “particularly the long bouts of drinking in bawdy houses or in the open; men lying long stupefied in fields, woods, and ditches.” Such behavior, says the reviewer, reflects its “Southern setting.”[[40]](#endnote-40)

**Conclusion**

The evidence given in *The Mask of Sanity* suggests, in sum, that as a result of the restraint shown by the police, the courts, and the officers of psychiatric hospitals, Cleckley’s psychopaths are able to practice with some freedom provided they limit themselves to minor crime and offenses against decency—an arrangement that serves to contain their antisocial potential within quite narrow boundaries. Certainly the system of legal and behavioral controls was not designed to reward less dangerous expressions of psychopathy, but it has that effect in that it allows someone like Max both (a) to avoid prison even while breaking the law and stirring up trouble, and (b) to get out of psychiatric custody simply by donning the mask of sanity. In effect, the psychopath receives a license to practice. The entire arrangement is historically contingent or fragile, depending as it does on such variables as levels of forbearance and the state of agreed psychiatric knowledge. It may even vary with locality. The Bostonian reviewer just cited remarks that the tolerance shown by the authorities and others in *The Mask of Sanity* lies outside his field of experience.

It is consistent with the variable character of the disorder presumed invariant in *The Mask of Sanity* that a careful study of sociopathy centered in the mid-West yields a quite different picture. A controlled follow-up investigation of cases first flagged in the records of a child-guidance clinic in St. Louis in the 1920’s—cases thus approximately contemporaneous with Cleckley’s set in the 1930’s and 1940’s—Lee Robins’ *Deviant Children Grown Up* (1966) was one of the few examples of a methodologically rigorous study of the course of disease available to the Feighner group when it compiled its now-famous list of diagnostic criteria for mental disorders.[[41]](#endnote-41) In stark contrast to Cleckley’s typical psychopath arrested “perhaps a hundred times or more,” the Robins population had a median of eight arrests; and while members of this population were sometimes referred from prison to psychiatric hospitals, only 21% had ever been hospitalized as adults. Of the diagnosed sociopaths in the Robins study who had been convicted of a non-traffic offense, 38% served a prison term of five years or more.[[42]](#endnote-42) Clearly the Robins population does not ride the Cleckley carousel. A reader of *Deviant Children Grown Up* who was unfamiliar with *The Mask of Sanity* would little imagine the antics in its pages—marrying a prostitute on the spur of the moment, for example, or defecating “in the aisle of a church” during a funeral service.[[43]](#endnote-43) Lest we conclude that the Robins population has nothing to do with Cleckley’s beyond a certain kinship between the words “psychopathy” and “sociopathy,” Robins states that her study and *The Mask of Sanity* both concern persons with the DSM-I disorder “antisocial reaction.”[[44]](#endnote-44) Except for their astonishing number of arrests, Cleckley’s psychopaths do show a behavioral profile abstractly similar to the Robins population, with (most obviously) irregular school and work histories, much abuse of alcohol, and a poor marital record. Yet one wonders if “poor marital record” covers the case of a figure like Max, married in some sense of the word to several women at once, most notably the madame of a prosperous brothel.

If psychopathy can manifest itself in different ways, what seems to influence the way it plays out in *The Mask of Sanity*? A condition critical to the stories of Cleckley’s patients is that when they are referred for psychiatric evaluation the hospital cannot hold them for long because (as we know) they fit no category of mental disorder despite their manifest abnormality. Cleckley underlines this point. His first item of business in *The Mask of Sanity* is to establish the existence of a well-defined group of patients who defy current psychiatric classifications—not a rare breed posing a subtle problem of taxonomy but “strange personalities who take so much attention of the medical staffs in psychiatric hospitals and whose behavior . . . probably causes more unhappiness and more perplexity to the public than all other mentally disordered patients combined.”[[45]](#endnote-45) But of course it is only because they are routinely discharged from hospitals that they are free to cause society at large so much trouble, grief and bewilderment (all of which fall short of actual danger), and they are discharged because their disorder fails to meet “the accepted criteria of mental disease.”[[46]](#endnote-46) However, within two years of the second edition of *The Mask of Sanity*, DSM-I (1952) closed this loophole—on paper—with “antisocial reaction,” as exemplified by “chronically antisocial individuals who are always in trouble, profiting neither from experience nor punishment, and maintaining no real loyalties to any person, group, or code. They are frequently callous and hedonistic, showing marked emotional immaturity, with lack of sense of responsibility, lack of judgment, and an ability to rationalize their behavior so that it appears warranted, reasonable, and justified.” This reads like a description of the cast of characters in *The Mask of Sanity* with their identifiers removed.

 In effect, no sooner was the print dry in the second edition of *The Mask of Sanity* than it ceased to be true that psychopathy had no place in existing classifications of mental disorders. That isn’t to say that diagnostic practice changed at once; no one ever called DSM-I the bible of psychiatry. But the framing of a diagnosis for someone like Max in a document of the American Psychiatric Association shows at least that conditions supporting the hospital-freedom-hospital cycle in *The Mask of Sanity* are subject to change. The cycle presupposes, in particular, enough places in state hospitals for the courts to use those institutions as an option of convenience for inexplicable offenders like Max, and for those like Max himself to use again and again for their own advantage. After all, Max can and does walk out of psychiatric hospitals merely by being himself. Given that the typical psychopath, according to Cleckley, is arrested perhaps a hundred times “but nearly always regains his freedom”[[47]](#endnote-47)—often with a stop in a state hospital—it’s very probable that Cleckley alone saw patients who had gone in and out of hospitals thousands of times. But this strange state of affairs, which Cleckley portrays as a kind of standing paradox, did not last forever. With the sharp reduction of places in psychiatric hospitals as a result of deinstitutionalization,[[48]](#endnote-48) these facilities lost the luxury of housing persons like Max who seek admission precisely because they cannot be held.

Also historically contingent are the standards of propriety that Cleckley’s patients offend in all possible ways, committing bigamy, befouling symbols of elegance and refinement, wandering the countryside with their trousers at their heels, indulging in “senseless, bawdy escapades.”[[49]](#endnote-49) Such acts take on heightened meaning at a time when bourgeois standards were the law of the land, morally speaking, and when letters of recommendation like those that landed on Cleckley’s own desk were supposed to comment on the candidate’s character and probity. A felt presence in the biographies of Cleckley’s patients, it is this code governing their local world that makes their acts of indecency so provocative and expressive. They seem to desecrate the very norms others hold most dear: the sanctity of marriage, the sanctity of private property, the importance of work and the diligent pursuit of goals. And it is not by acts of violence but the flagrant violation of everything others deem right, proper and sacred that they are able to do this. If the code of propriety in the world around them were less dominant, and if the authorities were less tolerant of their antics, perhaps Cleckley’s patients would invest less in purely symbolic expressions of deviance.

One reason many of Cleckley’s patients seem to be flourishing in their own aberrant manner despite shuttling into and out of psychiatric hospitals is that they express themselves so actively, with starring roles in many a notional exploit. If we bear in mind the importance of expression to these psychopaths, some of their behavior becomes less incomprehensible. It can be said of every one of them, as it is of “George,” that “Always he causes trouble for himself and others and always for no discernible purpose.”[[50]](#endnote-50) The behavior of these absurdists is not goal-directed unless the goal be expression itself; so interpreted, acts that seem to defy reason, or to be “inadequately motivated,” suddenly begin to make some kind of sense.[[51]](#endnote-51) And here we come back to the implicit rule granting immunity from serious punishment provided that crimes remain minor.

Despite sharing an inventory of traits with the dangerous psychopath better known to us, Cleckley’s patient only “incidentally causes sorrow and trouble,”[[52]](#endnote-52) as if injuring others were not his object. His object appears to be to express, to enact, his disordered self, and the code limiting him to minor crime allows room to do so—to stage in the most provocative manner the traits enumerated on a psychopathy checklist, such as impulsiveness, egocentricity, and need for excitement. The pages of *The Mask of Sanity* abound with such empty exploits: deeds that do nothing but exhibit the actor. Warned that he is going to the dogs, a certain physicist makes for an animal hospital, climbs into a kennel, and lies there singing and cursing, his din rising above the howls of the actual dogs. Perhaps it is because Cleckley’s psychopaths invest so much of themselves in sheer expression that the same traits that predict dangerousness in Hare’s psychopaths index a ludicrous futility in them. In any case, we have no reason to assume that outside the distinctive conditions in which psychopathy is enacted in *The Mask of Sanity*—conditions characterized all at once by definite standards of propriety, tolerance of impropriety, authority exercised with restraint, hospitals with open doors, and psychiatrists in charge of these institutions who adhere to their own rules—psychopathy would take the very same form it manifests in Cleckley’s classic.

1. Robert Hare, *Without Conscience: The Disturbing World of the Psychopaths Among Us* (New York: Guilford, 1993), 28. [↑](#endnote-ref-1)
2. Drew Westen and Joel Weinberger, “When Clinical Description Becomes Statistical Prediction,” *American Psychologist* 59 (2004): 595-613; 599. [↑](#endnote-ref-2)
3. Hervey Cleckley, *The Mask of Sanity: An Attempt to Clarify Some Issues About the So-Called Psychopathic Personality, 2nd* edition (St. Louis: Mosby, 1950), 364. All quotations from this edition unless otherwise noted. [↑](#endnote-ref-3)
4. Robert Hare, “A Research Scale for the Assessment of Psychopathy in Criminal Populations,” *Personality and Individual Differences* 1 (1980): 111-19; 111. [↑](#endnote-ref-4)
5. Hare, *Without Conscience*, 36-37. [↑](#endnote-ref-5)
6. Cleckley, *Mask of Sanity,* 57. [↑](#endnote-ref-6)
7. Robert Hare, “A Research Scale for the Assessment of Psychopathy in Criminal Populations,” *Personality and Individual Differences* 1 (1980): 111-19; 111. [↑](#endnote-ref-7)
8. Hare, *Without Conscience*, 132. The author contradicts this judgment on p. 45. [↑](#endnote-ref-8)
9. Ibid., 13. [↑](#endnote-ref-9)
10. Ibid., 33. [↑](#endnote-ref-10)
11. Cleckley, *The Mask of Sanity,* 5th edition (1988), 168. [↑](#endnote-ref-11)
12. Hare, *Without Conscience*, 39. [↑](#endnote-ref-12)
13. Ibid., 41. [↑](#endnote-ref-13)
14. Ibid., 68. [↑](#endnote-ref-14)
15. Cleckley, *Mask of Sanity,* 2nd ed., 149-50. [↑](#endnote-ref-15)
16. Ibid., 290. [↑](#endnote-ref-16)
17. Christopher Patrick, “Psychopathy as Masked Pathology” in *Handbook of Psychopathy*, second edition, ed. Christopher Patrick (New York: Guilford Press, 2018), 6. [↑](#endnote-ref-17)
18. Ibid., 8. [↑](#endnote-ref-18)
19. Cleckley, *Mask of Sanity,* 53. [↑](#endnote-ref-19)
20. Ibid., 53. [↑](#endnote-ref-20)
21. Robert Hare, *Psychopathy: Theory and Research* (New York: Wiley, 1970), 1. [↑](#endnote-ref-21)
22. Cleckley, *Mask of Sanity*, 65. [↑](#endnote-ref-22)
23. Ibid., 50. [↑](#endnote-ref-23)
24. Ibid., 379. [↑](#endnote-ref-24)
25. On the representativeness of Cleckley’s psychopaths see Robert Hare and Craig Neumann, “Psychopathy and a Clinical and Empirical Construct,” *Annual Reviews in Clinical Psychology* 4 (2008): 217-46; 225. [↑](#endnote-ref-25)
26. Cleckley, *Mask of Sanity*, 35-36. [↑](#endnote-ref-26)
27. Ibid., 51. [↑](#endnote-ref-27)
28. Ibid., 374. [↑](#endnote-ref-28)
29. Ibid., 170. [↑](#endnote-ref-29)
30. Ibid., 36. [↑](#endnote-ref-30)
31. Ibid., 53. [↑](#endnote-ref-31)
32. Ibid., 55. [↑](#endnote-ref-32)
33. Ibid., 66. [↑](#endnote-ref-33)
34. Ibid., 50. [↑](#endnote-ref-34)
35. Ibid., 65. [↑](#endnote-ref-35)
36. Ibid., 57. [↑](#endnote-ref-36)
37. Ibid., 65. [↑](#endnote-ref-37)
38. Ibid., 61. [↑](#endnote-ref-38)
39. Ibid., 144. [↑](#endnote-ref-39)
40. William Healy, Review of *The Mask of Sanity,* by Hervey Cleckley, *Journal of Abnormal and Social Psychology* 37 (1942): 139-41; 140. [↑](#endnote-ref-40)
41. John Feighner, Eli Robins, Samuel Guze et al., “Diagnostic Criteria for Use in Psychiatric Research,” *Archives of General Psychiatry* 26 (1972): 57-63. [↑](#endnote-ref-41)
42. Lee Robins, *Deviant Children Grown Up* (Baltimore: Williams & Wilkins, 1966), 112, 124, 111. [↑](#endnote-ref-42)
43. Cleckley, *Mask of Sanity*, 164. [↑](#endnote-ref-43)
44. Ibid., 79. [↑](#endnote-ref-44)
45. Ibid., 32. [↑](#endnote-ref-45)
46. Ibid., 86. [↑](#endnote-ref-46)
47. Ibid., 36. [↑](#endnote-ref-47)
48. H. Richard Lamb and Leona Bachrach, “Some Perspectives on Deinstitutionalization,” *Psychiatric Services* 52 (2001): 1039-45. [↑](#endnote-ref-48)
49. Cleckley, *Mask of Sanity*, 129. [↑](#endnote-ref-49)
50. Ibid., 103. [↑](#endnote-ref-50)
51. On self-expression, impulse and eccentricity see Edward Banfield, *The Unheavenly City: The Nature and Future of Our Urban Crisis* (Boston: Little, Brown, 1968), Ch. 3. [↑](#endnote-ref-51)
52. Cleckley, *Mask of* Sanity, 290. [↑](#endnote-ref-52)