Insanity

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Definition

Insanity is broadly defined as a deranged state of mind usually occurring as the result of a specific disorder or mental disease. Such unsoundness of mind or lack of understanding prevents one from having the mental capacity required by law and removes one from criminal or civil responsibility. Though commonly misunderstood, insanity is not a medical condition. Rather, it is a legal term that originated from the common law. Insanity defense can be considered a defense for criminal actions in the USA. Each state differs slightly in the definition of insanity for criminal defense purposes, but all states follow the Moral Penal Code guidelines.

The first task that each state requires is a sanity evaluation to determine the presence of a mental illness. However, the diagnosis of an Axis II personality disorder does not qualify for the insanity defense. The next question is whether the mental illness influenced the defendant's ability to establish right from wrong. More specific question is whether the subject was able to appreciate the nature and quality of the wrongfulness of the act. Willful intent is generally absent when mental

illness influences the criminal offense. Some states add the qualifier that asks whether the defendant was in control of his or her behavior as a result of the mental illness.

Cross-References

- ▶ [Actus Reus](#)
- ▶ [Mens Rea](#)
- ▶ [Mental State at Offense](#)

References and Readings

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