

TABLE 16.1 Historical Criteria for Determining Insanity

TEST	DATE	LEGAL CRITERIA
M’Naghten rule	1843	<div>1. There is the presence of a mental disorder.</div> <div>2. There is a lack of comprehension of the nature or wrongfulness of the act.</div>
Volitional test	1880s	Mental illness made the person unable to control himself even though he knew the difference between right and wrong.
Durham rule	1954	An individual is not criminally responsible if his unlawful act is the product of a mental disease or defect.
American Law Institute (ALI) rule	1962	A person is not responsible for criminal conduct if at the time of such conduct as the result of mental disease or defect he lacks substantial capacity either to appreciate the criminality (wrongfulness) of his conduct or to conform his conduct to the requirements of the law.
Comprehensive Crime Control Act	1984	The defendant, as a result of severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of his acts.