CHAPTER X.

HYPNOTISM AND CRIME.

Platform Experiments misleading. — Their Utter Inutility as a Test. — So-called "Tests" described and explained. — Sexual Outrages impossible. — Auto-suggestion protects the Virtuous. — A Willing Subject necessary. — Demonstrative Experiments. — Modern Authorities cited against themselves. — Professor Gregory's Views. — The Elevated Moral Tone of Subjects when mesmerized. — Successful Suggestion of Suicide impossible. — The Three Normal Functions of the Subjective Mind. — Self-Preservation. — Propagation. — Preservation of Offspring. — Instinctive Auto-suggestion. — Indifference on Near Approach of Death. — A Universal Law. — Illustrative Incidents. — Suggestive Criminal Abortion impossible. — Premonitions explained. — The Dæmon of Socrates. — Clairaudience. — The Instinct of Death. — Hypnotism in Jurisprudence. — Testimony Valueless. — Vital Secrets impossible to obtain. — Doctors must not monopolize the Forces of Nature. — The Folly of Adverse Legislation.

BEFORE leaving the subject of hypnotism, I deem it proper to say a few words on one of its branches which is just now attracting the attention alike of students of the science and the public at large. The idea is being very generally promulgated among the people that the ability of one man to mesmerize or hypnotize another implies the possession of a very dangerous power, and one which, in the hands of an unscrupulous man, may be used for criminal purposes. It is perhaps not strange that such an idea should prevail among those who have not studied the science except by observation of platform experiments, which are designed rather to amuse than to instruct. There is something so mysterious in the whole subject,

viewed from the standpoint of an audience assembled to witness experiments of this character, that it would be strange indeed if the average man were not impressed with an indefinable dread of the power of the hypnotist. He sees him, by means of certain mysterious manipulations, throw his subject into a profound sleep, and awaken him by a snap of the fingers. He sees the subject impressed with all manner of incongruous ideas, — made to believe that he is Diogenes, or a dog, at the will of the operator. He is made to ride an imaginary horse-race, astride a deal table, or to go in swimming on the bare floor. He is made to see angels or devils; to wander in the Elysian fields of paradise, or to scorch in the sulphurous fires of hell; to feel pain or pleasure, joy or sorrow, — all at the caprice of the man in whose power he has placed himself. All this, and much more, can be seen at public exhibitions of hypnotism, and under conditions that leave no doubt in the mind of the observer, of the genuineness of the phenomena. He sees his friends, for whose integrity he can vouch, go upon the platform and become subject to the same mysterious power. Still doubting, he may go upon the stage himself, only to find that he is amenable to the same subtle influence, controllable by some power that is to him agreeable, yet mysterious, indefinable, incomprehensible. At first he perfectly comprehends all his objective surroundings, remembers afterwards all that took place, and very likely fancies that he obeyed the suggestions of the hypnotist merely to please him and to avoid doing anything to mar the harmony of the occasion. Later on he learns that his supposed complacency was really an irresistible impulse to obey the will of the hypnotist. As the experiments proceed he experiences the sensation of double consciousness. He is told that in his hand he holds a delicious fruit, — a strawberry, perhaps. He is still possessed of sufficient objective consciousness to know that there is really no strawberry in his hand, and yet he sees it plainly, feels it, smells it, tastes it, and experiences all the satisfaction incident to having actually eaten the fruit. He

is able to converse rationally on the subject, and to express his amazement at the vividness and apparent reality of the subjective sensation. After a few repetitions of the experiments he loses all consciousness of his objective environment, yields unquestioning obedience to the suggestions of the hypnotist, and retains no recollection, after he is awakened, of what occurred when he was in the somnambulic condition. His friends inform him of the many wonderful things which occurred, of his ready obedience to all suggestions, — how he made a speech far transcending his natural abilities, under the influence of a suggestion that he was Daniel Webster; how he flapped his wings and crowed when told that he was a cock; and so on through the *répertoire* of platform experiments. He is now strongly impressed with the idea that he was controlled by a power that he could under no circumstances resist. But, wishing to pursue his investigations further, he resolves to test the question whether this power can be employed for criminal purposes. A few friends are called together, a hypnotist is employed, and a few well-trained subjects are invited to give a private exhibition for the benefit of "science." In order to give the proposed psychological experiment an undoubted scientific value, a few doctors of physic are invited to be present, — not because they know anything about psychology or of hypnotism, but because it is well known that they have heard something about the latter science, particularly that it has been found to be a great therapeutic agent, and they are just now deeply interested in proving that hypnotism, in the hands of any one outside of the medical profession, must necessarily be employed for the perpetration of crime.

We will now suppose that the guests are assembled and the experiments are about to be made. The question is freely discussed in the presence of the subjects, each one of whom is duly impressed with the idea that he is about to become the instrument of science for the elucidation and definite settlement of the great problem of the age. The subject is now duly hypnotized, and the inevitable paper

dagger is placed in his hands. An imaginary man in a distant part of the room is pointed out, and the subject is informed that the said man is his mortal enemy; and he is duly advised that the best thing he can do under the circumstances is to proceed to slaughter the enemy aforesaid. This he has no hesitation in doing, and he proceeds to do it with great dramatic effect. He sneaks up to his victim in the style of the last heavy villain he has seen on the stage, and plunges the imaginary dagger into the hypothetical man, amidst the applause of the assembled village wisdom.

The next subject is duly hypnotized, and informed that he is a noted pickpocket. The guests are pointed out as a good crowd to work for "wipers," or whatever is thieves' slang for pocket-handkerchiefs. The subject accepts the suggestion at once, and, with much show of cunning, proceeds to relieve the guests of whatever is within his reach.

The next subject is advised that he is an accomplished burglar, and that a neighboring house is overflowing with plunder. He enters into the spirit of the suggestion with great alacrity, and a committee is duly appointed to accompany him to the scene of pillage. The neighbor is, meantime, apprised of the proposed burglary, and every facility is afforded, in the interest of "science." (The reader will remember that actual occurrences are being described.) The burglary is completed with great skill and promptitude, and a miscellaneous collection of valuables is brought away and equitably divided with the hypnotist.

The above are fair samples of the "scientific" experiments which are just now being largely indulged in, and which are believed to demonstrate the possibility of employing hypnotism as an instrument of crime. "If the average subject," it is argued, "in a state of profound hypnotic sleep, is so amenable to the power of suggestion as to plunge a paper dagger into an imaginary enemy at the bidding of a hypnotist, it follows that a criminal hypnotist possesses unlimited power to cause any one of his subjects to plunge a real dagger into any victim whom the hyp-

notist may select for slaughter." If the conclusions were correct, the power would be indeed formidable, and, in the hands of unscrupulous men, dangerous. Much has been written on the subject of the possibility of sexual outrage by means of hypnotism, and a few cases are reported in the books. None of them, however, bear the unmistakable stamp of genuineness, and most of them bear internal evidence of fraud. The best authorities on the subject are now free to confess to very grave doubts, at least, of the possibility of crime being instigated by this means. Thus, Moll,[1] one of the latest and certainly one of the ablest writers on the subject, has the following: —

"There are important differences of opinion about the offences which hypnotic subjects may be caused to commit. Liégeois, who has discussed the legal side of the question of hypnotism in a scientific manner, thinks this danger very great, while Gilles de la Tourette, Pierre Janet, Benedikt, and others, deny it altogether.

"There is no doubt that subjects may be induced to commit all sorts of imaginary crimes in one's study. I have made hardly any such suggestions, and have small experience on the point. In any case, a repetition of them is superfluous. If the conditions of the experiment are not changed, it is useless to repeat it merely to confirm what we already know. And these criminal suggestions are not altogether pleasant. I certainly do not believe that they injure the moral state of the subject, for the suggestion may be negatived and forgotten. But these laboratory experiments prove nothing, because some trace of consciousness always remains to tell the subject he is playing a comedy (Franck Delbœuf), consequently he will offer a slighter resistance. He will more readily try to commit a murder with a piece of paper than with a real dagger, because, as we have seen, he almost always dimly realizes his real situation. These experiments, carried out by Liégeois, Foreaux, and others in their studies do not, therefore, prove danger."

Such experiments prove nothing, simply because they are experiments. The subject knows that he is among his friends. He has confidence in the integrity of the hypnotist. He is most likely aware of the nature of the proposed experiments. He enters into the spirit of the occasion, resolved to accept every suggestion offered, and to carry out his part of the programme in the best style, knowing that no possible harm can befall him. Moreover, he knows that if he performs his part to the satisfaction of his auditors, he will receive their applause; and applause to the subjective mind is as sweet incense. For, be it known, the average hypnotic subject is inordinately vain of his accomplishments.

[1] Hypnotism, p. 337.

All those considerations are, however, merely negative evidence against the supposition that the innocent hypnotic subject can be made the instrument of crime, or the victim of criminal assault against his will. These experiments prove nothing, that is all. Nor do they disprove anything. We must, therefore, look elsewhere for positive evidence to demonstrate the impossibility of making the innocent subject the instrument or the victim of crime. This evidence is not difficult to find.

It will be unnecessary to travel outside the domain of admitted, recorded, and demonstrated facts in order to prove the utter impossibility of victimizing virtue and innocence by means of hypnotism. Indeed, it is difficult to understand how any one who recognizes the law of suggestion, and its universal application to psychological phenomena, can believe for one moment that hypnotism can be made the instrument of crime. Yet we find disciples of the Nancy school who seem to imagine that to hold that it cannot be so employed is equivalent to an admission that the law of suggestion is not of universal application. The fact is that just the contrary is true. It is one of the strongest demonstrations of the universality of the law that hypnotism cannot be so employed.

The first proposition in the line of the argument is that when two contrary suggestions are offered to the hypnotic subject, the strongest must prevail. It needs no argument to sustain this proposition; it is self-evident.

The next proposition, almost equally plain, is that auto-

suggestion as a factor in hypnotism is equal in potency, other things being equal, with the suggestion of another.

Auto-suggestion is now recognized as a factor in hypnotism by all followers of the Nancy school. Professor Bernheim mentions it as an obstacle in the way of the cure of some of his patients. One case that he mentions was that of a young girl suffering from a tibio-tarsal sprain. "I tried to hypnotize her," says Bernheim; "she gave herself up to it with bad grace, saying that it would do no good. I succeeded, however, in putting her into a deep enough sleep two or three times. But the painful contracture persisted: she seemed to take a malicious delight in proving to the other patients in the service that it did no good, *that she always felt worse*. . . . The inrooted idea, *the unconscious auto-suggestion*, is such that nothing can pull it up again. When the treatment was begun, she seemed to be convinced that hypnotism could not cure her. Is it this idea, so deeply rooted in her brain, which neutralizes our efforts and her own wish to be cured?"[1]

Moll, more distinctly than Bernheim, recognizes the power of auto-suggestion as a potent factor which must always be taken into account in conducting experiments; although he, like Bernheim, strangely forgets to take it into account when he discusses hypnotism in its relations to crime. The following passage, for instance, should have been incorporated in his chapter on the Legal Aspects of Hypnotism:

"Expressions of the will which spring from the individual character of the patient are of the deepest psychological interest. The more an action is repulsive to his disposition, the stronger is his resistance (Forel). Habit and education play a large part here; it is generally very difficult successfully to suggest anything that is opposed to the confirmed habits of the subject. For instance, suggestions are made with success to a devout Catholic; but directly the suggestion conflicts with his creed, it will not be accepted. The surroundings play a part also. A subject will frequently decline a suggestion that will make him appear ridiculous. A woman whom I easily put into cataleptic

[1] Suggestive Therapeutics, p. 214.

postures, and who made suggested movements, could not be induced to put out her tongue at the spectators. In another such case I succeeded, but only after repeated suggestions. The manner of making the suggestion has an influence: In some cases it must be often repeated before it succeeds; other subjects interpret the repetition of the suggestion as a sign of the experimenter's incapacity, and of their own ability to resist. Thus it is necessary to take character into account. It is often easier to induce some action by suggesting each separate movement than by suggesting the whole action at once (Bleuler). For example, if the subject is to fetch a book from the table, the movements may be suggested in turn: first the lifting, then the steps, etc. (Bleuler.)

"It is interesting to observe the way in which resistance is expressed, both in hypnotic and post-hypnotic suggestion. I myself have observed the interesting phenomenon that subjects have asked to be awakened when a suggestion displeased them.

"Exactly the same resistance is sometimes offered to a post-hypnotic suggestion. It is possible in such a case that the subject, even in the hypnotic state, will decline to accept the suggestion. Many carry out only the suggestions to which they have assented (Pierre Janet).

"Pitres relates an interesting case of a girl who would not allow him to awake her, because he had suggested that on waking she would not be able to speak. She positively declared that she would not wake until he gave up his suggestion. But even when the suggestion is accepted as such, a decided resistance is often expressed during its post-hypnotic execution. This shows itself as often in slow and lingering movements as in a decided refusal to perform the act at all. The more repugnant the acting, the more likely is it to be omitted."[1]

Thousands of experiments are daily being made which demonstrate the impossibility of controlling the hypnotic subject so far as to cause him to do that which he believes or knows to be wrong. A common platform experiment is that of causing subjects to get drunk on water, under the suggestion that it is whiskey. It frequently happens that one or more of the subjects are conscientiously opposed to the use of strong drink as a beverage. Such persons invariably decline, in the most emphatic manner, to indulge in

[1] Hypnotism, p. 171.

the proposed debauch. Like all such experiments on the stage before a mixed audience, they are passed by as simply amusing, and no lesson is learned from them. The intelligent student, however, cannot fail to see the far-reaching significance of the refusal of a subject to violate his temperance principles. Again, every platform experimenter knows that whilst he can cause a crowd of his subjects to go in swimming in imaginary waters, he can never induce them to divest themselves of their clothing beyond the limits of decency. Some cannot even be made to take off their coats in presence of the audience. Others will decline to accept any suggestion, the pursuance of which would cause them to appear ridiculous.

Again, it is well known to hypnotists that an attempt to contradict or argue with a subject in the hypnotic state invariably distresses him, and persistency in such a course awakens him, often with a nervous shock. A conflict of suggestions invariably causes confusion in the subjective mind, and generally results in restoring the subject to normal consciousness.

Now, what is an auto-suggestion? In its broad signification it embraces not only the assertions of the objective mind of an individual, addressed to his own subjective mind, but also the habits of thought of the individual, and the settled principles and convictions of his whole life; and the more deeply rooted are those habits of thought, principles, and convictions, the stronger and more potent are the auto-suggestions, and the more difficult they are to overcome by the contrary suggestions of another. It is, in fact, impossible for a hypnotist to impress a suggestion so strongly upon a subject as to cause him actually to perform an act in violation of the settled principles of his life. If this were not true, suggestion would mean nothing; it would have no place in psychological science, because it would not be a law of universal application. The strongest suggestion must prevail.

It will thus be seen that the question as to whether hypnotism can be successfully employed for criminal purposes,

must be determined in each individual case by the character of the persons engaged in the experiment. If the subject is a criminal character, he might follow the suggestions of a criminal hypnotist, and actually perpetrate a crime. In such a case, a resort to hypnotism for criminal purposes would be unnecessary, and no possible advantage could be gained by its employment.

It is obvious that the same rule applies to sexual crimes; and it may be set down as a maxim in hypnotic science that no virtuous woman ever was, or ever can be, successfully assaulted while in a hypnotic condition. This is a corollary of the demonstrated propositions which precede it; and it admits of no exception or qualification.

A virtuous woman is, indeed, in less danger of successful assault while in that state than she is in her normal condition, for the simple reason that hypnotic subjects are always endowed with a physical strength far superior to that possessed in the normal condition. Besides, it is the observation of every successful hypnotist that the moral tone of the hypnotic subject, while in that condition, is always elevated. On this subject we will let the late Professor Gregory speak: —

"When the sleeper has become fully asleep, so as to answer questions readily without waking, there is almost always observed a remarkable change in the countenance, the manner, and the voice. On falling asleep at first, he looks, perhaps, drowsy and heavy, like a person dozing in church, or at table when overcome by fatigue, or stupefied by excess in wine, or by the foul air of a crowded apartment; but when spoken to, he usually brightens up, and although the eyes be closed, yet the expression becomes highly intelligent, quite as much so as if he saw. His whole manner seems to undergo a refinement which, in the higher stages, reaches a most striking point, insomuch that we see, as it were, before us a person of a much more elevated character than the same sleeper seems to be when awake. It would seem as if the lower, or animal, propensities were laid to rest, while the intellect and higher sentiments shone forth with a lustre that is undiminished by aught that is mean or common. This is particularly seen in women of natural refinement and high sentiments; but it is also seen in men of the same stamp,

and more or less in all. In the highest stages of the mesmeric sleep the countenance often acquires the most lovely expression, surpassing all that the great artists have given to the Virgin Mary or to angels, and which may fitly be called heavenly, for it involuntarily suggests to our minds the moral and intellectual beauty which alone seems consistent with our views of heaven. As to the voice, I have never seen one person in the true mesmeric sleep who did not speak in a tone quite distinct from the ordinary voice of the sleeper. It is invariably, so far as I have observed, softer and more gentle, well corresponding to the elevated and mild expression of the face. It has often a plaintive and touching character, especially when the sleeper speaks of departed friends or relations. In the highest stages it has a character quite new, and in perfect accordance with the pure and lovely smile of the countenance, which beams on the observer, in spite of the closed eyes, like a ray of heaven's own light and beauty. I speak here of that which I have often seen, and I would say that, as a general rule, the sleeper, when in his ordinary state and when in the deep mesmeric sleep, appears not like the same, but like two different individuals. And it is not wonderful that it should be so. For the sleeper, in the mesmeric state, has a consciousness quite separate and distinct from his ordinary consciousness; he is, in fact, if not a different individual, yet the same individual in a different and distinct phase of his being, and that phase a higher one."[1]

Professor Gregory's experience and observation have been those of every hypnotist and mesmerist whose works have been examined. There is, indeed, an ineffable and indescribable something which overspreads the countenance of the virtuous woman while she is in the hypnotic state, which disarms passion, and affects the beholder with a feeling that he has something seen of heaven. He knows that the physical senses are asleep, and he feels that the soul is shining forth in all its majesty and purity, untainted by any thought that is gross, any emotion that is impure.

One of the assertions most confidently made by those who hold that crime is the necessary result of hypnotic experiment, outside of the medical profession, is that a hypnotic subject can be made to commit suicide by suggesting to him

[1] Gregory on Animal Magnetism, p. 4.

the propriety of so doing. There is, if possible, even less foundation for this supposition than there is for any other in the whole catalogue. The reason of this will be obvious when we take into consideration some of the distinctive attributes of the subjective mind. It will not be disputed that the attribute of the subjective mind, which is known as intuition when applied to man, corresponds exactly with what we call instinct when applied to animals. Now, there are three primary functions, or, let us say, instincts, of the subjective mind, which are common to men and the whole animal creation. The first pertains to the preservation of the life of the individual, and is called, in common parlance, the instinct of self-preservation. This is admittedly the strongest instinct of animal nature. The second, in the order of strength and of universality, is the instinct of reproduction. The third pertains to the preservation of human life generally, and of one's offspring particularly. Each pertains to the perpetuity of the race. The first and second are universal, and the third is practically so; the only exceptions being in rare cases of individual idiosyncrasy, or in a very low order of animal life. The potency of these instincts is too well known to require comment.

There is one peculiarity, however, pertaining to subjective activity when the life of the individual is in danger, or that of offspring is imperilled, that is not so generally appreciated. In such cases the subjective mind takes prompt possession of the individual, and every act is subjective as long as active exertion is required to preserve the imperilled life. That this is true is shown, first, by the preternatural strength with which the person is endowed under such circumstances; second, by the total absence of fear; and third, by the wonderful presence of mind displayed in the instantaneous adaptation of every means to its proper end, and in doing exactly the right thing at the right time. Comment is often made on the wonderful "presence of mind" displayed by persons in great peril when instantaneous action is required, and there is no time for reflection or reasoning out a plan of action or defence. This presence of mind, so called, is

nothing more or less than subjective activity, or, in other words, instinctive action, the objective faculties being in almost complete abeyance for the time being. That this is true is further shown by the fact that a person in imminent and deadly peril will often emerge from the very jaws of death with nerves unshaken, the coolest and most collected person present. This is often mistaken for courage. It has, however, nothing whatever to do with the question of personal bravery. The veriest coward will, under circumstances of unavoidable danger, act with the same coolness, and evince the same presence of mind, as the bravest man. The most timid woman will fight like a demon, and display preternatural strength and courage, for the preservation of her own life or that of her offspring. The action is instinctive. In other words, it is the normal function of the subjective entity.

The condition of the person at such times is akin to, if not identical with, the state of hypnotism or partial hypnotism. It may be that the objective and subjective faculties act at such times in perfect synchronism; but certain it is that every evidence of subjective activity is present, even the phenomenon of anesthesia. This is shown by the fact that at such times the body feels no pain, no matter how severe the injury. The universal testimony of soldiers who have been in battle is to the effect that the time when fear is experienced is just before the action commences. When the first gun is fired, all fear vanishes, and the soldier often performs feats of the most desperate valor and evinces the most reckless courage. If wounded, he feels nothing until the battle is over and all excitement is gone. It is a merciful provision of nature that the nearer we approach death, the less we fear it. This law is universal. It is only in the vigor of youth and manhood that death is looked upon with horror. The aged view its near approach with calm serenity. The convicted murderer, as long as there is hope of pardon, reprieve, escape, or commutation of the death-penalty, evinces the utmost dread of the scaffold; but when the death-penalty is pronounced, and all hope has

fled, he often evinces the utmost indifference, welcomes the day of his execution, and marches to the scaffold without a tremor. The newspapers speak with wonder and admiration of his courage, and the universal verdict is that he was a brave man, and "died game." The truth is that the universal law of which we speak, that merciful provision of nature which nerves alike the brave man and the coward, steps in to his defence, his objective senses are benumbed, and he submits to the inevitable change without fear and without pain.

The testimony of Dr. Livingstone is to the same effect. He was once seized by a lion when hunting in the jungles of Africa, and carried some distance, his body between the lion's jaws. When death seemed inevitable, he testifies that all fear left him, and a delicious languor stole over his senses. The grasp of the lion's jaws caused no pain, and he felt fully resigned to his fate. A fortunate shot from the gun of one of his companions released him, and he was rescued.

This, however, is a digression. The main point which it is desired to enforce is, first, that the strongest instinct in mankind is that of self-preservation; and second, that this instinct, this strong desire to preserve the life of the body, constitutes a subjective, or an instinctive, auto-suggestion of such supreme potency that no suggestion from another, nor any objective auto-suggestion, could possibly overcome it. The inevitable conclusion is that suicide is certainly not a crime which can be successfully instigated by means of hypnotism.

Criminal abortion is another of the crimes which, the people are told, can be performed by means of hypnotic suggestion. The inherent absurdity of this statement is almost as great as that suicide can be successfully instigated by such means. It is here that another strong instinct prevails against a suggestion of that character, namely, the desire inherent in the soul of the mother to preserve her offspring. It is possibly true that conception could be prevented by hypnotic suggestion, and it may be true that bar-

renness is sometimes caused by unconscious auto-suggestion; but a very different state of affairs exists after the fœtus is once formed. The instinctive desire to preserve the life that exists, constitutes an instinctive auto-suggestion which no suggestion from another, nor even the objective auto-suggestion of the mother, could prevail against.

It may be safely set down, therefore, as a fundamental truth of hypnotic science that the auto-suggestion most difficult to overcome is that which originates in the normal action of the subjective mind, — otherwise, instinctive auto-suggestion.

The same line of reasoning applies, though with somewhat diminished force, to the commission of other crimes. We will suppose the most favorable condition possible for procuring the commission of a capital crime; namely, a criminal hypnotist in control of a criminal subject. The disposition of the subject might not stand in the way; there might be no auto-suggestion against the commission of crime in the habits and principles of the life of the subject; and yet the instinct of self-preservation would have its weight and influence in suggesting to him that the commission of a murder would imperil his own life. Such a consideration would operate as potently in the hypnotic condition as it would in the normal state. It would be an instinctive auto-suggestion, just the same as in the case of suicide, although it would operate indirectly in one case, and directly in the other. The deductive reasoning of the subjective mind, as we have seen in preceding chapters, is perfect; and in the case supposed, the subject would instantaneously reason from the proposed crime to its consequences to himself. The same law would operate in preventing the commission of crimes of less magnitude, with a resistance decreased in proportion to the nature of the offence. But it would, in all cases, be a factor of great importance in the prevention of crime; for the subjective mind is ever alert where the safety and well-being of the individual are concerned. This law is universal, and has often been manifested in the most striking manner. Pre-

monitions of impending danger, so often felt and recorded, are manifestations of the constant solicitude of the subjective entity for the welfare of the individual. It is comparatively rare that these subjective impressions are brought above the threshold of consciousness; but this is largely due to the habits of thought of mankind at the present day. Generally such impressions are disregarded, and in this sceptical and materialistic age are often relegated to the domain of superstition. When they are felt and acted upon, they are generally attributed to a supernatural source. The dæmon of Socrates is a strong case in point. He believed himself to have been constantly attended by a familiar spirit, whose voice he could hear, and whose admonitions were always wise. That he did hear voices there can, in the light of modern science, be little doubt. It is noteworthy, however, that the voice was generally one of warning, and that its strongest manifestations were made when his personal safety or his personal well-being was involved. The explanation, in pursuance of the hypothesis under discussion in this book, is not difficult. He was endowed with that rare faculty which, in one way or another, belongs to all men of true genius, and which enabled him to draw from the storehouse of subjective knowledge. In his case the threshold of consciousness was so easily displaced that his subjective mind was able at will to communicate with his objective mind in words audible to his senses. This phenomenon is known to spiritists as clairaudience. As before remarked, this voice was generally one of warning, and was the direct manifestation of that strongest instinct of the human soul, — the instinct of self-preservation.

To this the classical student will doubtless interpose the objection that the dæmon failed to warn the philosopher in the hour of his direst need; it failed to admonish him against that course of conduct which led to inevitable death. Socrates was accustomed to construe the silence of the dæmon as an approval of his conduct; and when the decisive moment arrived when he could have saved him-

self had he chosen to do so, the divine voice was silent. Only once did it interpose its warning, and that was to prevent him from preparing a speech which might have saved him from the hemlock.

The explanation of this failure may be found in the experience of all mankind. This instinctive clinging to life weakens with advancing years, and appears to cease altogether the moment a man's career of usefulness in life has ended. This is the experience of every-day life. Men grow rich, and in the full vigor of a green old age retire from business, hoping to enjoy many years of rest. The result is, generally, death in a very short time. An old man thrown out of employment, with nothing to hope for in the future, lies down and dies. Another, losing his aged companion, follows within a few days or weeks. Another lives only to see his children married and settled, and when that is accomplished, cheerfully lets go his hold on life. In fact, it seems to be as much an instinct to die, when one's usefulness is ended, as to cling to life as long as there is something to do to contribute to the general welfare.

Socrates was an old man. He had lived a long and useful life, but his career of usefulness was ended; for the authorities of the State had decided that his teachings were impious, and corrupting to youth. Had he lived, it would have been at the price of dishonor, his compensation a miserable old age. Besides, his doctrine that death is not an evil, together with his lofty sentiments regarding the duty of the citizen to the commonwealth, — a duty which he maintained could be performed in his case only by submitting to its decrees and carrying into execution its judgments, — constituted a potential element of auto-suggestion which must be considered in estimating the psychological features of his case. He felt that the principles of his whole life would be violated by any attempt to escape or evade the penalty which had been decreed against him; and he spent his last hours in an effort to convince his friends that the death of the body is

not an evil, when life is purchased at the price of dishonor. He felt that the philosophy which it had been the business of his life to teach, could only be vindicated by his death, at the time and in the manner decreed by the State. The supreme moment had arrived; the instinct of death was upon him; and, in philosophical communion with his followers, he calmly drank the hemlock, and died the death of a philosopher.

The value of testimony in criminal cases, obtained by means of hypnotism, has been very freely discussed by those who have given their attention to the legal aspect of the question. Assuming that a person has been hypnotized, and caused to commit a crime, the question naturally arises, What means are at hand to convict the guilty party? How is evidence to be obtained, and what is its value when obtained? As it has been shown to be a practical impossibility to procure the commission of crime by means of hypnotic suggestion, it will be unnecessary and unprofitable to discuss the question at great length, and it will be dismissed after the presentation of the vital point. It is obvious that when it is demonstrated that evidence is unreliable, and necessarily unworthy of credence, it is useless to discuss the ways and means of obtaining such evidence for use in a court of justice. The intricate maze of metaphysical disquisition in which this question has been so ably obscured by writers on the subject, will not be entered. It is sufficient to know that no testimony obtained from a subject in a state of hypnotism, relating to any vital question which involves the guilt or innocence of himself or his friends, is of any value whatever. It is a popular belief, handed down through the ages, that a somnambulic subject will always tell the truth, and that all the secrets of a sleep-walker can be obtained from him for the asking. This belief has also been held regarding the hypnotic subject; and it is upon this assumption that the hypothetical value of his testimony in criminal jurisprudence depends. It is true that, on ordinary questions, the truth is always uppermost in the subjective mind. A hypnotic

subject will often say, during the hypnotic sleep, that which he would not say in his waking moments. Nevertheless, he never betrays a vital secret. The reason is obvious to those who have followed the line of argument in the preceding pages of this chapter. The instinct of self-preservation, always alert to avert any danger which threatens the individual, steps in to his defence. Instinctive auto-suggestion here plays its subtle *rôle*, and no suggestion from another can prevail against it. If the defence involves falsehood, a falsehood will be told, without the slightest hesitation; and it will be told with preternatural acumen, and with such plausible circumstantiality of detail as to deceive the very elect. Neither will there be any variance or shadow of turning after repeated experiments, for the memory of the subjective mind is perfect.

This rule holds good, not only with regard to secrets which involve the personal safety of the individual, but in all matters pertaining to his material interests, his reputation, or the interests of his friends, whose secrets are confided to his care. That this is true is presumptively proved by the fact that in all the years during which the science of hypnotism has been practised, no one has ever been known to betray the secrets of any society or order. The attempt has often been made, but it has never succeeded. The truth of this assertion can be demonstrated at any time by experiment.

Such an experiment has a greater evidential value in establishing the rule than almost any other laboratory experiment. A subject might plunge a paper dagger into an imaginary man, or he might draw a check, sign a note, a contract, or a deed, in obedience to experimental suggestions, when he would not commit a real crime, or sign away his birthright, in obedience to criminal suggestion. But when a subject is asked to betray the secrets of a society to which he belongs, it is quite a different matter. In the one case a compliance with the suggestion proves nothing, simply because it is a laboratory experiment. In the other case his refusal to comply with the suggestion proves

everything, because his betrayal of such a secret in the laboratory is just as vital as to betray it elsewhere.

It is obvious, therefore, that the testimony of a hypnotized subject in a court of justice can possess no evidential value whatever. Not one of the conditions would be present which give weight to human testimony. The subject could not be punished for perjury if he swore falsely. In matters of indifference to him he would be in constant danger of being swayed by the artful or accidental suggestion of another. A false premise suggested to him at the start would color and pervert his whole testimony. A cross-examination would utterly confuse him, and almost inevitably restore him to normal consciousness. On questions of vital interest to himself, auto-suggestion would cause him to resort to falsehood if the truth would militate against him.

It is thought that enough has been said to show that the dangers attending the practice of hypnotism have been grossly exaggerated, and that the sources of danger, which the people are so persistently warned against, have no existence in fact. The premises laid down will not be gainsaid by any who understand the law of suggestion. The conclusions are inevitable. The law of auto-suggestion has been recognized by Continental writers, as has been shown by extracts from their books; but they have failed to carry it to its legitimate conclusion when treating the subject of the legal aspects of hypnotism. It is perhaps not strange that they should fail in this respect, in view of the vital interest which physicians have in hypnotism as a therapeutic agent. But they should remember that the subject is also of vital interest to students of psychology, and that it is only by a study of its psychological aspects that hypnotism can be intelligently applied to the cure of disease. That the phenomena displayed through its agency possess a significance which far transcends that which attaches to it as a substitute for pills, is a proposition which will not be disputed, even by those who seek to monopolize its forces. It is hoped, therefore, that the psychological student will be graciously permitted to pursue his studies at least until

it is shown that physicians enjoy such a monopoly of the cardinal virtues that it is unsafe to intrust the forces of nature in the hands of others.

In the mean time the world at large will continue to believe that the laws of hypnotism are no exception to the rule that the forces of nature, when once understood, are designed for the highest good of mankind; and they will continue to demand that those forces shall not be monopolized by any man, or set of men, body politic, or corporation.

From what has been said, the supreme folly of legislation to prohibit experiments in hypnotism is manifest. No one will deny that when a hypnotist permits himself to exercise his art in private he is in possession of opportunities which, under other conditions, might give him an undue advantage over a subject of the opposite sex; but, from the very nature of things, that advantage is infinitely less than that enjoyed by physicians in their habitual intercourse with their patients. Until it is shown that physicians never take advantage of their confidential relations with their patients; until it is shown that physicians are exempt from human passions and frailties; or, at least, until it is shown that physicians are more platonic in their emotions than the ordinary run of human beings, — the world will continue to regard their demand that the study of experimental psychology shall be restricted by legislation to the medical profession, as an exhibition of monumental impudence. It cannot be forgotten that it was the medical profession that drove Mesmer into a dishonored exile and a premature grave for the sole reason that he healed the sick without the use of pills. The faculty ridiculed, proscribed, and ostracized every medical man who dared to conduct an honest investigation of mesmeric phenomena. And now that the scientists of Europe are compelled to admit the therapeutic value of the science, they are instant in demand that no one but physicians shall be permitted to make experiments. It is perhaps natural and right that the treatment of disease by means of drugs should be restricted to

those who are educated in the proper use of drugs; but the employment of psychic powers and remedies rests upon an entirely different footing. Their demand that hypnotism be reserved for their exclusive use rests not upon their knowledge of its laws, but is founded upon their wilful ignorance of the fundamental principles which underlie the science.