

Note the strong inclination of the patient to fix his attention on the left eye when it is "bulls-eyed" with the left finger.

William J. Bryan photographed demonstrating a visual hypnotic technique. From *Journal of the American Institute of Hypnosis*, July 1962.

Manchurian Candidates: Forensic Hypnosis in the Cold War

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In the winter of 1960–1961, Los Angeles newspapers were filled with the story of a young man who had committed a series of murders—acts that were apparently set in motion each time he saw a particular series of images. This was not Richard Condon's famous character Raymond Shaw, whose fictional story was very much in the press. The protagonist was Henry Adolph Busch, a real LA serial killer. However, his defense—that his actions had been carried out in a trance created by the images he had seen—echoed plot elements of both *The Manchurian Candidate* and Alfred Hitchcock's *Psycho*. He claimed that the shower scene in *Psycho* had triggered each of his several killings.¹

Altered mental states continued to figure in the story after Busch was arrested, when his lawyer hired a prominent expert in “forensic hypnosis.” This technique trawled a witness's mind for hitherto inaccessible records of the past in order to secure information either about a witness's behavior or state of mind. From the late 1950s to the mid-1970s, forensic hypnosis grew from a little-known oddity into a fashionable extension of police work. At its peak, many police, lawyers, psychotherapists, witnesses, and defendants came to see hypnosis as a golden key to the past.

This essay reconstructs the history of forensic hypnosis, arguing that it has surprising implications for the history of mind, memory, and behavior as scientific objects during the Cold War. The 1950s and 1960s saw intense anxieties about practices with immense power over human perception, motivation, memory, and behavior. Psychology occupied a central place in Cold War anxieties about scientific techniques that could be used for political purposes, and hypnosis was often center stage in the fears people expressed. Hypnosis turned up in descriptions of Communist projects to take over American minds, in accounts of American marketing “persuaders” working their subtle influence in public spaces, and in government-sponsored projects such as the Central Intelligence Agency's (CIA) MK-ULTRA program. But along with worries about the dangers of mind-*altering* practices came

reassuring projects affirming the integrity and stability of mind, self, and memory. Forensic hypnosis was the premier practice of this kind; it stressed the importance of the unitary, self-contained, self-conscious individual—the fundamental unit of a democratic state. The forensic hypnotists thought their skills could help promote and secure this virtuous figure. The history of forensic hypnosis therefore offers something of a corrective to accounts of the history of mind control research, which has generally been assumed to be oriented unambiguously toward the undermining of self-control, memory, and personality.

When Allen Dulles publicly declared shortly after secretly authorizing MK-ULTRA that the brain of an individual under Communist influence became “a phonograph playing a disc put on its spindle by an outside genius over which it has no control,” he meant to suggest that people in this state lost not only their self-control but also their self.² But his choice of metaphor—the mechanical recording device—was also central to an account of the resiliency of individual minds: recording implies a stability to knowledge of selves and their pasts. The phonograph produces one of the most stable and permanent of records: a solid physical object that, once created, can be replicated *ad infinitum* and cannot be transformed into something new (although with sufficient force an individual record can be damaged or destroyed). Forensic hypnotists offered amnesic witnesses the reassurance that their memories were similarly resilient. Buried in the mind, these recordings remained fully intact, waiting only for the right button to be pressed (or the needle to be lowered in the right place).

The Hypnotic State

The perceived threat to free will and individualism posed by Communism called into question how citizens could be both masters of their own selves and socially connected to one another. Cold War anxieties of all kinds often focused on the integrity of the mind—worries were expressed about kindergarteners being brainwashed during rest time, about mental “zombies” walking the streets after having been hypnotized by a chance experience, and about films sending out subliminal cues to propel viewers to the sales counter.

Military psychologists focused on this tangle of self, influence, and memory. Soviet psychologists, they claimed, had proposed that free will and personal identity were not essential and ineradicable but could be remade in an individual by experts. American psychologists therefore needed to learn how the self could be broken down, shored up, or reconstructed entirely. Could one construct a new

personality by destroying the existing memory and substituting a new “rewritten” past? Could prophylactics be deployed to insulate the memory and personality from stresses? Could memories be compartmentalized so that in a different state of mind one became a different individual? The term *brainwashing* evoked in this period the possibility of exerting a powerful, even transformative influence on a person’s memory, will, and personality.

But the practices most closely associated with brainwashing—hypnosis and psychotropic drugs—were more commonly used by psychiatrists who saw themselves as allies of the people they treated, as helping their patients achieve their own goals of self-understanding. The apparent conflict between mind control and memory enhancement was not so much a clash between clearly articulated and incompatible beliefs about how the mind worked but different positions along a continuum in which psychologically potent practices could be represented as remaking or destroying an individual’s mind or strengthening an individual by removing obstacles to self-knowledge. Some practitioners (e.g., William Joseph Bryan) moved easily across this continuum, repeatedly adjusting their claims about the nature of perception, attention, and memory to the exigencies of the moment.

The broad ambitions of forensic hypnosis were by no means new. Since the late nineteenth century, enthusiasts had claimed that hypnosis could reveal information relevant to legal disputes, and some writers claimed that memories that came back during hypnosis had a filmlike quality to them.³ But early discussions of hypnosis tended to place greater emphasis on whether crimes could be carried out using hypnosis, a question that many medical researchers answered in the affirmative.⁴ Only in the mid-twentieth century did the information-gathering potential of hypnosis become a central topic of discussion.⁵

Discussions of altered states of mind and social influence often invoked hypnosis, psychotropic drugs, and persuasion in the same breath, in the context of subtle but powerful influences on mind and behavior. However, certain features distinguished one from the other. Hypnosis was broadly thought to be effective only on subjects who did not resist its influence—who were willing, even active participants, or, if not active, at least not opposed. Psychotropic drugs bypassed the subject’s volition and attention, directly acting on the brain to produce a cognitive state receptive to suggestion and allowing access to the unconscious in a manner similar to deep hypnosis but without the need for consent. The broadest and most capacious category was that of “persuasion,” made famous during this time by Vance Packard’s *Hidden Persuaders* but also by a variety of psychologists who explored the ways in which

subliminal cues and other subtle communication could powerfully affect the expectations and attention of consumers, voters, experimental subjects, and other parties.⁶ Hypnosis was commonly represented as a psychological state in which persuasion operated particularly powerfully. Hypnosis was treated by some as a laboratory in which to study the nature of influence and persuasion and by others as a tool (or threat) with great power to influence the minds of ordinary people.

After World War II, psychotropic practices enjoyed a new legitimacy. Scientific ventures of all kinds were basking in the prestige conferred on science by the Manhattan Project, and psychiatry itself was greatly boosted by a flood of new practitioners introduced to psychiatric practice during the war. These new practitioners had treated military psychiatric casualties with hypnosis and psychotropic drugs and saw such techniques as staples of their practice. In 1958, the American Medical Association (AMA) formally approved hypnosis for medical treatment, and new professional associations were soon founded to focus on it.

The legal system became one arena where hypnosis promised to extend psychiatrists' reach. Psychiatrists were sometimes asked to use hypnosis in legal cases when a witness's or defendant's mental state was at issue or when a patient became involved in a case. Psychiatrist John D. MacDonald pioneered such interventions. Fresh out of medical school at the beginning of the Second World War, MacDonald was looking for psychiatric training in London when he found himself working under psychiatrist William Sargant in the Sutton Emergency Hospital, where Sargant routinely used sodium pentothal on amnesiac and aphasic soldiers (only a few years later Sargant would become a brainwashing expert and an influential author on the subject). After the war MacDonald moved to Colorado, where he supplemented his medical practice by moonlighting as a forensic consultant for the local police and prosecutors. In most cases he evaluated people claiming insanity. In a few, however, he used sodium pentothal and hypnosis for the purpose of getting additional information about a crime under investigation. Yet MacDonald made a point of warning that truth drugs could not coerce information from unwilling subjects.⁷

By this point hypnosis had attained considerable credibility in medical and psychiatric contexts, and, in a shakier kind of way, in the evaluation of witnesses for competency (most often when a defendant claimed to be incompetent to stand trial). But using hypnosis to produce witness testimony was another matter. The support for hypnosis conferred by the AMA and the American Psychological Association in the late 1950s was intended to legitimize medical treatments, not legal excavations.

Thus, if mainstream psychiatrists sometimes found themselves talking to lawyers or the police and using hypnosis in the course of this work, not many of them made this activity central to their careers. Nevertheless, a few intrepid—some would say opportunistic—practitioners did seek out lawyers and police officers and try to create a market for hypnosis beyond medical treatment. They hung out their shingles, inviting attorneys to bring defendants and witnesses into their consulting rooms to “refresh” their memories, and offering other hypnosis-related services. This was the beginning of a nascent movement to establish forensic hypnosis alongside other judicial instruments; it would gather enormous momentum over the next two decades.

One of the most prominent of the campaigning forensic hypnotists was William Joseph Bryan. Great-grandson of the orator William Jennings Bryan, the younger Bryan began his career in World War II as a military psychiatrist. After the war he is thought to have been involved in early research on memory and confession by the Office of Strategic Services before moving on to MK-ULTRA, the CIA’s mind control research program. Allegedly in MK-ULTRA he developed techniques of what he called “hypno-conditioning.” Bryan also traveled the national lecture circuit proclaiming the potential of the technique. And in Los Angeles in 1958 he founded an organization to represent his campaign: the American Institute of Hypnosis (AIH).⁸

Manchurian Candidates

Bryan also got his message out by undertaking influential consulting work on Hollywood film and TV projects. These involved specific and highly potent practices that could apparently alter memories or personalities. In *Tales of Terror* (1962), for instance, a Vincent Price film set in the nineteenth century, Bryan taught the actors eye-contact techniques that he claimed were true to the practices of Victorian mesmerists such as John Elliotson and James Braid.⁹

Bryan’s projects included, by his own account (which has not been confirmed), *The Manchurian Candidate* (1962), a film that focuses on many of the psychological themes central to Bryan’s career.¹⁰ The association—whether actual, exaggerated, or fictitious—was an appropriate one. Bryan often acted as a bridge between fact and fiction in a real world that was, he thought, full of Manchurian candidates. In 1962, for example, his institute’s journal warned that Soviet scientists had developed a process of “rapid thought control” that they had implemented in the case of British spy George Blake. Bryan thought Blake had come under Soviet control while a prisoner of war in Korea. He came home “with the subconscious suggestion firmly planted in his mind that he would deliver the information which he gained about

his work over to Russian agents, which he dutifully did for a number of years.”¹¹ According to Bryan’s account, the Soviet technique of “powerization” (named after U2 pilot Gary Powers) was a kind of superhypnosis. One could not make a hypnotized person do something that was against their moral code, he contended. But powerization could change the code itself and then leave a “post-hypnotic suggestion in the deeper portions of the subconscious mind,” where it lay dormant until activated by some signal.¹²

Whatever their precise nature, Bryan claimed that exceptionally dangerous psychological techniques were brewing in Communist countries—techniques “far more dangerous than the atomic bomb,” because “when you control the mind of the man who pushes the button, then you control all the bombs.” The United States therefore needed a “crash program for thought control” on a scale that would make the Manhattan Project look like “peanuts.”¹³

Murder by Film

Bryan’s career brought together fictions and facts of mind control in a series of projects that were often creepy, sometimes campy, and occasionally unbelievable. In 1960, for example, he was hired as a consultant in the Busch murder case. After viewing *Psycho* on September 4, 1960, Busch had been driven to commit his first murder. After seeing the film again (and, in another incident, merely being reminded of the shower scene in a conversation), he killed two more women. The prominent defense lawyer Al Matthews took on his case partly as a chance to try out a promising but controversial defense using Bryan’s technique.¹⁴

The idea that motion pictures could exercise immense power, even a specifically hypnotic one, was already familiar. When the medium was new, as Stefan Andriopoulos has shown, the hypnotic influence of film was widely believed to be capable of making individuals commit crimes.¹⁵ But the idea that moving images could exert a hypnotic influence became in some ways more insistent in the immediate postwar years, as the prominence and intellectual authority of hypnotic therapeutics increased. Writings both on persuasion and on hypnosis argued that film and television could have a suggestive or even consciousness-altering influence on viewers, and altered states of mind, including hypnosis, were popular plot elements in feature films, giving this idea a reflexive dimension.¹⁶ In Britain, Parliament acted to regulate the public display of hypnosis in an act that would inspire constraints on the televising of hypnosis that are still in place today.¹⁷

Busch was not eligible for a traditional insanity defense because he knew right

from wrong. Matthews wished therefore to apply the controversial doctrine of “irresistible impulse,” defining intent not by the defendant’s knowledge but by his degree of self-control.¹⁸ Matthews maintained that Busch had no “criminal intent because he was still under the influence of the movie horror story.”¹⁹ Matthews hired Bryan to use hypnosis to reconstruct a detailed memory narrative that could support this claim. Under hypnosis, Busch indicated that his initial murder was carried out after the first viewing of *Psycho* in what Bryan called an “accidental trance state”—a state, Bryan argued in court, similar to that suffered by the tragic main character of *The Manchurian Candidate*.²⁰

The jury did not buy the argument, and Busch was convicted. Nevertheless, the murders became linked to *Psycho*’s reputation as a film with an extraordinary power over its audience. As late as 1969, Hitchcock himself mentioned the case, complaining that he “wanted to ask [Busch] what movie he had seen before he killed the *second* woman.”²¹

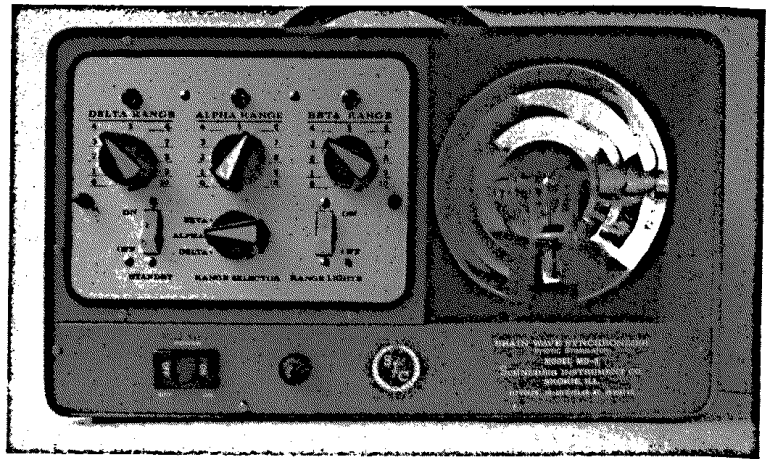
Soon after the verdict on Busch, Bryan would play a more persuasive role in another case. A young, then-unknown lawyer named F. Lee Bailey, fresh out of law school, had attended one of Bryan’s courses shortly before accepting the brief of Albert DeSalvo, prime suspect in the Boston Strangler serial killings. The case reminded Bailey of Busch: a series of obsessive killings with a sexual theme. The question was not how to amass enough evidence to make a case for his guilt but rather to decide whether his confession (freely given) could be trusted. Bailey hired Bryan to do a hypnosis evaluation.

Bryan soon developed a theory of the crime: DeSalvo was driven by a displaced wish to kill his daughter, Judy, who had a disability that required painful massage treatments. Bryan speculated that DeSalvo felt he had to “hurt” women in order to “help” them, in keeping with his agonized treatment of his child.²² Bryan’s questions drove suggestively toward this conclusion. “Each time you strangled, it was because you were killing Judy, wasn’t it?” he demanded. “You were killing Judy.”²³ In the presence of several witnesses, DeSalvo—closely questioned and guided by Bryan—described entering a victim’s apartment, repeated what she had said to him (in an imitation of her voice), and then described the murder. The detectives who heard the interview tapes were convinced. But neither Bryan’s evaluation nor DeSalvo were put to the test in court. DeSalvo was sentenced to life in prison, though he died some six years later by a stabbing.

Forensic hypnosis did make it into court in another case from around this time. In 1962, Arthur Nebb of Columbus, Ohio, walked past several witnesses into his

Left: Brainwave Synchronizer, 1960s. Courtesy Larry Minikes.

Opposite: Illustrations from Tom Wall, S.J. van Pelt, and W.J. Bryan, "Diagrammatic Explanation of the Mechanisms of Hypnosis," *Journal of the American Institute of Hypnosis*, April 1961. They trace two different responses to incoming stimulus: a "scattered" effect on "thought units" in the mind's waking state (dotted lines in top and bottom); and a "concentrated" effect under hypnosis (bold line in top).



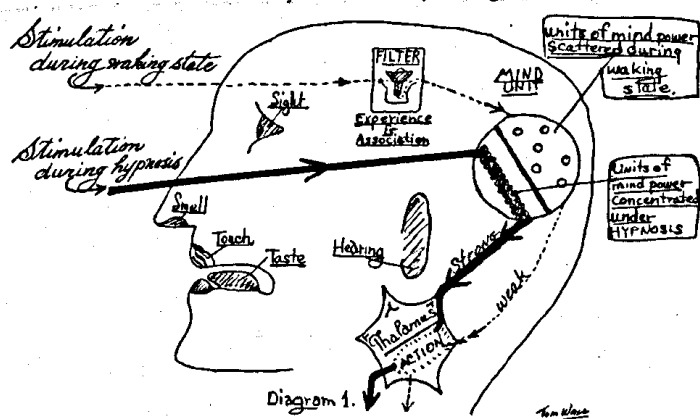
estranged wife's house with a loaded gun and emptied it into her and her lover.²⁴ The lover died, the wife was severely injured, and Nebb was charged with first-degree murder. But he claimed amnesia. His attorney asked to try forensic hypnosis—and to do so on the stand itself. The judge was intrigued. He sent away the jury and allowed the experiment to proceed. The entranced Nebb—who had been hypnotized on several prior occasions—now produced a complete narrative. He had brought his gun but had not intended to use it. When he saw his wife with her lover, he had gone into a trance. The gun had gone off unintentionally, and he continued shooting involuntarily until he had emptied it.

This performance of testimony was complex. Nebb's attorney claimed that hypnosis not only refreshed Nebb's memory but also validated his testimony about it, because under hypnosis one had no self-control. The validity of the hypnotic trance in the courtroom therefore gave legitimacy to the power of that *other* trance, the one Nebb, his will vitiated in his current trance state, described as having vitiated his will during the shooting itself. It worked. After seeing the hypnosis session, the prosecutor decided to settle for second-degree manslaughter and a two-year prison term.²⁵

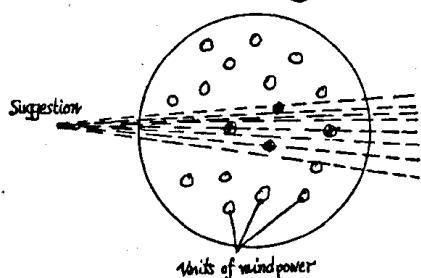
The early 1960s therefore saw a series of high-profile cases that repeatedly tested the question of the status of statements made using consciousness-altering techniques such as sodium pentothal and hypnosis. They also tested the would-be expert witnesses who administered those techniques. Although none was an unqualified success, these cases facilitated and then relied upon changes in the law that opened the door, just a crack, to the use of forensic trance techniques.²⁶

The Culture of Forensic Hypnosis

All forensic hypnotists agreed that hypnosis tapped into memories and that these memories were permanent and stable records in the brain. But how did the technique work? Bryan subscribed to a kind of Enlightenment mechanics of attention. He claimed that thinking could be defined in terms of "thought units" that were disorganized during ordinary states of consciousness but could be focused by using hypnosis as an organizing "lens."²⁷ He used a machine to help this organization: the "Brainwave Synchronizer." Bryan described this device as "a photo-electric instrument that tunes to the natural frequency of the brain." In fact, it was a relatively simple machine that produced blinking lights at adjustable speeds. The device had been invented by a couple of radio and psychology enthusiasts, Sidney A. Schneider and William Kroger. Schneider had worked during the Second World War to ensure that American ships were properly equipped with radar. He observed that radar operators



The Waking State



sometimes seemed to enter a trance while they were working and concluded that the pulses of light from the radar apparatus were somehow “synchronizing” with their brain waves. William Kroger, a psychiatrist with an interest in hypnosis, became intrigued by this same phenomenon. Together they concluded that the pulse of the radar was creating the trance state. Schneider and Kroger then developed an instrument to recreate this phenomenon in a controlled setting. Their Brainwave Synchronizer was an intense xenon strobe light controlled by a rotating dial

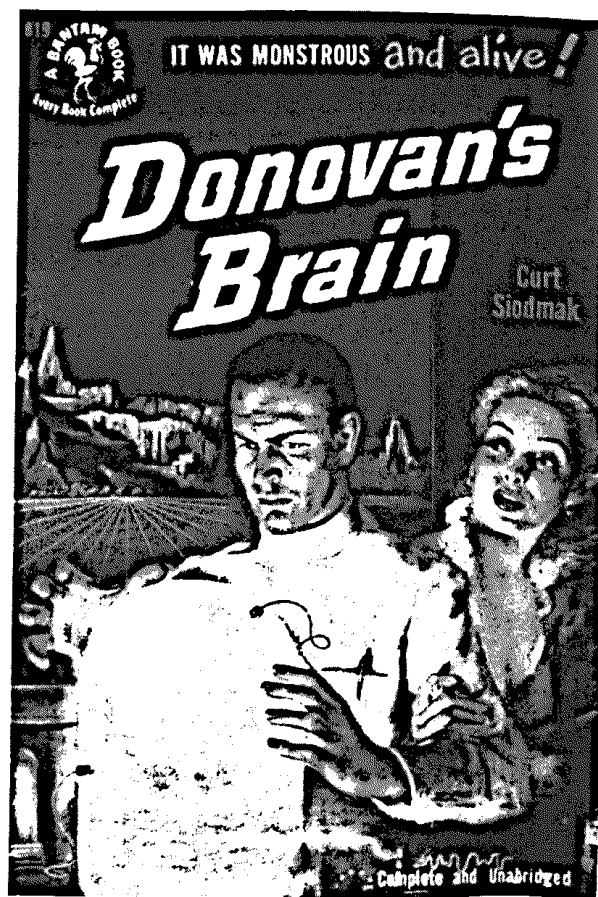
that could be adjusted to match the frequencies of four standard brain wave rhythms. The machine seemed to produce a hypnotic trance more powerfully and quickly than many other hypnotic methods, they announced in 1959.²⁸ Schneider further claimed that particular patterns of electrical activity were tied to particular states of attention and consciousness. So one could alter states of consciousness by forcing the brain’s electrical activity to change in synch with the light pulses of a machine calibrated to a particular state of mind. For Bryan, the Brainwave Synchronizer showed how hypnosis focused thought units, or, as he sometimes called them, molecules.

This was not the only way of understanding the relationship between hypnosis and brain waves. The leading torts lawyer Melvin Belli, in a recommendation of hypnosis, assured legal readers that it left the “patterns of the brain waves unchanged and undisturbed.”²⁹ His reassurance related to the idea, widely credited in these years, that a particular pattern of “brain waves” was a defining feature of personal identity. The 1953 Hollywood film *Donovan’s Brain* provides a sensational version of the notion: after a man’s brain is removed following death, an electroencephalography exam shows that it continues to emit brainwaves. The brain subsequently takes control of the researcher through telepathy and attempts various crimes.

Bryan and his associates saw hypnosis not as a discrete technique but as a set of ways of understanding and managing the relationship between an individual and the surrounding environment. They saw the social world as already suffused with subtle mental influences and altered states of mind. Judging from letters to the editor, most readers of the AIH’s journal and related publications were not military mind-research workers involved in projects like MK-ULTRA, but the forum allowed

Right: Advertisement poster for the film *Donovan's Brain*, 1953.

Opposite: Advertisement poster for the film *Dementia 13*, 1963.



them to feel as if they were and to bond with each other in a mutually reinforcing imagined community. They discussed the many news stories, films, and scientific researches that portrayed the human mind as adrift among many currents of incoming influence. They cited British children who suffered seizures while watching television—a response attributed to the hypnotic effect of the television medium—and children

whose teachers needed to be screened for Communist sympathies.³⁰ Bryan made further use of the idea that a film could pose a danger to people with certain psychological weaknesses when he was hired by Francis Ford Coppola to help promote Coppola's film *Dementia 13* (1963), which combined themes of madness and altered states of mind with a murder whodunit.³¹ In a marketing trick dressed up as mental hygiene, people arriving at the cinema to view *Dementia 13* were required to take a test, designed by Bryan, that purported to "determine the emotional stability of the potential ticket-buyer." Those who failed the test would be asked to leave.³²

As these claims about the relationship between brain waves, personal identity, and memory indicate, forensic practitioners did not subscribe to a single account of the relationship between hypnosis and memory. But some commonalities did exist across the various accounts. For example, some likened memories to "tape recordings": hypnosis allowed the tape to be replayed.³³ Bryan himself baldly stated,

we actually have a complete memory system of our own already built in before learning, and the truth of the matter is that we actually remember every single sight, sound, feeling, taste, and smell which we have previously perceived through one of our sense organs. Every bit of this is stored in the subconscious storehouse of the mind, and in order to remember it consciously we simply have to find the correct shelf in this warehouse of the subconscious, dust off the particular can of movie film, and re-run it in front of our eyes.³⁴

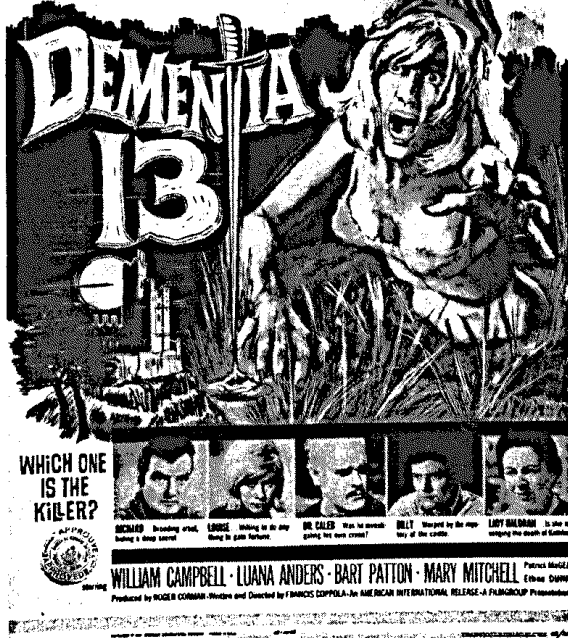
Bryan was here invoking a familiar set of reciprocal references between motion pictures and autobiographical memory, one that dated to the early days of cinema but became widespread and popular in the 1950s.³⁵

The forensic psychologists and psychiatrists under consideration here were even more likely to draw on a different recording device, the reel-to-reel tape recorder. Tape recorders were a new and exciting tool within police work, beginning in the

ARE YOU AFRAID OF DEATH BY DROWNING?... HAVE YOU EVER ATTEMPTED SUICIDE?... HAVE YOU EVER THOUGHT OF COMMITTING MURDER?...

THESE ARE SOME OF THE QUESTIONS YOU WILL BE ASKED IN THE UNPRECEDENTED "D-13 TEST" TO PREPARE YOU FOR THE HORRIFYING EXPERIENCE OF...

IF YOU FAIL THE TEST... you will be asked to leave the theatre!



early 1950s, and they were moving just as rapidly into psychiatric work.³⁶ One forensic psychologist, Harry Arons, told his readers, “scientific research has demonstrated that the mind—or the brain—seems to have the capacity for retaining all impressions which enter it, like a giant tape recorder.” He also cited work in the neurosciences on the permanent storage of memory in brain cells. Such research, Arons declared, showed that

“minute structural changes in brain cells” create permanent memory records.³⁷

Audio recordings carried additional and complex associations for people like Arons. Tape recordings were invoked in a manner that is broadly similar to a well-established popular convention of likening memory to motion pictures. But within this community, the associations of memory and hypnosis with audio recordings are multiple and complex. Tape recordings and LPs were used to induce hypnotic states in hypnosis sessions—a technique that originated in the early 1950s after George Estabrooks wrote about the power of reel-to-reel tape for this purpose; it soon became widespread.³⁸

But if mental content was stored in the mind like a recording on tape and if tape recordings could both alter thinking processes (as in the case of induction) and also be changed themselves, then it was reasonable to suspect that the mental “recordings” in our minds could be changed—could be recorded over, edited, or wiped entirely. In 1963, one Mrs. Richmond Jackson raised an alarm about the records being played in American kindergartens. She cited Bertrand Russell’s *The Impact of Science on Society* as an authority to claim that verses set to music and played repeatedly could have powerful psychological effects.³⁹ Russell had argued more broadly that future “advances in physiology and psychology will give governments much more control over individual mentality than they have now even in totalitarian countries.”⁴⁰ The future had already arrived, Jackson believed, in the form of widely used 45s and 78s. She had learned from Bryan that records being played in kindergartens—including titles distributed by the Children’s Guild music company (among them *The Sleepy Family* and *Tom’s Hiccups*)—seemed designed to produce hypnotic and conditioning effects.⁴¹ A wide variety of folksongs and stories put to music were being altered to make them more hypnotically powerful, Bryan wrote, by changing the tempo to match a human’s “normal pulse beat.” The idea that music with a strong (“primitive”) beat could have a damaging effect on the mind was not

new in the 1960s. The idea had featured in worries about rock and roll in the 1950s. But now specific psychological claims were attached to the concerns, and, most important, so too was the idea that these new musical arrangements were deliberately designed to refashion children's minds.

Jackson warned readers to visit the audiovisual aids department of their local schools and play the recordings they stocked, listening for hypnotic elements such as "the ticking of a clock, a metronome, wind sounds, the sound of running water, [or] the beat of native drums accompanied by the swishing of Cuban maracas."⁴² These warnings were published in 1963 and were part of an intensifying conversation about music, then informal and largely unpublished, that would soon erupt into accusations that rock music was part of a "Communist master plan."⁴³

Forensics and brainwashing were two major interests of Bryan's, but he saw hypnosis as having even broader potential for psychiatry. For instance, he proposed updating the familiar diagnostic category of "traumatic neurosis" to embrace these themes. His sober candidate to replace the term was "walking zombie syndrome"—"zombie" because such people were emotionally dead, even though physically healthy.⁴⁴ They could come back to "life" only by revisiting the past—hypnotically—and reexperiencing it in a more healthy way. This was purportedly an extreme example of a far-more-widespread, even universal, problem that called for a new understanding of mind itself. Throughout our life, we all, Bryan claimed, "go along" in a semitrance, continually moving back and forth between "waking" and "hypnotized" states whose outward manifestations are so subtle that no layperson can tell them apart.⁴⁵ Bryan's terminology did not catch on. But the underlying idea was widely held: much of mental life and interpersonal influence took place without our conscious awareness and therefore without our self-scrutiny or ability to intervene. Taking this idea to its extreme—as Bryan did—led one to see everyone as a potential Manchurian candidate.

One reason why such ambiguity was opportune has to do with the relation of forensic hypnosis to the institutions of eyewitness evidence itself. Throughout this period the most common use of forensic hypnosis remained the extraction of memories associated with an investigation or legal case. During the 1960s, police increasingly asked hypnotists for help, usually to refresh the memories of traumatized witnesses. But the power of these techniques was not limited to the actual recovery of memories; it also extended to their presentation. The review of memories under hypnosis made witnesses more confident about them. Hypnotists could even give wobbly witnesses posthypnotic suggestions to help them keep from changing their

stories. One such witness was an inconsistent wreck before hypnosis, but then “did extremely well during the new preliminary hearing.” She remained “relaxed and calm, remembered everything and was able to answer all the questions coolly and correctly. She was not rattled under cross examination and recross and was commended by the judge for doing an excellent job of ‘taking hold’ of herself and testifying with composure.”⁴⁶ The witness was supposedly the one in control. Hypnosis gave her a degree of self-command that helped her survive the cross-examination. But this implies that hypnosis was not only revealing buried memories but altering witnesses’ confidence about them in a way that practically invited skepticism. It was easy to argue that what was going on was as much persuasion from without—potentially changing the mental record itself—as an epistemologically neutral increase in confidence from within.⁴⁷

When hypnosis was used on the defendant rather than on a witness, things were slightly different. The goal was usually to document intent. Hypnotists observed that lawyers had few tools for analyzing and confirming intent, despite its central importance in any case. Bryan wrote in 1961 that in most cases no attempt was made to explore the criminal’s “true intent.” He gave the example of a hypothetical suspect, “Charles Downs,” who is stopped for speeding. The police officer asks him, “Where’s the fire?” In response,

Mr. Downs calmly produces a pistol and blows the police officer’s brains out. The man was to all appearances sane, and he himself could give no explanation for what he had done. The truth emerged only under hypnosis:

In his childhood, we find that a burglar set fire to his home, shot and killed his father, and was going to kill his mother, when Mr. Downs, a small boy of six, shot the burglar in the blue suit.⁴⁸

When the policeman, wearing his suit, referred to a fire, Downs became temporarily insane and shot him. This scenario may seem more than a little implausible, but it was respectfully received. The interest that law schools, district attorneys, judges, and defense lawyers showed in such techniques indicated to Bryan that changes would soon come, not only in how cases were investigated but also in the kinds of charges that were available to prosecutors.⁴⁹

The key claim of the hypnotists, whether applied to witnesses or defendants, was that this practice could bring the past back to life. The claim was ambitious. Hypnotists were initially far more sanguine than courtroom lawyers and judges about the representational character of memory itself. But under the radar of official

record keeping, police and litigators were increasingly relying on the practice and hence on this broad claim. Hypnosis institutes and programs sprouted up, and demonstrations at universities and police departments became more common. For example, in 1960 a visiting lecturer at Case Western's Law-Medicine Center subjected an audience of patrolmen to an experiment in forensic hypnosis. The experiment followed a long tradition, dating back to the late nineteenth century, of demonstrating problems of eyewitness memory using a theatrical trick. A local psychotherapist and forensic hypnotist visited the class to give a lecture. In the back of the room sat two stenographers and the county coroner. In the middle of the lecture a commotion occurred in the back of the room: the stenographers were fighting. One exclaimed, "Stay out of my purse!" They struggled, and one of the women swung at the other, who doubled over and collapsed on the sofa. The first one shouted, "What have I done?" and ran from the room. The lecturer calmed the excited audience by explaining that the crime had been staged as a test of their memory. Everything the stenographers had said and done had followed a carefully prepared script.

How much could the patrolmen remember? They were asked to write down everything they could recall. They were then placed in a light hypnotic trance and interviewed. After being awakened, they were asked to write another report of what they could remember. The first reports were sketchy, with few details, and seemed to conflict with one another. During and after the hypnosis, however, the officers produced more specifics. For instance, Patrolman Anthony R. Lutz initially reported that the crime was carried out using an "unknown instrument." After hypnosis, he stated that the instrument was

rounded on the end and circular throughout, because the cap which fits over the end of the wooden handle appeared to be round. I did not see the blade, but I caught a reflection of the light, which leads me to believe that it was either highly polished, or plated . . . about seven inches in overall length.

A consultant for the Department of Defense then explained that hypnosis achieved an extreme version of the intense, intimate bond with interlocutors that police routinely sought in any interview, and that police should see it as a natural extension of investigative practices.⁵⁰

In 1968, after some years of this kind of exposure, hypnosis finally achieved a degree of formal legal recognition, thanks to a Maryland rape case. The victim, who had been left for dead by the side of the road, could remember nothing. With the help of a forensic hypnotist called in by police, she produced a complete narrative of



Dr. Dezso Lavendula hypnotizes five policemen who witnessed a staged "murder" at the Cleveland, Ohio, Law-Medicine Center. The experiment demonstrated hypnosis can help eye-witnesses recall details of a crime

the rape. The judge admitted her statement, ruling that forensic hypnosis was established as a scientific technique—but he also indicated that juries should give less weight to testimony about hypnotically refreshed memories, because "fancy may be mingled with fact." The defendant was then convicted almost entirely on the basis of the refreshed-memory testimony.⁵¹ The trial was important for setting a legal precedent, but it was only one of a number of well-publicized forensic hypnosis cases at this time. Perhaps the most sensational was that which took place after the assassination of Robert Kennedy. A hypnotic interview of Sirhan Sirhan by forensic psychiatrist Bernard Diamond led directly to claims by Diamond and other psychiatrists (including Herbert Spiegel and Bryan) that Sirhan was a "Manchurian candidate" acting in a hypnotic state.⁵²

The Harding decision in Maryland threw open the courtroom doors to forensic hypnosis, and it became one of the great technological hopes of American police departments and prosecutors, particularly in California. Thousands of police were trained in the practice.⁵³ A flood of new cases followed in the 1970s. Although only a fraction of these involved direct courtroom testimony about refreshed memories, the techniques were nevertheless becoming part of standard police and jurisprudential culture. Police psychologists proclaimed that hypnosis was set to transform the future of witness testimony itself.

Conclusion

In the early and mid-1970s, forensic hypnosis seemed to be on a trajectory to revolutionize both police work and psychotherapy. The history of psychoanalytic psychotherapy is characterized by a long-running tension between seeing memories as constructed and seeing them as uncovered, and between the goal of exploring memories that had (only) a personal or narrative truth value for patients and the goal of discovering truths about a patient's past. The latter goal was now emphasized and validated by forensic hypnosis, which offered psychotherapists evidence that exhumed memories were "true" in a historical sense, not only in their client's personal experience in the present.⁵⁴ Forensic hypnosis also offered a powerful popular convention for understanding the mind in the waning years of the Cold War.

Yet in the late 1970s the grandest claims for forensic hypnosis came to be replaced by a fundamentally different set of arguments about mind and memory. The new field of cognitive psychology brought with it a strongly “reconstructive” view of memory. According to this view, memories change dramatically over time, depending on the new contexts in which they are remembered. Cognitive and social psychologists carried out experiments not only on the mutability of memories in general but also on the ability of hypnotic techniques in particular to alter and even to fabricate them. This work led to a showdown between the forensic hypnosis practitioners and the skeptical cognitive psychologists in a series of legal battles fought in the late 1970s and early 1980s. The forensic hypnotists emerged the losers.⁵⁵

A detailed account of this confrontation is a subject for a different paper, but the clash exploited—and to a certain extent recapitulated—problems fundamental to the history of forensic hypnosis itself. Contests over the relationship between trance, automatism, and confessional states have been continuously waged for many years. What marked the postwar decades that have been the focus of this paper was the coalescence of two conventions about the mind that might at first seem fundamentally at odds with each other. One revised and brought together ideas of suggestion and automatism to portray individual identity, or at least agency, as fundamentally malleable. The other invoked the enduring integrity of an individual’s mind and memory. This integrity could be confirmed and reinforced by hypnotic techniques. To the most enthusiastic advocates, like Bryan, hypnotic techniques were to become the guardians of personal identity and individuality—and therefore of the American political order itself.

These two accounts seem incompatible because one assumes malleability and the other permanence. The practice that required their reconciliation may seem even more conflicted. Forensic hypnosis claimed to show individual memory and identity as reassuringly stable—and in that sense inviolable—but did so by using techniques infused with authoritarian associations. A forceful “operator” seemed to promise omnipotent access to every private moment in a witness’s past. This practical (and public) ambivalence was what required the embrace and reconciliation of mutually destabilizing accounts of memory and identity.

Most of the people involved in the kind of work described here would have seen an opportunity in this, not a debilitating conflict of principle. The possibility of mind control was to them a real and present danger, but it was one that could be overcome because of the core stability of an individual’s sense of self, which was built into the brain in the neuronal record of life experience. The opportunity arose

because individuals could apparently lose access to this fundamental core. They then became vulnerable to pathological states or corrupting influences, whether directed at them deliberately or by chance. The role of forensic hypnotists was to restore this lost access. They therefore confirmed the true nature, history, and character of an individual and made him or her less vulnerable to being preyed upon by corrupting influences. Thus, Bryan, Arons, and others could see themselves as contributing both to an understanding of how the mind could be controlled and to an account of how memory-refreshing practices could confirm its essential resilience. This suggests we need a more complex, multivalent, and more culturally far-reaching appreciation of what “mind control” could mean in the Cold War than is current among today’s historians. In the practical context of these techniques and their legal applications, the principle of the malleable self was—for a while—deployed to complement and even confirm the idea of the essential reliability of permanent memory and therefore the integrity of the self. In the white, middle-class United States of the 1950s and early 1960s, few tasks were more important than that.

Notes

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1. "Confessed Strangler Starts Hypnosis Tests; Attorney Hopes to Discover Motive behind Henry Busch's Three Slayings," *Los Angeles Times*, 23 October 1960, G8; and "Busch Defense to Try Hypnosis during Trial; Case of Admitted Strangler of 3 Starts Today; Unprecedented Demonstration Due," *Los Angeles Times*, 5 December 1960, C11.

2. See Andreas Killen's article in this issue of *Grey Room*.

3. Jean-Roch Laurence and Campbell Perry, *Hypnosis, Will, and Memory: A Psycho-Legal History* (New York: The Guilford Press, 1988); and Stefan Andriopoulos, "Suggestion, Hypnosis, and Crime: Robert Wiene's *The Cabinet of Dr. Caligari* (1920)," in *Weimar Cinema: An Essential Guide to the Classic Films of the Era*, ed. Noah Isenberg (New York: Columbia University Press, 2009), 13–33.

4. The first notice of an attempt to introduce hypnosis into the courtroom was in 1845. Alan M. Goldstein, *Forensic Psychology: Emerging Topics and Expanding Roles* (New York: Wiley, 2006), 734; and Alan Schefflin and Jerrold Lee Shapiro, *Trance on Trial* (New York: The Guilford Press, 1999), 734–735.

5. Researchers in the 1950s looked back to the late-nineteenth and early-twentieth centuries as a golden age of hypnosis research whose writings were of renewed relevance. See, for instance, J.H. Cohn, introduction to Albert Moll, *The Study of Hypnosis* (New York: Julian Press, 1958), ix–x.

6. Vance Packard, *The Hidden Persuaders* (Philadelphia: David McKay, 1957).

7. John M. Macdonald, *Psychiatry and the Criminal: A Guide to Psychiatric Examinations for the Criminal Courts* (Springfield, IL: Charles Thomas, 1957), 197–198.

8. William J. Bryan, *Legal Aspects of Hypnosis* (Springfield, IL: Charles Thomas, 1962).

9. [William J. Bryan], "Movie Mesmerism," *Journal of the American Institute of Hypnosis* 3, no. 2 (April 1962): 17–19.

10. See Susan L. Carruthers, "The Manchurian Candidate (1962) and the Cold War Brainwashing Scare," *Historical Journal of Film, Radio, and Television* 18, no. 1 (1998): 75.

11. William J. Bryan, "Hypnosis in National Defense: Needed: A New Manhattan Project," *Journal of the American Institute of Hypnosis* 3, no. 4 (October 1962): 4–5.

12. Bryan, "Hypnosis in National Defense," 4–5.

13. Bryan, "Hypnosis in National Defense," 4–5.

14. "Busch Defense to Try Hypnosis during Trial," C11. Matthews planned to "seek a jury whose members have seen the film mentioned by Busch."

15. Stefan Andriopoulos, *Possessed: Hypnotic Crimes, Corporate Fiction, and the Invention of Cinema*, trans. S.A. Jansen and Peter Jansen (Chicago: University of Chicago Press, 2008).

16. "Hypnosis and susceptibility to suggestion play an important part in everyone's life, especially in advertising. A radio or TV commercial, played over and over, can eventually become a conditioned

stimulus." Frederick L. Marcuse, *Hypnosis: Fact and Fiction* (New York: Penguin, 1961), 62.

17. Hypnotism Act, 1952, 15 & 16 Geo 6 and 1 Eliz 2, c. 46 (England), <http://www.legislation.gov.uk/ukpga/Geo6and1Eliz2/15-16/46>; and Ofcom, "Section Two: Harm and Offence," in *The Ofcom Broadcasting Code* (London: Ofcom, 2011), <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/harmoffence/>.

18. The "irresistible impulse" defense was the focus of especially lively discussion in the 1950s as legal scholars debated the elements of the model penal code, which was being drafted at this time and was completed in 1962. See Deborah Denno, "Crime and Consciousness: Science and Involuntary Acts," *Minnesota Law Review* 87 (December 2002): 69.

19. "Busch Triple Murder Trial Set Monday," *Los Angeles Times*, 9 December 1960, B11. Matthews "said he will seek to prove to the jury that Busch, who had seen the film 'Psycho' shortly before one of the murders, was innocent of criminal intent because he was still under the influence of the movie horror story." See, also, "Confessed Slayer Called Cautious and Cunning," *Los Angeles Times*, 13 December 1960, B7: "He carried handcuffs; the point being that he 'anticipated' the impulses he would feel, to kill someone; so the impulses were not irresistible since anticipated." Finally, see "Busch Trial Psychologist Will Proceed," *Los Angeles Times*, 26 December 1960, B26.

20. *People v. Busch* (1961), 56 Cal. 2d 868, 16 Cal. Rptr. 898, 366 P.2d 314; Bryan, *Legal Aspects of Hypnosis*, 75–76; and Schefflin and Shapiro, 59.

21. H.E.F. Donohue, "Hitchcock: Remembrance of Murders Past," *New York Times*, 14 December 1969, D23.

22. Gerold Frank, *The Boston Strangler* (New York: New American Library, 1966), 254.

23. Kelly, *The Boston Stranglers*, 173–174.

24. M. Teitelbaum, "Hypnosis in the Courtroom," *Journal of the American Institute of Hypnosis* 6, no. 2 (April 1965): 36–40.

25. *State v. Nebb*, no. 39540 (Ohio CP, Franklin County, 28 May 1962). See also "The Admissibility of Testimony Influenced by Hypnosis," *Virginia Law Review* 67, no. 6 (September 1981): 1203–1233. The case was discussed in Bryan, *Legal Aspects of Hypnosis*, 265; and Harry Arons, *Hypnosis in Criminal Investigation* (Springfield, IL: Charles C. Thomas, 1967), 106–109.

26. See *People v. Brown* (1958), 49 Cal. 2nd 577, 320 P. 2d 5; *People v. Jones* (1954) 42 Cal. 2d 219, 266 P. 2d 38; *People v. Cartier* (1959), 51 Cal. 2d 590, 355 P. 2d 114; and *People v. Modesto* (1963), 59 Cal. 2d 722, 31 Cal. Rptr. 225.

27. Tom Wall, S.J. Van Pelt, and W.J. Bryan, "Diagrammatic Explanation of the Mechanisms of Hypnosis," *Journal of the American Institute of Hypnosis* 2, no. 2 (April 1961): 24–25.

28. W.S. Kroger and S.A. Scheider, "An Electronic Aid for Hypnotic Induction: A Preliminary Report," *International Journal of Clinical and Experimental Hypnosis* 7 (1959): 93–98.

29. Melvin Belli, "Introduction," in Bryan, *Legal Aspects of Hypnosis*, x.

30. Mrs. Richmond Jackson, "How Safe Are Our Children? Communist Brainwashing in U.S. Kindergartens," *Journal of the American Institute of Hypnosis*, October 1963, 12–15; Bryan, *Legal Aspects of Hypnosis*, 138–139; and Hans Sutermeister, "Screen Hypnosis," *British Journal of Medical Hypnosis* 7, no. 1 (1955): 47.

31. Bryan, 138–139; and Sutermeister, 47.
32. The test was called a “D-13” test. “Must Pass a Test to See Film,” *Boston Herald*, 9 November 1963; and “Hypnosis in the News,” *Journal of the American Institute of Hypnosis*, June 1961, 48.
33. Arons; and Bryan, *Legal Aspects of Hypnosis*.
34. Bryan, *Legal Aspects of Hypnosis*, 202–203.
35. On early cinema, see Mary Anne Doane’s discussion of Freud’s “Mystic Writing Pad” in Mary Anne Doane, *The Emergence of Cinematic Time: Modernity, Contingency, the Archive* (Cambridge, MA: Harvard University Press, 2002), 240. On the 1940s and 1950s, see Alison Winter, “Film and the Construction of Memory in Psychoanalysis, 1940–1960,” *Science in Context* 19 (2006): 111–136; and Alison Winter, *Memory: Fragments of a Modern History* (Chicago: University of Chicago Press, 2011), chaps. 3–4.
36. See, for example, International Association of Chiefs of Police, “Police Tape Recorder,” *The Police Chief* 20–21 (1953): 57. An additional factor might have been in play here: tape recorders were beginning to be used during this period as technological aids in inducing hypnosis. In this capacity, the recorded content on a reel-to-reel tape would not serve a role similar to memory (because its status was not that of information but of influence). Nevertheless, this role meant that hypnotists were engaged in using reel-to-reel tapes in their work, providing them with opportunities to reflect on the medium. See William Thomas Heron, *Clinical Applications of Suggestion and Hypnosis* (Springfield, IL: Charles C Thomas, 1957), chap. 12.
37. Arons, 36–37.
38. George H. Estabrooks, *Hypnotism* (New York: E.P. Dutton, 1960).
39. Jackson, 12–15.
40. Bertrand Russell, *The Impact of Science on Society* (1953; London: Routledge, 1998), 61–62.
41. Leone Adelson, told by Norman Rose, *Sleepy Family*, Young People’s Records, YPR-611, 1948; William Moffat, performed by Tom Glazer with Alan Bunce, *Tom’s Hiccups*, Children’s Record Guild/Young People’s Records, YPR-808, 1951. For a history of children’s records in this period and a discussion of the fears of indoctrination leveled against music companies, see David Bonner, *Revolutionizing Children’s Records* (Lanham, MD: Scarecrow Press, 2007).
42. Jackson, 12–15.
43. David Noebel, *Rhythm, Riots, and Revolution: An Analysis of the Communist Use of Music, the Communist Master Music Plan* (Tulsa, OK: Christian Crusade Publications, 1966). See, also, Seymour Martin Lipset and Earl Raab, *The Politics of Unreason: Right Wing Extremism in America, 1790–1970* (New York: HarperCollins, 1970).
44. Bryan, “The Walking Zombie Syndrome,” *Journal of the American Institute of Hypnosis*, July 1961, 10–18. Bryan gave the example of soldiers who have had traumatic or near-death experiences.
45. “The Dangers of the Waking State,” *Journal of the American Institute of Hypnosis*, April 1964, 38–39.
46. Arons, xv.
47. Arons, xviii.
48. W.J. Bryan, “Investigating Criminal Intent,” *Journal of the American Institute of Hypnosis* 2,

no. 4 (October 1961): 2.

49. "Hypnosis in the News," *Journal of the American Institute of Hypnosis*, April 1963, 45.

50. George Barman, "Solving Crimes by Hypnosis," *Popular Mechanics*, April 1960, 106–109, 234, 236.

51. *Harding v. State* (1968), 5 Md. App. 230, 246 A. 2d 302.

52. Robert Blair Kaiser, *R.F.K. Must Die* (New York: E.P. Dutton, 1970), 102.

53. The leading figure in this period was Martin Reiser, a clinical psychologist who ran a hypnosis training institute and forensics service associated with the Los Angeles Police Department during the 1970s and early 1980s. Reiser also traveled the country staging brief training programs at conferences and at individual police departments. He initially used unpublished training materials but eventually published a textbook: Martin Reiser, *Handbook of Investigative Hypnosis* (Los Angeles: Lehi Publishing Co., 1980).

54. The two works of Sigmund Freud that represent this tension are the well-known "Screen Memories" paper and the less-well-known "Note upon the 'Mystic Writing Pad.'" Sigmund Freud, "Screen Memories" (1899), in *Standard Edition of the Works of Sigmund Freud*, vol. 3, *Early Psycho-Analytic Publications*, trans. and ed. James Strachey (London: The Hogarth Press, 1953), 301–322; Freud, "A Note upon the 'Mystic Writing Pad'" (1925), in *General Psychological Theory* (New York: Scribner, 1963), 207–212. For a fascinating reflection on the relationship between the early history of cinema and the "Mystic Writing Pad," see Doane, *The Emergence of Cinematic Time*. For more on the relationship between models of truth in memory, forensics, and psychotherapy, see Winter, *Memory*, chaps. 6, 8, 10.

55. See Schefflin and Shapiro, 181–230.