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A Curious Lawsuit and Hypnosis
As a Vehicle for Literary Work

During World War II, Dr. Heinrich Gerlach, a teacher and reserve officer serving with the German Sixth Army, was captured by the Russians and interned in a Siberian prison camp. There, he wrote a novel about the Battle of Stalingrad.

The novel was to be plagued by misadventures. First, its manuscript was seized by the Russians during a search of the camp. Then, a second copy, written by Gerlach in an almost microscopic script on the pages of an exercise book, was found when a fellow prisoner, due to be released, attempted to smuggle it back to Germany under the false bottom of a wooden box containing his belongings.

After the Soviet Security Police had confiscated this second copy, Gerlach was transferred to a Moscow prison, where he was kept under strict surveillance. He made no more copies of the novel, and he was given no chance to write.

In 1950, Gerlach was repatriated. Back in Germany, he attempted to write the novel again, but found, to his despair, that he could no longer remember anything about the battle. He had developed an amnesia for his experiences.

Almost ready to give up, Gerlach heard of a Munich psychotherapist, Dr. Karl Schmitz, who through hypnosis, had enabled a number of his patients to regain repressed memories. Schmitz was successful with Gerlach also.

With a secretary taking notes, Gerlach, in a hypnotic trance, relived the battle of Stalingrad. When he saw the notes, Gerlach recognized many of the passages as verbatim quotes from the novel he had written in the prison camp.

After a number of sessions with Dr. Schmitz, Gerlach found that the amnesia had dissolved—the memories were once again accessible to his conscious mind. He broke off the hypnotic treatments in 1951.

Now, seven years later, Gerlach has a successful novel, "The Betrayed Army," and a lawsuit on his hands. The basis of the latter is a written agreement with Dr. Schmitz, signed in 1951, to the effect that, should the book be published, Schmitz was to receive 20 per cent of the gross proceeds. Schmitz claims that two-thirds of the novel consists of passages dug out of Gerlach's memory by Schmitz' hypnotic techniques.

Gerlach does not deny he signed the agreement. He is contesting Dr. Schmitz' claim on the ground that, while the treatments were helpful, the novel is the product of his own efforts; and that, at the time he signed the agreement, he was not in full possession of his mental faculties.

With the outcome of the suit still pending, the German press, the German literary world and German physicians have jumped headlong and heatedly into the controversy. Physicians, particularly, are concerned about the ethical aspects of the case.

One of the arguments centers around the establishing of a precedent. Should the court decide in favor of Schmitz, it might become possible for a physician to lay claim to a portion of the earnings of a singer whose voice he helped, etc. It is an interesting case.

While Gerlach's book was not written under hypnosis—hypnosis was used only to regain what had been "forgotten"—there are no end of works which have been written while the author was in some sort of trance. Most of these belong, of course, to the literature of occultism, and, most of those, to spiritualism. These consist largely of works either recorded from the spoken words of a medium, or produced by automatic writing.

Works produced in this way are usually alleged to have been written by a member of the spirit world, who has made contact with this world through the medium. Unfortunately, nothing of much literary merit has ever been produced in this way—not even when the spirit contacted is that of such a literary notable as Oscar Wilde.

Still other works, doubtless attributable—when not to fraud—to spontaneous or induced hypnotic trance, belong to the Bridie Murphy category—that is, are works in which a former incarnation is "recalled." While Bridie Murphy was the first such hypnotic reincarnation to be brought to the attention of the general public, the recollection of past lives, through hypnosis, is actually old stuff, and the literature of occultism is full of it.

In automatic writing, the most common technique is to sit with a pencil in hand, relax, empty the mind of all extraneous content, and concentrate upon the hand or the pencil. If a trance state is thus induced, the pencil begins to write, apart from any conscious volition on the part of the author. This is a way of tapping the unconscious, and it has been successfully exploited, as had crystal gazing, in the field of psychotherapy. Its exploitation in the arts has been less successful.

One of the most interesting works ever produced in the trance state is "The Book of the Law," written by the late Aleister Crowley in Cairo between noon and 1 p.m. on April 8th, 9th and 10th of the year 1904. The book was "dictated" to Crowley by "Aiwass," the "minister of Hoor-Paar-Kraat," a "messenger from the forces ruling this earth at present."

The authenticity of "The Book of the Law" as an unconscious production is attested to by its symbolism, which is similar to that encountered when the unconscious is tapped in psychoanalysis.

It seems likely that, with patience, any good hypnotic subject could be induced to produce sufficient material for a book—either about this life, a previous, or a future one—and we may yet, one of these days, "enjoy" a vogue of such productions.

Unfortunately, works produced in this way are still subject to individual frailties, and there is no evidence that the hypnotic state enables the individual to transcend either his own ignorance or the limitations of his conscious literary-artistic talents.