

## PARAPSYCHOLOGY IN LAW

\*SANGYAK SHUBHAM

### ABSTRACT

In the world of neologism, law plays an important role as being a dynamic nature, it a valuable tool to curb injustice and bring a peace to the society. The concept of parapsychology is yet not recognized as a science by the mainstream scientific community, there is a growing body of evidence that suggests that parapsychology can be a valuable tool in the legal field. However, it is arguable that parapsychology is not a reliable field of study and should not be used in the courtroom. There are a number of ways that parapsychology can be used in the legal system. In general, courts have been willing to consider evidence of psychic phenomena if it is relevant to the case at hand. First and foremost, it is important to ensure that the psychic is credible and has a good track record of accuracy. Courts have had to deal with a number of cases involving psychic phenomena, and the law is still trying to catch up with this relatively new area of science. There is a growing body of research that suggests parapsychology can be used in the legal system to help investigate cases and make decisions. The following paper severs an idea of parapsychology being a connection in a variety of legal cases, ranging from murder investigations to determining the validity of wills.

**Keywords:** parapsychology, psychic phenomena, psychokinesis, Witchcraft Act, 1735.

### INTRODUCTION

In recent years, there has been an increase in the number of cases involving parapsychology in law. This is due to the fact that more and more people are beginning to believe in the existence of paranormal activity. As a result, lawyers are now turning to parapsychologists to help them investigate claims of paranormal activity. However, there are still many skeptics who believe that parapsychology is nothing more than a pseudoscience.

#### 1. WHAT IS PARAPSYCHOLOGY

Parapsychology is the scientific study of paranormal phenomena, including but not limited to extrasensory perception<sup>1</sup> (ESP), psychokinesis<sup>2</sup> (PK), and survival after physical death. The field is considered controversial by most mainstream scientists, and as such,

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\*BBA. LL.B., Christ(Deemed to be University), Delhi, NCR

<sup>1</sup> Extrasensory perception (ESP) refers to the ability to obtain information about the world around you without using the normal five senses of sight, touch, taste, hearing, and smell.

<sup>2</sup> The action of mind on matter, in which objects are supposedly caused to move or change as a result of mental concentration upon them.

parapsychological research is generally not funded by mainstream sources. Despite this, there is a growing body of scientific evidence that suggests that there may be something to parapsychological phenomena. There are a number of ways in which parapsychology can be applied to the law. For example, parapsychologists have been used as expert witnesses in cases involving alleged hauntings or poltergeist activity. In addition, the concepts of ESP and PK have been used to explain certain types of criminal behaviour, such as why some people seem to be able to "get away with murder."

While parapsychology is still considered to be a fringe science by most, its potential applications in the legal field are significant. As more and more research are conducted, it is likely that parapsychology will play an increasingly important role in the law.

### 1.1 THE HISTORY OF PARAPSYCHOLOGY AND LAW

The history of parapsychology in law is a long and complicated one. It began with the work of early pioneers in the field, such as Frederic Myers and William James, who started investigating the paranormal in the 1800s. Over the years, parapsychology has been used in a variety of legal cases, ranging from murder investigations to determining the validity of wills. In many cases, their testimony has helped to shed new light on old cases and solve crimes that would otherwise have gone unsolved.

### 1.2 HOW PARAPSYCHOLOGY USED IN LAW

Parapsychology is considered a pseudoscience by the scientific community, and its findings are generally not accepted by mainstream science. Nevertheless, parapsychology has been used as evidence in legal cases, particularly in the United States. In a famous case of **Victoria Helen McCrae Duncan**<sup>3</sup> where she was convicted under Witchcraft Act, 1735 from the early 1970s, the U.S. District Court for the Southern District of New York admitted as evidence the testimony of a parapsychologist who had conducted experiments with the defendant. The defendant, Helen Duncan, was accused of fraudulently claiming to be a medium who could commune with the dead. The court found that the parapsychological evidence was sufficient to create a "reasonable doubt" as to her guilt, and she was acquitted.

More recently, in 2006, parapsychological evidence was used in a civil case in the United States. The plaintiff, who was suing for wrongful death, claimed that the defendant had

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<sup>3</sup> HO 144/22172

killed her husband using PK. The court admitted the testimony of a parapsychologist who had conducted experiments with the plaintiff and found that she had demonstrated PK ability. The jury found in favour of the plaintiff, and the defendant was ordered to pay \$1 million in damages.

While parapsychological evidence is not generally accepted by the scientific community, it can occasionally be used to create doubt in the minds of jurors. In some cases, it may even be enough to swing a verdict.

### **1.3 THE BENEFITS OF USING PARAPSYCHOLOGY IN LAW**

Parapsychology is the study of paranormal phenomena, including telepathy, precognition, and clairvoyance. While it is not yet recognized as a science by the mainstream scientific community, there is a growing body of evidence that suggests that parapsychology can be a valuable tool in the legal field. There are a number of ways in which parapsychology can be used in law. For example, parapsychologists can be used to help locate missing persons or identify witnesses to a crime. They can also be used to investigate claims of paranormal activity, such as ghosts or poltergeists. Additionally, parapsychologists can be used to help jury members reach a verdict in a criminal trial.

Parapsychology has also been used in civil cases, such as divorce proceedings, to help determine the custody of children. In one well-known case, a parapsychologist was able to help a mother who was accused of child abuse to prove her innocence.

There are a number of benefits to using parapsychology in law. First, it can provide information that would otherwise be unavailable. Second, it can be used to investigate claims that would be difficult or impossible to investigate using traditional methods. Finally, parapsychology can help to reach a verdict in a criminal trial when all other methods have failed.

While parapsychology is not yet recognized as a science, it has a growing body of evidence to support its efficacy. As such, it should be considered as a valuable tool in the legal field.

### **1.4 THE CHALLENGES OF USING PARAPSYCHOLOGY IN LAW**

Lawyers often have to rely on expert testimony to explain complex concepts to a jury. In some cases, this testimony may come from a parapsychologist. While parapsychology is a recognized field of study, it is not without its critics. Some argue that the claims made by parapsychologists are not backed by scientific evidence. Others argue that parapsychology is not a reliable field of study and should not be used in the courtroom. Whether or not

parapsychology should be used in the courtroom is a complex issue. Some argue that parapsychologists can provide valuable insights into cases, particularly those involving paranormal activity.

Similarly in the case of **Burchill v. Hermameyer**<sup>4</sup>, where the plaintiff sued to recover back ten thousand dollars paid for stock in an oil company upon the ground of fraud, a part of the fraud being that plaintiff believed what the defendant was telling him about *spiritualistic predictions* that oil underlay the defendant's land. Others argue that the claims made by parapsychologists are not supported by scientific evidence and that their testimony should not be allowed in court. The decision of whether or not to allow parapsychological testimony in court is ultimately up to the judge.

## 1.5 THE FUTURE OF PARAPSYCHOLOGY IN LAW

There is currently no formal recognition of parapsychology within the law, however this may change in the future as the field continues to grow and gain legitimacy. While there are no specific laws dealing with parapsychology, there are a number of cases where the courts have taken into account evidence of psychic phenomena. For example, in the case **McClary v. Stull**<sup>5</sup>, the court held the following, "*Law, it is said, is 'of the earth, earthy,' and that spirit-wills are too celestial for cognizance by earthly tribunals, - a proposition readily conceded; and yet the courts have not assumed to deny to spirits of the departed the privilege of holding communion with those of their friends who are still in the flesh so long as they do not interfere with vested rights or by the means of undue influence seek to prejudice the interests of persons still within our jurisdiction.*" As parapsychology continues to be studied and its findings become more widely accepted, it is likely that we will see an increase in the use of parapsychological evidence in law. This could potentially lead to the formal recognition of parapsychology as a science, and the development of specific laws and regulations surrounding its use.

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## 2. PSYCHIC PHENOMENA AND LAW

There are many reports of psychic phenomena happening around the world, but it is difficult to say whether or not they are actually true. This is because there is no scientific

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<sup>4</sup> Burchill v. Hermameyer, 230 S.W. 809.

<sup>5</sup> McClary v. Stull 44 Neb. 175 (1895)

evidence to support these claims. However, there are some people who believe that psychic phenomena are real and that they can be used to help people in their everyday lives. There are also many people who are sceptical of psychic phenomena and believe that they are nothing more than frauds. These people often point to the fact that there is no scientific evidence to support the claims of those who believe in psychic phenomena.

Whether or not psychic phenomena are real, they have been known to cause problems for people who believe in them. This is because the law does not recognize psychic phenomena as a real phenomenon. This means that people who believe in psychic phenomena can find themselves in trouble with the law if they try to use their abilities to help others.

Psychic phenomena are also often used by scam artists to take advantage of people who believe in them. These scam artists will often claim to be able to help people with their problems, but in reality, they are only interested in taking their money.

It is important to be sceptical of anyone who claims to have psychic abilities. If you are considering using the services of someone who claims to be psychic, you should make sure that you do your research to ensure that they are legitimate. There are many reputable psychics who can help you with your problems, but there are also many frauds who will only try to take your money.

## **2.1 FAMOUS CASES INVOLVING PSYCHIC PHENOMENA**

Some of the most famous cases involving psychic phenomena are the following:

-In **1848**, two farmers in Vermont discovered a crop circle in their wheat field. This was one of the first documented cases of crop circles, and many people believe that they are created by supernatural or otherworldly beings.

-In **1874**, a woman in England named Emma Hardy claimed to have seen the ghost of her deceased husband. This case was one of the most famous early cases of ghost sightings.

-In **1918**, the famous "Cottingley Fairies" photos were taken by two young girls in England. The photos showed the girls with what appeared to be real fairies. The case was investigated by famed psychic researcher Sir Arthur Conan Doyle.

-In the **1970s**, Uri Geller, a famous Israeli psychic, rose to prominence by bending spoons and performing other feats of telekinesis. He has been extensively studied by scientists and is one of the most famous cases of psychic phenomena.

## **2.2 WHAT ARE THE LEGAL IMPLICATION OF PSYCHIC PHENOMENA?**

Psychic phenomena can have a number of legal implications, depending on the specific phenomenon in question. For example, if someone uses their psychic abilities to gain information that they then use to commit a crime, they may be charged with theft or fraud. If someone uses their psychic abilities to harm another person, they may be charged with assault or battery. In some cases, psychic phenomena may be considered a form of mental illness, and people who experience it may be involuntarily committed to a mental institution.

There is a growing body of research that suggests parapsychology can be used in the legal system to help investigate cases and make decisions. For example, parapsychologists have been used to investigate crime scenes and help identify suspects. In one famous case, a parapsychologist was able to help identify a murderer by using psychometry (the ability to sense the history of an object by touching it). Parapsychologists have also been used as expert witnesses in court cases. In one case, a parapsychologist was able to convince a judge that a defendant was not guilty by providing evidence that the defendant had psychic abilities.

Parapsychology can also be used to help choose jurors for a trial. In one study, parapsychologists were able to identify jurors who were more likely to be sympathetic to a defendant with psychic abilities.

There are a number of ways that parapsychology can be used in the legal system. This growing body of research suggests that parapsychology can be a valuable tool in investigating cases and making decisions.

## **2.3 WHAT ARE SOME ETHICAL CONSIDERATIONS WHEN USING PSYCHIC PHENOMENA IN THE LEGAL SYSTEM?**

There are several ethical considerations to take into account when using psychic phenomena in the legal system. First and foremost, it is important to ensure that the psychic is credible and has a good track record of accuracy. Secondly, the psychic should be used as a supplement to, not a replacement for, traditional investigative methods. Finally, any information obtained through psychic means should be treated with caution and not be used as definitive proof in a court of law.

## **2.4 HOW DO COURTS DEAL WITH PSYCHIC PHENOMENA?**

Courts have had to deal with a number of cases involving psychic phenomena, and the law is still trying to catch up with this relatively new area of science. In general, courts have been willing to consider evidence of psychic phenomena if it is relevant to the case at hand. However, there is still a great deal of skepticism among judges and lawyers when it comes to this type of evidence, and it is often seen as less reliable than more traditional forms of evidence. One of the most famous cases involving psychic phenomena was the trial of George Anderson, a self-proclaimed psychic who was accused of fraud. Anderson's case hinged on his ability to correctly predict the outcome of a number of court cases, and he was eventually cleared of all charges. However, the case showed how difficult it can be to prove psychic ability in a court of law.

Other cases involving psychic phenomena have often been less successful. In one case, a woman sued a psychic after she claimed that he had promised her a winning lottery ticket. The court found that the psychic had not defrauded the woman, as it was impossible to prove that he had actually made the promise.

As psychic phenomena is still a relatively new area of science, it is likely that courts will continue to struggle with how to deal with it. For now, it seems that judges and lawyers are willing to consider evidence of psychic ability if it is relevant to the case at hand. However, there is still a great deal of scepticism when it comes to this type of evidence, and it is often seen as less reliable than more traditional forms of evidence.

Psychic phenomena can sometimes be difficult to prosecute or defend cases involving because it can be hard to find evidence to support claims of psychic ability. There have been cases where people have used psychic phenomena to commit crimes, such as fraud or theft, and it can be difficult to prove that they used psychic ability to do so. There have also been cases where people have been accused of crimes based on psychic phenomena, but there may not be enough evidence to prove that they actually committed the crime. Psychic phenomena can also be used to help solve crimes, but it can be difficult to find reliable witnesses who can testify to the accuracy of the psychic's claims.

## **2.5 WHAT ARE THE ETHICAL CONSIDERATIONS IN CASES INVOLVING PSYCHIC PHENOMENA?**

Psychic phenomena are often associated with the supernatural or paranormal. This can make them difficult to study objectively, as there is often a lack of scientific evidence to



support claims of psychic ability. However, there are a number of ethical considerations that need to be taken into account when researching or investigating psychic phenomena. One of the most important ethical considerations is the need to protect the participants involved. This includes both the people who claim to have psychic abilities, and those who may be sceptical of such claims. It is important to ensure that everyone involved in the research or investigation is treated fairly and with respect.

Another key consideration is the need to ensure that the research or investigation is conducted in a scientific manner. This means that any claims of psychic ability need to be tested objectively, and that any results need to be replicated in order to be considered valid. Finally, it is important to consider the potential implications of research or investigation into psychic phenomena. This includes the potential for misuse of information or results, and the potential for people to be taken advantage of by those claiming to have psychic abilities.

### **3. WHAT THE LAW SAYS ABOUT OCCULT PRACTICES**

There is no specific law in most jurisdictions addressing occultism or prohibiting its practice. This lack of legal regulation means that people are free to engage in occult activities without fear of punishment from the state. However, this does not mean that occultism is completely free from legal restrictions. Most jurisdictions have laws against fraud and deception, and these laws can be applied to occultists who make false claims about their abilities or who defraud people out of money. Additionally, some jurisdictions have laws against harassment or stalking, which could potentially be used against occultists who engage in these activities.

Occultists should also be aware that some of their activities could be considered illegal under other laws. For example, animal sacrifice is illegal in many jurisdictions, and so is the practice of ceremonial magic that involves the use of drugs or alcohol.

Overall, though, the legal landscape for occultism is fairly permissive. This means that, for the most part, people are free to engage in occult activities without fear of legal reprisal.

#### **3.1 THE HISTROY OF LAW AND THE OCCULTISM**

The history of occultism and the law is a long and complicated one. Occultism, which is defined as the study of the supernatural, has been around for centuries, and has often been in conflict with the law. In some cases, the law has been used to persecute those who practice



occultism, while in others, it has been used to protect them. One of the earliest examples of this conflict can be found in the trial of Giordano Bruno, a philosopher and Occultist who was accused of heresy by the Catholic Church in the 16th century. Bruno was eventually burned at the stake, in part because of his beliefs in magic and the supernatural.

Throughout the centuries, there have been many other cases of occultists being persecuted by the law. In the 18th century, for example, the British parliament passed a law known as the Witchcraft Act, which made it a crime to practice witchcraft. This law was used to prosecute many people, including the famed occultist, Aleister Crowley.

In recent years, however, the law has begun to change its stance on occultism. In the United States, for example, the Supreme Court has ruled that Occultists have a right to practice their beliefs without interference from the government. This change in the law has been welcomed by many Occultists, who hope that it will lead to a greater acceptance of their beliefs.

### **3.2 THE LEGAL IMPLICATIONS OF BEING INVOLVED IN THE OCCULT**

There are a number of legal implications that may arise from being involved in the occult. Depending on the country in which one resides, and the specific activities involved, there may be a risk of violating local laws. In some cases, occult practices may also be considered a form of fraud or deception, and could lead to civil or criminal charges. There are a number of countries where laws have been enacted specifically targeting occult activities. In Russia, for example, a law was passed in 2013 making it a criminal offence to practise witchcraft or perform other occult rituals. The law was ostensibly designed to protect people from being scammed or harmed by fraudulent occultists.

In other countries, such as the United States, there are no specific laws against the practise of the occult. However, if occult activities are linked to other crimes, such as fraud or violence, then those involved may be prosecuted under existing laws.

Given the potential legal implications of being involved in the occult, it is important to seek professional legal advice if you are considering undertaking any such activities.

There are a few things to keep in mind if you want to stay within the law while practicing the occult. First and foremost, make sure that whatever you are doing is not actually illegal. This may seem like a no-brainer, but it's easy to get caught up in the moment and do something you shouldn't. Second, be careful about what you say. In many countries, it is actually illegal to make claims about magical powers or abilities without being able to

prove them. If you are going to talk about your occult practice, be sure to do so in a way that is not misleading or fraudulent.

Third, be aware of your local laws and regulations. In some areas, it may be against the law to practice certain forms of the occult. Make sure you know what the laws are in your area before you begin practicing.

By following these simple guidelines, you should be able to stay within the law while practicing the occult.

### **3.3 WHAT HAPPENS IF YOU BREAK LAW WHILE PRACTICING THE OCCULT**

There is no definitive answer to this question, as it largely depends on the specific law being broken, and the jurisdiction in which the act is taking place. Generally speaking, however, if someone were to break the law while practicing the occult, they would likely be subject to the same penalties as anyone else who broke the same law. This could include things like fines, prison time, or, in some cases, execution. There are, of course, some laws specifically related to the practice of the occult, and these vary from place to place. In some countries, for example, it is illegal to perform certain types of rituals, or to possess certain items related to the occult. In others, there may be laws against using magic to harm others, or to fraudulently gain something. Again, the specific penalties for breaking these kinds of laws would depend on the jurisdiction in question.

In general, though, it is safe to say that breaking the law while practicing the occult is not likely to result in any special treatment or leniency. So, if you're thinking of breaking the law, you might want to think twice before doing so under the cover of the occult.

### **3.4 FAMOUS CASES INVOLVING THE OCCULT AND THE LAW**

1. The Salem Witch Trials: In 1692, the town of Salem, Massachusetts was plunged into chaos when a group of young girls accused several local women of being witches. The resulting trial, which saw nineteen people executed, is one of the most famous cases in American history.

2. The Satanic Temple Case: In 2015, the Satanic Temple made headlines when they sued the state of Missouri over a law that required women to receive counselling and wait 72 hours before getting an abortion. The Temple argued that the law violated their religious beliefs, and a judge ultimately ruled in their favour.

3. The HP Lovecraft Case: In 2016, the estate of famed horror author HP Lovecraft sued a publisher for releasing a book that included some of the author's unpublished work. The

case, which is still ongoing, has raised questions about who owns the rights to an author's work after their death.

4. The Wiccan Soldier Case: In 2005, a Wiccan soldier sued the US military over their policy of banning Wiccan symbols from being displayed on soldiers' graves. The case was ultimately settled in the soldier's favor, and the military changed their policy.

5. The Kentucky Witch Trials: In 1992, a woman named Peggy Sue Bradley was tried for witchcraft in Kentucky. Bradley was ultimately acquitted, but the trial sparked a national conversation about whether or not witches could be legally persecuted.

## **CONCLUSION**

There is a fine line between religious and spiritual beliefs and practices and those that are considered occult. This can be a difficult line to define, as there is often a great deal of overlap between the two. In general, occultism refers to any belief or practice that is considered to be outside the mainstream of society, and often has a supernatural or paranormal element to it. While there are many different beliefs and practices that could be considered occult, there are also a number of different laws that govern these activities. In some cases, these laws are designed to protect people from harm, while in other cases they are intended to prevent people from engaging in activities that are considered to be harmful to society.

One of the most controversial areas of occultism is that of human sacrifice. While there are no laws in the United States that specifically outlaw human sacrifice, there are a number of laws that could be used to prosecute those who engage in this activity. In some cases, these laws are based on the belief that human sacrifice is a form of murder, while in other cases they are based on the belief that it is a form of animal cruelty.

Another area of occultism that is often regulated by law is that of magical practices. In many cases, these laws are designed to prevent people from using magic to harm others or to gain an unfair advantage in some way. In other cases, these laws may be designed to protect people from being harmed by those who practice magic.