

Capital Punishment

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[Page 3] WHILE a wave of spiritual enlightenment is passing over the world, calling forth various reforms in the political and social relations of humanity, there is one extremely dark spot in the mind of mankind, into which this light does not seem to be able to penetrate, namely, the idea of killing criminals for the purpose of punishing them. This idea is a superstition, arising from an entire ignorance of the true nature of man; a relic of the Dark Ages, a blot on the character of humanity. It was to be expected that in consequence of the rapid spreading of progressive ideas, disseminated by Theosophical literature, this remnant of a barbaric custom would gradually disappear. Instead of that, the Austrian lawmakers have just revised the penal code, retaining capital punishment, and, the faculty of medicine having memorialized the Minister of Justice recommending the cutting off of the heads of criminals in the place of hanging them. In the most progressive country of the world — the United States of America — legal killing by means of electricity is about to be introduced, while in other so-called civilized countries the carelessness of allowing oneself to be caught for committing a crime is punished by hanging, garrotting, shooting, or by the guillotine.

The first question which arises in the consideration of this subject is: "What is the object of killing a criminal?" The second question is, "Is that object attained?" The only imaginable objects in killing a criminal are: 1) To inflict punishment on him for having acted against the law; 2) To render him incapable to do further mischief, and thereby to protect society.

The age in which criminals were tortured has passed away; the authorities are content upon finding a way by which the death penalty can be inflicted with the least possible suffering to the delinquent; and even inflicting mental suffering upon the candidate for death is avoided, because, instead of causing him to get frightened by imagining the horrors of hell, everything is done to make him believe that his sins are forgiven, and that he will be received with open arms in the celestial kingdom. The "punishment" is, therefore, evidently not intended to produce physical or mental suffering, and if the criminal is a man of courage, and does not fear death, there will be no horror of dying, there will be no suffering, and the only possible punishment for him is the loss of his life. Now the medical fraternity inform us that as soon as [Page 4] the heart and the brain of a person are paralysed, there is an end to his consciousness. If this is true, then the criminal, as soon as he is killed, is unconscious of ever having lived; he is unconscious of ever having lost his life, and where, then, is the punishment in causing a man a loss of which he is not aware, and in taking away from him something that he will never miss? It is like taking away from a person something that never belonged to him, and of which he does not even know that it exists.

Seen from this point of view, capital punishment is a total failure, because, besides frightening a timid criminal for a few hours or days before his death, there is no pain inflicted upon him; and even this mental torture, if any, is not inflicted by the law, but merely by the criminal's own imagination, and by his

belief regarding the state after death. The capital punishment being, therefore, merely an imaginary punishment, does not fulfil its object as a punishment, and the only remaining question is whether society can protect itself better by killing a criminal than by shutting him up in a prison and seeking to educate him and to improve his character. At a time when no convenient prisons existed, and when the only means of protecting oneself was to kill the aggressor, the killing of criminals may have appeared to be useful and necessary; but at the present state of civilization, where the country abounds with prisons, there is, to say the least, no necessity for killing an offender against the law; nor is there any financial profit arising from killing him, because, besides the cost of the execution, the Government loses his labour.

There is still another reason given by the advocates of capital punishment for its continuation, namely, the "wholesome effect which it will have of frightening other criminally-inclined people into remaining virtuous"; but it is very doubtful whether the defenders of such an argument believe it themselves, or whether they have ever seriously considered it; because it is well known that the law does actually never punish a crime unless the criminal is caught, and, therefore, the punishment is rather for having committed the crime in a bungling manner, which involved discovery, than for committing it; and the only thing which the captured criminal regrets is that he was not cunning enough to avoid being caught, and the only sincere resolve which he forms in his own mind is to be more careful the next time, so as not to be caught again. Moreover, the morality of a people which is based only upon cowardice arising from fear of punishment is worth very little, and the passions, merely restrained and pent up by fear, accumulate and grow in strength. The pent-up passions of a nation restrained by fear resemble a mine loaded with dynamite, waiting for a favourable moment to explode, when the result will be such as has been witnessed during the horrors of the French Revolution.

Thus, seen from a merely external and "materialistic" point of view, capital punishment is useless and unnecessary; but a correct conception of its [Page 5] true nature and consequences can only be formed if we look below the surface appearances and study the true nature of "life" and of the constitution of man.

There is nothing more irrational than the attempts which have been made by our modern "rationalists" of separating science from philosophy. In doing so, science, so-called, condemned itself of being merely a science of external appearances and phenomena, relegating the causes of such external appearances to the region of the "unknowable". It is admitted by all modern and ancient philosophers that a tree is the result of something capable to produce a tree; *i.e.*, of the action of some invisible principle, or "potentiality", residing in a kernel and capable to develop into a tree; and likewise that the organism of man is the result of something invisible in connection with a power whose manifestation is called "life"; but material science, in disregarding and denying the existence of causes which she cannot see with material eyes, makes of every man and of every tree a miracle whose existence cannot be explained. Occult science says that the principle which causes the appearance of a tree, or which manifests itself in the human form as a man, is the real thing of importance which is to be taken into consideration; and that the external form, be it that of a man or of a tree, is nothing else but an external form whose importance does not transcend the plane whereon it exists. She says that while the form or appearance perishes, the power which caused that form to exist remains, and will be capable, under favourable conditions, to produce another similar form, be it a man or a tree, exhibiting the same qualities as the former. There is only this difference, that while the seed of a tree may be destroyed, the spiritual "seed" which produces the soul of a man cannot be destroyed by capital punishment, but will, under favourable conditions,

produce such a man again as sure as the seed of a thistle will produce nothing else but a thistle. All this is taught by the doctrine of Reincarnation, a doctrine with which our scientists ought to make themselves familiar, if they do not prefer to remain in ignorance regarding that which is of supreme importance in studying the nature of man. This doctrine, then, teaches us that, in depriving the spirit of a criminal of his physical body, we do not kill the cause that produced the criminal, and that this cause will in due time produce another criminal of the same kind, if not of a still worse character, as the unjust act of robbing him of his life will have caused a sense and desire of revenge and an embitterment of the spirit. By capital punishment we, therefore, at best, defer the manifestation of an evil cause for some future time, and give to a future generation an evil inheritance, with which we ourselves ought to have contended, and which we ought to have sought to ameliorate. This is, however, not all. It might be said that we do not care about the troubles that will affect future generations, and that it is all we can do to protect and take care of ourselves; but a deeper [Page 6] investigation in the invisible nature of man will show us that in killing the body of a criminal we do not get rid of the powers that constituted him a criminal, and that these powers, after having been deprived of one instrument for their manifestation, will continue to manifest themselves in other still less convenient ways. To understand this it will be necessary to throw a glance at the constitution of man, as it is taught by those who have the capacity to know it; and for the sake of those who are not familiar with the doctrines of Occultism, we will attempt to outline that constitution in comprehensible terms. According to the doctrines of the sages, Man is a fourfold manifestation of consciousness, or, in other words, a trinity of spirit and body, with the intermediary link called the "soul," the latter being divisible into the purely animal and the divinely human soul. To the former belong the animal emotions and passions, to the latter the higher powers of the mind. We may, therefore, classify these four states of consciousness as four principles, giving them the following familiar names:

1. GOD, the Atma, the "divine Self", i.e., the Divinity in man, a universal power, existing in the majority of the criminals, only, so to say, in a dormant or latent state, and not having arrived at a state of self-consciousness in them. This means that the criminal is not a saint, and does not know the god that is hidden in him, and whom to awaken to consciousness is the object of human life, an object frustrated by the execution of the criminal. This principle, whether awakened or not, cannot be executed and killed; it is the real and true Self, and returns to its divine source after the death of the body, as is also taught by the Church, which, at the funeral service, relegates "the body to Earth, and the spirit to God".

2. The MIND. This we understand not to be the thinking faculty of the brain, but that principle which manifests itself as thought and will in the material brain, i.e., that which enables the brain to think by the aid of the physiological processes taking place in the living subject. Even if the head is cut off and the brain with which man used to think is destroyed, the thought-producing principle cannot be killed; but after being deprived of its instrument for manifestation, it enters into its own state of being, which in criminals of the ordinary kind is presumably that which is called *Devachan*, where it rests in its subjective condition until the time arrives when it will be reincarnated upon the earth, and evolve a new physical body with the same tendencies which it possessed in its former life.

3. The ASTRAL SOUL. It is well known that the physical body or "corpse" of a man is not the man himself, but merely an instrument formed by nature, in and through which the consciousness of man may manifest its mental and physical powers; in other words, man is not himself his own nature, but he has an everchanging organism, in which his (temporary) nature is manifesting [Page 7] itself. The same is the case with his astral soul, the seat of his passions and emotions. The astral soul is not the man himself,

but merely a principle wherein the good and evil powers existing on the astral plane are manifesting themselves, in the same sense as cold manifests itself in an icicle; to destroy the icicle does not destroy the cold, even if that piece of ice were broken into a thousand pieces; and if the icicle is molten and evaporated, the same cold will be able to cause the vapour to condense and to freeze into ice again. This means to say that in the astral plane of the world there exist certain influences of a good and an evil kind, comparable to miasmas in the physical atmosphere of our planet; and as those miasmas will be attracted to those who are especially susceptible for them, and cause epidemic diseases, likewise these astral influences are attracted to those animal souls in men and women where they find a congenial soil to grow and develop, just as the life principle in a cherry tree attracts from the soil and the atmosphere all that is necessary to build up a cherry tree and nothing else. The animal soul of a hardened criminal is a fruitful soil where evil astral influences are readily attracted to and developed. These evil tendencies are not the man himself; they merely belong to his nature and are acting in and through him. They cannot be killed by killing the body, but if the physical form wherein they are active is destroyed, these powers for evil are liberated and free to be attracted to and to manifest themselves in other human souls where they find points of attraction, in the same sense as the cold liberated by evaporation will cause water with which it comes into contact to freeze and crystallize. If we kill a malefactor, we liberate his own essential ego of the evil influences which had possession of him, and we enable these influences to fasten upon the souls of innocent but sensitive persons, in which they create evil inclinations and thoughts, and which may then repeat the same crime for which the criminal was executed. The world is full of such sensitive and mediumistic persons, and it is a known fact that crimes sometimes become epidemic, and that if a criminal has been executed for some especially atrocious crime, crimes of a similar nature are often heard of soon afterwards. The execution of a criminal in this respect has the same effect as pouring out a stinking fluid upon the public thoroughfare with the good intention of getting rid of the evil odour, and thereby poisoning the whole community by the (psychic) stench that was at first confined to only one place.

4. The PHYSICAL BODY. The "corpse" — the external form with its inherent life principle and "magnetic body," or "perispit". This is merely an external instrument for the inner man, and incapable *per se* to do anything good or evil, unless made to act by the astral soul or the mind. It is merely an innocent victim of the natural forces acting therein, and to punish it for the sins which the inner man committed through its instrumentality is like hanging [Page 8] a stick with which a murder has been committed, or tearing to pieces the overcoat of a thief.

If the above is taken into due consideration, it will be seen that in executing a criminal nobody is actually punished except those sensitive and innocent people who are deficient of the power, of self-control, and who may become infested with the evil influences arising from the liberated animal soul of the criminal, and which may cause them to become criminals themselves. The other persons that are punished by the performance of such an official act are the judge, the jurors, and the executioner, together with those that sanctioned the infliction of "capital punishment", and the degree in which they punish themselves will depend on whether they are thus sinning consciously or unconsciously, and whether or not they are aware of the true nature of capital punishment and its consequences. This is explained by the action of the law of *Karma*, a law which every lawyer and judge ought to know above all, as it is the supreme law for administering justice in the universe. It teaches that the universe is a whole, and that no individual can inflict the slightest injury upon any other individual without experiencing himself the full effect of his acts; or, as Edwin Arnold expresses it in his "Light of Asia," which, even if it is a poem, nevertheless embodies the most undeniable truths: —

"By this (law) the slayer's knife did stab himself;
The unjust judge hath lost his own defender;
The false tongue dooms its lie; the creeping thief
And spoiler rob to render.

"Such is the law which moves to righteousness,
Which none at last can turn aside or stay;
The heart of it is love; the end of it
Is peace and consummation sweet. Obey!"

The law of Karma is the law of justice and retribution, by which the harmony in the universe, which has been broken, is restored. It is a law which is administered by nobody — neither by a God nor by a man — and its action is therefore not to be avoided or thwarted, neither by bribes nor by prayers or arguments. It is the Law itself, and administers itself without partiality, its effects being in exact accordance with the causes that produced them. There is, therefore, an adequate punishment for every sin, and there is no necessity that any mortal man should presume to put himself in the place of the law and judge over the destiny of the soul of another human being. All that a man has a right and a duty in regard to criminals is to teach and instruct them, to educate and aid them to get rid of their own evil inclinations; for it ought to be kept in mind that as long as a man has no perfect self-knowledge, his will cannot be perfectly free. The ignorant man does nothing good [Page 9] or evil himself; he follows the thoughts that lead him. The man who has no mastery over himself is mastered by the influences which are controlling him. It is not our object at present to investigate the various methods which are employed to enforce prison discipline. They may be good or they may be bad; they may or may not be adapted to teach criminals ; but surely the killing of a criminal can teach him nothing; it can only arouse in his soul a spirit of fear, embitterment and revenge, because he instinctively knows that no man has a right to rob him of his life.

The law of Karma is the law of impartial justice, which claims an eye for an eye and a tooth for a tooth, and which says that he who kills with the sword shall perish by the sword. Being a universal law, it applies itself alike to a criminal as to a judge on the bench; it is no respecter of persons; it pays no reverence to judicial wigs and gowns, and even Royalty is not exempt from premature deaths produced by the action of the Karma of former lives. He who condemns a fellow-being to death will necessarily suffer for it, either in this or some future life upon the earth. He may condemn a man, having, at the same time, the best of intentions, and he may have his own life cut short while he still has the best intentions.

Some poet asks the question about man in the following words:—

"Out of Earth's elements, mingled with flame,
Out of Life's compound of glory and shame,
Fashioned and shaped by no will of our own,
Helplessly into life's history thrown,
Born to conditions we could not foresee,
Born by a law which compels us to be,
Born by one law, through all Nature the same,
What makes us differ and who is to blame ? "

Our answer to this query is that humanity, being a unit, the condition of the whole is responsible for the condition of each single individual, and that unit being made up of individuals, each individual is responsible for the conditions which affect the whole, and the responsibility of either is in exact proportion to its capacity to teach and enlighten the other. Therefore, instead of killing one another, we ought to aid each other in coming to life, for no one can be said to be truly alive as long as he does not know his own divine self, and that true Self embraces and includes the whole of creation, because God is in, and through, and above All.