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**A SHORT TREATISE ON PROPOSED LEGISLATION  
TO PREVENT THE OCCURRENCE OF DANGEROUS  
POLITICAL PSYCHOTIC ACTS**

**By**

**O. J. Van Sant**

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## INTRODUCTION

This short treatise is an outgrowth of a response to a suggestion from the Office of the Attorney General to outline ideas on legislation which the author claims would prevent the future occurrence of psychotic incidents similar to the one which resulted in the assassination of President Kennedy. Since such legislation involves concepts of a highly complex psychological nature, the author considered it too difficult to present the proposed legislation in outline form and at the same time have the reader satisfactorily understand the psychological role it would play in preventing the occurrence of dangerous political psychotic acts. Consequently, the author chose to submit this short treatise rather than an outline to the Attorney General, in order that the reader not only know what the proposed legislation is but why it would be effective in achieving its purpose.

The first section briefly discusses the relation between the laws and the criminal and psychotic behavior of a society. Next the "political disease," the mental disease contracted by Lee Oswald, is described by giving an illustrative example of the behavior and thought processes leading to the derangement of a government employee who contracted the disease. After this, the proposed law is presented along with the ways it would have affected the contraction of the disease by the government employee in the illustrative example. Then follows the complementary aspects of the proposed legislation with legislation permitting wiretap evidence to be admissible as court evidence. The eighth section gives a brief analysis of the probable behavior and motives of Lee Oswald. The final section describes the many ways that past enactment of the proposed legislation could have prevented the assassination of President Kennedy. The analysis of the probable behavior and motives of Lee Oswald given in the eighth section is based on data contained in periodicals and newspapers published after the assassination of President Kennedy. The December 9, 1963 issue of the U. S. News and World Report and the New York Times have been particularly helpful to the author for this purpose.

O. J. Van Sant

**CONTENTS**

	<u>Page</u>
1. The Effect of Legislation on the Criminal and Psychotic Behavior of Society . . . . .	1
2. The Proposed Legislation. . . . .	2
3. The Political Disease (Self Induced). . . . .	2
4. The Antidotal Effect of the Proposed Legislation on Self-Induced Political Disease. . . . .	4
5. State-Induced Political Disease . . . . .	6
6. The Proposed Legislation and the Legalization of Wiretap Evidence. . . . .	7
7. The Probable Behavior and Motives of Lee Oswald . . . . .	8
8. The Ways That Past Enactment of the Proposed Legislation Would have Prevented the Assassination of President Kennedy . . . . .	12
9. Conclusion. . . . .	16



so as to include the inability of a society to prevent the extreme cases of excessive frustration and boredom from occurring to its members. In the completely automated society of the future, the people will essentially be members of a welfare state almost by definition. Such a state should be elastic enough to provide the kind of work that inhibits a person from becoming excessively frustrated or bored. From this standpoint the Soviet society is more "inelastic" than ours and so probably will generally have more psychotic cases on their hands than ours would for a given level of development of consumer technology. This condition may continue to grow worse unless their society is permitted to become more elastic. Effective elasticity in a society may possibly prevail best in a society which is governed by a legal system which provides individual freedom and protection as we know it.

## 2. The Proposed Legislation.

So far we have briefly discussed the role that the behavior of legislative and governing bodies of a society can play in determining the criminal, neurotic, and psychotic behavior of the society. In our society accelerated proper legislation to minimize the gap between the social and the legal state of the society incurred by rapid technological change would do much to reduce the general rate of incidence of criminal and irrational acts. Aside from Congress assuming a more responsible role, this would require the cooperation of the people which, in turn, requires education and time. However, the author believes that it would be possible to greatly reduce the probability of the occurrence of certain types of dangerous psychotic acts by the enactment of one law which specifically confirms protection implied by the Bill of Rights. This law can be stated in various forms but the general idea of the law is essentially as follows:

"It is illegal for information obtained by any Federal or law enforcement agency or body to be used for purposes of persecution rather than prosecution."

Under such a law information and evidence obtained by Federal or law enforcement agencies can be used for prosecution but not persecution. This brings up the intricate question as to what is meant by persecution. To illustrate the meaning of persecution we shall first discuss what is known in Europe as the "political disease." It will first be shown how this disease and the proposed law could affect a neurotic or potentially psychotic government employee and later on it will be shown how the proposed law, if in effect at the time, could have prevented the assassination of President Kennedy in many ways.

## 3. The Political Disease (Self Induced).

An imaginative person is inherently sensitive to chemical effects caused by frustration. Under certain definitions, an electronic machine can be programmed so that it has the power to think, but it cannot obtain ideas since it lacks one of the most precious assets possessed by the human body--its emotions, that is, healthy emotions. Our emotions stimu-

late ideas and consequently an imaginative person is likely to be a person who is more sensitive emotionally to his environment and mentally to the chemical metabolism of his body. An imaginative person who is a Federal employee can be susceptible to the "political disease" if he has committed previous acts of indiscretion which are considered to be inconsistent with certain standards of the state. A combination of occupational, social and domestic environment, occupational frustration, ignorance, confusion, fear and dietary habits can lead him to imagine that the state is persecuting him for some reason associated with his acts of indiscretion. If his persecution is a product of his imagination, he will become frustrated when he attempts to find means of combating his persecution. If his frustration extends over an appreciable period of time, the chemical communication of his brain can become altered to the extent that psychosis can set in.

The proposed law would give such a frustrated person a weapon with which he could combat his frustrations. For example, without the proposed law it would be easy for the government employee who is a victim of imaginary persecution to imagine that the Federal agency by whom he is employed wants to punish him or force him to do something, say resign. He can further imagine that since he is under the protection of civil service laws, the way that the agency can accomplish this legally and avoid publicity is to use persecution machinery which would eventually demoralize, disgust, or make him nervous enough to cause him to resign. Indeed, this would be a legal way since there is no law which specifically forbids this kind of thing. So he proceeds to think of the types of persecution devices which might be employed. This might be a huge computer into which all of his thoughts, habits, memories, and things that irritate him are programmed from an elaborate, concealed observation system which observes his every move. In seconds an instruction of persecution from the computer can be transmitted by a hidden communication system to some member of the Federal agency who complies with the instruction of persecution (so he may think). How can the victim protect himself and stop such a terrible thing if the whole process of persecution is classified so that he cannot obtain evidence of his being persecuted? As time goes on he finds that nothing he does favorably changes his environment of persecution and so he progressively becomes frustrated and hateful. More and more his frustration and hate build up. A significant change of chemical communication begins to occur in his brain. He becomes convinced that the huge system of persecution machinery extends everywhere. One of his arch enemies becomes the F.B.I. because he believes they have furnished the agency with some of the information which is used to persecute him. Every time that anybody praises the F.B.I. for their work he becomes more and more convinced that everybody must be in on the plot. He further concludes that the President must be responsible for everything since he has the power to stop this horrible persecution and yet he does nothing about it. As his brain becomes more and more deranged, he becomes more and more convinced that the President should pay for his persecution and so he attempts to perform some dangerous irrational act to relieve his unbearable frustration.

What appears to be persecution to the victim in the preceding case may appear to be trivial to some people. This is as it should be since the more imaginative a person, the easier it is for the occurrence of probable events to appear as events arising from persecution. He is

equipped with an imagination which more easily can attach additional significance to an event than could be done by a less imaginative person. Thus if an additional meaning can be attached to each event in the normal course of events, it becomes much easier for the imaginative person to reason that he might be a victim of persecution under a given set of circumstances. What the victim of persecution can consider to be classes of acts of persecution are many. One such class would be that which he believes is designed by the persecution agency to remind him of some of his previous acts of indiscretion such as, a conversation taking place in his presence, a person singing a song, someone he passes in the hall who reminds him in some way of a previous act of indiscretion, a certain joke or wisecrack, a noise or sound, a name, the title of a book, old newspaper headlines visible in the men's room, certain objects creating reminiscence of his acts of indiscretion, and possibly any others which the reader can imagine. In the advanced category we have, the people on the street, the name of a truck in front of him on the highway, current news broadcasts and articles, periodicals, books, records, T.V. and radio programs, T.V. commercials--the President's speech. These acts of persecution can be classified as those designed to create guilt. The victim of persecution can also believe that he is the victim of other classes of persecution such as those designed to frustrate, humiliate, induce fear, create lust, lower occupational efficiency, overwork, create insomnia, induce indecision, discourage, deprive him of his financial assets, etc.

Before we see how the proposed law could protect the victim of persecution we should understand that a healthy brain is one which functions in cooperation with the body for the benefit of the complete person. On the other hand, a brain in the diseased state tends to function primarily to oppose further derangement of itself rather than for the welfare of the complete person. The first condition necessary for the derangement of an individual is that there exist a significant incompatibility between the personality and the environment of the individual. If the incompatibility between an individual's personality and environment is catalyzed by chronic overimagination, chronic frustration may result which can mentally derange the individual. In this latter case the brain may try to offset the effects of overimagination by motivating the individual to create an event of reality which reduces the incompatibility between the individual's environment and imagination which, in turn, would afford some relief from frustration. This event of environmental compatibility that an individual may create to make his environment more compatible with his personality might be in the form of a dangerous irrational act. If the derangement or alteration of chemical communication of the brain from normalcy is great enough, such an irrational act could reverse the trend of derangement in the direction back to normalcy enough so that the person who committed the act does not remember doing so.

#### 4. The Antidotal Effect of the Proposed Legislation on Self-Induced Political Disease.

If the proposed law were enacted, the victim of imaginary persecution in the example given in the previous section could be protected from reaching a state of acute mental derangement in the following ways:



(1) The mere fact that the law existed could cause the potential victim of mental derangement to examine his suspected environment of persecution in more detail before generally arriving at the conclusion that he is being persecuted. Without the proposed law there is no legal device to deter the persecution and it becomes too easy for him to conclude that he is being persecuted. However, with the existence of the proposed law reason would tell him that his imaginary persecutors would at least have to take the chance of being caught and punished if they attempted to persecute him over a period of time. This could cause him to first search elsewhere for the cause of his unpleasant environment and there is always the chance that he might find it. In any case the existence of the law would cause him to doubt the existence of persecution more so than in the case where there is no law against persecution. This would always tend to reduce the dangerous effects of future frustration.

(2) The mere fact that the law existed might enable a potential victim of the political disease to stave off frustration in its early stages if he becomes convinced that he is being persecuted. If the proposed law were enacted, it is likely that the potential victim would not become frustrated in searching for an effective weapon to combat his imaginary persecutors. On the contrary, such a law might cause his imagination to relieve frustration rather than create it since a potential victim might obtain comfort in knowing that as his persecutors persecute him they are creating evidence of his persecution. Thus he could obtain comfort rather than torment in knowing that he is "sucking his persecutors in." In time it is not impossible that the victim become disappointed in the small size and triviality of the acts of persecution and wish that they were of greater amplitude and frequency. This could mean that the victim has begun to build up an immunity against mental persecution whereby the law is acting as an immunizing agent. In this case the law, his brain, and time could permanently arrest serious mental derangement. In Korea it was found that the American Negro had a greater resistance to brainwashing. This is probably because they had to a certain extent built up an immunity against being persecuted.

(3) If for some reason a victim of the political disease becomes moderately frustrated in spite of the existence of the law, in all probability he will from desperation try to obtain real protection from the law from some legally authorized agency, say the F.B.I. This in itself could alter the course of the sequence of events outlined in the above illustration where, without the proposed law, the F.B.I. became the victim's enemy rather than his source of protection. The act of reporting a plot would enable the victim to talk off some of the tension and obtain some relief. In attempting to describe his accusations to someone else he is forced to be more objective than by containing his thoughts to himself. He would no longer be entirely alone, which is a prime factor that enables American Negroes collectively to control the effects of frustration caused by their persecution. In cases where the victim might imagine that his life is in danger, he might obtain comfort in knowing that if he were murdered it would not be completely in vain, since the F.B.I. would know where to look for his murderers.

(4) If the reported plot is imaginary, then the F.B.I. might suggest to some of the people whom the victim has accused to be a little

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careful in things that might irritate the victim. A noticeable improvement in the victim's environment could lead the victim to feel that the protection offered by the law is effective. For example, the victim might reason that his persecution is less because his persecutors are now afraid of persecuting him. One might ask, What happens if the victim eventually decides to press charges against his imaginary persecutors? This is unlikely since such victims of frustration, although easily susceptible to the feeling of persecution, are just as easily inclined to dismiss or forget imaginary acts of persecution when they obtain relief from frustration. The extreme case of this is the psychotic person who may not even remember committing an irrational act to relieve frustration just after he committed the act. In any case, relief from frustration lends the brain time to try to build an immunity against the dangerous effects of further imaginary persecution.

(5) If the victim continually insists that he is being persecuted after investigations have proven to the contrary, the agency, again say the F.B.I., would at least be aware that a potentially serious problem exists and would be in a much better position to handle the problem as compared to the situation which might prevail if the proposed law did not exist. In the latter case the victim would probably try to avoid contact with the F.B.I. rather than receive legal aid from it. This could result in complete ignorance on the part of the F.B.I. of the mental state, personality, and possible intentions of the victim. On the other hand, enactment of the proposed law would enable the F.B.I. to have more than just formal, impersonal contact with the victim and therefore would be more familiar with the nature of the victim's problems, personality, and mental state during the significant stages of his frustration. This would put the F.B.I. in a much better position to help the victim with his problems and protect society from possible irrational acts on the part of the victim.

##### 5. State-Induced Political Disease.

Aside from the legal complications which might be encountered, the proposed law against persecution will bring up other questionable matters. Without the proposed law there is no specific legal device which prohibits the construction and use of the persecution machinery imagined by the victim of the political disease in the illustration. When an agency of the state of any society resorts to a method involving such persecution machinery to handle their political personnel problems, we shall refer to it as the method of "state-induced political disease." Since the proposed law would outlaw the method of "state-induced political disease," opposition to the law might be encountered by those who argue that Federal agencies would be deprived of opportunities of employing a method of handling political personnel problems which probably would work if enough money, time, and effort is put into it. In other words, these people might consider the method of state-induced political disease to be a potentially effective device necessary to maintain a successful internal national security program. On the other hand, a national security program cannot be considered highly successful if the program cannot provide for the security of the President. Since the enactment of the proposed law would increase the security of the President, the argument offered against the enactment

of the proposed law is not a strong one, especially in view of other ways of obtaining satisfactory solutions to political personnel problems.

Without the proposed law an individual who is a victim of persecution by the method of state-induced political disease would be helpless in obtaining evidence of his persecution to present to court, if the evidence is classified. One who is not primarily concerned with ethics or principles might be inclined to shrug off this inconsistency with the Bill of Rights by telling himself that the method would be used, if at all, only by government agencies to solve their political personnel problems, so why should he worry? However, as society becomes more and more automated, government influence over society will out of necessity grow until it could become a matter of definition to discern whether or not most of the members of the society are occupationally connected or dependent on the state. Since Federal influence over our society will out of necessity become large and since the nature of the method of state-induced political disease is such that it can become dangerously easy to misuse,<sup>1</sup> extensive secret state-induced mental persecution of citizens could become a reality of the future as long as the proposed law is not enacted as a safeguard against such things.

#### 6. The Proposed Legislation and the Legalization of Wiretap Evidence.

Legislation authorizing wiretap evidence to be admissible as court evidence would be more acceptable if it included the proposed law, to offset claims of invasion of rights of privacy. Since present laws do not prevent wiretapping from taking place, the main substance of objections to a wiretapping bill by law-abiding citizens must be fear that private telephone conversations would be publicized. The proposed law would allay these fears, since it would prohibit wiretap information to be used strictly for publicizing purposes. The use of wiretap information strictly for publicizing purposes would constitute a case where wiretap information is being used by a law enforcement agency for purposes of persecution and not prosecution. On the other hand, the proposed law would still permit wiretap information to be admissible as court evidence, since it would be information intended primarily for purposes of prosecution rather than persecution.

The claim that legalization of wiretap evidence constitutes an invasion of rights of privacy, is not a strong one. The communications of radio amateurs are subject to strong Federal regulations and yet radio amateurs do not claim that these regulations constitute an invasion of rights of privacy. What then is the difference of invasion of rights of privacy associated with a radio amateur transmitting a message from his own home by radio and a person transmitting a message from his own home by telephone? The obvious answer lies in the medium and not the place from where the messages are sent. Both mediums of modern communication connecting a man's "castle" with the outside world involve responsibilities which

<sup>1</sup>A much riskier and less potentially dangerous misuse of legal power was that associated with the recent Denver police scandal.

will not be mentioned here. If a citizen wants to take advantage of modern mediums of communication, he should be willing to assume the responsibilities that entail using these mediums. In the case of the telephone, the person who claims that the legalization of wiretap evidence constitutes an invasion of the rights of privacy is a person who wants the advantage of using a modern medium of communication but does not want to assume the responsibility that accompanies using that medium.

#### 7. The Probable Behavior and Motives of Lee Oswald.

Since the report by the committee assigned by President Johnson to investigate the case of Lee Oswald has yet to be released to the public, it becomes more difficult to show how the proposed legislation could have affected the behavior of Lee Oswald. This report will undoubtedly throw much light on the Lee Oswald case and clarify many matters which would otherwise be open to conjecture. However, the most important answers concerning Lee Oswald's mental state and motives we shall never know, since they could have been found only from Lee Oswald himself. The death of Lee Oswald could have been the death of the confirmation of the brief analysis which follows.

The first condition which is necessary for the onset of mental derangement of an individual is for his personality to be incompatible with his environment. It appears that the personality of Lee Oswald was abnormally incompatible with his early environment. If one were forced to pick a component of his personality which most made his personality abnormally incompatible with his early environment, a good choice would be his imagination. On the other hand, the component of his early environment which made his environment most incompatible with his personality would probably be lack of a suitable father. Evidently Lee Oswald's early environment was one of poverty and domestic strife which resulted in unhappiness. This unhappiness was probably exaggerated by his imagination so that he obtained abnormally strong desires to change his environment. Inability to effectively change his environment led to frustration and hate. This, in turn, made it difficult for him to get along with society which, in turn, bred more frustration and hate. So when Lee Oswald was thirteen years of age, we have a confused youth who is abnormally dissatisfied with his environment, resents authority, and, according to one psychiatrist, displays hidden aggressive tendencies which are potentially dangerous.

Shortly afterward, it seems that Oswald had begun to blame the American political system as being largely responsible for his unsatisfactory environment. Oswald is allegedly said to have remarked that when he was fifteen years old he read "Das Kapital" which was like a "breath of fresh air." It is not clear as to how openly or secretly he advocated certain aspects of Communist theories at this time. However, the reading and general acceptance of "Das Kapital" is probably one of the first of a long series of political acts of indiscretion which eventually would lead to a severe case of the political disease. Furthermore, his reading of "Das Kapital" enhanced his confusion even more if it gave him the impression that it is possible for a society to exist where one is completely free from authority and politics of one kind or another.

On October 24, 1956, Oswald joined the Marine Corps. A proper question to ask at this point would be, "If Lee Oswald resented authority, why did he join the Marine Corps?" To explain this requires several reasons. The first reason is that he was confused and also obviously ignorant of what his life would be like in the Marines. As we shall see, his confusion is going to cause him to behave more and more irrationally. The second reason could have been to find a substitute for the paternal supervision and companionship that he felt that he was deprived of earlier in his life. Other reasons why Oswald joined were probably the same as the usual reasons why boys join the Marines. As one would suspect, Oswald became disappointed with life in the Marines. At this point Oswald might have begun to secretly attribute misfortunes which he had in the Marine Corps to imaginary acts of persecution arising from his previous political acts of indiscretion. Oswald was now inclined to make trouble, which could have been an indication that his brain was beginning to suffer from the effect of frustration precipitated by imaginary persecution. Since Oswald as a radar technician is said to have had some knowledge of classified radar information and since these were the days when people were just starting to recover from the effects of mass neurosis caused by "witch hunting," the possibility of "state-induced persecution" should not be completely discarded before an investigation has proven otherwise. Oswald was court-martialed for illegal possession of a firearm. A person who believes that he is being mentally persecuted by a persecution agency might resort to obtaining possession of a firearm to instill fear in his persecutors as a means of combating his persecutors, imaginary or otherwise.

In any case, Oswald's life in the Marine Corps became miserable. It is also possible that he felt that he would be persecuted as long as he were in the United States. So, in September 1959, Oswald was honorably discharged from active duty to aid in the support of his mother. A month later he was in Russia, allegedly with \$1,600. On October 30, 1959, he informed the American Embassy that he renounced his American citizenship, and a few days later he turned in his passport and affirmed his allegiance to the U.S.S.R.

On November 14, 1959, the Soviets allegedly refused Oswald citizenship. The information on the grounds that the Soviets refused him citizenship has not yet been released from the Soviet files in possession of the committee assigned by President Johnson to investigate the Oswald case. But whatever the grounds, the inability of Oswald to obtain Soviet citizenship at this time was destined to seriously augment his mental derangement. Apparently Oswald considered Soviet citizenship to be a master key in his search for a compatible environment (not only in the Soviet Union but perhaps in Cuba<sup>2</sup> also). In July 1960<sup>3</sup> Oswald wrote to the

<sup>2</sup>In 1960, up until about July, a series of events occurred in which Cuba nationalized most U. S. property and interests and ultimately resulted in the severance of diplomatic relations between Cuba and the United States in January 1961.

<sup>3</sup>In Oswald's future letter to Senator Tower, he mentioned that he applied for a Soviet exit visa in July 1960. Perhaps Oswald wanted to go to Cuba.

Marine Corps asking to be discharged as a reservist so that he could accept Soviet citizenship. This was probably another effort to convince the Soviet Government that he was not an American spy, so that he could obtain Soviet citizenship. This last desperate attempt resulted in the Marine Corps issuing Oswald an undesirable discharge on September 13, 1960, and the Soviet Government still refusing to grant him citizenship. According to Oswald's logic, the refusal on the part of the Soviets to grant him citizenship constituted proof that he was being persecuted by the U.S.S.R. Thus Oswald's brain had suffered a serious defeat in its struggle against mental derangement.

It is said that in February 1961 Oswald notified the American Embassy in Moscow that he wanted to return home. Aside from obvious disappointment over his treatment in Russia, Oswald may have hoped that things might be different in the United States now that Kennedy was President. About this time Oswald and Marina were married and lived in Minsk about a year. In February 1962 Oswald tried again. He wrote from Minsk to Senator Tower (R-Tex.) calling attention to the claim that he was an American citizen who had been held in Russia against his will since July 1960. He also wrote a letter to Gov. Connelly, then Secretary of the Navy, saying that his undesirable discharge (Oswald actually referred to his undesirable discharge as being a "dishonorable" one) from the Marines was an injustice causing damage to him and his family which should be repaired. The State Department reviewed Oswald's case and on May 24, 1962, a passport and a loan were issued to Oswald and his family, who arrived in New York the following month.

After Oswald's arrival in New York he proceeded to New Orleans with his family, where he resided over a year. It appears that Oswald may have attempted to start a new leaf. It is said that he started writing a book about the shortcomings of his life in Russia. In January 1963 he finished paying off the loan (\$435.71) that he received for being stranded in Russia. Shortly after, however, the indications are that he was again feeling that he was being strongly persecuted. Early in 1963, Oswald is said to have told Marina to return to Russia because he could not support her. She applied for a visa but allegedly changed her mind because she did not want to return to Russia. In March 1963 Oswald ordered a carbine from a Chicago mail order house under a false identity. This may well have been another attempt on the part of Oswald to combat his imaginary persecutors.

To eventually avoid persecution in the United States, Oswald may have decided about this time that he was going to make an all-out attempt to go to Cuba, but this time with convincing proof that he was an ardent admirer of Fidel Castro and his cause.<sup>4</sup> But he must also accomplish this without the Cuban immigration officials knowing about his record in Russia and the Marine Corps. In order to do this he may have decided to execute the following postulated plan. First, obtain a U. S. passport to go to Russia. Next, publicize the fact that he is an influential friend of Cuba. Next, proceed to the Cuban Consulate in Mexico City and try to make special arrangements to go to Cuba. If this failed, he could go to the Soviet Consulate in Mexico City with his U. S. passport and obtain a Soviet visa

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<sup>4</sup>For obvious reasons, Oswald probably idolized Fidel Castro.

to go to Russia via Havana. When in Havana he would simply jump ship or plane, as the case may have been.

The above plan would largely account for the following events. Under false pretenses, Oswald applied for and was issued a passport to Europe and the Soviet Union in June 1963. In July Oswald is said to have asked a member of an anti-Castro group if he could use his experience in the Marines to train exiles for an invasion of Cuba. Oswald probably considered this as another possibility as a means of getting to Cuba. The next day this same member of the anti-Castro group found Oswald distributing pro-Castro literature, and as a result a street scuffle and an arrest followed. On August 21 Oswald was on a T.V. interview program, claiming that he was the secretary of the New Orleans chapter of the Fair Play for Cuba Committee and a Marxist but not a Communist. On September 17 Oswald obtained a tourist card for Mexico from the Mexican Consulate. On September 23 Oswald's family moved from New Orleans to a suburb of Dallas. On September 26 Oswald was on his way to Mexico City and the Dallas newspapers announced that President Kennedy was coming to Dallas.

On September 27 Oswald arrived at the Cuban Consulate in Mexico City and applied for a visa to Havana. It is said that he was told that it would take ten days, after which Oswald left in an angry state of mind. Oswald probably considered the failure on the part of the Cuban Consulate to effectively appreciate his previous pro-Castro activities as the first rupture of his plan, since time would be in favor of the Cubans finding out his record in the Soviet Union and the Marine Corps. The next day Oswald went to the Soviet Consulate in Mexico City and applied for a visa to the Soviet Union via Cuba. It is said that Oswald was told that his application for a visa might take three months. This enraged Oswald (we should remember that Oswald knew how relatively easy it was for him to go to Russia previously)! It might have enraged and deranged Oswald to the point that he now believed that he had concrete evidence that the thaw in the cold war enabled Kennedy to thwart his otherwise infallible plan by telling Khrushchev not to let him into Russia or Cuba (so Oswald may have thought). Furthermore, Kennedy tricked him into coming back into the United States and ruined his chances to go to Cuba with the Russian missile technicians in the fall of 1962 (so Oswald may have thought). Whatever the reasons, Oswald probably left Mexico acutely deranged and definitely convinced that Kennedy and Khrushchev cooperated in a plot which successfully thwarted his all-out effort to get to Cuba.

What could Oswald do now? The combined imaginary state persecution machineries which Kennedy and Khrushchev controlled in their respective countries were too gigantic for him to fight any longer (so Oswald may have thought). After his trip to Mexico, Oswald probably felt that he was deprived of all hopes of ever getting to Cuba. Destitute of all such hope, Oswald by now had no inhibition in using any means at his disposal to repay those whom he blamed for his lifetime of persecution, no matter what it might cost--even his life. So when the opportunity emerged through a tragically coincidental sequence of events which followed his return to Dallas, Oswald on that fateful November day allegedly succeeded in assassinating his imaginary arch enemy--President Kennedy. For a short period after the assassination, the behavior of Oswald was incoherent.

This may have been the transient stage in which his brain was returning back toward normalcy as a result of receiving enormous relief from frustration, hate, and pre-assassination anxiety. Oswald was probably telling the truth when he denied knowledge of committing the assassination. But now we shall never know for certain.

Copies of this treatise are going to be submitted to members of the committee appointed by President Johnson to investigate the case of Lee Harvey Oswald. This will enable them to corroborate, disprove, ignore, or utilize any part of the treatise that they so desire before their final report is submitted to President Johnson. Until then, the brief analysis just presented on the behavior of Lee Oswald will be assumed to be generally correct to show how the proposed law could have averted the assassination of President Kennedy.

8. The Ways That Past Enactment of the Proposed Legislation  
Would Have Prevented the Assassination of President  
Kennedy.

The proper legislation discussed earlier would undoubtedly do much to reduce the probability of the occurrence of irrational acts of the future. However, the primary purpose of this treatise is to justify proposed legislation intended to directly inhibit the future occurrence of irrational acts similar to the one which resulted in the death of President Kennedy. If the proposed law were in effect during Lee Oswald's lifetime, the first place where it could have drastically changed the course of Oswald's life might have been when Oswald was in his early teens. This was the time when "witch hunting" had begun to be practiced by certain political demagogues.<sup>5</sup> Oswald may not have chosen communism as a means to rebel against his environment if the demagogues of "witch hunting" had not vastly augmented and focused Oswald's adolescent eyes on the insolence of being a Communist. The proposed law would have impeded the practice of "witch hunting" employed primarily for purposes of obtaining publicity. This, in turn, could have resulted in Oswald choosing a vehicle other than communism to rebel against his incompatible environment.

The second place where the proposed law could have been a decisive factor in altering the course of Oswald's tragic life was when Oswald was in the Marine Corps. Since the typical avowed Communist would not normally consider joining the U. S. Marines as the best means of achieving his political aims, Oswald's enlistment in the Marine Corps in 1956 was probably an indication that his interest in communism subsided, at least temporarily. However, the court-martialing of Oswald for illegal possession of a firearm and his proneness for making trouble may well have been the first symptoms of the political disease. The ways that the proposed law could have altered the course of Oswald's life in the Marine Corps are complex and many. It is helpful at this point not only to talk about

<sup>5</sup>In 1954, the year of the McCarthy hearings, Oswald became fifteen years old, the age that he said he first became interested in communism.



"self" and "state" induced components of the political disease but also of a "socially" induced component. This latter component can be defined as the component of political disease resulting from the incompatibility between an individual's personality and environment caused by an excessive mass neurosis of a society. In the case of Oswald an excessive mass neurosis was caused by "witch hunting" which, in turn, resulted in a socially induced component in the political disease that Oswald contracted. "Witch hunting" played two roles. It not only was a probable factor in leading Oswald to commit political acts of indiscretion, it also was an important factor which made it easier for Oswald to believe that he was being persecuted for his political acts of indiscretion.

Most of the five preventive measures in the illustrative example described previously of the government employee who contracted the political disease can be used to show how the proposed law would inhibit the self-induced component of the political disease contracted by Oswald. Since the proposed law forbids the use of information obtained by a Federal agency or body to be used for purposes of persecution rather than prosecution, it would also directly inhibit the socially and state-induced components of the political disease.

Several factors contributed to the primary infection of the disease, some of which are as follows: (1) First and foremost, of course, were Oswald's previous political acts of indiscretion, which generally concerned communism and Marxism. In order for a victim to succumb to the political disease, he must be associated with some act or series of acts which are considered to be indiscreet as far as the standards of the state are concerned. In Oswald's case the acts of indiscretion were of a political nature. (2) The second factor was the anti-Communist mass neurosis generated by the combination of Stalinism and "witch hunting." This probably influenced the behavior of Oswald's service "buddies" so that Oswald found it easier to blame his misfortunes and the misery he encountered in the Marines on persecution resulting from retaliation for his previous acts of indiscretion. (3) The third factor was the fact that Oswald came in contact with classified information. This factor is a natural for Oswald to "logically" explain the reason for his persecution. (4) The fourth factor is that sloppy security surveillance may have created "pseudo state-induced political disease" arising from amateur security observers playing detective. (5) For the sake of thoroughness, the possibility of a fifth factor should not be dismissed as being completely impossible until an investigation has proven otherwise, that is, the factor of state-induced political disease.<sup>6</sup> The tacit condonation of knowledgeable existence of "pseudo state-induced political disease" by members of a security agency might be considered as a form of state-induced political disease.

The table below shows how the self-, socially, and state-induced components of the political disease are related with the five factors mentioned in the preceding paragraph which were responsible for the contraction of the political disease by Oswald.

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<sup>6</sup>The two employees of the National Security Agency who defected to the Soviet Union a few years ago, claimed that they were being persecuted.

Component  
of the  
Political Disease

Factors Contributing to  
Oswald's Contraction of  
the Political Disease

Self Induced

1,2,3,4,5

Socially Induced

2,4,5

State Induced

1,2,3,4,5

The underlined factors designate a direct relation with the corresponding induced component and the factors which are not underlined designate an indirect relation. As to what should be included and underlined in the table depends to a certain extent on definition and opinion. However, if we accept the table as presented to be approximately correct, we see that the first factor is directly related to the self- and state-induced components. The second factor is directly related to the self and socially induced components and indirectly related to the state-induced component. The third factor is directly related to the self- and state-induced components. The fourth factor is directly related to the self-induced component and indirectly related to the socially and state-induced components. The fifth factor is directly related to the state-induced component and indirectly related to the self and socially induced components. Since the proposed law would have reduced the self-, socially, and state-induced components of the political disease, we can see that the proposed law would have reduced in a multitude of ways the effect of the five factors responsible for the contraction of the political disease by Oswald when he was in the Marine Corps. A significant reduction of the effects of these five factors would have made the chance for Oswald's brain to develop an immunity against serious mental derangement a probable cinch.

The third place where the proposed law might have prevented the assassination of President Kennedy is the time just before Oswald purchased the carbine under a false identity, in March 1963. This furtive purchase of the carbine is a strong indication that Oswald was again suffering from acute feelings of persecution, since he probably purchased the rifle to instill fear in his imaginary persecutors. As to why he should have strong feelings of persecution at this time remains open to investigation and speculation. A key to the answer to this question might lie in the reason why Oswald paid off the \$435 loan from the State Department. Two reasons for this could have been that Oswald desired to relieve himself of the financial obligation and/or Oswald may have figured that fulfillment of his loan obligation to the Government would show his good intentions as far as being an American citizen was concerned, which, in turn, would stop his (imaginary) persecution by the Government. Either of these reasons would not conflict with the hypothesis that Oswald at the time just before the purchase of the carbine became convinced that he was still being persecuted by the Government for his previous acts of indiscretion. If such were the case, Oswald may have tried to obtain protection from the proposed law if it existed at the time and if it offered possibilities of genuine protection. For example, Oswald may have requested that the F.B.I. investigate his claims that some agency was telling employers and unions not to hire him because of his previous acts of

indiscretion. After investigating Oswald's claims, the F.B.I. could tactfully recommend psychiatric treatment or perhaps think of some new and effective way of handling such a case, such as rendering psychiatric aid of some kind themselves. Oswald may not have ordered the carbine if he had sought protection from the proposed law and obtained some relief from frustration. If Oswald did order the carbine after seeking such protection, tactful surveillance of Oswald by the F.B.I. could have resulted in their detection of Oswald's illegal purchase of the carbine. Knowledge instead of ignorance on the part of the F.B.I. of Oswald's plight could have easily changed the course of Oswald's thought and mental derangement which ultimately led to the assassination of President Kennedy.

On the other hand, the missile crisis, which had its pinnacle in the latter part of October 1962, may have inspired Oswald to conceive of a plan<sup>7</sup> to go to Cuba which was frustrated somehow in early 1963. Oswald is said to have paid off the \$435 loan from the State Department from October 1962 to January 1963. Oswald may have figured that the loan would have to be paid off before he and his family could get passports. Perhaps Oswald wanted his wife, Marina, to return to the Soviet Union in hopes that he could get to Cuba himself or in hopes that he could eventually talk Marina into going to Cuba from the Soviet Union, which would afford another possible means for him to get to Cuba. If this were his line of reasoning, Oswald probably would not have attempted to take the trouble to seek protection from the proposed law if it were in existence at the time, since he may have believed that it might expose and spoil his workable plan to get to Cuba. It is possible that Oswald's brain could have developed a unique schizoid condition as a result of being frustrated in its attempts to get to Cuba and also as a result of being frustrated in its attempt to obtain a compatible environment in the Soviet Union and the United States. If so, during the times that Oswald's personality was being dominated by the compulsion to execute his plan to get to Cuba,<sup>8</sup> Oswald would probably have refrained from the idea of seeking protection from the proposed law. On the other hand, Oswald would have probably attempted to obtain protection from the proposed law as described in the previous paragraph during the times that his personality was dominated by the frustration resulting from his incompatible environment in the United States. This would have greatly reduced the probability of Oswald committing a dangerous act of irrationality.

The fourth place where the proposed law could have prevented the assassination of President Kennedy was just after Oswald returned from Mexico in September 1963. When Oswald returned from this trip to Mexico in which he failed to successfully execute his final, all-out plan to get to Cuba, it was previously shown that Oswald was probably convinced that Kennedy and Khrushchev cooperated in a plot to thwart his all-out efforts to get to Cuba. Oswald was probably envious of the advantages that President Kennedy had which he did not have, that is, a father, political influence, education, power, money, prestige, popularity, respect, admiration, etc. The thing that probably enraged, deranged, and created hate

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<sup>7</sup>This may have been the second of three attempts by Oswald to get to Cuba. He may have made the first when he was in the Soviet Union. The third, his final, all-out attempt to get to Cuba, was discussed previously.

<sup>8</sup>During these times Oswald may have considered his wife as one of his persecutors, especially after she changed her mind about returning to the Soviet Union.

in Oswald the most was the thought that President Kennedy could enjoy all of these advantages and still get away with secretly controlling the horrible secret state persecution machinery which persecuted Oswald when he was in the United States and yet would not let him get to Cuba. Without the proposed law, Oswald probably believed he had no chance of fighting President Kennedy and the persecution machinery which he controlled, which, in turn, meant that all hopes of avoiding persecution at home and of ever getting to Cuba abroad were gone. Therefore there was no other way to repay President Kennedy for his terrible misdeeds than to assassinate him (so Oswald may have thought). On the other hand, if the proposed law existed at the time, Oswald in all probability would have chosen to fight the imaginary state persecution machinery legally rather than to assassinate President Kennedy.

A legal victory in the fight against the state persecution machinery imagined by Oswald would have killed several of Oswald's imaginary birds with one stone. The persecution machinery could no longer be used to persecute him at home or impede his efforts to get to Cuba. Exposure of the state persecution machinery and President Kennedy for the monster that Oswald eventually thought he was, would be convincing proof that he was not an American spy. Oswald would gain influence in a victory in the battle against the state persecution machinery which would be used to obtain a position not of insignificant rank in the Cuban Government. Thus Oswald could have easily believed that there were several things to gain by taking advantage of the proposed law if the proposed law offered a real chance for a citizen to obtain evidence of real state-induced persecution when it existed. Consequently, if Oswald filed a complaint, say with the F.B.I., of his persecution by the state and then the F.B.I. found no evidence of such persecution, the F.B.I. would have been aware that a potential psychotic problem existed and would have been in an infinitely better position to cope with the problem than in the case which actually occurred, where the F.B.I. was completely ignorant of Oswald's mental condition and problems. Knowledge instead of ignorance on the part of the F.B.I. concerning the mental condition and plight of Lee Oswald would have certainly resulted in the prevention of the assassination of President Kennedy. Thus the proposed law could have directly averted the assassination of President Kennedy if it had been in effect at the time.

## 9. Conclusion.

It was shown how past enactment of the proposed law could have prevented the assassination of President Kennedy in many ways. Some of these ways were general and some were unique to the case of Lee Oswald. Some of these ways eliminated or reduced the factors causing the contraction of the political disease by Lee Oswald, and others were direct ways which would have protected the President, society, and also Oswald himself from his increased mental derangement after he seriously contracted the disease. In any case, in order to be effective, the proposed law must offer a citizen real protection from real state persecution when it exists. Otherwise a victim of imaginary and/or real persecution would probably scoff at the idea of seeking protection from a phony antipersecution law. This could be done in several ways. Aside from some previous suggestions, one way might be to have a special Federal body whose function is to

protect victims of imaginary and real persecution. To obtain evidence concerning a case arising from the filing of a complaint by a citizen, the body could request the F.B.I. or other investigative agency to obtain applicable evidence. Evidence of imaginary persecution would indicate that the situation should be treated as a mental one. Evidence of real persecution could be submitted to the President for appropriate disciplinary action. However, if evidence of real persecution can be classified so that the claimant cannot present this evidence in court if he desires, then only a person (such as Lee Oswald in the early stages of the political disease) who does not believe that the President is part of the plot to persecute him will seek protection from the law. Unless the antipersecution law contains a provision which enables evidence of real persecution to be presented in court, a person (such as Lee Oswald in the advanced stages of the political disease) who does believe that the President is part of the plot to persecute him will refrain from taking advantage of the law. In other words, in order for an anti-persecution law to be effective in all cases of the political disease, the President should relinquish that phase of Executive prerogative which would enable him to classify evidence of real persecution to prevent it from being presented as court evidence.

An effective antipersecution law in combination with legislation to make admissible wiretap evidence as court evidence, complement each other where the concept of checks and balances is concerned. The wiretap component of the legislation would grant Federal and law enforcement agencies more power to enforce the law and the antipersecution component would give the individual safeguards against the misuse of this power. The ability for wiretap legislation to reduce the crime rate is well known. It is hoped that this treatise has made clear the positive ability of real antipersecution legislation to prevent the occurrence of dangerous political psychotic acts. Furthermore, the enactment of the proposed legislation may bring other unexpected benefits of significant importance. A large portion of the ever increasing number of victims of mental disease suffer feelings of persecution, and yet there is no Federal law which specifically offers suitable protection against the contraction of mental disease. In cases where the brain is struggling to prevent derangement caused by an incompatibility between an individual's personality and his modern environment, the mere existence of the law could enable the brain to build an immunity against the forces of mental derangement in certain borderline cases rather than succumb to them. It is not impossible that just the existence of the law could produce a decrease in the general rate of hospital mental cases involving persecution. As to how large this decrease would be, only the enactment of effective antipersecution legislation and time would tell.

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