

Editorial

Du Pont and American law

Lewis du Pont Smith, scion of the historic American family, has, in his family's best tradition, made American history by having become the first American, ever, to be judged "mentally incompetent," purely and exclusively, as court records show, on grounds of his political views and commitments. He has thus become the first American ever to be subjected to a uniquely perverse treatment of political dissidents for which the Soviet KGB, alone—till now—among the world's various agencies of repression, has been notorious.

The miserable wretch of a judge who pronounced this judgment is the puny Judge Lawrence Wood of West Chester, Pennsylvania. Judge Wood, however, acted merely as the pliant instrument of the enraged Dupont dynasty and its financial agency, the \$10 billion Wilmington Trust Company, and E. Newbold Smith, the father of Lewis du Pont Smith. The du Pont dynasty is simply enraged at Lewis du Pont Smith because the latter, on grounds of philosophical and political agreement, has enlisted himself among those Americans who have committed themselves to support Lyndon H. LaRouche.

During April 1985, the du Pont dynasty asked Judge Wood to rule Lewis du Pont "mentally incompetent," for the purpose of depriving the latter of financial control over his \$1.5 million personal trust fund. The hapless Judge Wood, ran a trial which failed to establish even a legal definition of mental illness, then himself admitted on the record that he "does not know what mental illness is," and finally proceeded to rule Lewis du Pont Smith "mentally incompetent," in spite of a Pennsylvania statute which specifically requires the pre-existence of ambulatory mental illness as a precondition of ruling a person "mentally incompetent." The upshot of Judge Wood's ruling was that Lewis du Pont's personal trust was transferred to the Wilmington Trust Company of the du Pont clan.

Beyond this, the ruling, in addition, deprives Lewis du Pont of his right to vote and of his right to marry.

In his final ruling, Judge Wood indicated that he

was finding Lewis du Pont legally "mentally incompetent," not on the basis of any medical findings, but purely on grounds of Lewis du Pont's "associations and views," the latter, of course, being views and associations with LaRouche. On the other hand, Judge Wood, for the record, stated that he finds that LaRouche has "unusual goals and motives."

In short, Lewis du Pont Smith has been found "mentally incompetent" for holding "unusual goals and motives." Could the same not have been argued, in its time, against some of his more illustrious ancestors, such as Richard Stockton, one of the signers of the Declaration of Independence, or Pierre Samuel du Pont and Victor du Pont, associates and officers, respectively, of Benjamin Franklin, Lafayette, and Alexander Hamilton? Were not theirs "unusual goals and motives," in their time?

The record shows that Judge Wood was not his own man in this matter. The puny little judge from Chester County, though inimical to LaRouche, as a result of another family feud going back nearly a century, was bludgeoned into his KGB-style ruling as a result of pressures unbearable for a little man such as himself. In addition to the awesome pressure from the Wilmington Trust Company's ten billion dollars and E. Newbold Smith, the prestige and weight of Henry A. Kissinger, U.S. Attorney William Weld, the FBI, Ambassador Anne Armstrong of the President's Foreign Intelligence Advisory Board, U.S. Senator Arlen Specter, and the Pennsylvania Securities and Exchange Commission, were all brought to bear.

The result was a travesty of justice, in which, not only due process and the Bill of Rights were torn to shreds, but for the first time in history, the Soviet technique of branding political opponents "mentally incompetent," saw the light of day in the United States. We expect that Lewis du Pont Smith will be appealing all the way to the Supreme Court. In the process, we believe that the soundness of the American legal system will be on trial, and not Lewis.