

Constitutional freedoms at stake in the case of Lewis Smith

by Sanford Roberts

Consider the following: a 28-year-old man, after careful thought and research, decides to financially support and otherwise affiliate with an organization that best expresses his political ideas and views of the world. The organization in question is disfavored by certain entrenched and powerful circles in the country where the young man resides. As a result of his political beliefs and associations, the man is hauled into court and declared mentally ill by the authorities. His basic human and civil rights are stripped away to the point that the authorities threaten to legally "kidnap" him, throw him into a mental hospital, and apply lithium (liquid electroshock) treatments until the man is "rehabilitated."

Is this the Soviet Union? No, the United States! The man described above is Lewis Smith, an American citizen, who is the defendant in a legal case now pending before the Court of Common Pleas in Chester County, Pennsylvania. Mr. Smith's "crime" was to give financial assistance and personal support to Caucus Distributors, Inc. (CDI), a company which distributes political pamphlets, newspapers, and magazines authored by Lyndon H. LaRouche, Jr. and people who are philosophically aligned with LaRouche. John Mintz, an avowed enemy of LaRouche, recently wrote in the *Washington Post* that Lewis Smith "is at the center of a courtroom battle that could make legal history" on questions of the First Amendment right of political belief and association.

There is one more salient fact about Lewis Smith which needs to be known. His middle name is du Pont, as in the du Pont family, the folks who own the state of Delaware and a few other satrapies along the Eastern seaboard. This family is part of the American oligarchy whose world outlook is dominated by concerns of blood and money. For people like the du Ponts, constitutional republican governments, such as the United States, are infringements upon family wealth and power, and should be dispensed with at the earliest political opportunity. The du Ponts are seeking to vindicate this world outlook in an American court of law.

In April 1985, Lewis Smith's mother, father, and siblings brought a petition for guardianship in the Chester County Court of Common Pleas, claiming that Lewis was incompetent because he had loaned a six-figure sum of money to CDI. Despite the family shrieks about the size of the CDI loan, the amount in question is less than 1% of the annual interest

which accrues to the du Pont fortune. The issue in the case of *Smith, et al. v. Smith*, of course, was never money; the issue was Lyndon LaRouche. The family brought their petition to teach Smith a lesson about his political associations.

Shortly after the filing of the lawsuit, the father, E. Newbold Smith, used his power and influence to contact and correspond with longtime political enemies of LaRouche, such as Dr. Henry Kissinger and William Weld, the dope lobby-connected U.S. Attorney in Boston, Massachusetts who has carried out an 18-month grand jury inquisition against LaRouche. Newbold frantically exhorted Kissinger, Weld, and others in positions of power to throw caution to the winds and "get" LaRouche.

On Nov. 12, 1985, Judge Lawrence Wood entered a preliminary decree against Lewis Smith adjudicating him incompetent for no other reason than his associations and views. After listening to Lewis testify about his political outlook, Judge Wood wrote, "[o]ur observations of his testimony and his writings convince us that he is not equipped to deal with his financial affairs in even a minimal way, due to the disorganized and unrealistic way he views finances and world events."

Putting it another way, Lewis is a born oligarch who should be concerned with the purity of his bloodline and his family estate rather than associating with, again in the words of the judge, "a political organization with unusual, if not suspect, goals and motives." The complete absence of any evidence which supports this characterization of LaRouche and CDI did not seem to phase Judge Wood, whose declaration of incompetence deprived Lewis of his right to vote, his right to get married, and has led the family to file a new petition to legally put Lewis under house arrest.

One of the ironies in this case is that Lewis's father is an alcoholic, his mother has suffered several nervous breakdowns, and the siblings are undergoing psychiatric care. This gang makes Dostoevskii's Karamazov family look sane. However, in Judge Wood's world-turned-inside-out, Lewis Smith, the normal one, is declared "incompetent."

Below is Lewis Smith's own commentary on this case. It is a powerful personal and political statement. While you read Smith's statement, bear in mind that it is not his rights which are at stake in this case, but the rights of all of us.