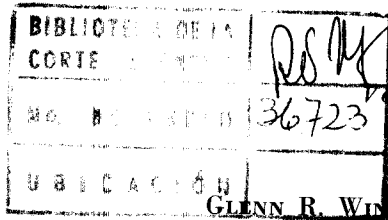




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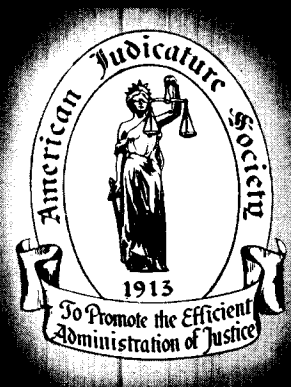
Judicial Help for the Mentally Ill

LAW, like society, is best judged by how it deals not with the strong but with the weak. The greatness of American justice is measured not by our commercial law, but by the extent to which legal aid has put justice within the reach of the poor and defenseless, and by the extent to which the enlightened and humane doctrine of *parens patriae* has made our juvenile courts instruments to protect, help and salvage young lives rather than to condemn and punish.

The legal aid and juvenile court movements have made great progress in this twentieth century. Meanwhile, however, another group of equally helpless people have looked and still look mostly in vain to both society and law for understanding and help. These are the mentally ill. One may shudder in horror over judgments pronounced in this very year of 1966 in otherwise modern American courts against persons who actually are simply mentally incapable of coping with life in a free society.

Strangely, the rule of criminal responsibility applied by these courts was a great and forward-looking reform measure when it was announced by an English court in 1843. Daniel McNaghten, suffering delusions of persecution, tried to assassinate Queen Victoria's prime minister Robert Peel and killed his secretary instead. After a lengthy trial characterized by ample medical evidence of McNaghten's incompetency, he was found not guilty by

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