

a humorist who said that the Supreme Court follows the elections, meaning, that judges read how votes cast at an election seem to reflect what direction the public, at least that part of it which votes, is inclining, that their opinions will tend to go in that direction, and when you can see at least at the Supreme Court level, the Supreme Court of the United States, there is a restricting of the civil liberties and protections which citizens and residents of the United States can enjoy. There is a necessity that the states protect people and their rights in a way that some agencies of the federal government are unwilling to do. Regardless of which party happens to be in power in Washington, regardless of which party happens to control the most important offices at the state level, the rights of the people should remain inviolate. But we know that will not happen. There is too much political advantage to be gained by restricting the rights of the public. We had, the other day, the spectacle of Nebraska's Attorney General going to Washington and saying make it easier for the State of Nebraska to kill people. And he says that knowing that some of these cases have substantial constitutional flaws. He is extremely upset because the federal courts have been unwilling to allow people to be executed in a way that violates the Constitution. The courts at the federal level have been less willing to do that than has the Nebraska Supreme Court. Cases on which the Nebraska Supreme Court had turned its back have gone to the federal courts where substantial constitutional defects have been found, but the Attorney General, being more of a politician than a lawyer, and I mean lawyer in the best sense of the term, one learned and trained in the law, who loves the law and the lofty purposes, to achieve...be achieved by the law, wants to be able to say I had this state kill this many people, and on those smoking corpses I want to build my political empire. And there are members of the Legislature who go along with that kind of barbaric attitude. If it were not for what the federal courts are doing, people would have been executed in Nebraska who, in fact, have been taken completely off death row, period. They will not be returned to death row. That offends the Attorney General and some members of the Legislature. They say once a jury convicts and once a sentence of death has been pronounced, whether the person is innocent or not, that person should be killed. Yet if one of them or their friends had gone to court and lost a decision, they would want the right to appeal, and appeal again, and take advantage of every opportunity afforded by the law to receive a different judgment than the one that was handed down with which they disagree.