

## Editorial

### *Impeach Scalia!*

At 9:00 p.m. on July 23, death-row inmate Joseph Roger O'Dell was executed at the Greensville Correctional Center in Virginia. He went to his death insisting that he was innocent of the murder for which he received the capital sentence. This isn't the first time that a man with a palpable claim of innocence was put to death in America: Leonel Herrera was put to death in Texas in 1993, with the clear knowledge of his innocence.

But this case has sparked the biggest outpouring of opposition to the use of the death penalty in the United States' history. Appeals to save O'Dell's life poured in, to the U.S. Supreme Court and to Virginia Gov. George Allen, from tens of thousands of people worldwide. Such leading religious figures as Pope John Paul II and Mother Teresa prayed publicly for O'Dell's life, while both the prime minister and President of Italy, hundreds of Italian parliamentarians, and the European Parliament urged that O'Dell's life be spared, noting the "barbarity" of the practice of capital punishment in a "Western" nation such as the United States.

Lyndon LaRouche, who recently declared his intention to run for the U.S. Presidency and who has been in the forefront of opposition to the death penalty throughout his political career, remarked that Allen, who denied O'Dell clemency, "makes Pontius Pilate look like a Christian."

But LaRouche saved his especial opprobrium for Supreme Court Associate Justice Antonin Scalia, who has pioneered the doctrine on the Supreme Court, that "public opinion," not truth, should be the arbiter of the Court's decisions. LaRouche noted that, though Scalia is an avowed Roman Catholic, his doctrine and his enthusiastic embrace of the death penalty are in absolute opposition to the expressed views of Pope John Paul II and to what is standing Church doctrine on the issue, not to mention the U.S. Constitution.

"There is no question that we should move for his impeachment," LaRouche said, because "Scalia has substituted the law of civilized Christian society with the law of the pagan arena."

The issue is clear, LaRouche said, in an interview

on July 22 with the weekly "EIR Talks" radio program:

"There's a man who is now on the verge of death—of being executed, and the Supreme Court has heard the evidence that the man may be innocent of the crime of which he's charged. But, nonetheless, the Supreme Court voted, with Associate Justice Antonin Scalia casting the decisive margin of vote, to execute him anyway. This is a combination of a pattern of this type, in which Scalia has been prominent, in which the idea of justice in the United States has gone back to the times of the pagan Roman circus, in which executions, public executions, have taken the form of public entertainment, and the judges, rather than looking to the facts of the case, or the truth of the matter, or the defense of the law, as such, say, 'Does the public wish this execution? Is the public saying, "thumbs down," or "thumbs up"?' If the public says, "thumbs down,"' so says Antonin Scalia: 'We must execute—even if we have evidence to the effect that this man is innocent.'

"In the case of O'Dell," LaRouche continued, "there is crucial evidence that should have been presented at the time of trial, or examined more closely at the time of trial, which would show that he in all probability, could not have been the perpetrator of the crime for which he was convicted. . . . But, when the Supreme Court, knowing these facts, votes by majority, provided by Scalia, to execute *anyway*, and *not give the convicted person the day in court, to have the evidence heard*, this is no longer a Christian society. . . .

"Don't talk about justice. Don't talk about fairness. Don't talk about issues. Don't talk about government. Unless you're willing to get the corruption out of the Supreme Court and the Justice Department, you're really not serious about *anything* in this country, so stop squawking!—unless you want to get on this case, and do something about it."

It may well be that justice will finally be done in this case—albeit too late for O'Dell. His last words were, "Governor Allen, you are killing an innocent man. I hope you'll preserve the evidence for future testing." His attorneys have already asked the Supreme Court to release that evidence.