

## ESSAY ON ROBERT M. SPIRE

SEN. BOB KERREY†

I met Bob Spire in 1984. It was early in the second year of my term as Governor of Nebraska. The Nebraska Unicameral was in session and the elected representatives were debating and considering the usual questions and problems.

One problem we were not debating was the Faith Christian School issue. A shell of certainty surrounded the question of whether we should change Nebraska's laws regarding a church school which was operated in Louisville, Nebraska, by a man most of us did not like. It may have been the only issue upon which nearly all of us agreed: if Reverend Everett Sileven continued to violate our law, he and the parents who supported him would have to go to jail.

Public opinion ran strongly against the leaders of the school. Their tactics were confrontational and obnoxious. They seemed to intentionally provoke both political parties and most informed observers. Sympathy for their cause was weak and disorganized.

Then, one morning I asked my chief of staff, Bill Hoppner, a series of questions: what if we are wrong? What if we *are* violating their first amendment rights to freely practice their religion? What if, in our anger towards Reverend Sileven, we are unable to do the right thing? How can we find out given the current state of affairs?

His answer came quickly: we should call Bob Spire, ask him to evaluate the law and the law's impact, and make recommendations to us and the legislature. It seemed reasonable enough except I didn't recognize the name of the man he was suggesting. In the end, I trusted the idea and acted upon it.

Along with two other Nebraskans, Bob Spire assessed the highly charged situation. He read the law, compared it to other states' laws, and evaluated its constitutional soundness. He met with and listened to the entire cast of characters, most of whom disliked and distrusted each other so much he could not get them to talk.

In the end, his conclusion was clear, well reasoned, calmly presented, and delivered with a forceful kindness I had never experienced before. He persuaded me I was wrong. He convinced me our laws were violating a constitutional right. The truth which should have been self-evident was not. Bob Spire's moral flashlight was needed to illuminate what we could not see.

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† United States Senator for the State of Nebraska.

I shall never forget the day he and I marched into a packed legislative hearing room to present the recommended change in law to the Nebraska Unicameral. Friends were angry and disappointed with both of us. They were still convinced we were wrong and they were right.

By myself, I don't think I would have changed a single mind. My statement was quickly and appropriately subordinated to Bob's. His statement was eloquent and unshakably confident. He gave his listeners no opportunity to dislike him. He was considerate of our ignorance and our prejudices. As a consequence, the previously unmovable opposition melted into agreement.

At the end of the year, I would meet with Bob in a hotel restaurant to ask him to be Nebraska's Attorney General. It took him less than twenty-four hours to say yes, agree to sell his law practice, uproot his family, and move to Lincoln.

After he was sworn into office, he held a press conference. Knowing he was a gifted pianist, I arranged to have a piano rolled into his office. For the first and last time, the Nebraska press heard a politician open an interview with Chopin and close it with *Saint Louis Blues*.

For six years, we were blessed with his service and teaching. To him, the authority of the law was an enabling power. It was necessary in order for freedom to be possible. To him, it was always a positive force, a way for us to become what God intended us to be.

Bob Spire had the look of an aristocrat. He appeared to be a man who had been sheltered from life's storms. But, he was never quite what he appeared to be. He was a combat veteran of World War II. He was a bloodied fighter for civil rights. And, as importantly, he would never drink a low calorie beer.

Bob Spire's legacy was a personal one. He touched people. He made them feel alive and important. He made many of us say something we didn't believe was possible: these lawyers are good people after all.