

# Antonin Scalia

8 August 2017



*In 1986 during confirmation hearings  
before the United States Senate*

**Antonin Gregory Scalia** (1936 – 2016) was an Associate Justice of the US Supreme Court from 1986 until his passing. Justice Scalia was described as the intellectual anchor for the originalist and textualist position in the Court's conservative wing.

Born in Trenton, New Jersey, USA, he studied at Georgetown University in Washington, DC and Harvard Law School. He worked six years for a Cleveland, Ohio law firm before becoming a professor at the University of Virginia. In the early 1970s Justice Scalia served in the administrations of US Presidents Nixon and Ford, eventually becoming Assistant Attorney General. He spent most of President Carter's administration teaching at the University of Chicago, where he became one of the first faculty advisers of the fledgling Federalist Society. In 1982 President Reagan appointed Scalia to a federal appeals court and in 1986, to the Supreme Court. Scalia was unanimously confirmed by The Senate, becoming the first Italian-American on the USA's highest court.

Serving nearly thirty years, Scalia espoused a conservative jurisprudence and ideology. He defended executive branch authority, believing presidential power paramount in many areas. He opposed affirmative action and other policies of special treatment for minorities. He issued separate opinions in many cases, frequently castigating majority rulings with his minority dissenting opinions, often using scathing language. Scalia died in Texas at age 79 in his sleep, during a quail hunting trip.

*Q: Mr. Scalia, thank you for coming to visit.*

*AS: I thank you for asking me here. As if I hadn't given enough opinions.*

*Q: We're not even that far along.*

*AS: We'll get there. Go ahead, please.*

*Q: An honor to be the first person of Italian heritage on the court? Given the many Americans who are.*

AS: Yes but not really. It was not so special but yes inevitable. There are and have been people of African, Jewish, Latin American and other backgrounds also. People who have from time to time been labeled minority.

*Q: What was the root of your resistance to special treatment for minority groups?*

AS: Generally not necessary by government and also harmful to the group. The application of special treatment codifies the group as different, inferior thus in need of special treatment. At what point should the privilege go away? That is never set forth when the push for unique or advantaged treatment is launched. America is a nation, not a collage of subgroups.

*Q: What about documented mistreatment and abuse, precisely because they are identified as a group and targeted?*

AS: Equal treatment is the solution. Establish a floor below everyone and enforce the minimum standard. It is wrong thus illegal to physically assault anyone; the offense does not become worse because the perpetrator is not in the same gender or of a similar ethnic, religious or racial group as a victim. The crime is just plain bad, period and all offenders should be held to task without regard to a perpetrator's or victim's background.

*Q: Away from crime, what about denial of employment based on race?*

AS: Tragically stupid but it is not the place of government to become the Thought Police because some employers are too dimwitted to see how such attitudes undermine their own interests. Treating women badly is as dumb as a rock; half of society is female; what idiot thinks denial of opportunity to half the people around him will be better for his interest? The marketplace and social interaction will force the correction more quickly and effectively than any rule imposed by a court.

*Q: Your own background, Italian, was the subject of common mistreatment during the initial years of heavy immigration of Italians into the USA.*

AS: Yes, and some of the mistreatment was earned. A very small number within made an outsized effort to hurt the image of all Italians. The solution was for them to acknowledge this and alter their behavior, which they did. Every perceived group will have some of everything in it, good and bad. Knowledge and awareness by the populace in general fixes such a problem, to the general benefit of everyone. Not government.

*Q: What direction do you see the role of the US Supreme Court taking?*

AS: It is going back to its defined purpose of interpretation of laws against the facts and circumstances of that case. It has too often acted like an unelected legislature or ruled based upon expectation or hopes for certain desirable results. There is nothing wrong with that approach however it is the place of the executive and legislative branches of government to address such things, not a court.

*Q: You opposed the court's ruling on homosexual marriage.*

AS: Yes, and not because I opposed such nuptial arrangements. I was neutral on those issues and personally did not care. First of all, the issues of family law have always been decided by states. There is no role for the US central government in such cases. Secondly, there were already provisions for such social institutions instituted by more than two thirds of the states; the legislative and popular referendum mechanisms at the state level were well headed in the

direction supporters wished. There was no need for federal court intervention. The Supreme Court should not have heard the case.

*Q: You strongly supported the American right to own and carry firearms.*

AS: Yes, most Americans do. It has been written into the Constitution as a right since the beginning of the nation, and its history as a British practice long predated the concept in the colonies before the Revolution and founding of the USA. If the American people wish to materially restrict it, effectively removing it from the list of enumerated rights, that can well be achieved. The US Constitution has been amended more than two dozen times. It is only the court's role to examine a case for compliance with or infringement of the right as agreed and set forth by the understanding and intent at the time of its creation. Expansion, restriction or removal of a right are not the province of a court. That power belongs to the people and their elected representatives, only.

*Q: From your newly restored perspective of Heaven, do you see anything differently than how you did during life as Antonin Scalia?*

AS: Yes, essentially everything I see differently. I see more deeply into issues than I ever could have as a human.

*Q: What opinions or views do you now see as incorrect versus your human views?*

AS: There is no correct or incorrect perspective; life on Earth for humans is not right or wrong; it simply is. The human experience is to observe and judge what is seen, to assemble values and beliefs, apply them or alter them. I did not appreciate free will as much as I now know it operates, but I did have a deep appreciation of and support for individual freedoms while I lived. I believed it was okay to proceed as one preferred, as long as it did not interfere with others, against their preference. I now see why that happens and the benefits, although as Anontin Scalia I believed involuntary restrictions were generally bad, outside of crime. That it was wrong to impose upon others.

*Q: This sounds interesting from someone who held such broad power and authority to impose your will and view.*

AS: I was but one of nine and others' views operated to balance my positions. This is the way of the universe. If nobody takes a strong position after review of the background, the causes, effects and outcomes of any situation, nothing will happen. This is not possible, because in Heaven it does not work that way either. The sum total, the cumulative effect of the individual positions, is what matters to the collective, and individual opinions and rights must always be heard and respected. Each individual, to value that personal authority, must espouse her or his position clearly and honestly and allow others the same. Create, enact and review. It was solely my role to perform part of the review function.

*Q: If you could alter anything about the USA to improve anything, what would that be?*

AS: Emphasize empirical education and understanding of history. This is not given the attention it requires.

*Q: During middle and high school education?*

AS: Yes, but the practice should be started earlier, with simpler summary versions of the detail to follow. Gifted students, who learn faster, should quickly be given more challenging studies. This is good for them and everyone.

*Q: This is suggested to create an elite, special class of person which undermines the student seen as not quite as gifted. Still intelligent and capable but not able to perform academically to a higher level.*

AS: Ridiculous; there will always be variations of ability and motivation in any group. Support for achievement sets an incentive for everyone within. Holding back progress for some because some others cannot keep such pace slows everyone. The more gifted produce an output which helps everyone. Steve Jobs was obviously more talented than many others and large numbers of people benefitted, both customers and colleagues, not to mention investors. Eroding the potential for greater benefit to the many because some feel relatively inferior or less talented is simplistic and harmful. Almost everyone goes to Earth with special talents. Human societies must emphasize this reality. Many successful, financially well off people would be utterly unable to cope with money struggles others among you manage skillfully.

*Q: Did you have a favorite colleague on the court?*

AS: No, but I was better friends with some than others.

*Q: Care to name them?*

AS: No. This has been correctly observed already; I don't want to give an impression I did not hold everyone on the court in high, high regard both professionally and personally.

*Q: What advice would you give humanity in general?*

AS: Consider the other point-of-view in detail, and at least twice as much as your own. This achieves two things; it leads to others' appreciation of your viewpoint and either reinforces your opinion or reveals flaws in your logic.

*Q: Justice Scalia, thank you for coming to visit.*

AS: An honor to be asked here. Keep going, you're nearly there.