

Keynote Address
in Honor of
Maureen McCarthy Scalia
by
The Honorable J. Michael Luttig
during
The Scalia Tribute Dinner
Antonin Scalia Law School
George Mason University
Washington, District of Columbia
October 3, 2018

Justice & Mrs. Breyer, Justice & Mrs. Alito, Justice & Mrs. Kennedy.

Attorney General Meese and Fred F. Fielding, the two men responsible for President Ronald Reagan's appointment of Antonin Scalia to the Supreme Court of the United States.

President & Mrs. Cabrera. Dean & Mrs. Butler.

Lifelong and Dear Friends of the Scalias.

Maureen "The Beautiful." And all of the Scalia Family here with us tonight.

Thank you for being here for this special occasion to honor Maureen McCarthy Scalia – Mrs. Antonin Scalia, and to congratulate the Antonin Scalia Law School of George Mason University.

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Soon to be three years ago, the Nation and the world wept as news spread that the husband of the woman we honor tonight, had, in final triumph, passed from this life to the life eternal.

We wept for Maureen and the beautiful family seated before us. We wept for Nino and Maureen's thirty-nine wonderful grandchildren and their great grandchildren. We even selfishly wept for ourselves.

We wept for our Country. We wept for the Supreme Court.

And we wept for the Rule of Law . . .

. . . so profound was this man's impact upon our Country, and so irredeemable was the loss of this eminent Jurist to the United States of America.

From every quarter – left, right, and center – this man was hailed as a giant. Not a conservative giant, not a liberal giant – but a giant, in the Law and in our history.

All came forth to pay respects and to pay tribute to this heroic figure. They came without regard to station in life, to office or position, to political belief or affiliation.

They came to remember, to honor, and to celebrate the life of the man who had been the conscience of the Law and the faithful guardian of the Rule of Law for three decades.

All understood that never before had one like him served on our Highest Court. All understood it unlikely that one like him would ever serve again . . .

. . . so profound and enduring was this man's impact on the Constitution and the Law during the time that he graced the Supreme Court. And so profound and enduring was it already known that his impact would be on the histories that were yet before us.

In heartfelt tributes, he was variously remembered and eulogized as one of the “towering legal figures of our time,” “an icon of the Law,” and as “one of the most influential Jurists in American history.”

These words, and the thousands alike in their unexampled effusiveness, were not the formulaic words of etiquette spoken by all upon the passing of another.

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It was fitting, but also gratifying, that the entire body politic extolled this pre-eminent Jurist. For we know that of those who hailed him, all did not hail him for his “politics” or for the “results” of his decision-making. As to these, there was always agreement and disagreement, even fierce agreement and disagreement.

Rather, just as he would have had it, they lauded him for his unyielding obeisance to Law and his unremitting devotion to the Rule of Law, for the three decades that he served on our Nation's Highest Court.

He was a steward of the Constitution and a servant of the Law. And what a supremely worthy steward and servant he was.

It has already been written that this man transformed the law, and more of the same will undoubtedly be written. But Antonin Scalia did anything but this, in his thirty plus years of Judicial service to the Country.

Others have transformed the law, or sought to do as much. Antonin Scalia, however, attempted nothing so grand and unauthorized, and we do not believe he would want to be remembered for transforming the Law. He simply sought to interpret the law as it was written. And he was satisfied by that humble, constitutionally-prescribed role that he so dutifully assumed.

It was in the performance of this circumscribed role that he may have resisted giving life to the law, but he gave law its magnificent life.

This is not to say that Antonin Scalia did not transform or that he was not a transformative figure. He surely was – and both. Indeed, he did nothing less transformational than this: Through his singularly powerful voice, and his impassioned, convincing words,

Antonin Scalia corrected mid-course – and renewed – the way that not only Jurists, but the entire Nation, defines and understands not just the Constitution – but Law itself.

In a word, Antonin Scalia awakened America once again – as at its beginning – to the Constitution, to the Law, and to the Rule of Law.

His impassioned, and now his lasting, plea to America and to the world: That we pledge allegiance not to a Rule of Politics or a Rule of Preference, but to the Rule of Law – and to the Rule of Law alone.

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No more, but no less, than this will be said of this man tonight. This evening is not about this man – or at least not so much about him, as it is about her.

So now, friends, give attention.

This man of whom I have just spoken was the man he was, for one reason and one reason only: Because the woman we honor tonight, Mrs. Antonin Scalia, is the woman she is, and always has been. To know this woman is to know that man.

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Those who do not know, might think that this patriot wife must have lived in the shadow of the larger-than-life figure to whom she was married. But those who do know, know differently.

Tonight's honoree has lived in no one's shadow – not even in the very long shadow cast by the one with whom she lived. Though it so happened that he was to be the public face of this patriot couple, the magnificent light shone brightly and equally on each of these, through every tender chapter of the heartwarming story of perfect devotion they authored together over their fifty-six years of marriage.

If you did not believe this was so, all you would have had to do is ask him. He would have gladly corrected you, so humbled was he by this special one to whom he was delightedly wed.

The Bible tells us that man and woman become no longer two, but one. Perhaps for no couple was this truer than it was for this man and this woman.

If you doubt, then listen carefully. And I will explain.

If you believe that he was a man of conviction and belief, those convictions and beliefs took their definition and their reinforcement, from the deeply-rooted convictions and the fundamental beliefs of Maureen McCarthy Scalia.

If you believe that he was independent of mind, understand that that disposition found special partner in the fierce independence of his strong-minded, immutably-Irish soul mate and confidante.

If you believe that he was a man of irreprovable character, I can tell you tonight, the ideal for that character was that of the irreproachable, pureness of the love of his life.

If you believe that he was a man of strength, you need to know that that strength owed itself to the tensile and compression toughness of his dearest friend in life.

If you believe that he was a man of courage, that courage partook in no small part of the uncommon valor of the woman to whom he was married for over half a century.

And if you believe that he was a man of unrivaled intellect, know this tonight. That intellect did find one rival, and that was in the intellect of the scholarly light of his life.

It was she who was the Radcliffe-educated of the two, not him. It was she who was the better educated of the two. Of this, she has always been confident. And of this, he was always just uncertain enough never to dispute.

It was not she who, without one ounce of contrition, could default to the Rockford Files or Knight Rider on any given evening; such philistine digressions were for the inferior-educated of this supremely-educated pair. For her, it was always books – and only books. Because for her, life – every single moment of it – has always been a wonderfully-endless education that admits of no interruption whatsoever.

(Thus, the singular appropriateness of tomorrow's dedication of the Maureen McCarthy Scalia Reading Room at the Antonin Scalia Law School.)

We will even dare tonight to say the unsayable, though only because there is no longer risk of at least swift rejoinder: The very fortunate children of this marriage might well say now – if pressed for answer – that their own intellectualism owes every bit as much to the family's maternal bloodline as it does to the paternal!

If you believe that he was teeming with life and of irresistible personality, his lifetime partner is equally passionate, spirited, charming, and captivating – if not a little more, truth be known. If he was quick, funny, capable of irreverence and the satirical, she was (and is) every one of these, too – and even a little more, truth be known.

And did these two provocateurs, each worthy of the other, ever delight in their lifelong repartee!

If you believe that he loved his family, that love of family took its measure from the immeasurable love of the inspiring matriarch of this prolific family. It was she who lovingly, contentedly, and devotedly committed her entire life to family, forsaking the professional accomplishment that would certainly have been hers. And this, at a time when to forgo career for family was thought to be defiant anachronism.

As one of her own said well, it is Mrs. Antonin Scalia who presides to this day over the Victorian novel that is the endearing story of the Family Scalia.

And not even he would demur to this.

Finally, if you believe that he was a man of abiding faith, you should understand this evening that the daily bread for that abiding faith was the unbroken faith of the one – and the only one – whom he regarded with near reverence, every day of their resplendent life together.

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From the moment of their first (blind) date, now almost sixty years ago, it was all of these that he saw in the woman he was to marry – in what was indisputably the most consequential (and wisest) decision of his lifetime of decisions.

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Always from her did he seek advice and opinion, though he sought advice from few. Always from her did he take counsel, though he took counsel from even fewer. And always from her did he accept critique, though, from fewer still, did he accept critique.

He seemed rarely, if ever, wrong – or so we want to remember it. But if ever he was, she was never – or so we want to remember it. And when he was wrong, or whenever she believed him to be so – the latter of which, he would lament, was often – never was there hesitation on her part to tell him. Not only that he was wrong, but, be assured, that she was right.

Last, if our treasured Nino ever seemed to lose sight of what was true and right, even for a moment, our dearest Maureen never has. And when she believed, on those rare occasions, that that line of sight to the true, and to the right, seemed to be blurring for him, you can be certain that he heard from her – in withering, albeit in camera, dissent.

She was his True North.

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Such was the privileged relationship this woman had with Nino Scalia. . . . Or, more appropriately, shall we now observe, such was the privileged relationship that Nino Scalia had with this remarkable woman to whom he always believed he was privileged to be married. And, we can stipulate tonight, indeed he was.

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The woman we honor this evening fed and clothed ten hungry Scalias, morning, noon, and night, for more than half of her fifty years of marriage. This woman has nurtured and provided for her's, and their, nine beautiful children, every single day of her richly fulfilling life. She has dutifully tutored and instructed these nine sons and daughters every single day, year-in and year-out, for a lifetime – not just in books, but in life and in faith. She has raised these nine wonderful children of the union of this husband and wife to full and accomplished adulthood – all but single-handedly. As he himself would say, with little help from he who was their father, beyond the occasional impromptu, generally unwelcomed, and typically injudicious commentary and critique of what she had done, or already decided to do.

In all, the self-sacrificing life we celebrate tonight has been a life of complete devotion to family. The selfless life we celebrate has been a life of compassion, care, and concern for all others than herself, and for those who have less, and for those who have need. This holiest of

lives we celebrate tonight has been a life of ceaseless, joyful worship, and devout, unwavering Faith.

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Maureen McCarthy Scalia – wife of Antonin Scalia, mother of nine; grandmother of thirty-nine; great grandmother of two (at time of publication); dear Maureen – this is neither the first nor the last that will be, but this night is your night. As your Nino would say were he here with us – and he is – “belated though it be, what a splendidly deserved night this is, for my beloved Maureen.”

On behalf of your many friends fittingly gathered in this Ronald Reagan Building tonight in your honor, and your many friends elsewhere all around the world who could not be with us on this most special of occasions, “thank you.”

Thank you, not only for your constant, faithful, and devoted support of the love of your life, throughout his lifetime of service to our Country. Thank you for your own lifetime of devoted service to the Nation. This night, we are filled to overflowing with gratitude for you.

Now, Maureen, as wonderfully uncomfortable as it may be for you, as you come up to say a few words to all of your friends here tonight, allow us the standing ovation that we believe you so richly deserve.