

2016 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 458

Celebrating the life of the Honorable Antonin Gregory Scalia.

Agreed to by the House of Delegates, March 8, 2016

Agreed to by the Senate, March 10, 2016

WHEREAS, the Honorable Antonin Gregory Scalia of McLean, the longest-serving associate justice on the current Supreme Court of the United States, respected for his intellect as a legal scholar and well known for his contributions to statutory textualism and originalist interpretations of the United States Constitution, died on February 13, 2016; and

WHEREAS, a native of Trenton, New Jersey, Antonin Scalia graduated from Xavier High School in Manhattan and earned a bachelor's degree from Georgetown University; he received his law degree from Harvard University and began his professional career with an international law firm in Cleveland; and

WHEREAS, Antonin Scalia then taught at the University of Virginia Law School from 1967 to 1974, during which time he served the federal government as general counsel to the Office of Telecommunications Policy and chair of the Administrative Conference of the United States; in 1974 he was appointed Assistant Attorney General in the Office of Legal Counsel of the United States Department of Justice; and

WHEREAS, in 1976, Antonin Scalia argued his only case before the Supreme Court of the United States, Alfred Dunhill of London, Inc. v. Republic of Cuba, successfully representing the plaintiff on behalf of the United States government; and

WHEREAS, Antonin Scalia returned to academia in the 1970s and 1980s as a visiting professor at Stanford University and a professor of law at the University of Chicago, where he served as faculty adviser to the Federalist Society; and

WHEREAS, in 1982, Antonin Scalia was nominated by President Ronald Reagan to the United States Court of Appeals of the District of Columbia Circuit; in 1986, he was nominated by President Reagan to the Supreme Court of the United States and confirmed unanimously by the United States Senate, becoming the Court's first Italian American justice; and

WHEREAS, during his 30-year tenure on the Court, Justice Scalia supported clear separation of powers between the branches of government and was a champion of states' rights; he utilized a textualist approach, where the plain text of a statute is used to determine the intent of legislation, and an originalist interpretation of the United States Constitution strictly limited to the original intent of the framers in the context of their time; and

WHEREAS, Justice Scalia sided with the majority on numerous significant decisions, including narrowly decided cases, such as Citizens United v. Federal Election Commission, and he authored the majority opinion many times, including for the 7 - 2 ruling on Brown v. Entertainment Merchants Association; he was perhaps better known for his passionate, yet methodical, dissents, such as his opinions in Morrison v. Olson, Lawrence v. Texas, and Hamdi v. Rumsfeld; and

WHEREAS, a man of strong convictions whose opinions were often hailed as cornerstones of conservative intellectualism, Justice Scalia enjoyed vigorous debate, but fostered collegiality and mutual respect in his personal life; he enjoyed close friendships with colleagues on both sides of the political spectrum, including his more liberal fellow justice the Honorable Ruth Bader Ginsberg; and

WHEREAS, guided by his deep and abiding faith throughout his life, Antonin Scalia was a devout Catholic who enjoyed fellowship and worship with the community; and

WHEREAS, Antonin Scalia will be fondly remembered and greatly missed by his wife, Maureen; their nine children and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of the Honorable Antonin Gregory Scalia, a highly respected legal scholar and associate justice of the Supreme Court of the United States; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable Antonin Gregory Scalia as an expression of the General Assembly's respect for his memory.

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