

Nino and Me

*Jean M. Gaspardo**



The Embassy car drove up to the front door of the Rome Cavalieri Hilton in July 2010, and a distinguished, spry Italian bolted out of the back seat. I approached with a questioning greeting “Justice Scalia? . . . I am Dean Jean.” “Dean Jean! I know all about you from Ruthie.” He replied with a warm handshake. Justice Ruth Bader Ginsburg had informed him what to expect from her experience with my services the year prior when she taught in our Loyola summer law program in Rome. Thus began my first fortnight with the daily pleasure of the company of the charming Justice Antonin Scalia.

My boss, Dean David Yellen of Loyola University Chicago School of Law, had assigned me to attend to the Justice who some say could be contrary, extreme in his conservative attitudes, occasionally “explosive,” but quick to get over it. *Au contraire*—I found him an absolute delight.

I had the advantage of being raised by an Italian father, a *bambino*,

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who had been equally doted over in his upbringing as first generation little Italian boys are, conditioned to be the center of the universe. My dad brought me up in the strictest tradition of the Catholic Church. Also, like Justice Scalia's father, mine would not speak anything but proper English in our American home. When I asked the Justice why he did not speak Italian while in Italy, he shared with me that his father, as a professor of linguistics, would not have his son sounding like the son of an uneducated peasant. Unless his Italian was textbook perfect, he was forbidden to speak it.

The more we traveled together through the countryside of Italy, the more we realized we were very much alike. We both shared a love for hunting. I had invited him to come hunting on my farms in Illinois, which produced trophy deer and abundant colorful pheasants. He quickly responded, "Do you think your tree stands will hold me?"

We both shared the love for Italian food and wine, and the opera. We were both strong-minded Republicans. And, of course, as devout Catholics, we shared the joys of a very large family. He was so comfortable around me, he seemed to be his "true self," tossing political correctness aside and freely letting that explosive side erupt when reflecting on the direction the country was headed.

While driving down a country road behind a slowpoke for too long, he would say "Come on, Jean, step on it, you can take him." And, with pleasure, I would release my "true self" as a pent-up Mario Andretti devotee, taking on the twisting roads of the Italian countryside in a breeze.

On our first summer program together, my nineteen-year-old niece, Amanda, was with me. The Scalias loved her. It was obvious to me that family was first in priority in Justice Scalia's life. He was a very happy and natural father and grandfather. Each day, when he finished teaching our class, I would pick him up from campus and deliver him back to his hotel. As I left him, he would say, "Maureen and I will be ready in an hour to set out for lunch and an outing." Should I show up in an hour to pick them up without my niece, he would exclaim, "Where's Amanda?" and we would have to go back to get her.

At the end of the two weeks, as the Scalias were heading home, Maureen told me "The highest compliment I can give you is that Nino was so comfortable with you that this is the first time we have traveled on a summer program without his need to have a good friend and their family accompanying us."

Soon after the program, Justice Scalia invited me to visit the Court—and insisted that I bring Amanda. And so, we went to D.C. He had arranged to have us sit in front on the bench with a small bronze plaque

“reserved for Maureen Scalia.” At the conclusion of the entertaining arguments we were escorted to his chambers where a lovely lunch for four was set up. With a warm welcome, he said, “I hope you don’t mind, but I have invited another guest to join us, Justice Ginsburg.”

In the years between the program in 2010 and 2015, I would make a point to meet with Justice Scalia when he was speaking in Chicago. On one such occasion a few years ago, he shared with me how sad he was that their daughter Catherine had just lost her husband, and was left behind with their six children. He said he and Maureen could not allow her to do that alone and would help to raise their grandchildren. He was truly a family-first man.

On another meeting in Chicago, shortly thereafter, he approached me with his usual big bear hug and whispered, “Jean, I want to come back to Rome.” And I of course said, “Done!” The summer of 2015 soon followed and again my students had the extraordinary experience of being taught “Separation of Powers” by the master Originalist.

At the conclusion of the course in 2010, he paid us the extraordinary compliment of saying our “Loyola students were the best prepared class he had ever taught in a summer program.” We had not left that to chance, and we were not about to leave that to chance in 2015, either. While the amount of reading material assigned was enormous, and new cases were sometimes added last minute, we provided the students with an auxiliary instructor, Professor Diane Geraghty, to work with them to synthesize and analyze the arguments in the opinions, emphasizing the most important points. Professor Barry Sullivan had also provided the students with a preliminary crash course on the separation of powers using a video he created for the task. But in the end, it was the students on their own in the classroom who would respond, question, and challenge the Justice each day in the ninety-minute classes. I was extremely proud of them. Once again at the conclusion of the two-week course, Justice Scalia honored us by claiming the Loyola students were the best students he ever taught in summer programs. The students experienced firsthand the brilliance and love for debate of the country’s legendary contrarian.

The two-week program passed all too quickly, with many excursions to the Italian countryside to seek out foundational churches in the historical progression of our Catholic faith. Maureen was an essential ballast, providing great joy in every journey. The heat of the hottest July on record in Italy contributed to strained temperaments, especially on long upward drudging hikes to the churches of St. Francis in Assisi and St. Benedict’s monastery at Subiaco. A testament to the love of his faith and the realities of an ageing body unrelenting to the challenge,

Justice Scalia would not miss a single detail. Maureen was always supportive and equally devoted to her Catholic faith.

It was Maureen Scalia's connections to the U.S. Ambassador to the Vatican, which dated back to her college days, that generated personal tours to new, on-going digs from pre-Christian times below the Vatican, not yet open to the public. In a matter of a few short days, my big black van was waived into many inner sanctums: within the private grounds of the Vatican; within the private grounds of the Presidential Palace of Italy; inside the private grounds of Ambassadors and high-ranking Cardinals; into the courtyard of the Constitutional Court of Italy where we were escorted to the private dining room to have lunch with the President of the highest court of Italy; and beyond—all because of the precious passenger I was carrying. It was not always Justice Scalia who had the connection; sometimes it was Maureen who was the invitee, accompanied by the love of her life. They were an unequalled couple and I loved them dearly.

At our initial meeting in Rome in the summer of 2015, Justice Scalia was visibly very angry from the recent court decisions as the term came to a close. By the end of the two weeks in Rome, he had relaxed to the point of being nearly himself, but more tired than I ever remembered him to be. When I visited with Justice Ginsberg at an event in Chicago early in September, the very first thing she asked me was “How was Nino [in Rome]?” The media has dubbed them the “odd couple” on the bench: extreme opposites in legal positions but socially best of friends. Upon his arrival in Rome, I asked Nino, “How's Ruth?” and he responded something to the effect of “Humph, humph, can't believe the way the opinions went . . .” He was clearly still outraged and very angry with all of them and with her.

Yet, when he was in Rome in 2010, not long after Justice Ginsburg's husband, Marty, had died, he would turn to Maureen sitting behind him as we were driving and ask, “Have you called Ruthie yet today?” They were very close friends as couples. Though Marty is gone, it was very clear to me that they remained dear friends in spite of the continued differences in their work. At the funeral services, I was privileged to be with them in the private hall reserved for family. Maureen and Ruth were like sisters throughout in mutual support.

There is no doubt that, in his thirty years on the bench, Justice Antonin Scalia changed the process of analysis in reaching opinions of the Court. While he feared it might not last once he was gone, one thing is certain, his influence, bigger than life, will never be forgotten. But his lasting impression upon me is characterized most by his humanity, personal warmth, genuine compassion, and his unwavering fidelity to

all that he strongly believed in. I have been blessed beyond measure to have had him as a dear friend.

