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Newsroom: Logan on Justice Scalia's Vitriol

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Newsroom

Logan on Justice Scalia's Vitriol

Professor David Logan talks with the ProJo's Ed Fitzpatrick about why Justice Antonin Scalia's vitriolic opinions may be undercutting his influence on SCOTUS.

From the Providence Journal: "[Scalia's vitriol undercuts his influence](#)" by Edward Fitzpatrick



July 3, 2015: [...] "When it comes to penning baroquely articulated vitriol, Justice Antonin Scalia may rival William Shakespeare," Slate states, noting that his Obamacare dissent includes the terms "pure applesauce" and "jiggery-pokery" and his same-sex marriage dissent mentions "mummeries" and "judicial Putsch." [...]

When the court ruled that the Constitution guarantees a right to same-sex marriage, Scalia snarled at both the style and substance of Justice Anthony M. Kennedy's majority opinion, saying that it is "couched in a style that is as pretentious as its content is egotistic" and that its "showy profundities are often profoundly incoherent."

Guess he didn't like it. When **I heard him speak at the Roger Williams University School of Law** in 2008, Scalia seemed fond of saying that critics of his approach to constitutional interpretation were rending their garments. Well, I'm going to assume Scalia tore a few garments while writing this dissent.

Prof. David A. Logan, the law school's former dean, said Scalia was "very gracious" during his visit to the Bristol campus. "He can be extremely charming," he said. "And obviously he's a very bright, well-read person."

But while Scalia is the court's longest-serving member, his aggressive opinions and caustic comments have prevented him from building coalitions and exerting greater influence over high court rulings, **Logan said.**

"His ability to build coalitions is hampered by his snarky, one-liner, Borscht-Belt approach to writing judicial opinions. No one that has served with him approaches their job that way," **Logan said.** "If you have a crazy uncle pounding on the table when you are looking for nuanced middle ground, after awhile you may stop listening entirely." [...]