

Testimony of Beverly LaHayePresident, Concerned Women for America

Concerned Women for America is the nation's largest nonpartisan womens' group with over 560,000 members in all fifty states representing women from all professions, all races and all religious backgrounds. Concerned Women for America was formed to help protect the family, promote constitutional freedoms and traditional values. CWA lobbies on various issues, and has a legal department that recently won a case before the U.S. Supreme Court.¹

The members of Concerned Women for America support the nomination of Antonin Scalia to the U.S. Supreme Court, and urge quick Senate approval of his nomination.

On credentials alone, Judge Scalia shows sterling qualifications for the Supreme Court. He is a judge on the D.C. Circuit Court of Appeals, served as Assistant Attorney General for the Office of Legal Policy in the Ford Administration, taught at the law school at the University of Chicago and the University of Virginia. His scholarly works influence the legal community with their well-reasoned arguments.

Concerned Women for America supports Judge Scalia's nomination largely due to his strong commitment to judicial restraint. He is a judge that interprets the Constitution in light of the intent of the Framers. He resists the temptation that many judges have fallen into of creating new constitutional or legal rights out of thin air, when they have no textual or historical justification.

For example, Judge Scalia refused to rule that the Constitution contains a "right to sodomy." The Supreme Court agreed with that view in a different case presenting the same constitutional issue just this June.

¹See Larry Witters v. State of Washington Dept. of Services for the Blind, 474 U.S. ___, 88 L.Ed.2d 846 (1986).

Judge Scalia has also supported the state's constitutional power to impose capital punishment, because the Framers intended states to exercise that power. His vigilant philosophy of judicial restraint will help protect the Constitution from judge-made erosion.

In these changing times with many voices espousing their positions, all Americans, men and women, need a written Constitution that stands firm, changed only by the will of the people expressed through the amendment process. Judges and courts must not sit as unelected, perpetual Constitutional Conventions, and impose their moral values on the majority. We need judges who live by an active commitment to judicial restraint, and respect for the principles placed in the Constitution by the Founding Fathers. Antonin Scalia fills that need, as does Chief Justice nominee William Rehnquist.

It has been said that womens' groups all oppose the nominations of Justice Rehnquist and Judge Scalia. As the president of the largest women's organization in the United States, with over half a million members, I am here to inform you that that statement is wrong. Concerned Women for America has over double the membership of the National Organization for Women. CWA supports the nomination of Judge Antonin Scalia to the Supreme Court, and William Rehnquist as Chief Justice.

Judge Scalia's intellectual abilities, experience, and deep understanding of the Constitution, are plain to all. Concerned Women for America urges the Senate to confirm Antonin Scalia to the United States Supreme Court.