



**PRESS RELEASE from
LIBERTY JUSTICE CENTER and
THE ROMAN CATHOLIC DIOCESE OF CHARLESTON and
SOUTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES**

MEDIA CONTACT:

Kristen Williamson, 773-809-4403
media@libertyjusticecenter.org

**Lawsuit calls on federal court to strike racist,
bigoted amendment from South Carolina Constitution**

*Would restore eligibility for federal COVID relief funds
to private, independent and religious schools, including HBCUs*

GREENVILLE, S.C. (April 14, 2021) — A coalition of religious schools and independent colleges have filed a federal lawsuit to strike the notorious post-Civil War “Blaine Amendment” from South Carolina’s state constitution. The provision has long perpetuated discrimination against African Americans and Catholics by unfairly withholding education funding for independent schools in the state.

The lawsuit was filed by Bishop of Charleston, a Corporation Sole, dba Roman Catholic Diocese of Charleston, on behalf of its 33 K-12 schools throughout the State of South Carolina. South Carolina Independent Colleges and Universities, a nonprofit organization that represents 20 of the state’s independent universities and colleges, is also a plaintiff in the lawsuit. The lawsuit was brought by attorneys at the Liberty Justice Center, a national public interest law firm that fights for constitutional rights and educational opportunity.

“This lawsuit seeks to achieve something that every American can stand behind: We’re fighting to strike down a century-old law that was enacted with the purpose of discriminating against our fellow citizens,” said **Daniel Suhr, senior attorney for the Liberty Justice Center**. “The U.S. Constitution promises all of us equal treatment and protection under the law – regardless of our race, religion or creed. More than 100 years ago, when the South Carolina Constitution was enacted, a provision was enacted that is still being used to foster discrimination against religious and independent schools in the state. It is time for us to stand up and eradicate this bigotry so it cannot be used to deny educational resources to students in South Carolina.”

The Blaine Amendment blocks independent and religious students, families and schools from receiving any public funding. It has been used by the South Carolina Education Association and its allies to deny these students and schools access to federal COVID relief funds. The lawsuit filed today seeks to end this discrimination against non-public schools and students. Attorneys have asked the court for a prompt order that would bar state officials from using the Blaine Amendment to block COVID funds from going to non-public schools.

Added the **Most Rev. Robert E. Guglielmo, Bishop of Charleston**: “This appeal to our state’s courts is not only to, at long last, expunge the anti-Catholic and racist sentiment that still haunts our past. It is about creating a more inclusive, uplifting future for parents and children who seek an education that best fits their values and needs of their students. Many families have been significantly hurt by the COVID pandemic and they should not be denied financial assistance based on where they desire to send their children to school.”

The South Carolina Independent Colleges and Universities’ membership includes five Historically Black Colleges and Universities. “This lawsuit seeks educational equality for all,” said **Dr. Jeff Perez, president and CEO of SCICU**. “Our students are committed to completing their degrees in a significantly challenging time. We should be doing all we can to support them, not relying on outdated, divisive language evoking a dark period in our history to deny those seeking educational opportunity.”

The Blaine Amendment is named after its national champion, James G. Blaine, a U.S. congressman from Maine. Though it never achieved enough votes to be adopted into the U.S. Constitution, South Carolina added the provision to its 1895 constitution in order to suppress the education of newly freed slaves and to enable discrimination against Catholic immigrants. The Blaine Amendment is, according to the lawsuit, “born of bigotry and prejudice, based on race and religion.”

***Bishop of Charleston, a Corporation Sole, dba Diocese of Charleston v. Adams* was filed April 14, 2021, in the U.S. District Court for the District of South Carolina, Columbia Division. Case filings are available here: <https://libertyjusticecenter.org/media/sc-school-discrimination>**

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The Liberty Justice Center is a nonprofit, public-interest litigation center that fights to protect school choice and fundamental constitutional rights. The Liberty Justice Center is best known for its 2018 U.S. Supreme Court victory in *Janus v. AFSCME*. Learn more about the Liberty Justice Center at LibertyJusticeCenter.org.

[The Roman Catholic Diocese of Charleston](#) covers the entire state of South Carolina with Charleston as its See city. Founded in 1820 by Pope Pius VII, it is one of the oldest Catholic dioceses in the United States. The Catholic faithful comprise the third largest religious denomination in South Carolina, with 33 schools, 116 parishes and missions, and a Catholic Charities and outreach presence throughout the state.

[South Carolina Independent Colleges and Universities](#) was chartered by the State of South Carolina as a non-profit, tax-exempt corporation in 1953 that represents and supports twenty independent colleges and universities each with a unique historical, cultural, and in many instances, faith background. Included in the membership are five historically black colleges and universities.