



Role in S.C. education debated

By Diane Knich
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Changing the language in the S.C. Constitution to require a "high-quality" education instead of just a free public education would make a difference for children who attend schools in 36 poor, rural districts along Interstate 95, Columbia attorney Stephen Morrison said.

Morrison represented the districts, which collectively have been dubbed by some as "The Corridor of Shame," in a trial and appeal in their lawsuit against the state and the way it pays for education. The state Supreme Court is expected to release its decision on the appeal "any day now," Morrison said.

And he's hoping for change. "If you're poor and black and in rural South Carolina, that defines your educational opportunity," he said.

Morrison, along with attorney Robert Stepp, who represented the state in the trial and appeal, were members of a panel on education and state constitutional reform Friday at the Charleston School of Law's Inaugural Symposium on Law and Society. More than 1,300 students, practicing lawyers and members of the public attended at least one of the two-day symposium's events, said Katie Fowler, a third-year law student and one of the program's coordinators.

Stepp said he fundamentally disagrees with Morrison on the nature of the educational debate. It's "not about the value of education," he said. "It's about whether the right to a 'minimally adequate' education is being fulfilled."

The S.C. Supreme Court has interpreted the constitution to mean the state must provide children access to at least a minimally adequate education.

The symposium, which was sponsored by the law school and The Riley Institute at Furman University, consisted of panel presentations Friday on topics such as education, the judicial selection process, the power of the governor in South Carolina and the challenges and opportunities in constitutional reform.

Will Cook, a professor at the Charleston School of Law, said the symposium focused on the constitution because "there's no more important rule of law than a constitution, whether it's federal or state."

Also, there's a national trend to look at state constitutions to see if they're "up to the task of the 21st century," Cook said.

That's especially important in some Southern states that adopted their constitutions after Reconstruction, he said. South Carolina adopted its constitution in 1895.

Former Gov. Richard Riley, who served on a panel that questioned whether the state's constitution should support a stronger executive office, said it was mostly Ben "Pitchfork" Tillman who penned the current document. Tillman, who served as governor and U.S. senator, was largely responsible for writing the constitution in a way that disenfranchised blacks and required Jim Crow laws. Tillman had two goals, Riley said, "to keep liquor out and to keep blacks down."

Presenters at the symposium disagreed about whether the current document could be revised through more amendments or needed to be rewritten. Armand Derfner, a well-known civil rights attorney, said the constitution was so inherently flawed that it needed to be rebuilt from the ground up. "It's a rag-tag bunch of provisions," he said. But others spoke in favor of additional amendments.

Fowler said she was pleased that so many people attended the event. The school's goal was to provide a platform for discussion, not promote any specific course of action, she said.

Law school Dean Andy Abrams said the symposium was a great success and added that being the center of such public legal conversations was one of the reasons the school was created.

Fowler inspired the symposium when she began a discussion with one of her professors about how the media covers issues such as education reform and the judicial selection process separately, organizers said. She suggested they were part of a larger discussion on constitutional reform.

But former Gov. Jim Hodges said the challenge about constitutional reform is getting the public involved in the debate. The public simply doesn't understand it, he said. "It's not the kind of thing people yell to you when you're in a parade."

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