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Retired U.S. Supreme Court Justice addresses students in Charleston

Natalie Caula | Posted: Tuesday, April 16, 2013 12:01 a.m.

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Wade Spees/Staff Former Justice Sandra Day O'Connor is greeted Monday by Family Court Judge Paul Garfinkel (right) and Charleston School of Law professor Debra J. Gammons at Charleston Music Hall. [Buy this photo](#)

Laughs echoed from the large auditorium inside the Charleston Music Hall on Monday where the first female U.S. Supreme Court justice joked about sparing her law symposium audience some pages from her speech.

Justice Sandra Day O'Connor flipped through some of the pages she'd prepared while she sat on stage in front of hundreds of people in the Lowcountry's legal community. "I'm saving you," she joked.


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O'Connor spoke to hundreds of people as part of the 5th annual Law and Society Symposium presented by the Charleston Law Review and The Riley Institute at Furman. The topic: the separation between church and state and the constitutional test O'Connor proposed in a 1984 Supreme Court ruling. Her question, which is still applied to cases today, asks whether a particular government action amounts to an endorsement or disapproval of religion, which would violate the Establishment Clause of the First Amendment.

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Early into her speech, O'Connor dashed any hopes of a "fiery critique" of recent and upcoming cases.

"This always disappoints my audience. Being a retired justice is a position that requires me, in my opinion, to leave it to the present members of the Supreme Court to figure out the hard cases and keep my nose out of it," she said.

Instead, O'Connor spoke for about 30 minutes about the application of the "Establishment Rule" she proposed nearly 30 years ago and the challenges it's faced.

O'Connor said that despite what she called inconsistencies in the high court in applying the rule, it asks the right question about government practices and religion. "Like any test that's sensitive to context, it won't always yield unanimous results from its decision makers," she said.

O'Connor was the keynote speaker for the day-long event that featured panelists including U.S. district judges, law professors and attorneys.

"There has been months of planning that went into this," said Caroline Hopkins, a symposium committee member and Charleston School of Law student.

O'Connor praised the law school for the event, calling the panel discussions "very impressive" and said she was glad to be a part of it.

"It's a huge honor to have Sandra Day O'Connor here just because as law students we read hundreds of court opinions and for 25 years Sandra Day O'Connor was instrumental in those opinions either authoring them or contributing to them, so it's just great for us to actually have her here," said Megan White, a symposium committee member and Charleston School of Law student.

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