

The BLAINE Amendment



HISTORY

The Blaine Amendment was added to the S.C. state constitution when Gov. Benjamin Tillman and others in power, post-Reconstruction Era, adopted the Constitution of 1895. It prohibited state funds to Catholic institutions, schools and universities that were founded to serve people freed by the Emancipation Proclamation.



WHERE & WHAT

South Carolina's current Blaine Amendment is found in Section 4 of the state constitution's article on education. It prohibits taxpayer aid to independent and religious schools. The S.C. Supreme Court has interpreted this provision to also prohibit publicly-funded student scholarships paid to schools.



LEGALIZED BIGOTRY

Blaine Amendments were first drafted in the late 1800s as part of a wave of anti-Catholic bigotry. Politicians nationwide worked to block public funds from going to Catholic schools and ministries as America experienced a surge of Catholic immigrants. Catholic schools also educated a majority of Black students in South Carolina at that time, making the amendment discriminatory against Black education.



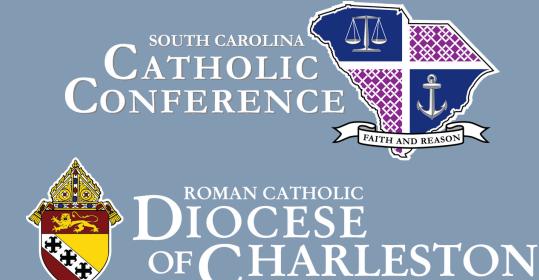
TODAY

The Blaine Amendment continues to retain a ban on direct aid to independent and religious schools, which continues racial and anti-Catholic sentiment. It blocks Catholic and independent schools from receiving proper government neutral grant funds established by the CARES Act and Governor Emergency Education Relief (GEER) funding.



LAWsuit

The Diocese of Charleston and the association of South Carolina Independent Colleges and Universities (SCICU), including five historically black colleges, have filed a federal lawsuit to remove the Blaine Amendment from the state constitution and to provide equal access to emergency relief funds.



NATIONWIDE

Thirty-five American states have Blaine Amendments written into their constitutions. Though the U.S. Supreme Court has struck a number of them down for other reasons, this lawsuit strikes right at the root of amicus which motivated the Blaine Amendments.

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