

BELOW THE LINE

USC UPSTATE CHANCELLOR BENNIE L. HARRIS SPEAKS WITH
RETIRED CHIEF JUSTICE DONALD W. BEATTY



*Retired Chief Justice Donald W. Beatty with Chancellor Bennie L. Harris, Ph.D.
Photo by Terry E. Manning, USC Upstate*

Welcome to Below the Line, a monthly question-and-answer column in which Chancellor Bennie L. Harris, Ph.D., of the University of South Carolina Upstate interviews a leader about change, technology, education, and leadership. This month, Dr. Harris speaks with Retired Chief Justice Donald W. Beatty, after whom the USC Upstate Chief Justice Don W. Beatty Center for Justice & Society is named. *(This interview has been edited for content, clarity, and length.)*

Harris: You grew up attending segregated schools in South Carolina's Upstate during the Civil Rights Movement in the Jim Crow South. Can you tell me a bit about that experience and how it shaped you for the future?

Beatty: Quite frankly, I would have to say that experience is the reason why I became a lawyer and then moved to the bench. My experience made me understand that perseverance was necessary, that you had to be strong to survive, and you did what you had to do to make it. It taught me how to deal with people, to read people, to understand situations, the complexities of interpersonal relationships, and how I needed to respond accordingly.

And what I see now is that, though there's been progress in our country, we are retrogressing.

Harris: You graduated from South Carolina State University and enrolled in USC law school. Why did you want to pursue a career in law?

Beatty: Growing up in segregated South Carolina during the 1960s and 1970s, it seemed like a lot of the problems we were dealing with at that time could be rectified using the law. Though I admit that was not my first plan.

My first plan was to go to medical school. But the older I got, the more my eyes opened to the world and to seeing what was going on around me, and I thought I could be more impactful in the legal arena.

Harris: You served as an officer in the U.S. Army, then finished law school and spent two years with what was then called the Neighborhood Legal Assistance Program in Conway, providing help to residents unable to afford legal representation. What did you learn from your military service, and from working for the legal assistance program?

Beatty: It was about people. I learned to listen, so I could understand the nature of the situation or the problem I was dealing with and come up with a solution.

The military taught me leadership discipline, the stick-to-it-iveness, if you will, to get a job done, to understand the mission, objective, and goal.

When I went to law school, I made the decision that I would devote at least the first four or five years of my career to public service. I would not even pursue a job with some of the larger firms, or corporate jobs.

I finished law school in three years but probably could have finished in 2½, but I spent that extra time volunteering with the Legal Services Corporation.

Our society is balanced on a three-legged stool — the judicial branch, the legislative branch, the executive branch — and if any one of those legs fall off or is injured, then that stool is not balanced, and whatever



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sits on that stool will eventually tilt over. So those things have to stay in balance

Harris: Your political career started in about 1988, if memory serves. Why shift into politics? What was driving you?

Beatty: Politics controlled the way the world went around. I learned that early in life, watching politicians, watching what was going on in our community. In trying to figure out a solution to some of the problems, I realized it had to be done politically.

Unfortunately, now we have a lot of people in politics now who don't understand politics and don't understand what it takes to keep a community going.

I love politics. People need to understand the necessity of being involved in their community.

Harris: You made history by being appointed to the South Carolina Supreme Court, and ultimately as its Chief Justice. Did this honor hold a lot of sway for you? Or did it serve more as a reminder of inequity and lack of diversity in the system?

Beatty: It's like a bittersweet kind of thing. It made me smile to think about doing something good. But in the last four to five years it became more frustrating than illuminating. And that's when I recognized that politics had gotten too much involved in the judicial system.

And that's unfortunate. But there's hope. Very intelligent people have resisted the sway of political pressure.

Harris: Your departure left the South Carolina Supreme Court with only white judges. What is your take on that and the importance of representation?

Beatty: South Carolina has some of the best judges in this country on every level of our court, and I will put any judge in South Carolina up against any judge from any other state on any other court.

Diversity is important, especially in our courts.

In criminal law, we talked about the "reasonable man standard." The "reasonable man standard" is the reasonable white man standard. In any given situation we are all expected to act the same. So in a traffic stop, Black people are not supposed to be nervous.

But we have a 400-year history of dealing with the police and how they react with us, and that controls how we behave in certain situations.

My (white) counterparts did not understand that. I had so many discussions with them.

Harris: I understand that, when time per-

mits, you try to speak at schools and to youth groups about values, scholarship, and leadership. One of my primary motivators is helping young people reach their greatest potential, too. What are your goals when talking to students?

Beatty: I want to pass on the message that it's important to work hard, to understand what's going on around you, to have goals in life, to work toward those goals, and to make an effort to be successful.



I want to instill in young people that it is important and indeed necessary that they prepare for their futures. They need to plan what steps they will take.

In my opinion, a lot of young people have become too comfortable with the status quo, thinking everything is fine and "I don't have to do this" or "I don't have to do that" if I want to succeed. But they need to start paying attention.

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Harris: How do you bridge the intergenerational gap?

Beatty: I've gotten to the point now that I don't like talking to really young kids, like elementary school-age, about real things. I think I'm too old now. I don't relate.

We don't have the type of deference to our eldership where we will sit and listen to them. A society has to have that type of construct. Otherwise, our young people miss a very important part of their history. It is very important to listen and to understand what has happened so you know what to do right now, today.

Harris: I'd next like to talk about Leading Below the Line. What I mean by that is that oftentimes we don't know what's going on beneath the surface — for leaders and for their teams — and we have to dive in and find out exactly what's at play in order to make a project or a plan successful.

Beatty: You have to make an effort to find out what's below the line. That's why I got

into politics. That's where all the decisions were being made. That's where the information resides. You have to find a way to put yourself in those situations where you can find out those things.

Since I've retired, I've made a big effort at getting back into the community so I can get below the line and see what's going on in Spartanburg and in South Carolina.

I keep my ears open, but what's going on beneath the surface? It's important to know.

Harris: Did you want to retire when you hit the mandatory age in 2024? Would you have continued if that rule was not in place?

Beatty: No.

Harris: You would have still retired.

Beatty: I would have retired regardless of whether my term ended. There were just too many things going on. I had a big push to keep me there.

Harris: You felt a responsibility.

Beatty: Yes. But at 72, it's time to go. It's time to do something else. I wanted to be more impactful. As a judge you live in an isolated environment, in a bubble. We only deal with certain people in certain environments, so you kind of lose touch with what's going on around you.

Harris: Do you have a hero?

Beatty: I do not, and I'll tell you why.

Growing up, in my household, we were taught to bow down to no man. You kneel to no man, just to Jesus and God. None is to be placed above, so you don't idolize anyone.

If it's not a spiritual thing, I'll probably have to think about my grandmother and my mother, who taught me about the importance of knowledge, reading, education, and understanding things. And my grandmother would read two or three newspapers a day. She didn't have high school; I think she probably got to seventh grade. She died at 94.

Harris: So what question would you ask Chief Justice Judge Don Beatty that I have not asked?

Beatty: Growing up, my daddy used to ask us, every day, "But what did you learn today?" And if you couldn't tell him something you learned today, then he would say you wasted a day.

So I would go to bed every night thinking about what I learned.

Today, though, I'd probably ask myself what I'm going to do with the rest of my life. I guess that will be the question. It's one I have not answered yet.