

# [***South Carolina to hold 2024 congressional elections with map previously ruled unconstitutional***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BNF-0B01-JC5B-G32N-00000-00&context=1516831)

The Associated Press

March 28, 2024 Thursday 6:23 PM GMT

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**Section:** POLITICAL NEWS

**Length:** 632 words

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**Dateline:** COLUMBIA, S.C.

**Body**

COLUMBIA, S.C. — A federal court on Thursday ruled that this year's congressional elections in South Carolina will be held under a map that it had already deemed unconstitutional and discriminatory against Black voters, with time running out ahead of voting deadlines and a lack of a decision on the case by the Supreme Court.

In an order, a panel of three federal judges from South Carolina wrote that “with the primary election procedures rapidly approaching, the appeal before the Supreme Court still pending, and no remedial plan in place, the ideal must bend to the practical.”

South Carolina’s primary elections are June 11, and early voting starts May 28. The deadline for overseas absentee ballots is April 27, ahead of which the judges wrote that it's “plainly impractical” to make changes to the maps.

The case hinges on South Carolina’s 1st Congressional District, currently held by Republican Rep. Nancy Mace. Last year, [*the same three-judge panel*](https://apnews.com/article/politics-south-carolina-state-government-hilton-head-island-charleston-9f48c6c7668b7b9404a7a9335d3a195a) ordered South Carolina to redraw the district, which runs from Charleston to Hilton Head Island, after finding that the state used race as a proxy for partisan affiliation in violation of the equal protection clause of the 14th Amendment to the Constitution.

When Mace first won her election in 2020, she edged out Democratic incumbent Rep. Joe Cunningham — who two years earlier had been the first Democrat to flip a House seat in South Carolina in 30 years — by 1%, under 5,400 votes. In 2022, following redistricting driven by the 2020 census results, Mace won reelection by 14%.

After South Carolina's Legislature, which Republicans lead, redrew the district, civil rights groups swiftly [*filed a lawsuit*](https://apnews.com/article/congress-naacp-south-carolina-lawsuits-house-elections-eb3c5825d5c9582b708a3c7ddffd541d), charging state lawmakers with choosing “perhaps the worst option of the available maps” for Black voters, arguing they had removed Black voters and made it a safer seat for Republicans.

Last year, a three-judge panel — the same that issued Thursday's order — concluded that South Carolina’s Legislature “exiled” 30,000 Democratic-leaning Black voters from the 1st District to help safeguard Mace. The state appealed that ruling, and the Supreme Court heard arguments in October but has yet to issue a decision.

Both the state and the civil rights groups challenging the district had requested a high court decision by January 1 to allow for orderly preparation for the upcoming elections.

At arguments last year, justices appeared inclined to uphold the district and reject the lower court's ruling. The state argued that partisan ***politics***, not race, and a population boom in coastal areas explain the congressional map.

On Thursday, the American Civil Liberties Union, part of the coalition that brought the case on behalf of the NAACP and voter Taiwan Scott, criticized the decision.

“South Carolina’s failure to rectify its racially gerrymandered congressional map blatantly disregards our brave clients’ voices and the rights of Black voters,” said Adriel I. Cepeda Derieux, deputy director for the American Civil Liberties Union’s Voting Rights Project. “By refusing to take meaningful action, the legislature has undermined democracy and further entrenched voter suppression in the state. Rest assured, we will fight on.”

Attorneys for the South Carolina leaders named as defendants did not immediately return messages seeking comment.

The case differs from [*one in Alabama*](https://apnews.com/article/supreme-court-redistricting-alabama-voting-rights-act-114ba2e144d903efc77ad31fe40ee47f) in which the Supreme Court ruled last year that Republican lawmakers diluted Black voters’ political power under the landmark Voting Rights Act by drawing just one district with a majority Black population. Justices' decision led to a new map with a second district where Democratic-leaning Black voters comprise a substantial portion of the electorate.

\_\_\_ Meg Kinnard can be reached at [*http://twitter.com/MegKinnardAP*](http://twitter.com/MegKinnardAP)

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Mark Sherman in Washington contributed.

**Load-Date:** March 28, 2024

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