

# [***Supreme Court allows second majority-Black district in Louisiana over liberal dissents***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6C1P-2PT1-JBSS-S017-00000-00&context=1516831)

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**Body**

(CNN) &#8212; The Supreme Court paused a chaotic legal fight over [*Louisiana's congressional districts*](https://www.cnn.com/2024/05/07/politics/louisiana-map-june-deadline/index.html) in a [*brief order*](https://www.documentcloud.org/documents/24663346-scotus-ruling-on-louisiana-district) Wednesday that will likely allow the state to use a map in this year's election that creates a second majority-Black district and benefits Democrats.

The court's three liberal justices publicly dissented from the decision.

In the short term, the decision allows the state to move forward in this year's election with a map that will make a second of its six districts competitive for Democrats. That could have enormous consequences given the razor-thin majority Republicans have in the US House of Representatives.

Louisiana state Sen. Cleo Fields, a Democrat and former member of Congress running in the new Black-majority district crafted by state lawmakers, said the high court's ruling "was the outcome that was needed for the state."

"The people of Louisiana now know what their congressional lines look like," he told CNN.

On that point, at least, Fields and other Democrats in the state were aligned with Republican officials and a group of Black voters who had asked for the court's intervention. In a statement, Louisiana Attorney General Liz Murrill, a Republican, said that she was grateful the Supreme Court ensured "a stable election season."

Although Black residents make up roughly a third of Louisiana's population, the state currently has just one Black lawmaker - also the lone Democrat - in its current six-member US House delegation.

But the decision may represent something of a pyrrhic victory for voting rights groups who fear the court's justification for allowing the new map could have far-reaching consequences in future redistricting battles.

The ruling will have an impact beyond the Louisiana district, which likelyexplains the vote count, said CNN Supreme Court analyst Steve Vladeck.

"This ruling is a short-term win for Black voters in Louisiana, and, thus, Democrats, but a long-term expansion of a deeply controversial approach to how federal courts handle election-year voting cases - which is a big part of why the justices seem to all have ended up in unpredictable positions here," said Vladeck, a professor at the University of Texas School of Law.

Purcell principle ***politics***

Louisiana officials specifically asked the Supreme Court last week to rely on a legal doctrine [*known as the Purcell principle*](https://www.cnn.com/2020/10/21/politics/purcell-election-supreme-court/index.html), which it sometimes invokes to stay out of last-minute election lawsuits. The majority cited Purcell in its brief order Wednesday but did not otherwise explain its reasoning.

The Supreme Court has never defined what constitutes a "last-minute" election decision that should bar courts from weighing into such disputes. And the court's conservatives have faced blowback in recent years for applying that doctrine in a way critics see as inconsistent.

Louisiana won't hold its congressional primary election until November.

In a [*brief dissent,*](https://www.documentcloud.org/documents/24663346-scotus-ruling-on-louisiana-district) Justice Ketanji Brown Jackson said it was premature for the Supreme Court to intervene in the case. She said that Purcell "has no role to play here."

"Rather than wading in now, I would have let the District Court's remedial process run its course before considering whether our emergency intervention was warranted," Jackson wrote. Jackson, in other words, would have waited for the lower courts or the state Legislature to draw a new map.

"One of the biggest criticisms of Purcell is that it's deeply subjective with regard to how close to an election federal courts should stay their hand," Vladeck said. "Today's ruling only compounds that critique, because it expressly applies it more than five months before an election without any explanation for why. That will make Purcell both broader and more malleable in lower courts going forward."

Case watched for how Supreme Court looks at redistricting and gerrymandering

The new district at issue in the case slashes diagonally from Shreveport in the northwest of the state to Baton Rouge in the southeast for some 250 miles to create a district where Black residents make up some 54% of the district's voters - up from about 24% under the old lines.

The map lawmakers approved carved up the district of Rep. Garret Graves, a Republican who had endorsed Louisiana Gov. Jeff Landry's opponent in last year's gubernatorial primary.

The case has been watched closely by civil rights groups and election experts for its potential national impact. At its most basic level, the proposed map would give Democrats a chance to add a second member to their delegation.

But the fight also implicates deeper and more long-standing controversies that could reach beyond the Bayou State, including how the Supreme Court handles similar redistricting cases and how state mapmakers are supposed to consider race as they eke as much political advantage as they can from the boundaries of each district they draw.

Louisiana came to the Supreme Court caught between two lower court orders. One court said state lawmakers likely violated the Voting Rights Act by drawing only one majority-Black district out of six. A second court found the state's attempt to fix the problem with a second majority-Black district was unconstitutional because lawmakers relied on race in a way that violated the equal protection clause.

The second map was challenged by a group of voters who have identified themselves in court as "non-African American," though the list of plaintiffs includes a number of prominent White Republicans. Those voters argued their "personal dignity" was injured because the new map with two majority-Black districts "racially stigmatizes," "racially stereotypes" and "racially maligns" them.

Caught in the middle was a group of Black voters who felt the new map, while imperfect, was at least better than the one used in the 2022 midterm elections that included only a single majority-Black district. Two years ago, the Supreme Court allowed that map to be used in the midterm even though a lower court said it was likely illegal.

The Black voters and Republican Louisiana officials both urged the Supreme Court to step in and pause the lower court proceedings - arguing the state needed an answer on which map to use by today. But the White voters said there was plenty of time for the state legislature or the lower court to draw a new map.

"Our fight for a fair congressional map has carried on for years," Michael McClanahan, president of the NAACP Louisiana State Conference, said in a statement Wednesday. "Today, we celebrate our communities' opportunity to have a voice in this year's elections, that can lead to the representation we need to make positive change in the years ahead. This is a day for hope."

The attorneys for the voters who challenged the map with the two Black-majority districts said they are confident they ultimately will prevail if the Supreme Court agrees to hear an appeal on the merits of the case.

"The state of Louisiana enacted a brutal racial gerrymander that segregates its voters based on their race," Edward Greim and Paul Hurd said in a joint statement. "As a result, their constituents may well vote in November 2024 districts segregated by race."

This story has been updated with additional details.

By John Fritze and Fredreka Schouten, CNN

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