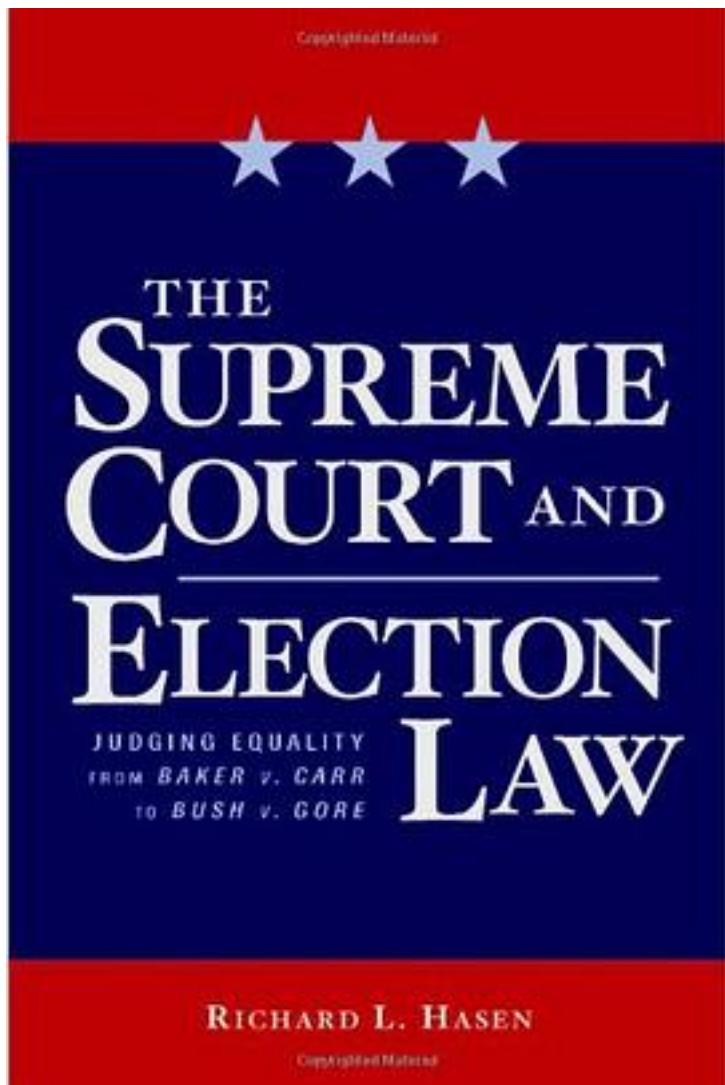


The Supreme Court and Election Law



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In the wake of the 2000 Florida election controversy, many Americans have questioned whether and how the Supreme Court should decide election law disputes. In the first comprehensive study of the issue since the Supreme Court decided *Bush v. Gore*, Richard L. Hasen rethinks the Supreme Court's role in regulating elections. Hasen, drawing on the case files of Supreme Court Justices in the Warren, Burger, and Rehnquist courts, roots the Supreme Court's intervention in political process cases to the 1962 case *Baker v. Carr*, in which the Court first agreed to consider claims that a state legislature had violated the Constitution by failing to draw legislative districts with equal populations. The case opened the courts to a variety of election law disputes, to the point that the courts now control and direct major aspects of the American electoral process. The Supreme Court does have a crucial role to play in protecting a socially constructed "core" of political equality principles, concludes Hasen, but it should leave contested questions of political equality to the political process itself. Under this standard, many of the Court's most important election law cases from *Baker* to *Bush* have been wrongly decided.

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