**Political Science 4525, Election Law and Administration[[1]](#footnote-1)**

**University of Georgia**

**Term:** Spring 2022

**Class Meetings:** MWF, 11:30am-12:20pm, 301 Baldwin Hall

**Professor:** David Cottrell

**Email:** david.cottrell@uga.edu

**Office Hours:** Friday, 3:00pm-4:00pm, 378 Baldwin Hall

Course Description:

This is a special topics course on U.S. election law. Traditionally, a course on election law provides a broad survey of the legal framework that establishes electoral procedure and administration. Given that states across the country are currently engaged in the process of redistricting– a process that occurs once a decade and holds extraordinary political consequence – I’ve decided to instead focus the course solely on the legal and political framework that governs redistricting in the United States. We will do a “deep dive” into the legal history that establishes the rules for redistricting and the restrictions against gerrymandering. And in the process, we will learn the various ways that redistricting can influence elections and potentially undermine democratic outcomes. By the end of the course, students will be able to evaluate the fairness and lawfulness of districting plans.

Course Materials:

You do not need to purchase any book for this course. The assigned readings are of landmark court cases that can be accessed directly from online sources. You can find the links to their online sources in the course agenda.

Course Grades:

**30% Midterm (Friday, Feb 25th):** The midterm will consist of multiple choice and short answer questions regarding the material covered up to the midterm.

**30%** **Final (Monday, May 9th):** The final will consist of multiple choice and short answer questions regarding the material covered throughout the course.

**30%** **GA Map Evaluation Project:** You will join a small group of your classmates to design an alternative map that improves Georgia’s newly enacted Senate districts. Then you and your group will write a report evaluating the fairness and lawfulness of this alternative map as it compared to the enacted one. Your group will present your report to the class on April 27th and 29th.

**10%** **In-class Participation:** In-class discussions are the primary way in which we will engage with the concepts presented in the readings. You are expected to be make substantive contributions to in-class discussions and you will be graded on the quality and frequency of those contributions.

Attendance policy

It is expected that you attend every class. If you are unable to attend a class, for whatever reason, please have a fellow classmate take notes for you. You are still responsible for learning the material covered in the class(es) you missed.

Policy on electronic devices:

Please do not use electronic devices in class unless otherwise instructed

UGA Student Honor Code:

Please adhere to the university’s standards for academic honesty and integrity. Procedures for handling cases of suspected dishonesty, can be found at [www.uga.edu/ovpi](http://www.uga.edu/ovpi).

Course Agenda:

**January 10:** Syllabus and Introduction

* [The U.S. Constitution](https://www.archives.gov/founding-docs/constitution-transcript) (What does it say about the right to vote?)
* [GA Joint Redistricting Informational Video](https://www.youtube.com/watch?v=RXbgkTxXOkQ)

**January 17:** Entering the “Political Thicket” and justiciability

* [Colegrove v. Green](https://tile.loc.gov/storage-services/service/ll/usrep/usrep328/usrep328549/usrep328549.pdf) (1946)
* [Baker v. Carr](https://tile.loc.gov/storage-services/service/ll/usrep/usrep369/usrep369186/usrep369186.pdf) (1962) listen to this More Perfect podcast [here](https://www.wnycstudios.org/podcasts/radiolabmoreperfect/episodes/the-political-thicket)
* [Gray v. Sanders](https://tile.loc.gov/storage-services/service/ll/usrep/usrep372/usrep372368/usrep372368.pdf) (1963)

**January 24:** One Person, One Vote and the Reapportionment Revolution

* [Wesberry v. Sanders](https://tile.loc.gov/storage-services/service/ll/usrep/usrep376/usrep376001/usrep376001.pdf) (1964)
* [Reynolds v. Sims](https://tile.loc.gov/storage-services/service/ll/usrep/usrep377/usrep377533/usrep377533.pdf) (1964)
* [Harper v. Virginia State Board of Elections](https://tile.loc.gov/storage-services/service/ll/usrep/usrep383/usrep383663/usrep383663.pdf) (1966)

**January 31:** Malapportionment and Legislative Districting

* [Gaffney v Cummings](https://tile.loc.gov/storage-services/service/ll/usrep/usrep412/usrep412735/usrep412735.pdf) (1973)
* [Karcher v. Daggett](https://tile.loc.gov/storage-services/service/ll/usrep/usrep462/usrep462725/usrep462725.pdf) (1983)
* [Evenwel v Texas](https://www.oyez.org/cases/2015/14-940) (2016) (Read about the Census citizenship question [here](https://www.nytimes.com/2019/06/22/upshot/america-who-deserves-representation.html) and [here](https://fivethirtyeight.com/features/there-is-more-at-stake-in-the-censuss-citizenship-question-than-response-rates/))

**February 7:** Racial Gerrymandering and the Constitution

* [Shaw v. Reno](https://tile.loc.gov/storage-services/service/ll/usrep/usrep509/usrep509630/usrep509630.pdf) (1993)
* [Miller v. Johnson](https://tile.loc.gov/storage-services/service/ll/usrep/usrep515/usrep515900/usrep515900.pdf) (1995)
* [Bush v. Vera](https://tile.loc.gov/storage-services/service/ll/usrep/usrep517/usrep517952/usrep517952.pdf) (1996)

**February 14:** Partisan Gerrymandering and the Constitution

* [Davis v. Bandemer](https://tile.loc.gov/storage-services/service/ll/usrep/usrep478/usrep478109/usrep478109.pdf) (1986)
* [Vieth v. Jubelirer](https://tile.loc.gov/storage-services/service/ll/usrep/usrep541/usrep541267/usrep541267.pdf) (2004)
* [Gill v. Whitford](https://supreme.justia.com/cases/federal/us/585/16-1161/case.pdf) (2018)
* [Rucho v. Common Cause](https://supreme.justia.com/cases/federal/us/588/18-422/case.pdf) (2019)

**February 21:** Future Limitations on Partisan Gerrymandering

* [Cox v. Larios](https://casetext.com/case/larios-v-cox-3) (2004)
* [Arizona State Legislature v. Arizona. Independent Redistricting Commission](https://supreme.justia.com/cases/federal/us/576/13-1314/case.pdf) (2015)
* [League of Women Voters of Pennsylvania v. Commonwealth of Pennsylvania](https://www.pacourts.us/Storage/media/pdfs/20211215/172052-feb.7%2C2018-majorityopinion.pdf) (2018)

**February 28:** Midterm Review (Midterm on March 4th)

**March 5-13:** Spring Break/Instruction suspended

**March 14:** Voting Rights Act, Section 5

* [Allen v. State Board of Elections](https://tile.loc.gov/storage-services/service/ll/usrep/usrep393/usrep393544/usrep393544.pdf) (1969)
* [Beer v. United States](https://tile.loc.gov/storage-services/service/ll/usrep/usrep425/usrep425130/usrep425130.pdf) (1976)
* [Georgia v. Ashcroft](https://tile.loc.gov/storage-services/service/ll/usrep/usrep539/usrep539461/usrep539461.pdf) (2003)
* [Shelby County v. Holder](https://tile.loc.gov/storage-services/service/ll/usrep/usrep570/usrep570529/usrep570529.pdf) (2013)

**March 21:** Voting Rights Act, Section 2

* [Thornburg v. Gingles](https://tile.loc.gov/storage-services/service/ll/usrep/usrep478/usrep478030/usrep478030.pdf) (1986)
* [Holder v. Hall](https://tile.loc.gov/storage-services/service/ll/usrep/usrep512/usrep512874/usrep512874.pdf) (1994)
* [Johnson v. DeGrandy](https://tile.loc.gov/storage-services/service/ll/usrep/usrep512/usrep512997/usrep512997.pdf) (1994)

**March 28:** Voting Rights Act, Section 2 (cont.)

* [League of United Latin American Citizens v. Perry](https://tile.loc.gov/storage-services/service/ll/usrep/usrep548/usrep548399/usrep548399.pdf) (2006)
* [Bartlett v. Strickland](https://tile.loc.gov/storage-services/service/ll/usrep/usrep556/usrep556001/usrep556001.pdf) (2009)
* [Cooper v. Harris](https://supreme.justia.com/cases/federal/us/581/15-1262/case.pdf) (2017)

**April 4: GA Map Evaluation Project**

* [2021-2022 Senate Reapportionment Committee Guidelines](https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2021-senate-redistricting-committee-guidelines.pdf)
* [2021-2022 House Reapportionment Committee Guidelines](https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2021-2022-house-reapportionment-committee-guidelines.pdf)

**April 27,29: Present Map Proposals**

**May 2:** **Final Review**

**May 9 @ noon**: Final

1. The course syllabus is a general plan for the course; deviations announced to the class by the instructor may be necessary. [↑](#footnote-ref-1)