

DEVELOPMENTS IN THE LAW  
VOTING AND DEMOCRACY

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*“Undoubtedly, the right of suffrage is a fundamental matter in a free and democratic society.”*

Reynolds v. Sims, 377 U.S. 533, 561–62 (1964).

*“A generation ago, the existence of insidious poll taxes and other forms of voter intimidation represented a real threat to local democracy. But those problems have receded, only to be replaced by old-fashioned ballot rigging. . . . Surely the right to vote includes an equal right not to have that ballot diluted by phantom or manipulated voters . . . .”*

John H. Fund, *Phantom Voters May Have Real Impact at Polls*, WALL ST. J., Oct. 23, 2000, at A38.

*“The right to vote is protected in more than the initial allocation of the franchise. Equal protection applies as well to the manner of its exercise.”*

Bush v. Gore, 531 U.S. 98, 104 (2000).

*“In the United States, the principle of universal suffrage now lies in tatters. It’s time to catch up with new democratic constitutions abroad, where the citizenries have been more faithful to the spirit of our civilizing movements than we have been ourselves.”*

JAMIN B. RASKIN, *OVERRULING DEMOCRACY: THE SUPREME COURT VS. THE AMERICAN PEOPLE* 43 (2003).

*“This is the Age of Democracy.”*

Richard H. Pildes, *The Supreme Court, 2003 Term—Foreword: The Constitutionalization of Democratic Politics*, 118 HARV. L. REV. 28, 29 (2004).

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