PREFACE TO THE FIFTH EDITION

For this Fifth Edition, the original three authors are thrilled to be adding our first new co-author to the casebook since the First Edition was published in 1998. Professor Nathaniel Persily of Stanford Law School has joined us for this Fifth Edition and played a major role in some of the changes reflected in it. We look forward to years of happy collaboration with Nate.

The law of democracy remains a vibrant field, and the Fifth Edition reflects that dynamism. The most significant changes in this edition respond to issues that have come to dominate the law of politics in recent years. Our treatment of campaign finance has been significantly enhanced. This is a subject that has never been easy to present in casebook form, given the complexity of the regulatory issues, the ever-shifting positions reflected in the Supreme Court caselaw, and the fluid dynamics of campaigns and their financing. We have reorganized and expanded the materials in Chapter 5 to cover this increasingly dominant subject. We have included more background material to help students appreciate the various critical actors in the system, and for casebook users who have clamored for years for the inclusion of the actual decision in *Buckley v. Valeo*, your wish has been granted. We have also organized the materials a bit more conceptually, so that the early parts of the Chapter focus on “corruption” and the expenditure/contribution divide, while the later portions of the chapter focus on key organizational entities, such as political parties and corporations. In addition, we have expanded our coverage of SuperPACs and other contemporary financing vehicles; added new material on lobbying and the boundary between crime and ordinary democratic politics; and enhanced our coverage of disclosure, as that issue has taken on greater importance and become more controversial.

While our coverage of campaign finance has expanded, we have condensed some of our coverage of the Voting Rights Act and related issues. We have compressed the four chapters in the Fourth Edition that dealt with qualitative vote-dilution claims into two chapters in the new edition. We have integrated the racial and partisan vote dilution issues in a new approach; a new Chapter 6 now presents the constitutional vote dilution issues first in the race context and then in the partisan gerrymandering context. Chapter 7 is devoted exclusively to the Voting Rights Act. We have shortened the legislative history of Section 2, and tightened our coverage of Section 2 vote-dilution claims, while adding coverage of Section 2 vote-denial claims. In the wake of the Supreme Court’s decision in *Shelby County v. Holder*, we have streamlined significantly our coverage of the preclearance regime of Section 5, while preserving the core issues that continue to have current implications.

There are changes to every chapter, of course, that reflect an updating of the materials, an effort to shift the focus where needed to more current issues, and our best effort to cut material judiciously from
prior editions to keep the book as concise as possible, even as we add new material to reflect the directions of current law, politics, and controversy. It is not easy letting go of rich material that was compelling at the time of prior editions but which seems a bit dated now as the field has continued to evolve.

For this edition, we are pleased to add to the long list of students who have contributed to the book over the years Michael Francus, Theodore Galankis, Jacob Hansen, Russell Rennie, Jordan Rux, Max Selver, Charles Straut, and Courtney Weismann.

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