

Gordon D. Ballingrud

CONTACT INFORMATION

Department of Political Science
University of Georgia
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EDUCATION

Ph.D., Political Science, University of Georgia,
May 2018 (expected)

Dissertation: *The Threat of Non-Implementation and the Behavior of the Supreme Court: Empirical and Normative Assessments of Voting Behavior and Majority Opinion Construction.*

Committee: Susan Haire (chair), Christina Boyd, Sean Ingham & Richard Vining.

Abstract: A growing literature on the separation of powers focuses on the Supreme Court's anticipation of implementation problems in a subset of cases called lateral, those that require executive action to take effect. This topic still lacks a justice-centered analysis, use of ideological distance as an explanatory variable, and focus on the discretion that the justices have to vote their sincere preferences, in addition to merits outcomes. The construction of majority opinions has been the subject of scientific inquiry, but not yet in situations in which the Court fears that its cases may not be implemented faithfully. Finally, the subject of judicial behavior in lateral cases lacks a full theoretical structure explaining the relationship between the Court and the President. This project supplements the literature on this important topic by developing and testing competing theories of judicial behavior in lateral cases.

Field Exams: American Politics (major field); Political Theory (secondary field)

M.A., Religious Studies, Duke University, May 2012.

B.A., Religious Studies, Davidson College, May 2008.

PUBLISHED WORKS

“Coalitional Instability and the Three-Fifths Compromise”
with Keith Dougherty.
American Journal of Political Science. Forthcoming, 2017.

“Public Reason as Highest Law.”
Law and Philosophy. Forthcoming, 2017.
This paper is available online at this [link](#).

HONORS & AWARDS

Departmental Scholarship, Duke University, 2010
Foreign Language and Area Studies Fellowship, Summer 2011
Scholar of Excellence Fellowship, University of Georgia, 2013

RESEARCH & TEACHING INTERESTS

Research: Judicial Politics; Judicial Behavior and Decision-making, Public law, American political institutions; Judicial review and independence, Separation of powers, Constitutional law. Theories of social and distributive justice, Philosophy of law, Democratic theory.

Teaching: Supreme Court behavior; Constitutional law; research methods; modern political theory; game theory; American political history; American political institutions.

COURSES TAUGHT

POLS 4040: American Political Thought. University of Georgia, Fall 2017.

This undergraduate course introduces students to the major themes in American political theory, practice, and philosophy. Students compose two research papers and complete a final exam to test their familiarity with the major works of American politicians and theorists, and the major sources that inspired the American system. Students become acquainted with the writings of Lincoln, Steven Douglas, Frederick Douglass, and John F. Kennedy, in addition to Rawls, Nozick, Berlin, Pettit, Montesquieu, and the Federalist and Anti-Federalist Papers.

OTHER TEACHING EXPERIENCE

Teaching Assistant, *POLS 1101: Introduction to American Government*, taught by Dr. Alexa Bankert. University of Georgia, Fall 2016.

Teaching Assistant, *POLS 3000: Introduction to Political Theory*, taught by Dr. Sean Ingham. University of Georgia, Fall 2015.

WORKING PAPERS

“Constraint at the Ideological Extremes: Ideology and Legal Regimes.” with David Hughes.
This essay examines the effect of legal regimes on Supreme Court decision-making at the ideological extremes. We hypothesize that legal regimes may best be conceptualized as tools that focus judicial preferences rather than constrain them.

We find that the effect of legal regimes is conditional on the ideological extremity of the justices.

“Executive Effects on Ideology and Voting in the U.S. Supreme Court.”

This paper studies the effect of ideological separation between the President and the justices on the justices’ voting behavior in lateral cases.

“Judicial Review and Democracy as Distribution of Power.”

This essay describes democracy as a political situation in which the power to resolve questions of common concern is evenly distributed among the members of a polity. I then assess the democratic character of judicial review in this context.

“U.S. Supreme Court Opinion Construction in Lateral Cases.”

I describe the effect of ideological distance between the President and the justices on majority opinion construction in lateral cases.

“Shielding with Legal Regimes: How the Supreme Court Protects Itself from Non-Implementation with the Law.”

This study focuses on how the Court may protect itself from the threats of non-implementation that attend ideological separation between the President and the justices. I propose that when conditions favor Presidential disobedience, the justices may ground their decisions in constitutional regimes to increase the costs of noncompliance for the executive branch.

“Constitutional Moments and Integrity: Reciprocity in Rawls, Dworkin, and Ackerman.”

In this essay, I adopt a Dworkinian methodology: to work up a theory of the American legal enterprise to describe the concept of reciprocity as a fundamental legal value. I interpret legal and philosophical arguments from Rawls, Ackerman, and others in light of the fundamental character of reciprocity, and examine how these arguments and constitutional laws represent, or fail to represent, the criterion of reciprocity.

RESEARCH AND
PROFESSIONAL
EXPERIENCE

Assistant to Dr. Audrey Haynes: Gathering data on the informal and formal announcement dates of Presidential candidates of both major and third parties. Fall 2013 & Spring 2014.

Assistant to Dr. Sean Ingham: Fall 2013; Spring 2014; Fall 2015; Fall 2016.

Assistant to Dr. Christina Boyd: Gathered data on opinion authorship on the U.S. Courts of Appeals. Summer 2014.

Assistant to Dr. Robert Grafstein: Fall 2014 & Fall 2017.

Assistant to Dr. Jamie Carson: Gathered data on pre-modern House members and their opponents for office. Fall 2014.

Assistant to Dr. Keith Dougherty: Analysis, writing, and data gathering for our co-authored paper to be published in the *AJPS* in 2017. Fall 2015 & Spring 2016.

Assistant to Dr. Alexander Kaufman: Worked on my paper published in *Law and Philosophy*. Fall 2016 & Fall 2017.

Assistant to Dr. Scott Ainsworth: Tracked lobbying activity and lobbyist characteristics in the 21st century. Spring 2016.

Assistant to Dr. Charles Bullock: Gathered demographic and professional data federal and state judicial nominees.

American Founding Group
Interdepartmental Study Organization
Student Coordinator (2014 – 2016)

CONFERENCE PAPERS

“Constraint at the Ideological Extremes: Testing Attitudes and Legal Regimes.” With David Hughes. Presented at the 2015 annual meeting of the Midwest Political Science Association.

“Public Reason as Higher Law.” Presented at the 2015 annual meeting of the Midwest Political Science Association.

“Coalitional Stability: Apportioning the Legislature at the U.S. Constitutional Convention.” With Keith Dougherty. Presented at the 2016 annual meeting of the Midwest Political Science Association.

“Executive Effects on Ideology and Voting in the U.S. Supreme Court.” Presented at the 2016 annual meeting of the Midwest Political Science Association.

“Implementation and the Court.” Presented at the 2017 annual meeting of the Midwest Political Science Association.

“Judicial Review and Democracy as Distribution of Power.” Presented at the 2017 annual meeting of the Midwest Political Science Association.

“Judicial Review and Democracy as Distribution of Power.” A revised version of the paper presented at MPSA in the spring. Presented at the 2017 annual meeting of the American Political Science Association.

**SOFTWARE
PROFICIENCY**

R, Stata, JAGS and WinBUGS, LIWC, L^AT_EX

**LANGUAGE
PROFICIENCY**

Spanish, Arabic, French (some)

**PROFESSIONAL
MEMBERSHIPS**

American Political Science Association.
Midwest Political Science Association.
Southern Political Science Association

REFERENCES

Susan Haire
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Department of Political Science
University of Georgia
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