

Kevin J. McMahon

John R. Reitemeyer Professor of Political Science
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EDUCATION:

Ph.D. in Politics
Brandeis University, May 1997

B.A. in Economics & Political Science
State University of New York, Potsdam, May 1988

PUBLICATIONS:

Single-Authored Books

Nixon's Court: His Challenge to Judicial Liberalism and Its Political Consequences, University of Chicago Press, 2011.

- **2014 Winner of the Supreme Court Historical Society's Erwin N. Griswold Prize for outstanding book on Supreme Court History**

“The Society awards the Erwin N. Griswold Prize on an occasional basis when a book about the history of the Supreme Court is published that is considered sufficiently noteworthy to merit that degree of recognition.” First awarded in 1992, the Society has selected a book *ever four years* on average for this honor.

- **Selected as a 2012 *CHOICE* Outstanding Academic Title**

Reconsidering Roosevelt on Race: How the Presidency Paved the Road to Brown, University of Chicago Press, 2004.

- **Winner of the American Political Science Association's Richard E. Neustadt Award for the best book on the American presidency published in 2004.**

Co-authored/Co-edited Books

Winning the White House, 2008, Palgrave Macmillan, 2009, co-authored with David M. Rankin, Donald W. Beachler, and John Kenneth White.

Winning the White House, 2004: Region by Region, Vote by Vote, Palgrave Macmillan, 2005, co-authored with David M. Rankin, Donald W. Beachler, and John Kenneth White.

Transformed by Crisis: The Presidency of George W. Bush and American Politics, Palgrave Macmillan, 2004 (2007 paperback), co-edited with Jon Kraus and David M. Rankin.

Journal Articles and Book Chapters

“Will the Court Still ‘Seldom Stray Very Far’? Regime Politics in a Polarized America,” *Chicago-Kent Law Review*, vol. 93, no. 2, 2018, 343-371.

“‘The Supreme Court: It’s What It’s All About’... Or Was It? Analyzing the Court Issue in the 2016 Presidential Election,” *Conventional Wisdom, Parties, and Broken Barriers in the 2016 Election*, edited by Jennifer C. Lucas, Christopher J. Galdieri, & Tauna S. Sisco, Lexington Books, 2018, 41-60.

“Why *Roe* Still Stands: Abortion Law, the Supreme Court, and the Republican Regime,” co-authored with Thomas M. Keck, *Studies in Law, Politics, and Society*, vol. 70, 2016, 33-83.

“Confirming Chiefs: Ideology, Opportunity, and the Court’s Center Chair,” in *The Chief Justice: Appointment and Influence*, edited by David J. Danelski and Artemus Ward, University of Michigan Press, 2016, 120-144.

“Absolutism and Democracy: Justice Hugo L. Black’s Free Speech Jurisprudence,” co-authored with Michael Paris, in *Judging Free Speech: First Amendment Jurisprudence of US Supreme Court Justices*, edited by Helen Knowles and Steven Lichtman, Palgrave, 2015, 75-97.

“Obama in the Northeast: Race and Electoral Politics in America’s Bluest Region,” in *Barack Obama and the Myth of a Post-Racial America*, edited by Mark Ledwidge, Keven Verney, and Inderjeet Parmar, Routledge, 2014, 65-79.

“A Polarizing Court? Analyzing Judicial Decisions in a Red/Blue America,” in *Politics to the Extreme: American Political Institutions in the Twenty-First Century*, edited by Scott Frisch and Sean Kelly, Palgrave Macmillan, 2013, 161-184.

“Explaining the Selection and Rejection of Harriet Miers: George W. Bush, Political Symbolism, and the Highpoint of Conservatism,” *American Review of Politics*, vol. 29, Fall 2008, 253-270.

“Presidents, Political Regimes, and Contentious Supreme Court Nominations: A Historical Institutional Model,” *Law & Social Inquiry*, vol. 32, no. 4, Fall 2007, 919-954.

“Democratic Politics and Constitutional Creation: The Paradoxes of Presidential Policy toward the Judiciary,” in *Executing the Constitution: Putting the President Back into the Constitution*, edited by Chris Kelley, State University of New York Press, 2006, 181-197.

“Notwithstanding the Notwithstanding Clause: Political Regimes and Constitutional Politics in the U.S. and Canada,” *Canadian Foreign Policy*, vol. 12, no. 3, Winter 2006, 45-52.

“Judicial Confessions: John F. Kerry, Catholics, and the Supreme Court,” *The Forum: A Journal of Applied Research in Contemporary Politics*, vol. 2, no. 3, October 2004, 49-62.

“Crisis and the Pursuit of Conservatism: Liberty, Security, and the Bush Justice Department,” in *Transformed by Crisis: The Presidency of George W. Bush and American Politics*, edited by Jon Kraus, Kevin J. McMahon, and David M. Rankin, Palgrave Macmillan, 2004, 119-140.

“The Challenges Ahead: George W. Bush and the 2004 Election,” co-authored with David M. Rankin, in *Transformed by Crisis: The Presidency of George W. Bush and American Politics*, edited by Jon Kraus, Kevin J. McMahon, and David M. Rankin, Palgrave Macmillan, 2004, 199-207.

“Constitutional Vision and Supreme Court Decisions: Reconsidering Roosevelt on Race,” *Studies in American Political Development*, vol. 14, no. 1, Spring 2000, 20-50.

“The Politics of Rights Revisited: Rosenberg, McCann, and the New Institutionalism,” coauthored with Michael Paris, in *Leveraging the Law: Using the Courts to Achieve Social Change*, edited by David Schultz, Peter Lang, 1998, 63-134.

Review Essays

“The Justices Decide: Analyzing Attitudes, Politics, and the Law,” *Tulsa Law Review*, vol. 48, no. 2, Winter 2012, 265-274.

“You Can’t Go Home Again: Democratic Presidents and Dixie,” *Reviews in American History*, vol. 35, no. 1, March 2007, 111-117.

Book Reviews

George Thomas, *The (Un)Written Constitution*, Oxford University Press, 2021, *Perspectives on Politics*, forthcoming in 2022.

Stephen M. Feldman, *Pack the Court! A Defense of Supreme Court Expansion*, Temple University Press, 2021, *Political Science Quarterly*, forthcoming in 2022.

Eric Schickler, *Racial Realignment: The Transformation of American Liberalism, 1932-1965*, Princeton University Press, *The American Historical Review*, June 2017, 865-866.

Jeffrey D. Hockett, *A Storm Over This Court: Law, Politics, and Supreme Court Decision Making in Brown v. Board of Education*, University of Virginia Press, 2013, *The Register of the Kentucky Historical Society*, Winter 2015, 140-143.

Pamela Brandwein, *Rethinking the Judicial Settlement of Reconstruction*, Cambridge University Press, 2011, *Perspectives on Politics*, September 2012, 817-18.

Jeff Shesol, *Supreme Power: Franklin Roosevelt vs. The Supreme Court*, W.W. Norton & Company, 2010, *Journal of American History*, June 2011, 240-241.

Brent J. Aucoin, *A Rift in the Clouds: Race and the Southern Federal Judiciary, 1900–1910*, University of Arkansas Press, 2007, *Journal of American History*, September 2008, 565-566.

Charles T. Clotfelter, *After Brown: The Rise and Retreat of School Desegregation*, Princeton University Press, 2004, 2006, *Perspectives on Politics*, vol. 5, no. 1, March 2007, 167-169.

William M. Wiecek, *The History of the Supreme Court, Volume XI: The Birth of the Modern Constitution: The United States Supreme Court, 1941-1953*, Cambridge University Press, 2006, *H-Law Reviews*, October 2006, 3 pgs.

Stephen K. Shaw, William D. Pederson, and Frank J. Williams, eds., *Franklin D. Roosevelt and the Transformation of the Supreme Court*, M.E. Sharpe, 2004, *The Historian*, vol. 67, no. 3, Fall 2005, 542-543.

Michael Comiskey, *Seeking Justices: The Judging of Supreme Court Nominees*, University Press of Kansas, 2004, *Law and Politics Book Review*, vol. 15, no. 5, May 2005, 389-394.

Earl M. Maltz, ed. *Rehnquist Justice: Understanding the Court Dynamic*, University Press of Kansas, 2003, *Political Science Quarterly*, vol. 118, no. 4, Winter 2003-04, 700-701.

Michael R. Gardner, *Harry Truman and Civil Rights: Moral Courage and Political Risks*, Southern Illinois University Press, 2002, *Political Science Quarterly*, vol. 117, no. 3, Fall 2002, 535-536.

Encyclopedia Essays

“Court-packing,” in *The Encyclopedia of the Supreme Court of the United States*, editor-in-chief, David S. Tanenhaus, Macmillan Reference USA, vol. 1, 2008, 454-456.

“Political Foundations of Judicial Power,” in *The Encyclopedia of the Supreme Court of the United States*, editor-in-chief, David S. Tanenhaus, Macmillan Reference USA, vol. 4, 2008, 60-63.

“Roosevelt, Franklin D.” in *The Encyclopedia of the Supreme Court of the United States*, editor-in-chief, David S. Tanenhaus, Macmillan Reference USA, vol. 4, 2008, 285-288.

“President and Civil Liberties,” in *Encyclopedia of Civil Liberties in America*, edited by David Schultz and John R. Vile, Armonk, NY: M.E. Sharpe, 2005, 737-739.

Recent Op-Eds

“5 Justices, All Confirmed by Senators Representing a Minority of Voters, Appear Willing to Overturn *Roe v. Wade*,” *The Conversation*, May 10, 2021. This is an updated version of an article originally published on July 7, 2018 entitled “Is the Supreme Court’s Legitimacy Undermined in a Polarized Age.”

“Justice Kavanaugh: What to Expect,” *CNN Opinion*, October 8, 2018.

HONORS, AWARDS & GRANTS:

- Selected as a participant in the Council of Independent College’s and the Gilder Lehrman Institute of American History’s 2017 seminar on “The 20th Century Presidency.”
- 2014 Erwin N. Griswold Prize (*Nixon’s Court*). Awarded approximately every four years by the Supreme Court Historical Society for outstanding book on Supreme Court History. The prize included \$5,000 award and a lecture at the Supreme Court of the United States.
- Choice Magazine: 2012 CHOICE Outstanding Academic Title (*Nixon’s Court*).
- Charles A. Dana Research Associate Professorship. Awarded by Trinity College in 2011
- 2010 Founders’ Award. Awarded by the American Political Science Association’s Presidency Research Group for the best paper presented at the previous year’s APSA annual meeting (for “Richard Nixon, the Supreme Court, and the Politics of Desegregation in the Urban North”).
- Faculty Enrichment Grant, International Council for Canadian Studies, awarded \$4,750, 2008
- National Endowment for the Humanities Summer Research Stipend, awarded \$5,000, 2007
- Fulbright Distinguished Research Chair in Canada-U.S. Relations, University of Montreal, 2006
- 2005 Richard E. Neustadt Award (*Reconsidering Roosevelt on Race*). Awarded by the American Political Science Association’s Presidency Research Group for the best book published on the American presidency in 2004.
- 2005 William T. Hagan Young Scholar Award. Awarded to the top scholar (at the rank of assistant or associate) at the State University of New York (SUNY), Fredonia.
- Fellow, CONNECT (a Canadian Studies Initiative), July 2004
- Research Grants, United University Professors (UUP) Professional Development Committee, SUNY, Fredonia, 2003 & 2004
- SUNY “Conversations in the Discipline,” Project collaborator on grant to fund the conference, “A Presidency Transformed by Crisis—The Second Bush Administration,” October 2002
- Fellow, Supreme Court Historical Society, Summer 2001
- Research Grants, Scholarly Incentive Rewards Program, SUNY, Fredonia, 2000 & 2002
- Research Assistance Grant, Dana Intern Program, Ithaca College, Summer 1999
- Research Grants, Ithaca College, 1998 & 1999
- Grant (co-author) from The National Endowment for Democracy for \$35,000 for the creation of The Society for a Free and Responsible Press, Yekaterinburg, Russia, 1995
- Research Grant, Franklin and Eleanor Roosevelt Institute for dissertation research
- Research Grant, Gordon Public Policy Center for dissertation research
- Fellowship, Gordon Public Policy Center for graduate studies Brandeis University
- Departmental Scholar, Economics and Political Science, SUNY, Potsdam

ACADEMIC & ADMINISTRATIVE POSITIONS:

Trinity College: John R. Reitemeyer Professor of Political Science, 2012-present; Chair of the Political Science Department, 2008-2011 & 2022-present; Director of the Graduate Program in Public Policy, 2017-present; Co-director of the Academy of Lifelong Learning. 2020-present; John R. Reitemeyer Associate Professor, 2008-2012; Associate Professor, 2006-08; Assistant Professor, 2005-06.

State University of New York, Fredonia: Associate Professor, 2003-05; Legal Studies Coordinator, 2002-05; Assistant Professor, 1999-03.

Ithaca College: Visiting Assistant Professor, 1997-99

Ural State University and Kuban State University: Visiting Professor with the Civic Education Project (Yale University)—the “academic Peace Corps”—in Yekaterinburg, Russia (1994-95) and Krasnodar, Russia (1995-96).

Harvard University: Teaching Fellow and Thesis Advisor, Department of Government, 1992-94 & 1996-97.

INVITED LECTURES:

- Center for the Study of Canada, State University of New York, Plattsburgh
- University of Connecticut, Department of Political Science
- Chautauqua Institution, Heritage Lecture Series
- State University of New York, Potsdam, Pratt Colloquium
- The Supreme Court of the United States (upon receiving the Griswold Prize)
- College of Staten Island, City University of New York, Law Lecture Series
- New York Historical Society & the Four Freedoms Park Conservancy
- State University of New York, Fredonia, Constitution Day Lecture
- Princeton University, Department of Politics
- Connecticut Superior Court Judges Group
- Boston Area Public Law Group
- Syracuse University, Campbell Public Affairs Institute at the Maxwell School
- Brooklyn College, Department of History
- Teaching American History Project
- University of Chicago Law School, Thurgood Marshall Lectures
- Department of Political Science, University of Nebraska, Omaha
- Center for International Studies, University of Montreal
- Roosevelt Reading Festival II, FDR Presidential Library
- The Baldy Center, University of Buffalo Law School
- Allegheny College, Department of Political Science
- Robert H. Jackson Center

PROFESSIONAL SERVICE:

Professional Associations:

- President of the New England Political Science Association (2021-2022)
- Member of the Executive Council for the New England Political Science Association (2020-2024)
- Member of the Board of Directors for the Connecticut Supreme Court Historical Society (2020-2023)
- Secretary for the American Political Science Association’s Section on Law and Courts (2011-2013)
- Member of the Executive Council for the New England Political Science Association (2010-2012)
- Member of the Executive Board for the American Political Science Association’s Presidency Research Section (2008-2011)
- Member of the Editorial Board for the American Political Science Association’s Law and Courts Section’s Newsletter (2007-2010)
- Section Chair, “Politics and History,” New England Political Science Association Annual Meeting (2006-07)
- Member of the Executive Board and “Judicial Process and Law” Section Chair, New York State Political Science Association (2002-2004)

Manuscript Reviewer:

- *American Political Science Review*
- CQ Press
- *Journal of Law and Courts*
- *Journal of Politics*
- *Journal of Southern History*
- *Justice System Journal*
- *Law & Social Inquiry*
- *Law & Society Review*
- Oxford University Press
- Palgrave Macmillan
- *Perspectives on Politics*
- *Political Research Quarterly*
- *Political Science Quarterly*
- *Political Studies*
- *Polity*
- Princeton University Press
- State University of New York Press
- *Studies in American Political Development*
- University Press of Kansas
- Yale University Press

RECENT CONFERENCE PAPERS:

- 2022 “Supreme Court Nominees & the Redefinition of Quality: How the Attempt to Eliminate Ideological Drift Stifled Presidential Choice,” Law & Society Association’s Annual Meeting.
- 2021 “The Cookie-Cutter Court: The Rise of Judicial Sameness and the Supreme Elite,” at the New England Political Science Association Annual Meeting.
- 2021 “Constitutional Politics on the Ballot: Donald Trump and the Never-ending Promise of a Conservative Court,” American Elections Conference, Saint Anselm’s College.
- 2019 “The Politics of Choosing and Confirming Justices in the Divided Government Era,” New England Political Science Association Annual Meeting.
- 2019 “The ‘Kavanaugh Effect’ on the Campaign Trial: A Contentious Confirmation & the Senate Elections of 2018,” American Elections Conference, Saint Anselm’s College.
- 2018 “Erecting an Ethnic Enclave: How Law and Politics Constricted the Early Assimilation of Irish Catholics in America,” Law & Society Association’s Annual Meeting.
- 2018 “Contentious Justice: Supreme Court Nominations and Confirmations in a Polarized America,” New England Political Science Association Annual Meeting.
- 2017 *Invited Paper*, “Will the Court Still ‘Seldom Stray Very Far’? Regime Politics in a Polarized America,” Symposium on “The Supreme Court and American Politics,” Chicago-Kent College of Law.
- 2017 “Contemplating a Trump Court: Conservative Hopes, Liberal Fears,” Transatlantic Studies Association Annual Meeting.
- 2017 “Dispatches from Trumplandia: An Unprecedented Presidency & the Shaping of Law in America,” New England Political Science Association Annual Meeting.

- 2017 “‘The Supreme Court: It’s What It’s All About’ ... Or Was It? Analyzing the Role of the Supreme Court in Donald Trump Victory,” American Elections Conference, Saint Anselm’s College.
- 2016 “The Early Ascent of Irish Americans in US Politics: The Complex Career of John Morrissey,” Transatlantic Studies Association Annual Meeting.
- 2016 “Judicial Decisions and Everyday Life,” Law & Society Association’s Annual Meeting.
- 2016 “From Ethnic Enclaves to National Power: The Political Rise of American Catholics,” New England Political Science Association’s Annual Meeting.