

## HANS J. HACKER

Department of Political Science  
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### EDUCATION

Ph.D., The Ohio State University, 2000.  
Major: American Politics  
Minor: Political Philosophy & Epistemology  
M.A., Political Science, The Ohio State University, 1994.  
B.A., Music, University of North Texas, 1988.

### PUBLICATIONS

#### Refereed Publications:

- Blake, William D. and Hans J. Hacker. "The Brooding Spirit of the Law: Justices Reading Dissents from the Bench." *The Justice System Journal*. Accepted for publication in the May, 2010, vol. 31:1.
- Hacker, Hans J. "Democracies' Guardian Genius: Pragmatism and liberal discourse in public policy." *International Journal of Organizational Theory & Behavior*. Vol. 12, No. 4, November, 2009.
- Hacker, Hans J. and William D. Blake. "The Neutrality Principle: The Hidden yet Powerful Legal Axiom at Work in *Brown versus Board of Education*." *The African American Law and Policy Report*, University of California at Berkeley, Boalt Hall School of Law. (May, 2006).
- C.F. Abel and Hans J. Hacker, "Local Compliance with Supreme Court Decisions: Making Space for Religious Expression in Public Schools." *Journal of Church and State* (May, 2006).
- Hacker, Hans J. *The Culture of Conservative Christian Litigation*. Lanham, MD: Rowman & Littlefield Publishers, 2005.

Hacker, Hans J. "Defending the Faithful: Conservative Christian Litigators, the First Amendment and the Equal Access Argument." In *The Interest Group Connection*, edited by Paul S. Herrnson, Ronald G. Shaiko and Clyde Wilcox. 2<sup>nd</sup> ed. Washington, DC: Congressional Quarterly Press, 2005.

### **Book Reviews:**

*Faith on Trial: Communities of Faith, the First Amendment and the Theory of Deep Diversity*, by David E. Guinn. Georgetown University Press, 2000. Published in the *Law & Politics Book Review*: <http://www.bsos.umd.edu/gvpt/lpbr/subpages/reviews/guinn-david.htm>.

*The Clinton Scandal and the Future of American Government*, edited by Mark J. Rozell and Clyde Wilcox. Georgetown University Press, 2000. Published in the *Canadian Journal of Politics*.

*A Christian Perspective on Political Thought* by Stephen Charles Mott. Oxford; Oxford University Press, 1993. Published in the *Review of Religious Research*, June, 1994. Volume 35, No.4

### **Encyclopedia Entries:**

"*Arkansas Court of Appeals*," in *The Encyclopedia of Arkansas History and Culture*. <http://www.encyclopediaofarkansas.net>. 2012.

"The Doctrine of Coveture," and "*Twining v. New Jersey*," in *The Social History of Crime: An Encyclopedia*. SAGE Reference, 2011.

"*U.S. Term Limits, Inc. v. Thornton*," in *The Encyclopedia of Arkansas History and Culture*. <http://www.encyclopediaofarkansas.net>. 2009.

"The NAACP" and "Separate But Equal." In *The Encyclopedia of American Law*, edited by David Schultz, New York, NY. Facts on File, Inc. 2001.

"The American Family Association," "Conservative Christian Litigators in the 1990s," "The Christian Legal Society." In *The Encyclopedia of American Religion and Politics*, 2002.

## **CONFERENCE PARTICIPATION AND PROFESSIONAL SERVICE**

Hacker, Hans J. "Summer Doldrums: Seasonal Variation in Success of Supreme Court Certiorari Petitions." Presented at the annual meeting of the Midwest Political Science Association, Chicago, IL, April 11-14, 2013.

Hacker, Hans J., "Existing Practices: Norms and Procedures on the Arkansas Court of Appeals. Presented at the annual meeting of the Arkansas Political Science Association, Conway, AR, February 21st-22nd, 2012.

Panel Chair, *The Arkansas Judiciary & Beyond: Elections, Rules, Norms, and Pragmatic Practices*. Annual meeting of the Arkansas Political Science Association, Conway, AR, February 21st-22nd, 2012.

Hacker, Hans J., "Cementing Norms on the Arkansas Court of Appeals." Presented at the annual meeting of the Southern Political Science Association, New Orleans, LA, January 14-18, 2012.

Blake, William D., and Hans J. Hacker, "Comparing the Establishment of Judicial Review in Canada and America." Accepted for presentation at the annual meeting of the Western Political Science Association. San Antonio, Texas, April 20-23, 2011. Hacker,

Hans J. "The Myth of Neutrality in Administrative Rule-Making and Adjudication: Pursuit of Public Convenience, Interest or necessity as Kafkaesque. Accepted for presentation at the 2010 annual meeting of the Public Administration Theory Network (PAT-Net), Omaha, Nebraska.

Hacker, Hans J. "Reconceptualizing Public Policy as "That which is best at any given time." Presented at the Anti-Essentialism Conference of the Public Administration Theory Network, Daytona Beach, Florida March 2-4, 2007.

Hacker, Hans J. and William D. Blake. "The *Gratz* and *Grutter* Threat to Transparency and Equal Treatment in College Admissions." Presented at the Annual Meeting of the Southern Political Science Association, Atlanta, Georgia. January 4-7, 2006.

Kemper, Mark, Hans J. Hacker and William Blake. "Affirmative Action after Bollinger: Bureaucratic Discretion in Higher Education Admissions." Presented at the Annual Meeting of the American Political Science Association, Washington, DC. September 1 – 4, 2005.

Blake, William D., Hans J. Hacker and Mark Kemper. "Bright-Line Rules Versus Individualized Assessments: The *Gratz* and *Grutter* Threat to Equal Treatment in College Admissions." Presented at the Annual Meeting of the Southwestern Political Science Association, New Orleans, LA. March 23 - 26, 2005.

Abel, C.F., and Hans J. Hacker. "Administrative Compliance with Supreme Court Decisions: Making Space for Religious Expression in Public Schools." Presented at the Annual Meeting of the Public Administration Theory Network. Kansas City, Missouri, 2004.

Blake, William D., and Hans J. Hacker. "Affirmative Action and the Revolution of 1937." Presented at the Annual Meeting of the Southwestern Political Science Association, Corpus Christi, Texas. March 17 - 20, 2004.

Chair. Roundtable. "Commemorating *Brown v. Board*: The Past and Future of the Supreme Court's Desegregation Decision." Presented at the Annual Meeting of the Southwestern Political Science Association, Corpus Christi, Texas. March 17 - 20, 2004.

Chair. Best Paper Committee, Religion and Politics Section. The American Political Science Association. 2002-2003.

Consultant, 2002-2003. *Foundations of Freedom: The History of the United States Constitution*. NASA's Center for Educational Technology. Educational Software – DVD educational product for secondary and undergraduate education.

Panel Chair. Panel entitled "Building a Higher Wall?: Judicial Politics and the Separation of Church and State." 2003 Annual Meeting of the Midwest Political Science Association, Chicago, Illinois.

"Making Motivations Comprehensible: Actor Rationality and Interest Group Litigation." Presented at the 2002 Annual Meeting of the Midwest Political Science Association, Chicago, Illinois.

Discussant. Panel entitled "Interest Groups, Courts and Politics." 2002 Annual Meeting of the Midwest Political Science Association, Chicago, Illinois.

"Conservative Christian Litigating Interests: Religious Ideology and Approach to Policy Influence." Presented at the Annual Meeting of the Southern Political Science Association. Atlanta, Georgia. November 8 –11, 2000.

"Conservative Christian First Amendment Litigators and Their Impact." Presented at the Annual Meeting of the New England Political Science Association, Hartford, Connecticut. May 5 – 7, 2000.

## **TEACHING EXPERIENCE**

### *Institutions:*

Arkansas State University

Assistant Professor, Co-Director Pre Law Center, Moot Court Coach (2007-11)  
Stephen F. Austin State University (fall, 2003-summer, 2007)

Assistant Professor, Pre-Law Adviser & Moot Court Coach

Wheeling Jesuit University (2002-2003)

Visiting Assistant Professor

The College of William and Mary (2001-2002)

Visiting Assistant Professor

Johns Hopkins University, D.C. Center for Graduate Programs (2001, 2002)

Adjunct

The University of Maryland (1999 – 2001)  
Visiting Assistant Professor  
Ohio State University (1993 – 1996, 1998-1999)  
Graduate Teaching Associate

- *Current Teaching Role:* I teach a 3/3 load that includes introductory courses in American Politics, upper division law courses (constitutional law, legal research, law & society). I serve as Co-Director for the Pre-Law Center, a pre-professional advising center at the College level. I also participate in the First Year Experience program at ASU each fall by teaching a pre-law focused Introduction to Politics course that helps students transition to college and build skills leading to success in their undergraduate programs.

### **TEACHING INTERESTS**

- Judicial Politics:* Constitutional Development, Constitutional Law: Institutional Powers and Civil Rights, Judicial Process, Law and Society, Race & Law.
- American Political Institutions & Processes:* Legislative Processes & Behavior, Interest Group Politics, Voting Behavior.
- Epistemological Foundations:* Philosophy of science, historical development of the political science discipline, the positivist tradition, Legal Pragmatism.
- *Courses Taught:*
  - POSC 6153:* The Supreme Court, Politics & Law (graduate)
  - POSC 3040:* *Legal Research, Writing, and Advocacy*
  - POSC 3030:* Judicial Process & Legal Reasoning
  - POSC 3123:* Constitutional Law: Powers & Constraints
  - POSC 3173:* Civil Rights and the Constitution
  - POSC 3183:* Criminal Law and the Constitution
  - POSC Independent Study:* Law, Power & Justice
  - POSC 1003:* Introduction to American Politics
  - Constitutional Development (graduate, at Johns Hopkins D.C. Center for Graduate Study)

### **UNIVERSITY & COMMUNITY SERVICE**

#### **- Pre-Law Initiative Co-Coordinator: Duties include**

- *Pre-Law Advisor:* Serving the university and the department, advising duties, administering practice LSAT tests, convening the Pre-Law Club, scheduling special events, social gatherings, field trips to law schools, and establishing links between the university and local legal community. This position is to the Department, College and University as acknowledged by LSAC.
- *Moot Court Coach:* Perhaps our best learning tool is our moot court team, moot court is a competitive program that requires students to blend legal research, writing and argumentation skills. The Arkansas State University Moot Court Team has achieved an outstanding level of success in its first 5 years including appearances in three regional tournament final rounds (winning two), qualifying

teams for national competition in all five years of its existences, and placing among the top brief writers in the nation in four straight years.

- **Committee Membership & Presentations:**

- 2009-2010: Member of the following search committees: Dean's Search (College of Humanities and Social Sciences); Public Administration, Political Theory (Department of Political Science)
- 2008-2009: Member of the following search committees: Dean's Search (College of Humanities & Social Sciences); Public Administration, (Department of Political Science)
- Member, The American Studies Steering Committee
- Sub-Committee on Political Science Program Goals

- **Other Service to the University**

- Raised approximately \$3,000 in private donations for ASU Moot Court team operating costs.
- Through the ASU Moot Court Advisory Board facilitated five small scholarship donations from local lawyers and firms amounting to \$10,000 donated over three years.
- Assist the System Counsel in planning the A State Continuing Legal Education fundraiser attracting attorneys to campus state-wide.
- Organized the Shon Hopwood Lecture Concert Series Address, November 22nd, 2010.
- Research was the basis for an article in Adam Liptak's regular New York Times column, *Sidebar*.

- **Service to the Political Science Discipline**

- Article Reviewer, *The International Journal of Organizational Theory and Behavior* (2008-2010)
- Text Book Reviewer, *American Constitutionalism*, by Howard Gillman, Mark Graber and Keith Whittington. For Oxford University Press.
- Featured Blogger; *The Cacklebur Blog* – a legal issues blog published by Cackle Legal Printing Services.
- Member, Executive Committee, American Collegiate Moot Court Association (2006-2013)

- **Community Service**

- Numerous articles in local and state-wide publications featuring the A State Moot Court team; planner for the A State Continuing Legal Education fundraiser.
- Featured in three legal news stories on TV and in the Nacogdoches and Lufkin papers.
- Authored a letter to the editor published in the December 2005 issue of *The Atlantic Monthly*

## HONORS, AWARDS & GRANTS

Faculty Research Award Grant Recipient, 2012. Award of \$2,400 to code from the Justice Blackmun Archive of Supreme Court legal clerk's *certiorari* memos. Awarded February, 2012.

Faculty Research Award Grant Recipient (Nathan Deutsch Travel Grant). Awarded \$250 for elite interviewing of judges on the Arkansas Court of Appeals.

Participant in the ASU ITTC Summer Institute on Teaching On-Line. Summer, 2010, 2011, and 2012.

Green Knight Award. Girl Scout Troop 3290. Given to fathers of Girl Scouts for service to the troop.

Abel, C.F. and Hans J. Hacker. Stephen F. Austin State University Office of Research & Sponsored Programs. Faculty Research Grant Recipients: Grant totaling \$16,000 supporting research entitled "Local Compliance with Supreme Court Decisions: Making Space for Religious Expression in Public Schools."

Stephen F. Austin State University Research & Sponsored Programs Internal Grant Recipient: Grant totaling \$869 supporting creation of a civic engagement/public debate forum Web Log entitled "The East Texas Skeptic" (easttexaskeptic.com)

Research grant totaling \$4,000 supporting completion of the book *The Culture of Conservative Christian Litigation* (Rowman & Littlefield, forthcoming).

Letter of Appreciation, *The 13 Club of the College of William and Mary*. Presented in appreciation of teaching excellence. 2001 – 2002

Certificate of Recognition for Teaching Students with Disabilities. Office for Disability Services. The Ohio State University. May 13, 1999.

Graduate School Alumni Research Award (GSARA) Grant Recipient, 1998-1999: A university-wide competition for dissertation research funding. I conducted dissertation field research (elite interviews, data collection) from August–December, 1998. The research grant totaled \$1,355.00.

University Fellow, The Ohio State University, Department of Political Science, 1991-1992: A University Fellowship given to new graduate students allowing for one year of study and research, followed by four years of departmental funding.

## REFERENCE

- Dr. Lawrence Baum  
Department of Political Science  
The Ohio State University  
2140 Derby Hall  
154 N. Oval Mall  
Columbus OH 43210  
(614) 292-2880
  
- Dr. Charles Fredrick “Rick” Abel  
Associate Professor  
Department of Political Science  
Stephen F. Austin State Univ.  
cfabel@sfasu.edu  
(936) 468-2145
  
- Dr. Michael Tkacik  
Associate Professor  
Department of Political Science  
Stephen F. Austin State Univ.  
mtkacik@sfasu.edu
  
- Dr. Richard Wang  
Associate Professor  
Department of Political Science  
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rwang@astate.edu