

Association News

Lucius J. Barker: An Accomplished Career Despite No Crystal Stair

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Langston Hughes' poem, "Mother to Son," is an admonition from parent to child to keep struggling to reach the goals and desires of one's life despite the barriers that may be placed in one's path. The mother reminds her son that "life for me ain't been no crystal stair." The poem addresses the character that one develops and the sustained optimism one must have to survive in a climate of racial segregation and discrimination, especially dominant during much of the twentieth century in America.

In selecting Lucius J. Barker to serve as president, the American Political Science Association (APSA) has chosen an individual who epitomizes the essence of the Langston Hughes poem. Barker is an individ-

ual who passionately believes in the goals of equality under the law and the protection of civil liberties, and he sees the academy as playing an important role in achieving these goals. He has an unwavering affection for the academy, a fervor that is reflected in both his scholarship and his teaching. Barker is an important scholar in the areas of judicial politics, constitutional law, and Black politics, and he has been an influential figure in the profession of political science. His selection as president reflects favorably on pivotal people in his life, on the American Political Science Association, and on himself, an extraordinary individual with no crystal stair.

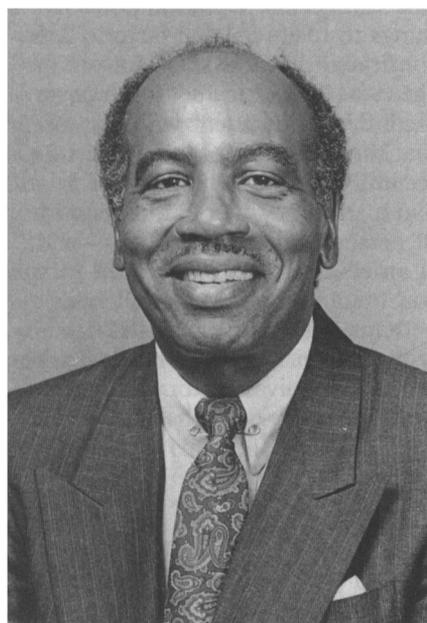
Born in Franklinton, Louisiana (Washington Parish), in 1928, his parents—both teachers in the segregated Louisiana school system—reinforced the view that one's mind and hopes for the future should not be imprisoned by the repressive social structures of segregation; the evils should be seen as additional incentives to get an education. They encouraged Barker to be "a prisoner of hope" rather than a prisoner of outward repressive conditions and circumstances.

Upon graduation from high school, his choice in colleges was limited by the law and practice of racial segregation. He entered Southern University, the black institution, in Baton Rouge. Originally a pre-med student, Barker during his sophomore year, along with his older brother Twiley, enrolled in the American government course taught by Rodney Higgins. At the time, Higgins was a relatively young Ph.D. from the University of Iowa. His coming to Southern University made a tremendous difference in the lives of many students and inspired Barker to change his major from pre-med to political science. Barker took every course Higgins offered and identified closely with his work in constitutional law.

After receiving his B.A. degree in

1949, Barker decided to enter graduate school for an advanced degree in political science. Once again, racial segregation, in part, dictated his choice of universities. Segregation precluded his entering Louisiana State University, which from a financial standpoint was the most logical choice. At the time, Louisiana along with other southern states circumvented racial integration of its institutions of higher education by awarding blacks "out of state scholarships" to attend graduate and professional school outside the state. Barker received a "scholarship" and followed his brother Twiley to the University of Illinois. During his first year at Illinois, Barker took a constitutional law course, but he gravitated toward comparative politics, the area in which he wrote his master's thesis. An event during the summer after his first year, however, reconfirmed his original undergraduate interest in the area of constitutional law and civil liberties.

Returning to his home town in Louisiana during the summer, Barker decided to register to vote. In order to register to vote in the state of Louisiana in the early 1950s, one had to be able to read and interpret provisions of the federal and state constitutions to the satisfaction of the registrar of voters. In actuality, the Louisiana Understanding Test was only truly applied to blacks. Since Louisiana was a closed primary state, the test was administered to blacks who chose to register as Democrats. For his test, Barker was asked to identify and explain several concepts such as bill of attainder, ex post facto laws, and other matters, all of which he found easy and rather mundane. After a few more questions, Barker became so confident that he decided to test the registrar and have a little private fun, as much as one could have in this otherwise insulting and demeaning situation. When the registrar pointed to another section in the Constitution, the due process clause of the



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Fourteenth Amendment, and asked its meaning, Barker responded that he did not know. The registrar beamed because at last he had the hook upon which to deny registration. He said, "You don't know!" Barker's calculated response was "No, I don't know, and neither does the Supreme Court." He then proceeded to cite a number of cases that made the point that the Supreme Court did not know what due process was either. In fact, he deliberately cited some cases that had nothing whatsoever to do with the due process clause to test the level of understanding of the registrar. It was obvious that the registrar could not pass the test that he was using to determine Barker's eligibility to vote. To this day, Barker challenges his constitutional law students to take the voter registration test that was administered to him; few can answer all the questions that one had to answer in order simply to register and vote in the Louisiana of that day.

After this experience, Barker returned to his graduate work at Illinois, and under the influence of a young assistant professor, Jack Peltason, he shifted his focus to constitutional law and judicial processes. During this period, Barker also was influenced by several other young assistant professors at Illinois, especially Murray Edelman and Austin Ranney (later an APSA president). Graduate student colleagues included Robert H. Salisbury (Washington University) and Robert S. Friedman (Pennsylvania State University). Barker received his Ph.D. from Illinois in 1954.

Barker began his teaching career as a teaching fellow at the University of Illinois and went on to teach at his alma mater, Southern University, at the invitation of his mentor, Rodney Higgins. His professional aspirations to work in a department that emphasized research as well as teaching led him to the University of Wisconsin-Milwaukee where his professional career began to blossom. During the 1964-65 academic year, he spent a year as a Liberal Arts Fellow of Law and Political Science at the Harvard Law School, an experience that proved to be important in the direction of his research. Shortly after his

return to Wisconsin-Milwaukee, he received an invitation to return to the University of Illinois as professor of political science, and to serve as assistant chancellor to then chancellor Jack Peltason.

Barker's introduction to administration was baptism by fire. He held the post from 1967-69, a period that included the height of student protests and demonstrations against the Vietnam War and the assassination of Martin Luther King. Nonetheless, it was evident that Barker had extraordinary skills as an administrator, and much of his future career would involve administrative duties. Fortunately for political science and generations of students, he was able to remain a teacher and scholar concurrently. He is one of those rare individuals distinguished in teaching, research, and administration.

Washington University in St. Louis wooed Barker away from Illinois, and it is there that he spent the bulk of his career, to date, as the Edna Fischel Gellhorn Professor. In his 21 years at Washington University, he was a vital member of a stimulating, productive, and multifaceted department. For many years, he served as chair of the department and helped oversee its move into national prominence. He was also instrumental in making it a pleasant place to be. Known for attention to detail in scholarship and administration, Barker was also known for having the best lunches in the legendary "Kautsky lunchroom." John Kautsky always made his office available for lunch and it was a regular meeting place for members of the department. Conversations ranged from the Cardinals to Pufendorf to the latest *APSR* article. Known for temperance in all other aspects of his life, Barker did display intemperate views about non-St. Louis or non-University of Illinois sports teams and sometimes about the culinary tastes of his colleagues. Except for those small transgressions, the collegiality and intellectual exchanges in the lunchroom and hallways were due in no small part to the atmosphere encouraged by Barker.

Maude Barker, his wife, is a tour de force in her own right and a pivotal person in his personal and

professional accomplishments. Together they were important forces in the university community as well as in St. Louis. As director of the Public Affairs Center at Washington University, Barker designed programs to lend academic expertise to public problems and to keep academics abreast of, and concerned with, policy issues.

Always ready for a new challenge, Barker accepted an offer from Stanford University in 1990 to become the William Bennett Munro Professor of Political Science. He hit the ground running. He was soon appointed as one of eight members on one of the most important committees of the university, the select faculty Senate Committee on Education and Scholarship at Stanford (SCESS). The essential charge of the committee was to ensure strong faculty input in the down-sizing of the university budget, consistent with maintaining and enhancing the overall academic quality and excellence of Stanford. Fortunately for the profession, Barker's research and teaching agenda are as full now as at any time in his career.

In addition to his permanent appointments, Barker has been a visiting professor at various institutions over the years. His most recent visit was a return to Harvard in 1988-89, though this time it was to the department of government.

Known as an excellent and demanding teacher, Barker has received outstanding teaching awards at Wisconsin, Washington University, and Stanford. Not only is he a teacher extraordinaire of undergraduates, he is known for his mentoring of graduate students and young professors. He is the quintessential tough but caring and generous tutor. Among those doctoral students whose dissertations he directed are Michael Combs, Augustus Jones, Wayne McIntosh, Barbara Luck Graham, Nolan Jones, and Kevin Lyles. His students and younger colleagues inevitably become fans.

Also great fans of his are two extraordinary daughters, Tracey and Heidi, graduates of UCLA and Northwestern respectively. They are already well on their way to demonstrating their outstanding abilities.

Barker's scholarship is varied and

read across subfields and disciplines. A consistent theme of his research has been to view the role of courts and law, especially the U.S. Supreme Court, in the context of policy making and the overall political system. His scholarship places the Supreme Court, constitutional law, and Black politics squarely in the discipline of political science. Though sensitive to the uniqueness of all these areas, he is ever attentive to the effects of systemic and socio-political phenomena. This is exemplified vividly in two articles that span his research career to date: one in 1967 and the other in 1992. The 1967 article was published in the *Journal of Politics* under the title, "Third Parties in Litigation: A Systemic View of the Judicial Function." The article remains a classic, frequently reprinted and cited. The subtitle indicates its broader purpose, but it is of special interest to those who care about the role of interest groups in litigation. The 1992 article, "Thurgood Marshall, the Law, and the System: Tenets of an Enduring Legacy," published in the *Stanford Law Review* issue honoring Justice Marshall (Summer 1992), makes the point that to understand and appreciate Justice Marshall's legacy, one must look beyond the outcomes of particular cases and focus on systemic change.

Barker's paradigm has roots in the work of Jack Peltason, and to some degree, Murray Edelman's *Symbolic Use of Politics*. Peltason was completing his pathbreaking book, *Federal Courts in the Political Process*, when he became Barker's mentor and dissertation advisor. Peltason's work, along with the seminal works of a few others such as Herman Pritchett and Robert Dahl, marked a real turning point in how political scientists would study courts and law. Following the group conflict of interests approach of Bentley and Truman, Peltason conceptualized that judges, no less than legislators and others, must be viewed and studied as part of, not apart from, interest activity and policy conflict. Courts and judges, he suggested, are in the political process not as a "matter of choice," but as a "matter of function," their functions being judicial review and statutory interpretation. Peltason's concept animates

Barker's work, but Barker goes on to develop and expand the concept in significant ways.

Barker's work takes very seriously the dual nature of courts as both political and legal institutions. He has a sophisticated understanding of, and is comfortable with, this duality. He does not shortchange one aspect or the other. He refuses to let the complexity of a dual role be used as an excuse to avoid assuring a just society, but he equally refuses to let polemics substitute for scholarship. The dual nature of courts, especially the Supreme Court, often leads to ambiguity, but true intellectuals tolerate ambiguity. Barker not only tolerates it, he helps us get past it in intelligent ways. He does not get bogged down in an existential wrestling with contradictions. Like the good political scientist that he is, he examines law and courts in a "systemic perspective." His clearest exposition of the concept appears in the 1967 *Journal of Politics* article.

Following the work of Clement Vose and Samuel Krislov, Barker demonstrates the importance of using litigation to influence policy, and how it is done, especially by third parties. Understanding the legal and political, Barker suggests that the amicus brief "allows the Court to weigh 'political' information in a judicial way." Barker argues that such political knowledge is crucial:

Finally, the amicus brief permits the Court to identify, at least to some degree, its potential supporters and opponents given a particular course of decision. In this respect, the role of the federal government takes on added significance. It seems clear that the Court values and profits from the views of the Government. In both the segregation and reapportionment litigation, for example, the Government filed amicus briefs. That those briefs were "friendly" was perhaps even more valuable and profitable to the Court. Judges are not unaware that the position of the executive can be crucial in effecting judicial policies, especially policies having far-reaching political-social consequences.

Such simple yet important observations rarely inform debates about the political vs. the legal. Barker goes on to show the ways in which courts are similar to legislatures and how they

differ. Students new to these debates would do well to read Barker early in their intellectual journey. It would save them a lot of time and frustration.

Barker not only systematically analyzes behavior, he dives into thorny normative issues, but he argues that the proper role for institutions cannot be understood only in the abstract. Well aware of the dangers and potential for abuse by the judiciary, he nevertheless believes that it must play a role in some areas of policy making for systemic reasons. One of the concepts for which he is known is the idea of the Court as a "safety valve":

It might be that there are some issues on which the judiciary must act as a safety valve for the elected political branches, providing leadership when it is reasonably ascertained that the elected institutions are either unwilling or unable to act. This does not mean that in every instance the court must step in. Such a notion simplifies too much, both the delicate operation of our governing system as well as the role of the court in that system. On the contrary, by deciding and fashioning policy on such issues, the court gives to the governing system that necessary viability and capacity needed to survive. . . . Law and tradition help chart particular roles, especially for judges, but law and tradition cannot chart automatic roles for the complex business of governing, not even for judges. Judgment (discretion) inevitably remains.

Donald Horowitz in his seminal book, *The Courts and Social Policy*, demonstrates the problems with courts making policy. Though the two scholars are not in conflict, Barker asks the equally important other side of the question:

The question of the proper role of the court, which today occupies the pen of so many scholars, should cause us to take a closer view of the operation of our governing system. History shows that at given times one or the other branch might play the dominant governing role. When such is the case of the judiciary, however, grave concern is expressed. . . . There is little regard or concern, in such situations, with the functioning of the other cogs in the governing system. When the Court makes crucial policy determinations, the literature is overflowing with

treatises—some reasoned, other emotional—as to the proper role and function of the court. But why do we not address ourselves to the same question(s) with respect to other agencies of government?

The simple but infrequent question asked when discussing the proper functioning of the Court is “relative to what?” Barker asks it, then puts the question in its proper perspective.

“Systemic perspective” surely is Barker’s favorite phrase. It appears again in a paper on Clarence Thomas presented at the 1992 annual meeting where he insisted that we evaluate Thomas in systemic perspective. In Barker’s works, he generally uses the words as a single term. His work brilliantly places courts or justices or laws in systemic perspective—all he ever claims to do. But he usually does much more. He gives us thorough understandings of the system beyond that needed to make his point. He is an excellent behavioralist. And he often puts things in perspective in ways that are frequently more profound than simply the systemic perspective. He understands the broader picture, and he is comfortable, if modest, in dealing with normative concerns that go to the foundations of social and political behavior. He never claims to be a theorist, but his work not uncommonly poses fundamental questions through observations in a way that is reminiscent of Robert Dahl.

Though there is a general theme to Barker’s research, it is a varied corpus of work. Barker has written extensively for political science and law journals about law and courts, but his topics range from state political delegations in Wisconsin to the role of race and politics. Of particular note are a series of articles written about the Tidelands Oil Controversy. While on the faculty at Wisconsin–Milwaukee, Barker along with his brother Twiley published the first edition of *Freedoms, Courts, and Politics: Studies in Civil Liberties*. Through original case studies of important Supreme Court decisions, this volume illuminates the nature and dynamics of judicial participation in policy conflict. These case studies reflect well an attempt to bring a “soaking and poking” approach to the study of courts and

judges similar to that used by Richard Fenno and others to study Congress and other policy institutions. Clearly, at the time, and even today, the kind of “soaking and poking” by students who study the Supreme Court remains very limited.

Barker is also co-author with his brother Twiley of the widely used constitutional law volume, *Civil Liberties and the Constitution*. From the beginning, their intention was not to edit yet another collection of cases and materials on constitutional law; there were and are enough of those already. Rather, their overriding purpose then and now is to provide students and others a more meaningful framework in which to evaluate and analyze cases and materials as they relate to ongoing policy struggles. The text has been very successful, with the seventh edition scheduled to be published in 1994.

In addition to law and courts, Barker’s scholarship has also centered on the role of race in American politics. Note should be taken of his scholarship in the area of Black politics. A law review article on civil rights and the Burger Court led him to a larger project that eventually led to the publication of *Black Americans and the Political System* in 1976. The book was one of the earliest efforts to address comprehensively the political aspects of the black experience in the United States. The experience of blacks in American politics was related to constitutional theory and the structure of political institutions. The third edition of the volume will be published in 1993.

Barker’s works on Jesse Jackson have commanded both a professional and lay audience. *Our Time Has Come*, written from his perspective as a Jackson delegate to the 1984 Democratic convention, is more than an interpretive account of Jackson’s campaign. It is a book about the achievement of the larger objectives of the civil rights movement through electoral politics rather than through protests and demonstrations. The later volume, *Jesse Jackson’s 1984 Presidential Campaign* (with Ronald W. Walters), assesses the meaning and implications of the Jackson campaign and places the phenomenon within the larger context of American politics. The volume adds to our

understanding of the political behavior of racial groups in American presidential politics.

Of particular pride for Barker was his service as founding editor of a new professional journal, the *National Political Science Review (NPSR)*. The *NPSR* is a refereed publication of the National Conference of Black Political Scientists and focuses on politics and policies that advantage and disadvantage individuals or groups by reason of race, ethnicity, sex, or other such factors. The *NPSR* has been exceedingly well received, a tribute to the dedication and hard work of its first editor.

In addition to a distinguished record of scholarship, Barker has also been a leader in the profession. He has served as President, Vice President, and as a member of the Executive Council and Administrative Committee of the American Political Science Association. He has been President of the Midwest Political Science Association, and President of the National Conference of Black Political Scientists. He has served as a member of the Board of Governors of the Joint Center for Political and Economic Studies in Washington, D.C., a research organization focusing on African-American politics. Barker has served on several accreditation/visiting committees including a three-year term (1990-93) as a member of the Board of Overseer’s Visiting Committee for the department of government at Harvard University. Barker’s scholarly, as well as professional activities, are well in keeping with the life and work of Ralph Johnson Bunche, the first black American to receive a Ph.D. in political science in 1934 and the 49th president of the American Political Science Association.

Viewed in overall perspective, one cannot help but be struck by three important characteristics that stand out in Barker’s career. First, he has been willing and able to function effectively in predominantly white professional contexts (the American Political Science Association) as well as in predominantly black professional contexts (the National Conference of Black Political Scientists). To do so has certainly been “no crystal stair.” But he manages to surmount the challenges involved and thus pro-

vides one of the vital bridges that must be undergirded and expanded if we are to develop our full potential as individuals, as a profession, and as a nation.

Second, he is an individual of great character. Everyone thinks the world of Lucius Barker. His wit, grace, and friendliness are surpassed only by his willingness to help others, his integrity, and his unpretentiousness. Barker has, of course, achieved success by any standard. He must be prodded, however, to acknowledge the hurdles he has overcome. He is of a generation and milieu that is not comfortable focusing on one's accomplishments and difficulties. Indeed, until only recently, stories such as the one about the voting registrar were seldom told. He reluctantly relates them now only because he understands their significance to modern-day versions of different but nonetheless notable barriers.

Finally, rarely does one possess, as Barker does, the qualities and drive needed to achieve distinction in

each of the important areas of the academy: teaching, research, and service. As such, Barker's career sets an enviable standard for all who are now or would be members of the profession and the academy.

Chicago Annual Meeting

The 88th Annual Meeting of the American Political Science Association set a new attendance record for meetings held outside of Washington, D.C., and was the second largest meeting ever held, drawing 4,998 registrants. Featured at the meeting were the Harold D. Lasswell Symposium on "America in a New World" featuring Winston Lord, Joseph S. Nye, Jr., Norman J. Ornstein, and Condoleezza Rice, and James Q. Wilson's Presidential Address on "The Moral Sense." An APSA/IPSA symposium on the Human Dimension of Global Envi-

ronmental Change was held simultaneously with the meeting.

The meeting was organized by Thomas E. Mann of the Brookings Institution, along with 41 members of the Program Committee. The Program Committee was composed of program organizers drawn from individuals nominated by each of the 28 organized sections within APSA, as well as program section chairs appointed by Mann. The meeting included more panel sessions than any previous meeting—466 panels organized by the Program Committee and 79 by related groups for a total of 545 panels. Last year's meeting offered 509. The Palmer House Hotel offered up its usual charms for the meeting, as well as tight corners and a split-level exhibition hall.

Panel attendance averaged 28 people per panel. This is below the 31 person average for last year's meeting, but given the increased number of panels actually reflects an equivalent level of overall panel attendance. Sections of the meeting showing the strongest panel attendance overall were panels on the foundations of political theory, international collaboration, normative theory, international political economy, the presidency, and history and politics.

The largest individual panel attendance was for a roundtable on the philosophy of Richard Rorty, chaired by Richard E. Flathman of Johns Hopkins University, and for a paper panel on neorealism, neoliberalism, and the study of collaboration chaired by David Baldwin of Columbia University. Each drew 200 people.

Roundtables on election forecasting and on renewing Congress, chaired by Tom Mann, and on social science perspectives on the Los Angeles riots, chaired by Sidney Tarrow of Cornell University also drew large numbers of people. Along with the panel on neorealism, panels in which papers were presented which drew the largest audience were "Rousseau and the Politics of the Heart" chaired by Ruth W. Grant of Duke University, "The American Foreign Policy After the Cold War" chaired by Joseph Nye of Harvard University, "Do Liberal Democracies Fight Each Other?" chaired by Duncan Snidal of the University of



From the left: Paula McClain, Theodore J. Lowi, Gregory Caldeira, Gayle Binion, Catherine Rudder, and William Smirnov at the president-elect reception, APSA Annual Meeting.