

MEMORIAL RESOLUTION

ROBERT A. HORN

(1916-2002)

Robert A. Horn, Professor of Political Science, Emeritus, died March 5, 2002, at his home in Palo Alto at age 85. Bob Horn was a kindly, collegial, modest gentleman; an innovative and rigorous scholar in the field of constitutional law; and an extraordinarily talented and dedicated teacher whose influences on generations of Stanford students were deep and lasting.

Robert Anderson Horn was born in Greenville, Ohio, on April 18, 1916. He took his undergraduate degree in history at Ohio Wesleyan (B.A., History, 1937) and his graduate degrees in political science at Princeton (M.A., 1939; Ph.D., 1942). He was elected to Phi Beta Kappa (1937) and received graduate fellowships from the Social Science Research Council (1937-1940). During World War II he worked in the Information and Education Division of the Psychological Warfare unit of the U.S. Army Department (1942-1946), and during the Korean War he served in the U.S. Army (1951-1952).

After teaching at Harvard (1942-1943, 1946-1947), the University of Chicago (1947-1953), and Sofia University in Tokyo, Japan (1952), Bob Horn joined the Stanford faculty in 1953. He gave the Charles W. Walgreen Foundation lectures at the University of Chicago in 1953, and was a Senior Research Associate in American government of the Social Science Research Council in 1960-1962. He also lectured at the Salzburg Seminar and Cambridge University. He became a full professor at Stanford in 1965. In 1970 he received the Lloyd W. Dinkelspiel Award for Outstanding Service to Undergraduate Education at Stanford.

Robert Horn was an early pioneer in two phases of the study of judicial behavior and politics. First, he identified the emerging Constitutional Law developments that showed more and more citizens were being treated, legally, in terms of their group memberships, and a developing law of rights emerging from such group memberships, rather than in terms of individual rights. Horn elaborated and documented this argument in his comprehensive monograph, *Groups and the Constitution* (Stanford University Press, 1956). This book appeared in the prestigious Walgreen Foundation Series that also included such classic works as David Potter's *People of Plenty* (1954), Robert Dahl's *A Preface to Democratic Theory* (1956), Hannah Arendt's *The Human Condition* (1958), Daniel Boorstin's *The Genius of American Politics* (1964), and Eric Voegelin's *The New Science of Politics* (1966).

The second area in which Robert Horn was an innovator was in his systematic coding of Supreme Court cases in the area of state/federal relations. As far as we are aware, he was the first scholar to engage in this scientific practice of quantifying legal developments and putting them on Hollerith cards (then state-of-the-art) for use in statistical analysis of the development of case law. The judicial politics section of the American Political Science Association honored him for this pioneering work, and the systematic coding of judicial decisions has now become a standard part of modern scholarly and scientific practice among those who study Supreme Court behavior.

Important as these signal scholarly achievements were, however, Bob Horn made even greater contributions to Stanford University and to society through his stellar and influential teaching of undergraduates. Part of the reason for this was circumstantial. At the time Bob Horn began teaching at Stanford, the political science profession was in ferment. The historical study of American constitutional law, which had been a central concern of the discipline since its inception around 1900, fell from favor as a focus of research. Other areas of American government and politics, using methods arising from other social sciences (notably economics, sociology, and psychology), took its place.

These new interests meant that graduate students no longer chose to specialize in Constitutional Law with any substantial frequency. Instead they selected the new behavioral fields in American politics and government as areas for their principal training and dissertation writing. Bob Horn recognized this trend and was not bitter about it. To the contrary, he remained an active member of his department, and understood, as he put it to John Sprague, “I have recognized for some time that if I am to make a contribution to Stanford University it will be in the teaching of undergraduates.”

And in teaching Constitutional Law to undergraduates he was superb. His organization of this basic curriculum, which he used for many years, followed the quarter system with an introductory course in the fall, a course focusing on federalism in the winter, and a course on civil liberties in the spring. He taught socratically, pursued the consequences of an argument or premise relentlessly, and emphasized the vital importance of getting both facts and logic straight in reasoning about law. Several generations of Stanford graduates still benefit from the sharpening of their intellects that resulted from the challenging courses taught by Bob Horn.

When Professor Horn died, testimonials poured forth about his teaching and its impact:

Associate Justice of the United States Supreme Court Anthony Kennedy: “I was very proud to be his student . . . You did not want [his lecture] hour to end because it was so fascinating, or you wanted it to end so that you could absorb it. . . . He understood that the law is a story of our moral life. . . . [He] also believed, and convinced others, that the law has an objective, ascertainable meaning. It is not something that someone makes up for their own convenience.”

United States Senator Max Baucus (Democrat, Montana): “He changed my life. I would not have gone into the Senate without him. . . . His course was so fascinating; it taught how we Americans organize a society. Looking back, it was the main reason I went to law school. I carry the [U.S.] constitution with me every day. I’ve been hooked [on the subject] ever since.”

United States Senator Ron Wyden (Democrat, Oregon): “To this day, I can hear his voice for approaching issues in a thoughtful way.”

United States Representative Stephen Horn, no relation (Republican, Long Beach): “[T]hrough his use of the case discussion method, he gave students an experience that none of them would ever forget. [Horn’s] classes were tough and demanding, but they were the classes that students would look back on decades later as among the best they had taken at Stanford.”

It is notable, and revealing, that the praise for Bob Horn came from all across the political spectrum, even though Horn himself was a conservative. He noted the latter fact at the time of his retirement in 1979, when Stanford's graduating seniors selected him as their class-day speaker. "I was almost as much surprised as I am honored by your invitation to address you," Horn said, with a huge, heart-felt smile on his face. "For I stand before you an unabashed conservative. There were times a decade ago when I wondered whether I would become *abashed* conservative" (italics in original). The wise, witty, and succinct speech that followed, which holds up extremely well and ought to be anthologized, summarized what his "twin concerns for conservatism and the American constitutional order" had taught him over his lifetime.

At the time, as Professor Horn well knew, the majority of the students (and even more, of course, the faculty) were politically to the left of center. But it mattered not. The 4,500 assembled seniors, family-members, and friends, a record crowd for Class Day at the time, recognized and esteemed him for the great teacher and intellectual that he was. In the best tradition of Stanford student-scholars, they put aside his conservatism and gave him a standing ovation.

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