

Lectures and Magazines—and Communities

Distinguished lectures that feature renowned visiting scholars are a mainstay of university life. Such lectures teach, inspire, and sometimes provoke. They also have an exquisite potential to strengthen communities. And so, for example, when we invited Professor Thomas W. Merrill of Columbia Law School to deliver the Boden Lecture in 2010, we were keenly aware that his discussion of *Melms v. Pabst Brewing Co.*, an 1899 decision of the Wisconsin Supreme Court, could attract the interest of local history buffs, American history scholars, real estate lawyers, and economists, as well as the Law School community. (We did not predict that it would prompt an essay in response from Judge Richard A. Posner.) As our inaugural distinguished lecture in

Eckstein Hall, it was also a nice detail that the property at issue in *Melms* sits only a few blocks away from the Law School's new home.

Similarly, when Professor Arti K. Rai of Duke Law School delivered the Nies Lecture in Intellectual Property in 2013, her topic was “Patents, Markets, and Medicine in a

Just Society,” which we knew would attract lawyers and other professionals in Milwaukee’s vibrant health care and inventor communities. Thus, the 200 members of the audience included not just students, faculty, and lawyers but also numerous researchers and other individuals drawn away from their work at GE Medical Corp., the Medical College of Wisconsin, and the University of Wisconsin–Milwaukee.

This engagement with the broader community through our distinguished lectures is not just an Eckstein Hall phenomenon. For example, when criminal law scholar Dan M. Kahan of Yale Law School was the Boden Lecturer in 2008, his visit with us included an “On the Issues with Mike Gousha” session where he was joined by Milwaukee County District Attorney John T. Chisholm. It also involved a smaller, more informal conversation with various law faculty and corrections officials.

Our purposes in the *Marquette Lawyer* magazine include building on our distinguished lectures, in order further to teach, inspire, and provoke—and further to strengthen communities. In this issue, the cover story (pp. 10-25) is Yale Law School Professor Heather K. Gerken’s essay based on her Boden Lecture a few months ago. It sets forth her criticism—differing from that of most commentators—of the U.S. Supreme Court’s 2010 decision in *Citizens United v. Federal Election Commission*. Our presentation contains brief reactions from three prominent members of the Marquette Law School community who know a thing or two about campaign finance: former adjunct professor Shirley S. Abrahamson and former visiting professors Richard M. Esenberg and Russell D. Feingold. This illustrates yet again our persistent and aggressive commitment to be an important convener of conversation concerning politics and elections in Wisconsin and beyond. The article elsewhere in this issue (pp. 40-43) concerning the proposal emerging from the State Bar of Wisconsin fundamentally to revise elections and eligibility to the Wisconsin Supreme Court is another example.

Vanderbilt Law School Professor Nancy J. King’s article on the use of prior convictions in sentencing (pp. 26-35) also exemplifies our use of distinguished lectures. The audience at Professor King’s Barrock Lecture on Criminal Law this past fall included the chief judges of the state and federal trial courts in Milwaukee, the top federal and state prosecutors in the region, and the state public defender of Wisconsin, among others. More generally, a substantial debate is developing in Wisconsin about criminal law sentencing and policy, and Marquette Law School is helping drive that debate even apart from its distinguished lectures. The article in this *Marquette Lawyer* (pp. 36-39) reflecting Professor Michael M. O’Hear’s use of Marquette Law School Poll results to elucidate Wisconsinites’ nuanced attitudes toward the state’s truth-in-sentencing law is part of that effort. The Law School itself has no policy agenda concerning these various controversies, but our communities are surely richer for the individual opinions that we present and especially for the facts, intelligence, and wisdom that our lecturers contribute.

We invite you to be part of our community by reading this magazine.

Joseph D. Kearney
Dean and Professor of Law

