

## THE LAW SCHOOL'S PUBLIC POLICY INITIATIVE: CREATING A SPACE FOR CIVIC— AND CIVIL—ENGAGEMENT

BY MIKE GOUSHA



Location. Location. Location. It may be the number-one rule in real estate, but it also helps explain Marquette Law School's emergence as a public square for southeast Wisconsin. After all, what better place exists for conversations about the future of this region than a service-minded university in the heart of the state's largest city?

That Marquette's fortunes are intertwined with Milwaukee's is hardly an exaggeration. Within a mile of campus, one can find both Fortune 500 headquarters and empty storefronts. Neighborhoods in the midst of a renaissance stand alongside neighborhoods with great challenges. And so it seems appropriate, logical even, that for almost a decade, the Law School's public policy initiative has often focused on the shared future we have with the region's 1.5 million residents. The preceding articles in this issue of the magazine present recent examples of the Law School's continuing exploration of the city's challenges and opportunities. And there are many more instances at the Law School, including looks at urban education, the best ways to fight crime, the pros and cons of a new downtown sports arena, and Milwaukee's role in the Chicago megacity. The future of Milwaukee, in short, is a point of emphasis for us.

But the Law School also plays another important role, one that warrants mention, especially given the fractious nature of American politics today. Two years ago, the Pew Research Center released a major report confirming what many of us had sensed: America has become a more partisan nation. We're less tolerant of opposing views, more apt to live and associate with those who share our politics. We even get our news from like-minded media outlets, reflecting our desire to be informed *and* affirmed. Those are facts. This growing political chasm is especially acute in

Wisconsin, as Craig Gilbert, *Milwaukee Journal Sentinel* Washington bureau chief and the Law School's former Lubar Fellow for Public Policy Research, reported in a past issue of this magazine.

So, given this divide, how do you explain the success of the Law School's public policy initiative, an effort that prides itself on its independence—on *not* taking sides?

First, a little background. The Law School's public policy initiative began, as Dean Joseph Kearney would say, as more of an intuition than a fully formed idea. But at its core was a desire to add to and build on the Law School's strong academic, research, and public service missions. The Law School would become a community convener, leading important conversations about issues facing the region.

Nine years later, that intuition has evolved into something both more specific and larger: a modern-day public square, featuring candidates in significant political debates, topical conferences on important issues, a continuing series of conversations with news and policy makers, and public lectures by leading scholars. It's even the *vox populi* for Wisconsin, with a highly respected polling project: the Marquette Law School Poll offers regular insights into how the people of this state feel about their lives and the policies that affect them. In short, Marquette Law School has arguably become the leading venue in the region for serious, civil discourse.

But back to the question. Why has the Law School's public policy initiative succeeded? Perhaps ironically, the answer may lie in its old-school approach to civic engagement. In a media world that focuses on brevity, the Law School offers depth. It allows students and citizens to hear from their elected officials directly, not through sound bites, 30-second TV ads, or 140-character tweets. It features not "a" point of view, but many.

It places a premium on civility in a too-often uncivil society. And it doesn't promote an agenda. Instead, it seeks to fill a different role, that of "honest broker."

Of course, proclaiming your independence is one thing. Demonstrating it is something else. And so it is no accident that the Law School's roster of guests includes elected officials and policy makers of all stripes. Consider just some of the political figures who have visited in the last two years: President Obama's former senior advisor David Axelrod, Wisconsin Congressman and Speaker of the House Paul Ryan, Wisconsin Senate Majority Leader Scott Fitzgerald and Senate Minority Leader Jennifer Shilling, U.S. Senate candidates Ron Johnson and Russ Feingold. Republicans and Democrats alike, they're all welcome at Eckstein Hall. And that has not gone unnoticed by those in the political arena. They see the Law School as fair and nonpartisan, a place where issues and ideas matter more than ideology.

There's been another key to the success of the public policy initiative: the audiences who attend our events. Since joining the Law School in 2007, I have moderated more than 200 conversations, debates, and conferences. Many have drawn capacity crowds of more than 200, and almost without exception, those in attendance have been remarkably civil. Not only are they interested, attentive, and engaged. They're also polite. Perhaps that's because of our "something for everyone" approach. In other words, certain guests draw crowds who are more favorably predisposed to their views—and others in attendance know that another day will bring another guest. In all events, the civility certainly is not for want of diversity: the crowds are a real cross-section of this region. And that's to say nothing of who's watching as we webcast live all our programs.

Whatever the reason, the Law School has created an atmosphere that encourages reasoned, thoughtful discussion. That doesn't mean our audiences always agree with our guests. They ask blunt questions that challenge their elected officials. But mostly, they come to listen, and to learn. As an example, the state has experienced no more contentious time in recent history than during the 2012 recall election of Governor Scott Walker. Marquette Law School hosted the final debate of the campaign. The atmosphere in the Appellate Courtroom—packed with supporters of both the governor and his Democratic challenger, Milwaukee Mayor Tom Barrett—was electric. But for 60 minutes, the only voices heard were those of the candidates and the moderator. Spirited, civil debate between two men with very different visions for Wisconsin.

That's not to say that the Law School's work in the public policy arena has been immune from criticism from a more-partisan and more-skeptical citizenry. Some want to ascribe motives to what we do and how we do it. They question whom we invite, the questions we ask, the topics we tackle. And that is well and good, because a reputation for fairness and independence *should* be earned, even hard-won.

During the historic recall election of 2012, the newly created Marquette Law School Poll was challenged in the spring by Democrats, who were unhappy when it consistently showed Governor Walker leading Mayor Barrett. By fall, it was unhappy Republicans questioning the survey because it showed President Barack Obama leading GOP nominee Mitt Romney, and Democrat Tammy Baldwin moving past Republican Tommy Thompson in the race for U.S. Senate. In both cases, and in all the contests

of 2014 as well, the polling proved spot-on. Today, the Marquette Law School Poll is routinely referred to as the "gold standard" in Wisconsin and is respected across the country, by Democrats and Republicans alike, for its accuracy and independence.

In some respects, the public policy initiative at Marquette Law School seeks to be a value-added proposition. First and foremost, we're a law school, and many of our offerings (not specifically mentioned here) primarily reflect that. But our mission is also to be of value not just to students and the legal community, but to the larger community. To offer fresh thinking and new ideas about the challenges facing our city. To be a gathering place for people from all walks of life, no matter their politics. In a world of increasing partisan animosity, the Law School is offering a clear alternative: a civic engagement that is predicated on fairness, civility, and independence. ■

**In a world of increasing partisan animosity, the Law School is offering a clear alternative: a civic engagement that is predicated on fairness, civility, and independence.**

*Mike Gousha is distinguished fellow in law and public policy at Marquette University Law School.*