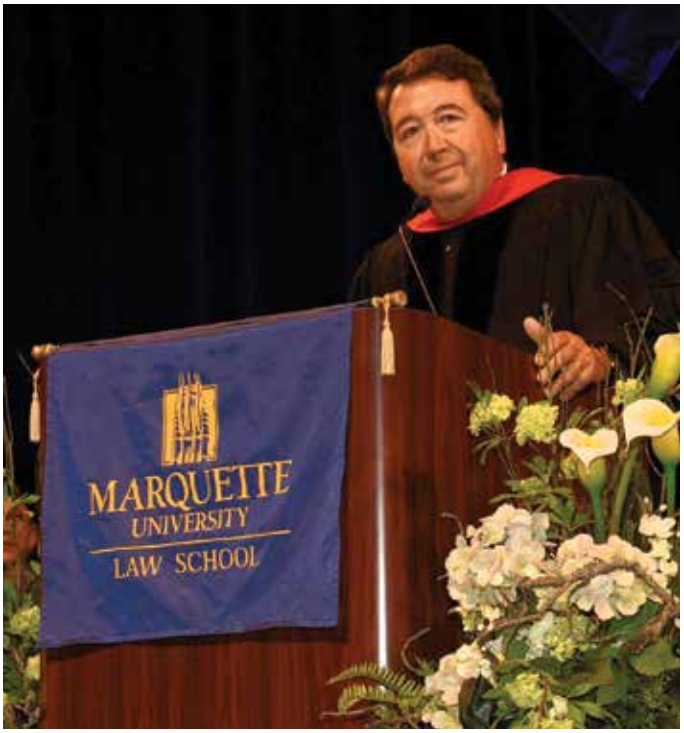
FROM THE PODIUM

HON. JOHN K. BUSH

Commencement Speaker Draws on American History in Looking Forward for Graduates

Hon. John K. Bush has served since 2017 as a judge of the U.S. Court of Appeals for the Sixth Circuit, headquartered in Cincinnati. On May 16, 2026, this Kentucky judge was the speaker at the Marquette Law School commencement at the Miller High Life Theatre in downtown Milwaukee. This is an edited and excerpted transcript of Judge Bush's remarks to the graduating law students.



It is an honor to speak before you today. The very venue is storied. More than 100 years ago, at this very spot, former President Teddy Roosevelt spoke—delivering the famous Bull Moose speech. His 50 pages required about an hour. I'll not try to match that today.

The last time I attended a law school graduation with Dean Kearney was 37 years ago. We have not changed one bit—have we? *Res ipsa loquitur.* And 1989. It seems so old. How many of you even remember that Taylor Swift album?

Of course, I'm talking about the *year* 1989. It was two decades after the first lunar landing but only three years after the Space Shuttle Challenger explosion. In 1989, landline telephones were the norm. Only a few people had what we called modular phones. They were not "smart." The internet existed but mostly at the Department of Defense. Home computers were scarce. No laptops or tablets.

Dean Kearney introduced me to word processing. He typed our moot court brief on a roommate's computer in a format that looked like a printed brief.

We used paper maps and debated whether to ask for directions. Most people still read printed newspapers. There was no social media, texting, email, or video calls. We asked for first dates face-to-face or over the telephone. Talk about courage.

My, how the world can change over a legal career.

If you attend a law school graduation 37 years from now—that will be in 2063—how will the world look? What will be your contributions to it?

That much would be hard to say. Yet here is some advice, with the acknowledged backdrop that I encourage you to do as I say and not as I have sometimes done.

First, do not treat graduation as the end of your education: you should be a lifelong learner. Second, adapt based on what you learn. And third, despite the inevitable change in the world, protect the things worth saving—the Constitution, foremost.

Let me begin by considering our education. It finds root in the First Amendment. Learning comes from the exercise of the freedoms of speech, religious conscience, and the press, and the rights to peaceably assemble and petition government.

First Amendment freedoms do not produce conformity, no matter how much we try. Sometimes our side of the debate will prevail, and other times not.

With the right to communicate also comes the responsibility to listen, which is harder to do. A good model of that trait is my favorite American Founder, Gouverneur Morris. He was a lawyer who wrote the Constitution's Preamble, which begins with "We the People." He also fashioned the final wording of the Constitution. James Madison wrote that Morris could change his opinions "when the lights of discussion satisfied him, that they had been too hastily formed," and also make "the best of measures in which he had been overruled."

Morris dreamed of perfection. He wrote that "We the People" formed the United States "in order to form a more perfect Union." But he also acknowledged that "there is nothing perfect in this world."

Partly for this reason, the First Amendment allows us to be mistaken. In addition, in my estimation, nonviolent words or mere silence cannot equal violence. If speech is to be free, it can have a triggering effect. If it did not, then we would live in an echo chamber. We should listen to, rather than cancel, an opponent. For one thing, it helps promote understanding. The Prayer for Peace associated with St. Francis of Assisi says it best: "O divine Master, grant that I may not so much seek . . . to be understood as to understand . . . ."

In fact, the vast majority of your legal education came not from your own speech but from engagement with that of others—cases you have read, observations by your professors and other students, and the like. After graduation, maintain that same ratio of attention to other points of view.

Also, continue to educate yourself broadly not only about the law but also in other areas of knowledge. Explore subjects you have not considered before. Listen to podcasts if you must, but also actually read. It will both teach and humble you. As Abraham Lincoln remarked before a group gathered here in Milwaukee in 1859, "A capacity, and taste, for reading, gives access to whatever has already been discovered by others." I imagine that you recognize the words, as they appear on Lincoln's portrait in Eckstein Hall's Aitken Reading Room.

Never accept assertions at face value or rely on black-box logic. So, what about artificial intelligence (AI)? I am not against it. In fact, I encourage its use in the law. But as President Ronald Reagan used to say about the Soviets: trust but verify.

Like everyone, lawyers worry that AI will replace their jobs. No doubt some legal tasks for humans will go away, just as online research eliminated the need to read and Shepardize cases using printed books.

But there still will be a need for lawyers. Not even AI will be able to carry out Shakespeare's supposed aspiration for our profession.

Having spoken to both education and adaptation, I come to my third and final point: you should be ready to defend those principles that embody what we call the rule of law.

Foremost are the duties of honesty and candor to the court. If you use AI for a brief or in other ways permitted by a court, always comply with the rules concerning verification of the accuracy of legal citations, quotations, and argument. AI presents significant challenges for the proper administration of justice. But so do old-fashioned disrupters—also known as humans.

Our Founders established parameters for the exercise of government power intended to safeguard our liberty against other humans. This year, of course, we celebrate the 250th year of our nation's independence. Lawyers can take part of the credit.

Attorneys drafted the Declaration of Independence. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Those words came primarily from a lawyer, Thomas Jefferson. But when it comes to racial justice, I have more respect for another attorney who was on the drafting committee with Jefferson—John Adams. He never enslaved anyone.

Adams also showed sincere dedication to application of the rule of law, even for the British. Six years before he signed the Declaration of Independence, Adams served as counsel for the British soldiers charged with deaths of American patriots in the Boston Massacre. He truly believed in the right to counsel and the presumption of innocence until proven guilty. And the Federalist Papers came from three other lawyers—Alexander Hamilton, James Madison, and John Jay.

The Founders compromised to achieve unity, but one of the compromises was the tragedy, the sin, of slavery. Nonetheless, some Framers spoke out against what Morris called the "nefarious institution." They built a constitutional structure, including its amendment process, that might fulfill the Constitution's promise to serve as a "glorious liberty document," as the abolitionist and former enslaved person Frederick Douglass described our nation's charter.

Four score and seven years after the Declaration of Independence, Abraham Lincoln likewise recognized that our attorney Founders "brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal." Lincoln is the lawyer I most admire and the reason I went to law school.

I was at Gettysburg last week. Our tour guide recited by memory Lincoln's words at the spot where President Lincoln spoke in 1863. The Gettysburg Address concludes with a resolve that "this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth."

That remains our challenge today. We must defend constitutional principles no matter who holds the reins of power. And, in doing so, we should not demonize those who disagree with us politically.

There remains more to be done to promote all constitutional principles and the rule of law. More cases to be argued by you. As Belva Lockwood, the first woman admitted to practice before the U.S. Supreme Court, wrote, it is "[t]he glory of each generation . . . to make its own precedents."

Congratulations to all of you in the Marquette Law School Class of 2026. Welcome to the profession of law. ■