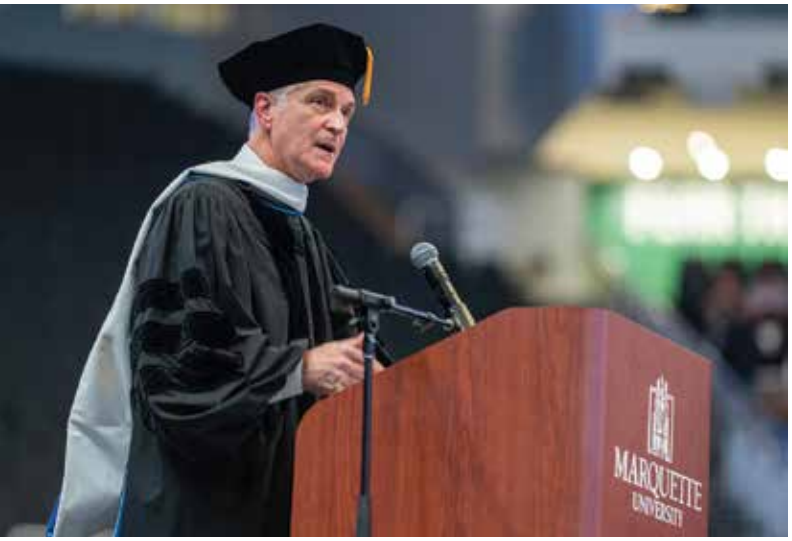
MIKE GOUSHA

"It Doesn't Have To Be This Way"

I have enormous respect for facts, knowledge, and expertise. And yet, we live in a time when those once foundational "givens" of a functional, democratic society seem under assault.

It's a symptom, I'm afraid, of something larger and more concerning. I think most of us would agree that civility in America sometimes feels like a quaint relic of the past, that there is a fraying of what some call the social fabric of America. Research indicates that we have grown increasingly isolated from each other, choosing to spend our time with devices rather than with our fellow human beings. Sadly, optimism about our future is increasingly being replaced by cynicism and disillusionment. A Gallup Poll in February showed that satisfaction with our lives today has declined over the last decade, and our optimism about the future has fallen even more. We've also become more insular. Depending on our politics, we can choose to live in our own little bubble, consuming media and information that reflects our world view, socializing only with those who agree with us.



Mike Gousha received an honorary Doctor of Letters degree at a Marquette University commencement ceremony on May 9, 2026. Gousha was distinguished fellow in law and public policy at Marquette Law School from 2007 to 2022 and continues as a part-time senior advisor at the Law School.

In commending Gousha to Marquette University President Kimo Ah Yun at the commencement, Law School Dean Joseph D. Kearney described how Gousha was the Milwaukee region's "go-to source" for news during his career as a broadcast journalist. In his work at Marquette, Gousha was a central figure in the creation of the Marquette Law School Poll and helped inspire formation of the Law School's Lubar Center for Public Policy Research and Civic Education.

This is an edited and excerpted transcript of Gousha's remarks to the graduates.

But is this the world we want? I don't think so. And here's the good news:

It doesn't have to be this way.

And so, as we celebrate your professional achievements today and the work you're about to undertake, let me also encourage you to think a bit about how you might help rebuild our sense of shared community and, in the process, help civility make a comeback.

One of the things I'm most grateful for in my career is having had the opportunity to meet and speak with thousands of people from all walks of life. What I've learned from all those people is that we share far more in common than we think or we're told; that our life experiences connect us in a much deeper way than how we just identify politically; that our differences are greatly exaggerated by those who want to exploit them for personal and political gain or, perversely, for profit.

And so, I remain hopeful that we can find a way to restore civility to our discourse and heal our nation's wounded soul. But I believe the only tonic for this current toxicity is openness: an openness to new ideas, perspectives, and possibilities, to new personal relationships. We need more civic participation. More social interaction. More human connection.

As you begin this next chapter of your life, I know you'll be focused on your careers, and understandably so. But let me also encourage you to find time to be a fully engaged citizen. I'm talking about being actively involved in our civil society; doing charitable work; joining community, school, or faith groups; helping organizations that make a positive difference in our community.

Let me suggest that, as your career unfolds, you remain open to change. Each of us, as we walk through life, has career ups and downs, unexpected opportunities and disappointments. About 20 years ago, I had a job in the television news business that, on the surface, seemed like a dream job to most of my peers. But I was miserable, unhappy with the direction of our newsroom.

So, I decided to leave that job, not knowing what would come next. As it turned out, "next" would be my career at Marquette University Law School, which has been richly rewarding and fulfilling in so many ways. "Next" was also a new opportunity at the Hearst Corporation to help create a statewide television

program I had long wanted to do. And "next" was the chance to make documentary films. But if I hadn't been open to the possibility of change, I would never have had those opportunities.

Now I know that family obligations, tight job markets, and our rapidly evolving technology can make change daunting and that change isn't always chosen. Sometimes it's forced. Still, I think it's healthy that, periodically, you ask yourself a few basic questions. Is my work bringing me joy? If not joy, do I at least find satisfaction in what I'm doing today? Would I be happier doing something else and, if so, what would that be? My wife, Lynn Sprangers, in her conversations with younger friends, puts it more succinctly: "Are you where you need to be?" she asks them. "Not where others need you to be, but where *you* need to be." I really believe that our unhappiness with our jobs and careers contributes to the anger and cynicism we see too often in America today.

But it doesn't have to be this way.

I am not encouraging you to compromise on your principles or core values. In fact, as fully engaged citizens, all of us will likely be called to take a stand some day; to have the courage of our convictions and help, in our own way, find solutions to the problems we face and restore our belief in a shared American experience.

Courage comes in many forms, but for me, I am always reminded of what happened in Little Rock, Arkansas, in September of 1957. Backed by the Supreme Court's 1954 decision in *Brown v. Board of Education*, nine black teenagers, none even 17, chose to enroll in historically all-white Little Rock Central High School. Their reasoning was simple. They wanted the best education they could get.

But the end of segregation at Little Rock Central did not come easily. When they went to school on September 4, the nine black students were met by the Arkansas National Guard, who refused to let them enter. Hundreds of angry white students and adults gathered at the school, yelling racial slurs and physically threatening them. Eventually, three weeks later, President Eisenhower intervened and ordered U.S. troops to escort the students into the school so they could continue their studies.

In February of 2010, this University presented the Little Rock Nine with its prestigious Père Marquette Discovery Award, and I had the privilege of leading a conversation with six of the nine members. I asked them if after their first day of denied entry and physical threats, they ever thought about not returning to Little Rock Central, of not going back. And I'll always remember the words of Gloria Ray Karlmark. She told me she went home after that first, tumultuous day, thought about what she had experienced, and then decided she would not back down. These were her words: "If life, for me, meant I would not have access to higher education, if I were to be denied access to knowledge and learning skills, simply because of my appearance, then there really wasn't anything to live for."

Those nine teenagers knew then what we, in our hearts, know today: It doesn't have to be this way.

Thank you, congratulations, and good luck. ■



HON. JAMES A. WYNN

How Do Judges Decide Which History Counts?

Hon. James A. Wynn, L'79, is a judge of the U.S. Court of Appeals for the Fourth Circuit. He contributed this essay as a guest post on the Marquette Law School Faculty Blog on September 21, 2026.

Originalism has quietly transformed one of the judiciary's central responsibilities. Judges are no longer asked merely to interpret constitutional text and precedent. Increasingly, they are asked to resolve contested questions of professional history—and their historical judgments often determine the scope of constitutional rights.

That transformation raises institutional questions that deserve far more attention than they have received. In particular: How do judges decide which history counts? Or how should courts go about determining relevant history?

Two Supreme Court decisions this past summer, in June 2026, highlight the crux of the problem.

In the birthright citizenship case, *Trump v. Barbara*, Justice Clarence Thomas penned a dissent that ostensibly presents an extensive historical argument supporting its interpretation of the Fourteenth Amendment's citizenship clause as one narrowly tailored to restoring the rights of former slaves. But Justice Ketanji Brown Jackson's concurrence surveyed that same history and rejected it as a "narrow vision of the Fourteenth Amendment [that] bears little relationship to the history of its ratification."

And in *United States v. Hemani*, the Court held that a federal law barring an occasional user of marijuana from owning a firearm violated the Second Amendment because the government could not point to any Founding Era historical analogue for such prohibitions. In her concurrence, Justice Jackson spoke plainly. Thrusting such historical research on judges had become "unworkable": "It imposes on judges the unfamiliar and difficult tasks of sifting through centuries-old evidence in order to answer contested historical questions, and applying those answers to resolve contemporary problems."