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The New World of Electoral Politics and What It Means: An Introductory Essay

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THE NEW WORLD OF ELECTORAL POLITICS AND WHAT IT MEANS

An Introductory Essay

It has been sixty-six years since the election of 1960 ushered in television as a controlling medium in presidential races, while opening the era of the sound bite. Somewhere along the way, or so it seems, the sound bite became more important to journalists and voters alike than the rigorous analysis of issues typically found in the printed words of newspapers and magazines.

Fast forward to the 2016 election, and innovation has changed the landscape of electoral politics once again. The Internet, the sixty-six-character tweet, and YouTube are now the controlling mediums; we have entered an era where *everyone* is a journalist. Just as George Eastman's mass marketing of the first Kodak camera in 1888 turned millions of consumers into photographers, pocket phones have turned the masses into reporters. Anyone can post/tweet a message, photo, or video across the globe. Events are recorded and reported in real time.

Amateur journalists have documented the joys of life and brought attention to the dark underbelly of society with harsh videos, revealing the sometimes violent and discriminatory treatment of minorities. At the same time, sixty-two years after the passage of the Civil Rights Act, after we had presumably witnessed the end of cross burnings, internet forums promoting racial and anti-Semitic messages remind us that discrimination and hatred festers beneath the surface of our culture, even at a time when our Commander in Chief is a black man. And, as the Internet has provided insight into the subsurface of our culture, it has allowed those operating beneath the subsurface to disseminate information that is often inaccurate, and sometimes, blatantly divisive.

The emergence of amateur journalism has seemingly correlated with the diminishing impact of traditional news sources as thought leaders for the electorate. Consider this: in selecting Donald Trump as President of the United States, millions of Americans ignored the advice of the editorial boards of every major American newspaper, including USA Today. USA Today did not endorse a candidate, but counseled against a vote for Trump. In fact, Regional newspapers, like the Atlanta Journal Constitution, similarly refused to endorse Trump.

Against this new backdrop, the 2016 campaign was remarkable for its failure to serve as a catalyst for open and rigorous dialogue about substantive issues including immigration, foreign policy, trade, labor, employment, the provision of healthcare, criminal justice, racial and gender equality, and of course, the regulation of speech as it applies to the internet and the words used to characterize one another and to market potentially deadly products.

How did this happen? Fault lies not just with the candidates. Rather than cover or develop organic news stories analyzing substantive issues, established media outlets reported the election as if it were a sporting event whose outcome was without consequence. Coverage was even sidetracked to report on what the amateurs were saying. Media discourse even focused on tweets, whether from the public or from candidates reporting in real time.

The election is now behind us. On January 20, 2017, the Trump Administration will assume office. The role of governance will presumably begin, and it will be imperative that rigorous analysis replaces the type hyperbolic discourse that either emanates from or is transparently designed to stir fear or anger.

The *Emory Corporate Governance and Accountability Review* (“ECGAR”) could not let this election cycle slip by without a substantive discussion of at least some of the issues that may be important to Americans, those who will serve as legislators, and the ranks of the new administration. The word “accountability” in our review’s name provides, where necessary, a broad mandate to discuss issues of public importance (although some of these issues may relate to corporations only tangentially).

In fulfilling our mandate, ECGAR’s editors sought essays from a broad group of individuals with diverse experiences and perspectives. The group includes doctors, practicing lawyers, public officials, and scholars. The essays in this issue come from those who have had to deal with the harshest tasks of compliance enforcement, ranging from Alope Chakravarthy who served as the lead prosecutor in the Boston bombing case to Bill Nettles, the former US Attorney for South Carolina, who investigated the Charleston Church shooting. What they have chosen to write about at this point in history - their selection of topics - is truly insightful.

Discussions of the environment, global warming, labor and employment, and (by some accounts) our broken healthcare system are within the essays published here. We have not covered all that there is to cover, nor have we

heard from all voices that need to be heard. This dialogue is merely the start of a larger conversation.

As we enter an era where both innovation and the circumstances of the human element will challenge the rule of law, it is important that publications like this Inauguration Edition provide a catalyst and forum for debate about the substantive and procedural application of law. In doing so, our task is not merely a theoretical endeavor; ECGAR is a practical review grounded in our appreciation for the reality that laws govern the lives of *real* people. These articles take facts seriously and reject demonizing and name calling, which has served as a substitute for constructive dialogue. And if there is one lesson to be learned from this election, it is that the trajectory of our democracy can be altered at the ballot box by working Americans who are unsatisfied, or indeed angry, with the government's inability to protect their economic and social well-being.

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