Transition of Power: Obama to Trump, and What Lies Ahead
Jason Lawrence, Media Coordinator, CSC

One of the defining characteristics of democratic governance is the peaceful transition of power. That we are about to witness the forty-fourth such transition in American history is truly an accomplishment to celebrate. Many of these transitions have represented a period of pride and hope: pride in the wonder that is our ongoing experiment in self-governance, and hope that the transfer of power to a new administration is a sign of great change to come. The former still reigns true as we ready ourselves for the Trump administration. But, as is oft mentioned, the latter has been something of great debate.

President-Elect Trump is set to take office this week as the least popular president in recent memory. Perhaps the low approval rate of Trump’s transition is simply a sign of deep polarization amongst the polity, as one could easily assume a Clinton administration would also have faced high levels of scrutiny and criticism. However, the ongoing exception that is to be the Trump presidency leaves us thinking there is more than just polarization at play here.

Just this past week, Trump held his first press conference as President-Elect – his first since July – and a number of widely held concerns were more than reaffirmed. A central concern for the health of our democracy lies in President-Elect Trump’s disdain for the media. One of Trump’s undoubted skills is media manipulation, and this was on full display as he attempted to discredit major media outlets, drawing all attention away from potential scandal involving his forthcoming administration and instead raising the question as to whether or not CNN is “fake news”. His ability to continually dodge questions of ethics and constitutional concerns is a marvel; but a terrifying marvel as many in the media seem, thus far, wholly incompetent against such a challenger. In fact, Trump continues to distract from concerns of constitutional law, even as he breaks Godwin’s law and decries himself the great victim of Nazi-like persecution. Yet, it is the concern for constitutional law that has left many awake at night since Trump’s electoral victory this past November.

The oath that Mr. Trump will take this Friday is one that promises to “preserve, protect, and defend the Constitution of the United States”. However, the very same Constitution raises problems for Trump the very moment he takes his oath. First and foremost has been concern for the “emoluments clause”. Trump’s potential conflicts of interest are a unique first in presidential history, and the question of whether or not he is violating the Constitution is one of seemingly great debate.

Continued on page 2.
Yet, further, if he is in violation of the Constitution, the question of what can be done is another debate in itself. Of course, for Trump, only the “crooked media” thinks any of this is a big deal. Nonetheless, the truth remains this is a big deal, and one we have no comparable precedent for. Perhaps the greatest of these concerns unique to Trump and his administration has been his blatant challenge of nepotism laws.

Trump has appointed his son-in-law, Jared Kushner, to a senior White House adviser position. While Mr. Kushner himself has since attempted to separate from any potential conflicts of interest of his own, there is still much left for concern. As of now, there is still no consensus as to whether the Kushner appointment violates anti-nepotism law, but the “murky legal landscape” we are now in is certainly still taking shape. What we do know, though, is that Trump is putting his name in the same hat as a number of others whom democratic presidents often do not want to be associated with. And further, it is certainly clear that these concerns of constitutional integrity and conflict of interest are not going to go away. All of this, and we have not yet learned for certain whether or not there is reason to fear Russian ties within the Trump administration.

So, as we celebrate the great accomplishment that is our ongoing democratic experiment, there are many questions that lie ahead regarding our new President-Elect; questions that democracy make due diligence to examine an ongoing imperative.

---

**Saying Goodbye to President Obama**

“Popular but politically humbled, President Barack Obama said goodbye to the nation Tuesday night, declaring during his farewell address that he hasn't abandoned his vision of progressive change but warning that it now comes with a new set of caveats”.

“He didn't sugarcoat the challenges awaiting us. He laid them out plainly, one by one. The struggles ahead are formidable, he warned. But we have come too far as a nation to turn back now”.

“He warned, in the wake of a toxic presidential election, that economic inequity, racism and closed-mindedness threatened to shred the nation’s democratic fabric”.

“‘Yes we can,’ spoke to the audacious odds of his own run for the Presidency, not a clear political vision. He sought to persuade by explaining and reasoning, not by simplifying or dramatizing”.

“The coming Trump Administration will be a monumental test of Obama’s enduring optimism, and, perhaps, of his impatience with those who don’t share it”.

---

clas.wayne.edu/citizenship
Very few people expected the outcome of the presidential election. The country is starkly divided with one major candidate receiving more electoral votes while the other major candidate received more popular votes.

Although the two candidates received a similar number of popular votes, the exit polls reveal stark differences in voting by gender, race, age, educational level, rural or urban residence, and religion, among other factors.

Some of the post-election analysis has focused on how people who live on the coasts live in a “bubble” and are “out of touch” with the majority of the people who live in the middle of the country. Writer Patrick Thornton critiqued this analysis, arguing that people who live in the Midwest live in a bubble.

Unfortunately, I think that probably most of us live in bubbles as society has become more polarized and less emotionally safe. I suspect that many people, on all sides of the political lines, feel seriously disrespected by the others. That hurts a lot.

To deal with this, it may help to start by using a neutral, mediator’s mindset to sympathetically understand how the world looks from both “bubbles” without evaluating the merits of the views.

It can be dangerous to make broad generalizations, so the following portraits should be read cautiously, recognizing that there are exceptions to these characterizations which do not include all the elements of the perspectives.

Liberal / Progressive Democratic Perspective

Many of the predominantly Democratic constituencies have suffered legalized discrimination until very recently and still feel the sharp sting of prejudice. African Americans suffer from a legacy of slavery that began before our country was founded. A series of shootings of Blacks in recent years and recognition of implicit racial bias in many realms of life have highlighted problems that Blacks routinely face. Despite legal protections, many women throughout society still feel vulnerable to discrimination, sexual harassment, and sexual assault. Many Hispanics feel that they or their friends and relatives are threatened by exploitation and deportation due to lack of legal status. Many Muslims and Jews feel persecuted and physically threatened. LGBT people are subject to legal discrimination in many places and could not be legally married until recently. Supporters of Senator Bernie Sanders feel that large banks and other corporations take advantage of the vast majority of the public. Democrats feel victimized by Republicans who they feel have violated political norms by routine use of the filibuster and refusal to consider the nomination of Merrick Garland to the US Supreme Court, for example. The release of FBI Director Comey’s letters in the last 11 days of the campaign deviated from Justice Department guidelines and a substantial percentage of Democrats, especially women and minorities, believe that the election of Mr. Trump is not legitimate.
Conservative Republican Perspective

Political scientist Katherine Cramer, who has studied rural residents, found what she calls the “politics of resentment”. She wrote, “[T]he people I listened to felt like they were on the short end of the stick. They felt they were not getting their fair share of power, resources or respect. They said that the big decisions that regulated and affected their lives were made far away in the cities. They felt that no one was listening to their own ideas about how things should be done or what needed attention … [T]hey resented that they were not getting respect. They perceived that city folks called people like them ignorant racists who could not figure out their own interests. To them, urban types just did not get small-town life — what people in those places value, the way they live, and the challenges they face”.

Sociologist Arlie Russell Hochschild found a similar perspective in her study of Tea Party supporters. A review of her book, Strangers in Their Own Land: Anger and Mourning on the American Right, refers to “Tea Partiers’ complaints that they have become the “strangers” of the title — triply marginalized by flat or falling wages, rapid demographic change, and liberal culture that mocks their faith and patriotism.” After listening to her subjects, Hochshild developed the following story capturing their perspective: “You are patiently standing in a long line for something you call the American dream. You are white, Christian, of modest means, and getting along in years. You are male. There are people of color behind you, and ‘in principle you wish them well.’ But you’ve waited long, worked hard, ‘and the line is barely moving.’ Then ‘Look! You see people cutting in line ahead of you!’ Who are these interlopers? ‘Some are black,’ others ‘immigrants, refugees.’ They get affirmative action, sympathy and welfare — ‘checks for the listless and idle.’ The government wants you to feel sorry for them”.

Building Empathy and Common Ground

From a mediation perspective, it helps to begin by recognizing the truth and empathizing with the pain felt by people on all sides. This is really hard. I think that some people feel that acknowledging others’ problems is an implicit devaluation of their own problems.

Probably most of us have strong sympathies with one side and it is difficult for us to acknowledge the legitimate perspectives and problems of the other. We have very different sources of knowledge so that both sides believe they have legitimate accounts of reality and the other side’s “reality” is based on falsehoods. Both sides believe that the other has committed serious political sins. These views are reinforced by reactions to highly publicized statements of extreme partisans of each side, which probably don’t reflect the views of most people on their side.

From a mediator’s perspective, one need not believe that there is equal merit on both sides. I certainly don’t believe that. At this point, however, I suspect that these conflicts will not be resolved through competing arguments about the truth or who has suffered more. It feels as if the conflict fundamentally is about identity — who is worth respect and help, and who is not.

I believe that many people on both sides feel real pain. It would be nice if this could be acknowledged without people on either side feeling devalued as if in a zero-sum situation. Indeed, it would be good if people could simultaneously acknowledge the valid concerns of people on all sides.

I really don’t know how to make this conflict more constructive, especially in the public, political world. I would like to think that in our daily private lives, in our schools and communities, people will increasingly decide to treat people in other “bubbles” with curiosity, respect, and appreciation even when we disagree about the extremely charged issues raised in this election. I wonder if it would help if people would acknowledge that people on all sides legitimately feel wounded, without assessing who has been hurt more than the others.

I would like to think that this is possible and would help. But I don’t know. What do you think?
Let’s be honest: human beings are not good at planning for the future. Be they matters of work, health, or finance, immediate gratification is almost always the preferred choice. As such, we have studiously been ignoring a very important issue, one that has expanded our economy, but who’s most devastating consequences will not be borne by us. The issue at stake here is the environment, and the perpetrator is the federal government, but the twist is the accuser: twenty-one American schoolchildren.

*Juliana v. United States* is an Oregon lawsuit that focuses on the federal government’s role in the rise of CO₂ emissions and climate change. The plaintiffs are the next generation, children and teenagers who say that not only is the government at fault for not taking action to stop the increase, but they are also responsible for allowing and incentivizing it through things like tax breaks for companies and funding related infrastructure. The plaintiffs claim that “by their exercise of sovereign authority over our country's atmosphere and fossil fuel resources, [the government] deliberately allowed atmospheric CO₂ concentrations to escalate to levels unprecedented in human history”. They seek a declaration that their constitutional rights have been violated, an order prohibiting the government from further violations, and the creation of a plan to reduce CO₂ emissions.

The grounds of their lawsuit rest on an important exception to the Due Process clause, which normally says it cannot obligate the government to act, even when that action is necessary to secure constitutional rights. The danger creation exception, however, occurs when government conduct places a person in danger with deliberate indifference for their safety. They say that the government “has failed to take necessary steps to address and ameliorate the known, serious risk to which they have exposed [the plaintiffs]”. They also rely on the basic trust principle, that while the government may be in charge of the environment, it in fact belongs to the citizens and the government has a fiduciary duty to protect the trust assets from damage for current and future benefit. They hold that the actions of the government have “violated their obligation to hold certain natural resources in trust for the people and for future generations”.

While the case has not yet been decided on, November 10th, 2016 marked a victory for the young plaintiffs. Earlier in the year, the government and fossil fuel industries filed a motion to dismiss the case. Federal judge Ann Aiken rejected that motion, saying that “defendants’ actions and inactions - whether or not they violate any specific statutory duty - have so profoundly damaged our home planet that they threaten plaintiffs’ fundamental constitutional rights to life and liberty”. Intertwined with this case is the role of the judiciary as a coequal branch of government. According to Judge Aiken, “The modern judiciary has enfeebled itself to the point that law enforcement can rarely be accomplished by taking environmental predators to court. The third branch can, and should, take another long and careful look at the barriers to litigation created by modern doctrines of subject-matter jurisdiction and deference to the legislative and administrative branches of government”.

There are those who do believe that the actions of mankind have had a negative impact on the environment, but that the lawsuit is too radical a measure to set things into motion. To those, the plaintiff’s attorney Julia Olsen has these words: “The political system has had five decades to work on this issue. It has failed. Some have said that this lawsuit is radical. They said ending the segregation of schools and buses was radical. They said giving people the right to vote or marry was radical. What the plaintiffs are requesting is not radical at all... These children cannot wait another fifty years—they can’t even wait another five— to secure their rights. We are running out of time.”
PROFILES IN CITIZENSHIP

CSC Faculty Advisory Board Members

KYU-NAHM JUN
Associate Professor of Political Science
College of Liberal Arts and Sciences, Wayne State University

Dr. Jun teaches courses in public administration, public policy, and research methods. She conducts research in community-based citizen participation and local government responsiveness in urban governance. Other research interest includes investigating the role of information technology in changing relations between citizen and public agencies. Her current research focuses on the identifying internal and external factors that affect local

ANDREW NEWMAN
Assistant Professor of Cultural Anthropology
College of Liberal Arts and Sciences, Wayne State University

Dr. Newman is a sociocultural anthropologist whose research combines urban ethnography with anthropological approaches to environmentalism. His interests include urban political ecology, land-use issues, “reclaimed” urban spaces, social movements, and the relationship between globalization and the city. He is currently working on two Detroit-focused projects. The first is a community-led “People’s Atlas of Detroit”, being done in conjunction with Building Movement of Detroit. The second is a collaborative project with Dr. Yuson Jung on ethical and sustainable food in the city. To find out more about Professor Newman, visit his webpage.

HEATHER E. DILLAWAY
Associate Professor of Sociology
Associate Dean, College of Liberal Arts and Sciences, Wayne State University

Dr. Dillaway’s research interests are: menopause, reproductive health, women and aging, women and disabilities, body/embodiment, motherhood, and race/class/gender/sexuality (intersectionality). Most of her recent research focuses on menopause and midlife, and women with disabilities. She teaches courses on race and gender inequalities, women and health, families, qualitative methods, and research methods.
Continuing his controversial appointments to federal agencies, president-elect Donald Trump has chosen Scott Pruitt to head the Environmental Protection Agency, a move that has many environmentalists concerned. Pruitt has served as Oklahoma’s attorney general since 2011, and has often found himself at odds with the department he is now appointed to lead. In the past, he has sued the EPA over issues such as regional haze production and the Clean Water Act, with the most recent issue being over new federal regulations to decrease methane emissions. Also worrisome is his close alliance with the gas and oil industry. Harold Hamm - chairman of his 2014 re-election campaign - is the chief executive of Continental Resources, a gas drilling company in Oklahoma and North Dakota. Plaintiffs on 13 of his 14 lawsuits against the EPA included companies that contributed money to Pruitt and his committees. In 2011, Pruitt sent a letter to the EPA, saying that they were vastly overestimating the air pollution that would result from drilling new natural gas wells: a letter almost entirely written by lawyers for Devon Energy, one of Oklahoma’s largest oil companies. Discovered through an open-records email search, “the attorney general’s staff had taken Devon’s draft, copied it onto government stationery with only a few word changes, and sent it to Washington with the attorney general’s signature”.

Given his history, it’s not surprising that many people have misgivings about Pruitt’s appointment. Some are curious about his qualifications, asking for examples of policies he originated that resulted in cleaner air or water for the state of Oklahoma. Several have asked for his sources on making statements about the supposed lack of consensus on the human impact of global warming. Others have asked who will take responsibility for the damage caused by not taking action if the scientific consensus on climate change proves to be correct. Seth Rudman, a researcher at the University of Pennsylvania asks what the current data on climate change lacks, and what data Pruitt needs to see in order to believe it is occurring. Donald Chartier, founder of a Chicago internet company, asks for assurance that EPA scientists will be allowed to present data without fear of repercussion. Still others ask if he would be willing to disclose those who have contributed money to his campaign, and to sit out on decisions that involve them.

A core part of Pruitt’s argument against the EPA is that states are better suited to control their environment and industries than the federal government, the latter of which he accuses of overreaching (an extension of the ever-present issue of states’ rights that has dogged our nation from the beginning). However, as some people point out, air and water don’t respect state boundaries, and it is therefore the federal government’s job to regulate them as interstate issues. Charles Haddox, a marketing manager from Denver, asks Pruitt for detailed instances of when state regulations were better at protecting resources in the absence of federal regulation. Mavis Negroni-Foosaner, a teacher and naturalist from Memphis, asks how he can champion state regulations of air and water in light of the local failures that culminated in the Flint water crisis. Still others are puzzled at why someone who disagrees with federal regulations would want to run a federal regulatory agency in the first place. Alison Cate, an energy efficiency consultant from California, asks how Pruitt “intends to serve the public need to protect the environment when [he has] demonstrated a preference for the rights of corporate shareholders”. I would like to hear Trump’s answer to this question, too.

Ruby Rahman, CSC Intern
MESSAGE FROM THE DIRECTOR

I am delighted to inform you that the Charles F. Kettering Foundation has named the Center for the Study of Citizenship as one of its centers for a democratic public life. This designation will enable the Center to send two representatives to the Kettering campus in Dayton to participate in a research and learning exchange on the introduction of deliberative practices into our communities. The foundation and its collaborators seek to answer one foundational question: “What does it take to make democracy work as it should?”

One of the Center's participants in the Kettering exchange, Parada Jordan, will serve in a leadership role in the Center's new Citizenship for Health project, for which Malcolm Cutchin (Professor and Chair, Health Care Services, Eugene Applebaum College of Pharmacy and Health Sciences) and I serve as co-chairs. The mission of the project is to serve the citizens of Detroit by fostering processes of engagement and evaluation, especially those of democratic action and deliberation, that allow community-based citizenship to flourish for the sake of public health improvement. One of the goals is to become a hub for community-engaged research, beginning with health but with a goal of including all community-engaged research on campus.

The second Center participant in the Kettering exchange, Amy Bloom, social studies consultant for Oakland Schools, plays a leadership role in the Center's new Citizen Dialogues, promoting discussion of controversial issues with a goal of informed, civil discussion, listening and problem-solving. It seeks to burst some of the civic "bubbles" that most Americans inhabit. In October, we launched the dialogues with a discussion of gun rights and gun violence. Keep an eye out in our next newsletter for details about the second dialogue, on immigration.

As you look forward to a new year and consider charitable donations, please consider a gift to the Center. Executive Board member emeritus, Mike Loewe, and his wife Kathy have generously offered to match all New Year donations to the Center up to $15,000. More information is forthcoming, but please help to make this the Center's best fundraising year. Here's is the link to the Center's "giving" page. http://clas.wayne.edu/Citizenship/Support-Us.

With best wishes for the new year ahead,

Marc Kruman
Director

clas.wayne.edu/citizenship