

RALPH NADER RADIO HOUR EP 372 TRANSCRIPT

Steve Skrovan: Welcome to the *Ralph Nader Rader Hour*. My name is Steve Skrovan along with my co-host, David Feldman. Hello, David.

David Feldman: Hello, everybody.

Steve Skrovan: Nice to have you here. And the man of the hour, Ralph Nader. Hello, Ralph.

Ralph Nader: Hello, everybody.

Steve Skrovan: On the show today, we're going to spend the whole hour with journalist and publisher, John R. MacArthur. He's the subject of a recent article in *the New York Times* that chronicles his colorful tenure at the helm of *Harper's* magazine. He has steered the magazine through the rise of the internet and the new digital age in publishing, hired and fired six top editors, and become a rather prominent critic of cancel culture, which will be pretty much the topic of our show today. It should prove to be a pretty lively hour. And after that smoke clears, we will take some time to check in with our corporate crime reporter, Russell Mokhiber. But first, let's talk to the man behind what *the New York Times* described as "America's most interesting magazine and media's oddest workplace". David?

David Feldman: John R. MacArthur is the president of *Harper's*, a journalist and the author of several books, including *Second Front: Censorship and Propaganda in the 1991 Gulf War*. Welcome back to the *Ralph Nader Rader Hour*, John R. MacArthur.

John MacArthur: Thank you.

Ralph Nader: Welcome indeed, Rick. Let me just establish the basis for the discussion so it can be a deliberative process and we can end up with some suggestions about the status of free speech in our country today. The freedom of speech is guaranteed against government encroachment by our First Amendment. It comes in three forms in addition to religious liberty; it's freedom of speech, freedom of assembly and freedom to petition your government. Over the years, I've had a lot of experience confronting slanders, confronting terrible descriptions of what we were trying to do to make corporations more accountable. I also confronted this in running for political office. The same people today who take umbrage, oftentimes legitimately, at ethnic, racial and gender slurs were opposed to my Green [Party] candidacy, not by rebutting it, which is certainly their right and privilege, but by demanding that I drop out of the presidential race. In other words, by saying, "Do not use your freedom of speech, assembly and petition." All three are part of any political candidacy.

Having said that, it's important for our listeners to know that there are three sources of restrictions on free speech. One of course is the government, government censorship. Under the First Amendment, the government is not supposed to be able to censor what you say prior restraint, even before you say it. That doesn't apply to corporations. Corporations can shut you up as an employee without any First Amendment repercussions because they're not considered

government or state action. The second source is tort law. That is somebody cannot say, "I have a freedom of speech to libel and slander you." And the third is the criminal law. People don't have the right to speak in a way that immediately incites violence. The famous statement by a [US] Supreme Court justice, "You don't have the right to falsely cry fire in a crowded theater." Or President Donald J. Trump on January 6 shouldn't have had a freedom of speech right to incite the crowd to head for the insurrectional actions in [US] Congress a few moments later.

All right. We start with Rick MacArthur, the publisher of *Harper's*, who is a very strong believer that the best response to bad speech is more speech, more freedom of speech, the so-called marketplace of ideas and early parlance. So what is your principal concern about what's going on in this country today? And I think it's because the situation today is different from when we were younger. Censorship came from the right wing. They wanted to censor all kinds of things – literature, comedy, you name it, novels, prohibit certain texts from being used in schools, such as in Texas. Now it's coming from the right wing and the liberal left part of our political spectrum. What is your concern?

John MacArthur: Well, my concern is principally that people are being intimidated. It's a little facile to call it political correctness, but for want of a better expression, let's just call it political correctness. In order to be a good person or a progressive or a well-meaning moral person, you have to toe the party line, and the party line right now, broadly speaking, restricts speech, restricts freedom of speech and restricts the notion that in a democratic society, it's a good thing to have an argument, to have two different points of view or five different points of view on the same subject. So the most blatant example of this was last summer when James Bennett, the editorial page editor of *the New York Times*, published an op-ed piece by [US] senator from Arkansas, whose name I've now forgotten.

David Feldman: Tom Cotton?

John MacArthur: Tom Cotton advocating the intervention of federal troops to suppress the riots after the George Floyd killing. And there was an uproar that appeared online, not in the print newspaper. It was an uproar in *the New York Times* newsroom and people were outraged that Bennett had allowed a piece to be published contrary, not only to *the New York Times* editorial line, which is exactly what the op-ed page is supposed to do, but also to the prevailing anger and rage and point of view of right-thinking people who are legitimately outraged, many of them about the Floyd killing, but also some who saw it as an opportunity to maybe take the argument a little bit further and suppress other voices. So Bennett was run out of his job. He was essentially fired, asked to resign. They always use these euphemisms. He resigned or he was asked to resign. I'm not clear on it. But this casts a chill on all people who want to say something contrarian, that's not part of the prevailing mood, or it doesn't go along with the crowd.

And in this country, we've always had problems with this. I mean, [Alexis] de Tocqueville picked up on this in the 1830s [when] he noticed how narrow the range of speech was, that anybody could say anything they wanted, but if you dared to step outside the boundaries of acceptable opinion, you would be marginalized for the rest of your life. So Bennett who was really a terribly moderate mainstream guy, I mean, he never said anything controversial in his life, is suddenly cast out into the darkness. He's gone. He's canceled. I think he's gotten some

kind of freelance deal with *the Economist*. But he's a guy who might've become the editor of the most important newspaper in the country is out of a job and out of circulation because he published a piece by a United States Senator that disagreed with *the New York Times* editorial line and the prevailing sentiment in the newsroom.

Ralph Nader: Well, after that, one of the more illustrious reporters of *the New York Times*, Donald McNeil, experienced something that you were critical of.

John MacArthur: Right.

Ralph Nader: Why don't you tell us about that?

John MacArthur: So I'm glad you brought that up because I like to contrast the big fish like Bennet with the small fry like McNeil. So because every time I think that this is blowing over, it gets worse. And you all may know about the *Harper's* letter, so-called *Harper's* letter we published, which was petitioned, essentially, a letter signed by 150 people protesting or criticizing what's now known as cancel culture. That was last summer after the Bennett firing. And a lot of people criticized the letter at the time saying, "Oh, this is just powerful elite types protecting themselves when they have nothing to fear. They're too powerful and elite ever to be canceled." Well, no. There are many, many, many examples of small fry, mid-level types or lower-level types who lose their jobs because they get on the wrong side of the prevailing opinion. And McNeil is a good example.

Donald McNeil, Jr., was *the Times'* principal reporter on COVID-19. *The Times'* is so desperate for revenue that they've started organizing these tours, paid tours where students and people can go on a guided tours, guided by a *New York Times* reporter. And they sent McNeil as the chaperone and the guide for a group of high school students back in the summer of 2019 to Peru. Now McNeil is not the most sociable guy from what I hear. He's not your ideal tour guide. But in a conversation with one of the high school students, the high school student asked him-- this is just a dinner after the day's events are concluded--did he think it was wrong for her to have gotten in trouble for having made a video in eighth grade in which somebody used the so-called N-word and got in trouble for using it? So McNeil repeats the word, the forbidden word.

Ralph Nader: As part of the discussion.

John MacArthur: Part of the discussion. It's informational. Nobody disputes that. After the tour was over and apparently McNeil was also not sufficiently respectful of indigenous ceremonies that they witnessed or that they participated in. I'm not sure, but he was not a get along, go along clubbable tour guide. So afterwards, the kids complained to their parents, all of whom were White, by the way. I think they were from [Phillips Academy] Andover, the prep school, and they'd paid \$5,500 a pop. They complained to their parents. The parents complained to *the Times*. Dean Baquet, the editor of *the Times* reprimanded McNeil. I think they had a little proceeding and they finally said, "We're just going to let this pass with a reprimand."

Now, fast forward to January of this year, *the Daily Beast* website breaks the story, reveals the story about McNeil's terrible racist behavior and the complaints from the kids. And the whole

thing blows up again. The *New York Times* newsroom is up in arms like they were against Bennett for publishing the Cotton op-ed. And Baquet suddenly changes his tune and says, ‘Well, I guess this isn’t resolved.’ And they call McNeil in and they reprimand him and they force him to make this confession--crazy like a Moscow trial’s confession from the 30s about how he shouldn’t have even thought that he could get away or justify using the word informationally, that even thinking it was a crime didn’t work; they frog marched him out of there. They essentially fired him. And to make it worse, Dean Baquet then said publicly that it didn’t matter what the context was of the use of the N-word, that it was wrong to use in any context, even though *the Times* prints that word all the time, hundreds of times in the last 20 years.

So Bret Stephens writes a column saying this is outrageous. No sane system of law or ethics leaves out of consideration, intention or intent the way the word is used. So the difference between manslaughter and first-degree murder, that’s a question of intent. What did you mean to do? What did McNeil mean to do when he used the word is essential in a law-abiding society where you pay attention to these sorts of things. Baquet had to backpedal, but they didn’t rehire McNeil and they spiked Stephens’ column. Stephens’ column turns up in Rupert Murdoch’s *New York Post* like *samizdat* a week later. That’s how you were able to read it, to read what Stephens said. Now they didn’t fire Stephens, but they did spike his column, criticizing management’s decision to cancel Donald McNeil. Now McNeil doesn’t have any supporters. He doesn’t even have *the New York Times* newspaper union supporting him.

Ralph Nader: But he’s written four articles on this topic since he left *the New York Times*.

John MacArthur: He’s now branded as a racist. And like the [Joseph] McCarthy days, like the 50s, once you’re branded a red, you can’t work anymore and he’s not going to be able to work anymore.

Ralph Nader: Well, this is not just Donald McNeil, Jr. It’s dozens of people in every area of American life--from entertainment to politics, to business, to labor, to sports. One word uttered, gets them suspended or loss of their job, and then they are tainted. Now here’s my concern. When I go to the Harvard Law School to speak, I make a lot of points about corporate crime, et-cetera. And I say, you know, the one thing that can get you really agitated, as they sit there quietly in the room, is if someone among you or visiting you used an ethnic, racial or gender slur, you would go up the wall and you say that’s not proper. And you’re quite correct to say that you want to rebut that. But you know, the discriminatory viciousness on the ground, in the ghettos, in the lack of pay equity, in the mistreatment of women, in the bigotry against Arab-Americans or Asian-Americans, they don’t spend a minute worrying about. Not a minute.

So there is this asymmetry between being very concerned about bad words, but not concerned about the discriminatory, vicious, horrific behavior on the ground. The distinction between words and deeds. This is the problem. The distinction between words and deeds. If you just focus on words, here’s what’s going to happen. The censoring culture will expand. Government politicians will pick it up. They’ll start adopting coercive censoring. There are countries in the world where a mere criticism of the leader can get you in jail. And they’re not totalitarian countries. They’re authoritarian countries. So there’s a contagion to this kind of cultural practice that instead of rebutting and rejecting bad language, wrong thoughts, plutocratic thinking,

whatever, instead of doing it by more free speech, you try to do it by shutting them down. You drive it underground and it erupts in the form of Trump voters and Trump's support for example. Or you push it underground and it erupts in terms of some other charlatan that takes advantage of it and accuses people of shutting people up because they don't like what their views are.

So this is a problem of long standing, Rick. It's just become more prominent because it's erupted in liberal circles. You have a coach or basketball coach huddling with his players, some of whom were Black. And he's pretty desperate because they're not winning. And he says something like, "Look, fellows, we've got to stay on the plantation," which is his way of saying we've got to stay in practice. We've got to stay mentally focused. Well, it blew up on him. He was very remorseful, and remorse and regret in this kind of culture now doesn't get you a reprieve. It doesn't get you proportionality. It gets you no more job and no more ability to get another job after you've been fired or forced to resign.

In the meantime, the corporations are taking over the world. In the meantime, they're disrupting the climate of the earth, preserving massive poverty, supporting fascist and communist regimes, emptying out communities under the guise of free trade in this country, millions of workers losing their jobs, exploiting consumers, running nursing homes that are infectiously mismanaged and gouging; ripping off people in the health insurance area, denying benefits so over 100,000 people die, according to a Yale [University] study, who can't afford health insurance to get their diagnosis or treatment in time; corporate crime waves, stealing from taxpayers, escaping taxes. And where are the liberals and progressives who are so upset about bad language? Do they have time for these other situations on the ground? Housing discrimination?

Let's try something really controversial. Dick Gregory wrote a book. The title was the N-word. It was his autobiography. Black law professor at Harvard wrote a book. The title was an N-word. It was by Randall Kennedy. The title was the N-word and the subtitle was *The Strange Career of a Troublesome Word*. And Black athletes use the word with each other all the time. So is that proper?

John MacArthur: Well, and it's in the language. It's in the culture. It's in the music. It's everywhere on the street. It's absurd. The whole thing is –

Ralph Nader: What I'm asking is the same people who condemn the commentary use, the contextual use of the N-word, not its use accusatorily or bigotry. Like they're talking about a historical situation or a trial. The same people who come down hard on that. Should they come down hard on Blacks using that word?

John MacArthur: Well, if they were consistent. Now you see that the editor of the – I guess they're trying to spread the net. I disapprove of this too, but they forced out, they fired the editor of *Teen Vogue* magazine who is Black and a woman.

David Feldman: She resigned. She resigned. She wasn't fired.

John MacArthur: Okay. Well, I'm sure there was a push and she resigned because she made anti-Asian remarks in high school on her tweets. Now, again, I believe in redemption also. And I

don't think that people should be held to account to this extent for things they did when they were teenagers. It's crazy. But I guess –

David Feldman: I apologize for interrupting. This is something. Ralph, do you mind if I ask a question?

Ralph Nader: No, let's wait until we get to the end, David.

David Feldman: Okay.

Ralph Nader: Because I want to put a lot of questions about disproportionality, questions about where are your priorities. If you're going to talk about verbal affronts, you've got a duty to talk about the vicious deeds on the ground that go unnoticed and unchallenged, that the verbal affronts represent. But I also want to raise another issue here. This is remarkable. You have Senator [Kirsten] Gillibrand and others in the Senate. They went ballistic about some sexual escapades or harassment by Al Franken before he was senator. All the women in his office and retired women supported him. And they basically beat the drums in a few days and drove him out of the Senate. And the Democrats did the same thing against Congressman John Conyers for sexual harassment in his office.

At the same time, they gave a free ride to the savage sexual predator in the White House, who not only did horrendous things, including assault, battery, some would say even rape, who was involved in litigation by his accusers and who brandished them all as liars and continued slandering them and boasted about his prowess on television programs like “Howard Stern”, and the members of Congress and Democratic Party didn't go after him. Didn't say, “This is a violation of the public trust. This is what Hamilton was talking about. You're not only a bigot, you're a sexist, you're a misogynist, but you are a violent form of those behavioral traits against distinct women.” And they didn't have a congressional hearing. They didn't make it an impeachable offense. They gave him a free ride. This upset me very much. I've been an advocate women's rights since before I went to law school.

So I wrote an open letter, which was going to go to all members of the Democratic Party in the Congress. But the male members said address it to the women because they have credibility. So it was an open letter to the women, Democratic women of the Congress. And I laid out the case against Donald Trump and his violent practices against women using the power of his position, using his ability to slander them in the mass media, which lapped up his verbal assaults, et cetera. I delivered it, hand delivered it to 89 women representatives in the [US] House of Representatives. And the letter was delivered to some of the women senators, including Senator Gillibrand. This was in January, February of 2020. Not one response. It was a letter that made recommendations for action. Not one acknowledgement.

I even phoned up certain offices. Trump called Maxine Waters “low IQ.” Can't get a more racist epithet like that, an African American member of the House. And she wouldn't stand up to him. Why? I asked people in the Congress and so on. It's intimidation. Number one, they're afraid of Trump because he singles out and he unleashes all kinds of hate on the internet and they didn't need that. And the other members told me and staff told me was Speaker [of the House] Nancy

Pelosi didn't want to get into that, didn't want to raise it. So this is what troubles people who don't like bad language, but they also don't like hypocrisy, disproportionality, and a willingness to forget about the deeds as long as you can counter attack and fire people who talk the words, sometimes inadvertently.

There is a book written, which I send this book to deans of law schools before we get into other subjects. It's a book by Anthony Lewis. He was a celebrated columnist and First Amendment specialist for *the New York Times* for many years. And his last book was titled *Freedom for the Thought That We Hate: A Biography of the First Amendment*, and he got that title from Oliver Wendell Holmes, the Supreme Court associate justice, who in a case titled *United States v Schwimmer*, he wrote, "If there is any principle of the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought--not free thought for those who agree with us, but freedom for the thought that we hate." And that made the title of his book. I don't know how many people it will take to persuade other people that once you start censoring, it becomes contagious and often comes back to bite you.

John MacArthur: Yes.

Ralph Nader: With the exception of libel, slander, and incitement to riot, and of course, government suppression of free speech.

John MacArthur: And of course, we don't see all the results, all the consequences of this because self-censorship becomes the rule. And you never hear about what people didn't say or decided not to say because they were afraid of reprisals. I mean, it's preemptive censorship. And I know all sorts of people in the news media who have told me that they're dumbing it down or they're lowering the tone and they're not daring to say things they would have said a few months ago or a couple of years ago because they don't want to get canceled. They don't want to lose their jobs. The media, as everybody should know, is in crisis because Google [LLC], Amazon[.com, Inc.] and Facebook[, Inc.] run the media now, and to some extent dictate the terms by which *the New York Times* and *Harper's* magazine will survive or not.

Ralph Nader: Self-censorship is a cardinal behavioral trait in every culture ever studied. I mean, cultures can hardly survive. But after 9/11, for example, and also after the invasion of Iraq, I would be speaking before audiences and I would say, "How many of you wanted to say something, but felt you couldn't because you'd be accused of not supporting the troops and being unpatriotic?" Well, a lot of people in effect indicated that they did keep their mouth shut and they didn't say what they thought about those important situations.

John MacArthur: Of course.

Ralph Nader: Self-censorship is rampant in academia. Self-censorship is rampant everywhere. It's our duty to try to loosen the pressure of that. Look at the self-censorship that Trump generated, not just directly, but indirectly. Fear and intimidation, anxiety, dread. People afraid to challenge Trump because the Trumpsters out there in the private sector would come down very hard on them and not just on the internet. So we really have to think through all this and realize that freedom of speech, which is often called the primary amendment to the Constitution, the

precursor for all democratic societies activities. Freedom of speech already has its restraints against government, libel, slander, and incitement to violence. Anything more than that, and you get contagion; you get an epidemic of censorship regardless of political backgrounds, fear, anxiety, self-censorship, repression, and the eruption that would inevitably occur when demagogues come around and take advantage of it the way Trump did.

John MacArthur: Also, a couple of things I'd like to just add. And one is that I see the First Amendment used to be, and I guess to some extent still is, fetishized. In other words, it's this thing that's there that we're supposed to memorialize and protect. And it was Lewis Lapham, my old editor who used to say, "Wait a minute. The First Amendment is there to be used." We're supposed to use it. That's why we have it. It's not there as an ornament in the Constitution. So I am a great believer in the notion that not only is it essential to a democracy, but it also enlivens society. It's fun to be free as my great uncle and Ben Hecht, my great uncle, Charles MacArthur, and Ben Hecht used to say, "It's fun to be free," but it is also essential to a functioning democracy.

Ralph Nader: Absolutely, absolutely. If you look at most of our rights, Rick. We're talking to Rick MacArthur, publisher of *Harper's* magazine. If you look at our rights, many of them were born out of descent. Descent in our history and the history of societies is the mother of ascent. For example, a lot of our procedural rights now in the Bill of Rights were tremendously disputatious. And if people in those days who were fighting for those rights were shut down, then the consequences would have been more autocracy. Let me test you a bit, Rick. Let me test you here. Where do you stand on the increasingly successful drive to get rid of the name the Washington Redskins; that's gone. It's now the Washington Footballers. There's no pressure to get rid of the name Atlanta Braves and the Cleveland Indians. What's your position on that?

John MacArthur: I think it's foolish. It's pointless. And I think if you ask the average, I mean, I used to go – I've driven around the west a lot and I've talked to a lot of Native Americans and I've asked them this question about calling them Indians versus Native Americans. And most of them have said over the years, this is a random sampling of people say, "We don't mind being called Indians. We just don't like being treated like second-class citizens." And that's the heart of it.

Ralph Nader: Well, a lot of the opinion on the Redskins was split by Native Americans. Some thought it was terribly disrespectful, exploitive, et cetera. Others said, *the Washington Post* has covered this subject a hundred times more than they've covered the conditions on the reservations.

John MacArthur: Exactly.

Ralph Nader: Why don't they come out and see what's going on the ground here in terms of the institutional, historic bigotry against Native Americans. Winona LaDuke doesn't mind using the word Indian. She's a major leader among Native Americans. And so I can see both sides. The reason why I asked you this, I really can see both sides. I mean, it's really sort of disgusting to me to see the Tomahawk chops at the Atlanta Braves game. It's childish. But anyway, what

would you do about the Fighting Irish? There are far more Black football players on the [University of] Notre Dame football team than Irish-Americans.

John MacArthur: Yeah. I think the more pertinent question is about, again, the argument about tearing down Confederate monuments. I'm not against taking down Confederate monuments. If people want to tear 'em down, that's fine. But I just remind people all the time. Because by the way, I covered the so-called Second Trail of Tears. You remember the American Indian Movement March on Washington in 1978? I covered that for *the Washington Star* and I never heard a single American-Indian or Native American leader demand, for symbolic reasons, that they not be called Indians anymore--that they be called only Native Americans.

It's the same thing with [Rev. Dr.] Martin Luther King[, Jr.]. Not once that I could find and I really read the record and read his stuff, did he ever call on municipalities or states to tear down Confederate monuments. And I think it's because he recognized that these were symbolic gestures, not substantive gestures, like voting rights, like a higher minimum wage, like integration in public schools. Those are the things that matter. That's what matters to Black people and to Native Americans. I don't think this symbolic stuff amounts to much of anything. And all it does is drain energy from the fight that should be engaged all the time for bringing greater equality to the United States and treating everybody like equal citizens. So that's my position on name changes.

Ralph Nader: Just to introduce a new form of censorship that I think most people would be astonished, we now have judicial opinions redacted by the government. The government now, when it engages in litigation that involves anything they claim is a matter of national security or any other issue that they don't want the public to know about, they force the publishers of these judicial opinions or the judges to redact. So you open up West Publishing's Appellate decisions or whatever, and you see marked-out sections, not just the line here, sometimes a paragraph. You see what happens when you start suppressing freedom of speech. It knows no boundaries and it ends up in a very bad way.

John MacArthur: Well, and here's another example. Has anyone been watching the [Ernest] Hemingway documentary over the last three nights on PBS? Hemingway used the N-word frequently in his stories, or often enough, that they showed a page where he used it three or four or five times. And they had it blacked out on the screen, like the Mueller report [Report On The Investigation Into Russian Interference] was redacted. It's just unbelievable. It's treating people like children. What are we going to do now? Are we going to start publishing redacted versions of Hemingway and of Mark Twain, Huckleberry Finn, where every offensive word is blacked out so you can't see what the author intended to say? It's insane.

Ralph Nader: There's also some efforts to change the name of Columbus, Ohio. I don't think that's going to succeed, but you can see where it keeps going. I mean, Columbus was an invader. He slaughtered Indians. He was there to get gold. Not exactly a historic figure that kids should learn about. By the way, when you were younger, what was the phrase, sticks and stones they used in the school yard?

John MacArthur: Sticks and stones can break my bones, but words will never hurt me.

Ralph Nader: Well, now you'd never hear that. You would never hear that. Now of course words can hurt. Words can hurt people. Words can hurt children. They can internalize it in a very bad way. The point is that the more sensitive a society becomes, the more sensitive a society has to become until people and kids don't brush things off. They don't develop a tougher hide and throw it back on the accuser by rebutting and challenging. So there's is a very interesting turnaround in our society now, which deals with teachers afraid to say a whole number of things. They don't know when they're going to get tripped up. So let's open it up to Steve and David.

David Feldman: Yes. A couple of things. I want to say this out of respect, but I disagree everything that was said during this conversation. I disagree with I would say 90% of everything that the two of you have said.

Ralph Nader: That's not true. That's not true at all. And you know it, David.

David Feldman: No, no. Because you're talking about the First Amendment, none of this applies to the First Amendment. This is corporate branding. These are privately held companies. They can decide whom to fire and why they're firing them. And if Mr. McNeil thought he was being mistreated, he should have sued *the New York Times*. You know, our guest, s Mr. McArthur, was president of *Harper's*. And he knows as well as everybody else that nobody is privy to the inner machinations of his organization. And when you fire someone, people always sue and lawyer up, and we get a trickle of information if it's a famous person being fired. We don't know the full story behind the firing of McNeil. *The New York Times* would never release that. It wasn't just his cavalier usage of the N-word that *the New York Times* found troublesome. He was traveling in Peru with these kids. He allegedly said that he didn't think white supremacy existed. He allegedly said that there's no such thing as cultural appropriation. He allegedly spoke about the high incarceration rates of African Americans; he was very dismissive of it. Allegedly, he told these kids that Black people should not engage in criminal activity. That way, they won't get arrested. I offer to you that when *the New York Times* reviewed the complaints from these privileged White kids who went on the trip with McNeil, I suspect they asked around *the New York Times* office and got other reports.

Ralph Nader: Donald McNeil answers all of these. He defends himself.

David Feldman: Then why doesn't he sue? Why doesn't he sue? Why doesn't he sue?

John MacArthur: They paid him off. Obviously, they already paid.

David Feldman: But his reputation... This is the thing that's so important to me that you guys are leaving out and then I'll be quiet. Then I'll be quiet. If somebody accused me of racism of going on a trip with young teenagers and saying racist things and being flippant and dismissive about African Americans and then I got fired from my job and I was publicly chastised for this, I don't know about you, but I would lawyer up and I would sue *the New York Times*. As president of *Harper's*, you know that when you fire somebody, you have just cause; & otherwise you're going to get a multi-million dollar lawsuit. Where is the multi-million dollar lawsuit?

Ralph Nader: There's always a story behind the story, as you pointed out in *the New York Times* thing, but to try to sue a corporation for a man who is about to retire anyway, and shrugged it off in effect, except for the hullabaloo he had to reply, that's not a practical option, especially since he has to pay lawyers and all kinds of litigation expenses. That's not the measure of whether he is guilty of what was charged or not, whether he sued or not.

John MacArthur: The Donald McNeil situation is sort of an example of double jeopardy. They did have a confrontation with him after he came back from the trip. They did reprimand him. He did apologize and they let it go. They only –

David Feldman: Do you know the inner workings? I don't know the inner workings of *Harper's*. I don't know why you fire somebody. You're not going to tell us everything.

John MacArthur: Wait, you're not letting me finish. They go back after him only when the mob erupts in January. Now do you think that's just?

David Feldman: You referred to the – excuse me, excuse me. As president of *Harper's*, excuse me for one second. Are you going to let me finish?

John MacArthur: Yeah, I'm listening.

David Feldman: Okay. Okay. As president of *Harper's*, do you refer to your employees as the mob? These are our reporters. These were Black. African American women reporters. Excuse me, let me finish. These are Black, African American reporters from *the New York Times*. They are not the mob. These are reporters.

John MacArthur: There are small mobs and there are big –

David Feldman: That's how you refer to your writers as a mob?

John MacArthur: What's that got to do with my writers?

David Feldman: You just said it's "the mob." I don't think of reporters for *the New York Times* as "the mob." And I certainly don't think of the writers for *Harper's* as "the mob."

John MacArthur: Do you think it's appropriate in this case to assert double jeopardy? He gets –

David Feldman: Double jeopardy applies to crime, not the inner workings of an office.

John MacArthur: What we're trying to talk about is an atmosphere that's developed in the country of intolerance and recrimination that is making it very difficult for people...

David Feldman: Why don't you ask Black people and women about the atmosphere in workplaces?

John MacArthur: We do. We do. I've fired people for sexual harassment here. I mean, it's neither here nor there. I'm talking about an atmosphere, and Ralph, I hope, is trying to say the same thing--an atmosphere of intolerance that's developed that is now verging on McCarthyite. I think it's McCarthyite and hysterical and it throws out all notes...

David Feldman: Okay, so let me ask you. You've already said that, and then I'll be quiet. Let me ask you a question. You're the president of *Harper's*. I love *Harper's*. It's a great magazine. You sponsor some trip and you have a reporter who is allegedly being flippant with the use of the N-word, who is allegedly saying there's no such thing as cultural appropriation, who is allegedly making sexist remarks, who is allegedly saying there's no such thing as White supremacy and who is allegedly – and this is the big one – saying that Black people are personally responsible for the high incarceration rates in the United States. He is an employee of yours, and he has been sent on a trip with privileged high school students. Is that acceptable to you? Is that part of the *Harper's* brand? Wouldn't you investigate that?

John MacArthur: This is preposterous, what you're doing. You're changing the subject. I would never –

David Feldman: No, no, no. I'm asking you. This is identical, it's exactly. *Harper's* and *the New York Times* are synonymous. Is it *Harper's* policy to allow a reporter to talk that way?

John MacArthur: What you're saying is absurd. I would never send –

David Feldman: You're using *ad hominem* attacks. Don't call me absurd. Deal with the facts. What's your policy?

John MacArthur: I would never send anybody on such a trip. We don't do things like that at *Harper's*. We publish a magazine.

David Feldman: If one of your reporters talked that way, what would you do?

John MacArthur: I guess I would have a conversation with them about it and see if it was true or not.

David Feldman: And if it were true?

John MacArthur: I don't know. It depends –

David Feldman: You don't know? You're saying that *the New York Times* – you're saying that [Arthur Ochs] Sulzberger [Jr.] treated McNeil poorly. What would you do with McNeil?

John MacArthur: Everyone agrees that he used the N-word informationally. Nobody disputes it. Okay?

David Feldman: What would you do if you had a reporter who was dismissive of high incarceration rates among African Americans?

Ralph Nader: David, David, let me interrupt. Let me interrupt, David. Look, you're zeroing in on a case where the facts are in dispute. Have you read McNeil's four articles defending himself?

David Feldman: Asking me whether or not I read something doesn't...

Ralph Nader: No, because look at the bigger picture we've discussed for this hour. Look at the bigger picture. Look at the massive taboos and censorship that's going on all over. Never mind liberals, conservatives. Look at what Trump has succeeded in doing without being challenged by the Democrats in Congress about his savage bigotry and savage misogyny. Look at those big pictures. I haven't heard you exert any, any emotion about how the Democrats for four years gave this savage sexual predator and bigot a free ride. They went after the Ukraine.

David Feldman: But that has nothing to do with McNeil. Hang on. Excuse me for one second.

John MacArthur: Let me give you a little bit of a –

David Feldman: There's whataboutism at play here. I would just like Mr. MacArthur to tell me if these reports – I have a simple question--simple question. You run *Harper's*, one of the greatest magazines in American history; *New York Times*, one of the great newspapers in America, the greatest.

John MacArthur: Same founding editor.

David Feldman: I'm sorry?

John MacArthur: We have the same founding editor.

David Feldman: Right. So I'm asking you a very simple question and then I'll be quiet. If you got these reports that our reporter allegedly said –

John MacArthur: I'd investigate them [loudly raised voice]. I told you!

David Feldman: And what would you do if they were true?

John MacArthur: It depends on what was true or not.

David Feldman: But you seem to have an answer for *the New York Times*; you don't have one for *Harper's*.

John MacArthur: I'll try to get both sides of the story.

David Feldman: And if you found out that it was true, what would you do? What would you do?

John MacArthur: I would have a discussion. Internally, we'd decide whether the person should be disciplined or not. If it's a reporter, I can't discipline him. We only have freelancers.

David Feldman: But you're not answering the question. Do you want that kind of a reporter associated with *Harper's*?

John MacArthur: Let me ask you; let me ask you a tough question.

David Feldman: You're not answering my question.

John MacArthur: I did. I said –

David Feldman: No, you didn't.

Steve Skrovan: David, David.

David Feldman: That was the definition of vague.

Steve Skrovan: David, stand down.

John MacArthur: David, do you believe in mitigation? Do you think there's any mitigating evidence that should be allowed into your court? I mean, it's really extraordinary what you're saying, but let me just ask you another question.

David Feldman: You're being dismissive. You're being dismissive and not answering my question.

John MacArthur: A harder case is the [Roman] Polanski case. I am outraged that you cannot see Polanski's movie about the Dreyfus Affair. And I've asked many, many people, including many Jews, who are very concerned about the rise in antisemitism in the United States, if they don't think it would be a good thing if Polanski's Dreyfus movie should not be distributed in the United States. Do you know that at this point you cannot even order Polanski's Dreyfus movie with English subtitles? You can't. You have to speak French or have somebody translate it for you if you order it from Amazon France. Do you think that because Polanski is a confessed sex offender, his movie should never be shown in the United States because this is the atmosphere that's now developed that Ralph and I are talking about; it has corollary consequences. It's not just Donald McNeil, it's actual content and ideas like the Dreyfus.

David Feldman: What's your response, David?

John MacArthur: Do you think that's justified, that it should be banned? Because it's effectively banned now.

Ralph Nader: Rick, if you had a writer in *Harper's*, [a] staff member who factually was sexist, racist, bigoted, and there was no dispute about that. The person said it day after day, and it came to your attention.

John MacArthur: I'd fire him, yeah. Like I fired a guy for sexual harassment. I said that earlier.

Ralph Nader: Okay. That's clear. See, the reason why you kept over talking both of you is that you wanted it verified and David assumed it was true before the process of verification [chuckle]. So I don't think there's any difference there between you and David. You just wanted to make sure that they weren't just allegations and accusations, that they were verified, but there's no question that you would tell that person to leave.

John MacArthur: Of course, which is, I said, I fired a guy for sexual harassment. You know, he confessed and we all agreed it was best for the magazine if he left. Yeah.

Ralph Nader: Yeah. So Steve?

Steve Skrovan: Well, it's funny that you're going to ask me to comment now. I feel like the big anticlimax here. The person I feel most sorry for is our transcriber at this point. I was going to say, I think there's a danger also in the terms cancel culture because it has a bit been co-opted by the right. And there's another term that I think is more appropriate called call-out culture. Because I think cancel culture can be used as, 'Oh, you object to anything I say, you're canceling me' when you're not substantially canceled. I mean, that's what you hear from the Trump people all the time now and Republicans in general. And I think we have to be careful about our definitions and what we mean by when we say cancel culture, and as opposed to call-out culture where people should be called out and their views be rebutted and they can't just stand back and go, 'Oh, you're canceling me because I said something too controversial.'

Ralph Nader: Well, while we're at it, what's your take on comedians? Are they censoring themselves at all compared to 30, 40 years ago? Lenny Bruce and others.

Steve Skrovan: Well, yeah, definitely. You can't say what you could say before, and that's not necessarily always a bad thing as far as comedians go. I actually have another insight in that the owner of the Cleveland Indians is personal friend of mine and we talked extensively to him about the name change that they decided to make. They spoke with Native American groups and other groups in Northeast Ohio about the whole thing. They did a very kind of in-depth deep dive into what it all meant. And they came away with the conclusion that it was not worth it. It was too hurtful to too many people, maybe not everybody, but for enough people that why--why do that? And they're trying to come up with another name, but that was different than what happens apparently the Atlanta Braves and the Florida Seminoles, which is another thing. They have some arrangements with the tribes that are native to their area, where I think there's some financial arrangement for the use of the name.

Ralph Nader: They're finally paying naming rights to Native Americans like they do to banks and insurance companies.

Steve Skrovan: But in Northeast Ohio, there was no entity like that to pay off, you know, for lack of a better term. And so they decided, you know, they could probably make more money in new merchandise that way anyway. But they did come away with, you know what, this is hurtful to too many people, maybe not everybody. So we're going to go ahead and change it. And that's a big deal because the name has been around for almost a hundred years.

Ralph Nader: Where are you in the Fighting Irish?

Steve Skrovan: I would go with the Drunken Irish. That's what I would do. [lots of laughter] I think that's more accurate.

Ralph Nader: No, you see, what if some Black players, there are more Black players on Notre Dame team now than Irish American players.

Steve Skrovan: Yeah.

Ralph Nader: What if they petitioned for a name change and say, "This is really pretty insulting to us and we resent it. We're not Irish. And we don't like to be called Fighting Irish. We're proud of our heritage." What would you do?

Steve Skrovan: Well, I think you'd have a conversation about that. I think that's worth the conversation, and who knows where that would end up. I would be more concerned about the University of Pennsylvania and the Fighting Quakers. I think that's an issue.

Ralph Nader: [more laughter] By the way, Steve, you know, a lot of the stuff that's getting people in trouble are old timers who play devil's advocate with young people. Like possibly O'Neill raised some of these issues against what he saw were some pretty politically correct students from prep schools, White students, and he wanted to challenge them. Well that no longer is permissible.

David Feldman: No, I agree with you on that.

John MacArthur: But the Socratic method is dead. It's finished. You can't do it anymore. It's a hanging offense.

David Feldman: You can't provoke anybody. I agree with that.

Ralph Nader: Well, that's why, you know, people say you can't draw a line. It'll create a collective nervous breakdown in this society that the best antidote to bad speech is free speech, more free speech, more free speech.

John MacArthur: Do we want Mark Zuckerberg and the Three Stooges who run Google? Are they the ones who decide? That's my great concern is all of this is distracting from the greater menace, from big-tech monopolies, which are really, really destroying diversity.

Ralph Nader: They do this every day. They make nuances in gradations. We've been talking with Rick MacArthur, the publisher of *Harper's* magazine, a magazine that has been around for generations and continues to provoke, expose and propose. Rick, you were part of *A Letter on Justice and Open Debate*. July 7th, 2020, it was released, signed by 150 people--authors, intellectuals, teachers, and others. How can people get ahold of that so they can delve into this issue of free speech more deeply?

John MacArthur: Just have to go to harpers.org and type in *Letter on Justice and Open Debate* and it'll pop up. It's one of the things I'm militantly opposed to free content on the internet. But this is one thing that we give for free because free content is destroying the artistic and journalistic community. But in the meantime, you can read it for free at harpers.org. And it was signed by 150 people, very diverse people, from the right, from the left. I signed it because I believed in it. And I think it reinvigorated the whole debate about free speech in the United States. I'm sorry that this is now turning, this topic is turning on sort of minor infractions because I do consider Donald McNeil's infraction to be quite minor even if you put the worst possible spin on it. I'm used to defending Salman Rushdie against the threat of murder by the Iranian authorities, by the Ayatollah Khomeini. That's the sort of atmosphere I grew up in and I see things really, really declining the debate and so on.

Ralph Nader: Okay, well, obviously this is a subject that will go on and on to be discussed hopefully in an ever more deliberative way, taking into account the difference between words and deeds. Thank you very much, Rick.

John MacArthur: Thank you.

Steve Skrovan: We've been speaking with John R. MacArthur. We will link to his work at ralphnaderradiohour.com. Now let's check with our corporate crime reporter, Russell Mokhiber.

Russell Mokhiber: From the National Press Building in Washington D.C., this is your *Corporate Crime Reporter*, "Morning Minute" for Friday, April 23, 2021; I'm Russell Mokhiber.

Tens of thousands of people have sued [The] Monsanto [Company] owner Bayer [AG] alleging their non-Hodgkin's lymphoma and other cancers were caused by glyphosate, the active ingredient in Monsanto's Roundup herbicide. Three cases went to trial. And in each case, the courts found that Roundup caused the cancers, that Monsanto hid the risks, and that compensatory and punitive damages were justified. Bayer wants to resolve the thousands of remaining cancer claims with an \$8 billion to \$9 billion compensation fund. Those cases are being negotiated by Monsanto lawyers and the lawyers representing the cancer victims. But last year, in a surprise to the plaintiffs' lawyers, a separate settlement was put forward to handle everyone else who might bring a case against Monsanto in the future. More than 300 plaintiffs' lawyers are challenging the settlement calling it an abomination to the tort system. For the *Corporate Crime Reporter*, I'm Russell Mokhiber.

Steve Skrovan: Thank you, Russel. This is Steve Skrovan along with David Feldman and Ralph. All right. Let's do some listener questions.

David Feldman: This comes to us from Richard Curtis. "Hi, everyone. The show with Professor [Philip] Stark was a bit surreal. It is as if you and he do not understand why the Republicans are trying so desperately to suppress the vote. As Ralph points out over and over, they are a minority party and they do not bother with policies that are usually popular even with their own voters. They cannot win fair elections, so they cheat. Pretending they have a serious issue with election integrity is laughably naive or shockingly ignorant. I just don't know what to do with Professor Stark's comments that seem to indicate that he thinks they actually want fair elections. Absurd.

Integrity is an issue, but it is not nearly as important an issue as voter suppression and gerrymandering.”

Ralph Nader; Well, I agree. Voter suppression and gerrymandering are very serious destroyers of a democratic election process, but that is not his expertise or concern. If you listen carefully, Richard, you will see that he was only focusing on getting a system in place where the votes that were rendered are accurately counted and promptly declared. So he's talking about after the votes. He's not talking about the votes that were suppressed or the system that was gerrymandered. Near the end of the interview, I asked him his opinions on some of these things. And he said, you know, “Just as a regular citizen, I don't like this voter suppression.” But that was not the subject of his expertise or of the topic. I'm sorry you conflated the two, but I'm glad to have an opportunity to make those distinctions.

Steve Skrovan: And that's our show. I want to thank our guest again, John R. MacArthur. For those of you listening on the radio, we're going to cut out now. For you, podcasts listeners, stay tuned for some bonus material we call “The Wrap Up”; a transcript of this show will appear on the *Ralph Nader Rader Hour* website soon after the episode is posted.

David Feldman: The producers of the *Ralph Nader Rader Hour* are Jimmy Lee Wirt and Matthew Marran. Our executive producer is Alan Minsky.

Steve Skrovan: Our theme music *Stand Up, Rise Up* was written and performed by Kemp Harris. Our proofreader is Elisabeth Solomon. Our associate producer is Hannah Feldman.

David Feldman: Join us next week on the *Ralph Nader Rader Hour* when we'll talk with MIT Professor Nicholas Ashford about reviving the Fairness Doctrine, and we'll also celebrate the storied career of former [US] Attorney General Ramsey Clark. Thank you, Ralph.

Ralph Nader: Thank you, everybody. And as Steve said, those letters are designed to make you have a bigger impact on Congress. They can't fluff those letters off. They're too detailed. So go with the corporate crime letter to get corporate crime hearings and federal corporate crime reform.