

RALPH NADER RADIO HOUR EP 390 TRANSCRIPT

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

David Feldman: Good morning.

Steve Skrovan: And the man of the hour, Ralph Nader. Hello, Ralph.

Ralph Nader: Well, this is a unique program as you'll find out.

Steve Skrovan: That's right. It's a unique program because we're going to be dealing with something that Ralph happens to know a lot about. It's part of his lived experience. And I'm going to start by saying that the United States is said to have a government of the people by the people and for the people. We, the people, send representatives to city hall, state houses, and the White House. So what do we do when our government stops acting for us?

In the 1960s and 1970s, liberal activists including Rachel Carson, Betty Friedan, Jane Jacobs, and our very own, Ralph Nader, saw the government working for powerful interests like big business and big labor while neglecting the average citizen, consumer, and worker. So they went on the offensive. They called out reckless regulators, dismissive legislators, and dysfunctional agencies. They demanded change in the public interest. And this movement is the subject of Paul Sabin's new book, *Public Citizens*. He'll be our first guest today, a professor of history at Yale University. We'll ask Professor Sabin about the book and what he calls the "tangled legacy" of these citizen advocates.

Then we'll turn to Afghanistan where after 20 years of military occupation, the US has finally withdrawn. It was the longest war in American history. It was arguably unconstitutional. It will ultimately cost American taxpayers over \$8 trillion. It's killed more than 170,000 people displaced more than two million Afghan refugees and upended countless Afghans lives. So we will welcome back intrepid investigative reporter, Allan Nairn, who is going to give us his own take on what is going on in Afghanistan, and more importantly, the history of how we got to this tragic point. If we have time, Ralph will answer some of your listener questions. As always, somewhere in the middle, we'll check in with our corporate crime reporter, Russell Mokhiber. But first, let's examine the legacy of the public interest movement, David?

David Feldman: Paul Sabin is the author of *Public Citizens: The Attack on Big Government and the Remaking of American Liberalism*. Welcome to the *Ralph Nader Radio Hour*, Paul Sabin.

Paul Sabin: Thanks for having me. It's a great treat.

Ralph Nader Well, indeed it is. I have to be very careful, Paul, because this book has a lot of pages on what we did in the 60s and 70s in particular. But first I want to commend you in a way probably you haven't been commended, and that is you're one of the first academicians who has actually taken academic interest in the intellectual and empirical content of the civic movement,

often called the progressive civic movement, in the 1960s and 70s, especially outside the civil rights and civil liberties area, which have had many books written on it.

But I noticed this trend among academics and all the books coming out [i.e.,] how do democracies die? How do democracies get strengthened? And I'd read through them; I'd look at the index and there would be almost no reference to the serious empirical studies, very accurate, done by citizen groups like Public Citizen, Common Cause, People for the American Way, Center for Science in the Public Interest, Pension Rights Center and others. And also very little reflection on what they had to go through and what they had to oppose. In other words, it was a classic stereotype of ivory tower publications and there was not this nexus between the academic world and the operating civic world. And it continues to this day, by the way.

Paul Sabin: I'll take a compliment where I can get it. So thank you very much.

Ralph Nader: Now your book is different. It's been given considerable reviews and commentary and you've had an op-ed in the *New York Times* on it. And I just want to ask you to lay out the thesis because there is some divergence on what conclusions you come to and what conclusions some people read into the book. So lay out your thesis. Let's ask, why did you write this book and what did you find?

Paul Sabin: Great question and thanks again for having me on the show. And it is an unusual situation since you are a central character in the book. So I may get drawn back into asking you questions. But let me tell you a little bit about the book. I mean, I think I was interested in going back to the 1960s and 1970s, trying to understand the origins of the environmental movement--I teach environmental history--and changes within liberalism. And I was interested in the rise of the regulatory state in the 1970s. And that's a difficult topic to get one's writing utensils around [since there are] lots of agencies and laws and acronyms and organizations. And I was trying to figure out what would be an interesting and engaging way to think about this and understand it. As I looked at it more closely, I got drawn to this struggle within liberalism about the role of the government in the post-war period. And there has been a lot of attention in the history field in recent years on the rise of conservatism, on Ronald Reagan's election in 1980 and the ascendancy of the conservative attack on government. But as I went back and looked at the citizen movements of the 60s and 70s and activists such as yourself and others, I came to feel that focusing solely on the conservatives was too narrow an understanding of what had happened, and that it was important to look at the ways that liberals grew internally divided on the government. And this really is about going back to kind of thinking about the agencies that came out of the New Deal and their growing power in the post-war period, the ways that they were using science and technology and infrastructure to reshape the American landscape, and the growing resistance to that from liberals and the left. We can talk more about the details of the book, but really, you know, the book is an effort to try to make sense of what I'm describing as a liberal attack on, it's really agency power, on what the government was doing in the 1950s and into the 1960s.

Ralph Nader: Well, you've interviewed a lot of people. You have the book eminently footnoted, but obviously because you weren't there, there were some things that happened and didn't happen that need to be pointed out. And one of them, which I found largely missing in your book--you talk about this triangle of groups and corporations. And a lot of our problems resulted from

corporations upgrading their lobbying power and their game in Washington [DC]. In fact, you do mention that the [Lewis] Powell Memorandum, which came out of the Business Roundtable by Lewis Powell when he was a corporate lawyer in Richmond, before he was appointed to the [US] Supreme Court. And he laid out a whole strategy in the early 1970s. And did the big companies ever follow it--I mean, almost to the T, [by] beefing up their lobbying in Washington, campaign contribution, getting people in government, not just in Congress, but in high appointments in the executive branch and the judiciary, going to the colleges and developing their presence there, especially business and law schools. And we were up against that. It wasn't just the bureaucracy and the results of corporate power in Washington on institutions.

Paul Sabin: Well, I guess I'd say that the Powell Memo in the early 70s – we're just having the 50th anniversary of it – sort of midstream of the story that I'm telling. And the story that I start with is more coming out of 1950s and early 1960s. And I think a real turning point moment is the arrival of [John F.] Kennedy into office, where there's a sort of complicated thing. On the one hand, Kennedy, in his inaugural, is calling people to Washington, serve your country, and there can be no higher a thing than coming to work for the government and serve the public interest that way. But at the same time, you have a report that is issued as part of the transition by James Landis, the Landis Report [on Regulatory Agencies]. And I think it's just really a very important symbolic moment because Landis, as you know, had been working for, you know, had helped start the [US] Securities and Exchange Commission and had been a leading New Dealer and had written a book called *The Administrative Process* in the late 1930s. And that had all been about celebrating the power of the executive agencies and how they could act dispassionately and with expertise to represent the public interest.

But in 1960, he writes a memo for Kennedy basically saying that he had come to change view of the agencies and thought that the agencies now were often captured by corporate power or that people were cycling in and out of the agencies and didn't have to be captured because they had embodied or they represented the corporate interest in their own ideas. And there was a growing sense even in 1960 that the agency power structure was problematic.

So you have the Powell Memo and the rise of the lobbying and then the conservative public interest groups, you know, that happens in the 1970s. But I think that that is in many ways a response to what you and others did and a recognition of the success that you were having and a mimicry of it, a desire to, okay, this fight is going out of places where it had been before. And it's moving into these judicial settings, into the litigation, into a fight over what that public interest is and we need to fight in those realms as well. But the earlier fight that I want to just lay the groundwork is what some people called the New Deal order. But the government, business and labor aligned in the post-war period to build the highways, to build the dams, to spray the pesticides, to do all of those different things that you and others were rising up in opposition to.

Ralph Nader: Yeah. Well, you know, if you asked me, what was I thinking at the time when *Unsafe at Any Speed* came out; it was all over the media. I was on the cover of *Newsweek* and *Time*. Rachel Carson unfortunately had passed away after her 1962 landmark book, *Silent Spring*, but her successors and supporters carried the environmental movement forward. Here's what we were thinking, Paul: one, we had a very short time span. We were very aware that the American history where you have spurts of progressivism and then the counter attack comes largely from

corporations and their influential allies in government. The second thing is that we weren't about to compromise because our definition of compromise is let your adversary, like General Motors [Company], force you to compromise. Don't help them along the way. [chuckle] So we all knew that we couldn't get criminal penalties easily in the auto safety bill, but we weren't going to keep it out of the draft legislation and compromise. General Motors unfortunately forced us to compromise and got the criminal penalty out. And the third aspect of all of this is why did the movement you describe in such detail--the progressive movement, labor, environmental, consumer--peak during the [Jimmy] Carter years. And there were basically three simple reasons. One is the media started losing interest. I would tell our colleagues, "Our power comes from what we know, how we advocate it, the moral principles behind it and the mass media. And the media started losing interest. And it lost interest big time when the flagship of emulated media, the *New York Times*, came under the direction of a managing editor, Abe Rosenthal, who was expanding the suburban sections of the *New York Times* and wanted much more advertising. And he basically put the kibosh on the Washington bureau and that's what effected the networks/TV because they'd pick up the *Times*; they get their stories from the *Times*. And it also cooled down the *Washington Post* coverage.

The second is labor unions suffering from automation and their internal stagnation lost interest. They were allies for a time in the consumer and environmental movement and they got weakened. And then the third is the Democratic Party, and if you ever revise and add to this book in the paperback, Paul, this is a very important aspect; in the late 1970s, Congressman Tony Coelho from California, took over the Campaign Finance Committee for the [US] House of Representatives and persuaded the entire Democratic Party to start raising money from big business and their political action committees [PACs]. And could we ever see in these successive years the decline in Democratic Party interests in having hearings, putting out regulatory standards and the like. And 1980 was a disaster for us because when Reagan swept Carter, he also swept our internal allies in the Democratic Party-- Senator Gaylord Nelson, Senator Warren Magnuson, Senator Frank Church and others. And that was a disaster.

So after that election, I told some of our colleagues that we better try to rewrite this strategy because the old ways are gone. And unfortunately, and this is why I hope your book will stimulate introspection among the progressive citizen groups, we didn't rewrite the strategy. We're always on the defensive. Once you're on the defensive to Reagan and George Herbert Walker Bush, and G.W. [George W.] Bush, you can't be on the offensive. And all the groups that I helped start and others started were on the defensive. And you took note of that decline. How would you recognize these points that I'm talking about? Or would you amplify them?

Paul Sabin: A lot of interesting points there that we could pick up. Going back to the beginning of what you were saying, [i.e.,] how the legislation was written and the struggle over the terms, but thinking on the latter, what you were saying at the end there about the Carter years, is I think a really interesting topic to explore further. And I do think that the Carter period one that deserves a bit more attention to understand what was happening within liberal politics. I've come to see Carter as someone who was trying to reconcile some different lessons. And from the early 1970s, he wanted to incorporate many aspects of the public interest perspective into government. He hired many public interest lawyers and advocates, some of your coworkers, into prominent positions, and also people from NRDC [Natural Resources Defense Council] and other groups into the EPA

[Environmental Protection Agency] and elsewhere. And he was influenced by the idea that the previous iteration of the government had a lot of problems and that needed to be reformed. But I think the Carter period struggled with that. There were some different interesting aspects to that struggle. I put it as the struggle to articulate a vision of government that was more nuanced, that both asserted a positive vision of government that could act to protect the public interest, that could do big, significant things, but that also acknowledged the criticisms of the government and the ways that the government could be destructive, could be wasteful, and needed to be reformed. So Carter was trying to do both of these things sometimes at the same time. And I think that was a very difficult position to be in. And I think, yeah, well, you want to jump in?

Ralph Nader: You also had huge inflation. Paul Volcker, the Federal Reserve [chair], cracked down hard, which lowered economic activity because he was trying to break the inflation, and staggering interest rates. There was a time when the savings and loans were paying 19% interest for one year CDs [certificate of deposit], 19%!

Paul Sabin: Yeah. He had a very difficult economic situation.

Ralph Nader: He did.

Paul Sabin: So it's hard to know whether he could have prevailed against those headwinds, but I think it's important to go back and just to look at the rhetoric of the time and that the public interest community really got disillusioned with Carter and said some things that I'm curious what you would think about them now--but basically that Reagan might not be that different; why should we support Carter--a mode of criticism of the Carter and the Democrats that undercut them. And I'm not sure that that really paid off in terms of what we got later.

Ralph Nader: Well you know, that's what I call retroactive clairvoyance. We were judging Carter by Carter's pretensions, his good appointments, as you pointed out, to EPA and the auto-safety agency. And the first two years, he was really moving along. And then he got totally swept up. The Republicans became very aggressive, inflation, and all the rest that I've just pointed out. And again, and then he got diverted on certain foreign policy. And he really was in a tremendous crossfire. He didn't have very good lobbyists from the White House working in Congress. They weren't very experienced. And the bigger point I want to raise, because I'm fascinated by your reaction to this; you may not know this, but some of us in the 1960s remembered the [Joseph] McCarthy years. And we were deliberately non-ideological. We did not want to have an I-S-M, an "ism" attached to our ideas, which were really pretty straightforward ideas to corporations--asking government to stop them from lying, cheating, polluting, excluding, corrupting. I mean, these are not very radical advances; there of this basic moral ethical principles, but we were so an ideological. We took it to an extreme in the following way.

We didn't a public philosophy to persuade people. We had exposes, unsafe food, unsafe drugs, flammable fabrics, hazardous cars, polluted air. That was the way we motivated people to act and to come back on their members of Congress and demand action, like in Earth Day in 1980. But if you don't have some sort of public philosophy – I hesitate to call it an ideology. If you don't have an abstract system of belief, you're going to pay a penalty sooner than later. And that's what's absent today in the progressive movement. I can say it's far too empirical and it's not sufficiently

philosophical with general principles that can be used to animate people. After all, the right wing is empirically starved. If you ever have a debate with a right winger on consumer and empirical, it's like a field day. They don't have any facts. What they do is they have this concept of values and principles and et cetera. And that's what they move people with. Do you think that's a fair commentary of the progressive movement?

Paul Sabin: Yeah. I think that's a very important point about this period of the early 1970s and the embrace of expertise and facts and the idea that there would be a higher form of reasoning that was possible in public debate. That if you just put out the investigation and showed the details and the evidence, that the people could be persuaded to do the right thing. And the courts, initially, I think, were pretty receptive to that. They were a much more liberal court/judiciary at that time and in some ways. And I think there were a lot of successes early on in the 1970s. And those were in some ways seductive the successes. I mean, if you look at that period from 1968 to '72, the passage of Clean Air [Act], Clean Water [Act], Occupational Safety and Health [Act], lots of legislation, a huge outpouring of legislative action that was very impressive and successful. And then a wave of litigation that followed was also successful. So even some of the people who I interviewed looking back at this time, have thought, well actually, we made a bit of a strategic error. We went for these easier tactical wins, but we neglected to build a larger social movement and we neglected to develop a rhetorical strategy that would win over the public and build a broader constituency. And they relied too much on technical expertise. So you have a lot of scientists and lawyers, no disparagement intended, but who might not necessarily have the best skills for bringing along the people. So I think you have seen in recent decades in the progressive movement an increasing focus on movement building, on communications, on trying to engage in politics. I'd be curious about your thoughts on this. But when I go back and look at the writings from the early 1970s and read what activists were saying, there was a lot of disparagement and a sense of distaste about politics. The sense that politicians and the institutions of politics were corrupted and would corrupt even good people. Those who went into the government or into elected office would be corrupted by the situation. And I think that really led to an idea that there was something pure outside in the nonprofit sector where the true public interests could be identified and articulated. And there was a bit of a reluctance to make some of the compromises and wade into the institutional challenges, whether it was the Democratic Party or other settings to try to change those and to wield the actual institutions of power.

Ralph Nader: Part of it is a distaste for what it took to raise all the money from special interests and give them a quid pro quos at fundraisers. That was part of it. But here's an interesting aspect. The campuses are very critical here. When we were building this movement, which by the way, in terms of resources today, Paul, is so overwhelmed by the resources of corporations in terms of media, in terms of staff in Washington, in terms of lobbyists, in terms of nominees. I don't think commentators, especially the contemporary press, has paid attention that it's like a hundred times larger on the side of the corporations compared to the meager resources of even the larger environmental and consumer groups. But the growth of identity politics, which has its pluses and minuses, which spread on campuses, undermined the campus arenas for the kind of new energies that we would draw on. I mean, I don't think the books have been written on the importance, especially in the environmental movements, of campuses. I mean, this is where advocates and lobbyists for our side would go to find interns, to find the next successors, to find new ideas, to

connect with professors. And now the scene is so barren that even mildly controversial speakers do not get invited on campuses because of political correctness.

I was talking recently with some lecture bureaus, and they just are throwing up their hands that people who would have fifty to one hundred invitations a year are getting five or ten and not just because of COVID [-19] [because] they could do it virtually as well. They're just not getting invited because of the politically correct tensions on campus. And I've never seen law schools less interested in secular corporate power. I know a lot of them are going to go into the corporate law firms. But speaking at law schools in the last ten years or so, there's a remarkable decline. You get a huge pushback if someone engages in an ethnic slur or a racial defamation or whatever. But the conditions that reflect those slurs, back in the cities, for example, or around the country, they're just not interested. We've lost the campus base here and I don't want to underestimate its importance. What do you think coming from Yale?

Paul Sabin: [laughter] Well, there are a lot of issues there and I think it is complicated. And just to be clear, this goes well beyond the scope of the book although I can relate it back to it. I find the students to be quite idealistic. And I think that there are some pressures right now over ideas. And I think there is actually a lot in common with the period between 1968 and 1972. [Richard] Nixon in the presidency, the Vietnam War going on, and a sense that everything was political and there was a need to fight on all fronts. And I think that some of that has spilled into the current university setting where the words and the ideas, all of those are seen as being a part of the political fight. And if you allow someone to say something, that means that you're not sticking up for your political beliefs and you're allowing them to have the power of that influence. And actually, if you go back and look at some of the things that were said in the late 60s and early 70s, there were a lot of fights about what was legitimate and what wasn't and who should be allowed to speak or not. I think there were fights then too. And I do think that you can have interesting conversations now about where the energy is related to corporate power versus social change in terms of demographics and how those things are playing out. I'm not necessarily an expert on those. I would go back though and look at the 1960s for another theme talking about the campus. I mean, when I looked at... one example of I can't remember whether it was 1969 or '70, a quarter of Harvard Law School applied to come work for your task force. And there's a trend of this energy around that. And it was really linked, I think, to the civil rights movement and the Vietnam War, the protests against the Vietnam War.

And I think both the civil rights movement and the antiwar movement had a twofold impact. One was to raise the skepticism about government because the government wasn't doing enough for civil rights or it was actively lying to the people about the war. And also to inspire people to be reformers, to be citizen activists, because they saw how civil rights laws had changed. Things were changing and you could be part of this thing that was larger than yourself. And so at that time, I think the students, the youth were really energized by those things and brought into a broader sense of activism.

Ralph Nader: For sure they all help. All these movements helped each other, actually. I was one of the first to admit that the consumer environmental movement was helped by the civil rights activists and the antiwar opponents, which found the streets to be their only way to express their freedom of speech at that time apart from some litigation in the federal courts. But what's

interesting about today's scene, Paul, is the paucity of research coming out on corporate power and corporate crime. You look at the business school curriculums and the law school curriculums and political science curriculums, and this corporate crime wave that is being reported on all the time, day in and day out in the mainstream press, no less, is not being pursued in terms of rigorous research and analysis. In fact, the libraries don't even have resources on corporate crime that they should have. And yet if a lot of these professors at law school and business school, they're moonlighting; they don't disclose the students that they're moonlighting for corporations or other special interest groups. And I've never seen in 55 years or so the kind of lack of progressive scholarship, the lack of studying up the hierarchy of power.

Paul Sabin: I think that there's a fair amount of interest at the universities studying the history or current practices of corporations and their influence. I mean, I think that the challenge, and this goes back to what you're saying about being able to articulate a broader philosophy and one that compels people and motivates them and leads to action, is how to translate that research and those ideas and those discoveries into policy or a regulatory action. And I heard you had a show a few weeks ago maybe it was, about the IRS [Internal Revenue Service] and it was really just striking the amount of detail that has come out about companies who don't pay any tax. They avoid paying taxes in a variety of ways, manipulate the system, and the inability of the IRS to be fully staffed. I mean, this just goes to the fundamental ability of the government to execute its programs. It has been decades since there has really been any kind of ability of the IRS to pursue its mandates and its role. And the question is how do you build a constituency for that in the broader public. And that, I think circling back to the book, goes to this challenge, which is how do you both build trust in the government and create a mandate for the government to act while also being aware of the criticisms of the government and the need to reform. Certainly, the IRS is an agency that always will need a continuous process of improvement and reform to its systems and its procedures, but it also has to act. We depend on it for the equality and equity of the tax system.

Ralph Nader: Well, I want to tell you, I read every page in the book. [Paul chuckles] And I'll talk to you later about some of my comments and you covered so much ground that you couldn't have a hundred percent accuracy. You made a few mistakes, but one really jumped out at me, and it wasn't a factual mistake. It is on page 193, where you say regarding our movement. "The movement's emphasis on purity and its frequent disdain for traditional institutions, including political parties and unions, turned a generation of liberals away from local and state politics, and from the pursuit of the institutional power necessary to make political change."

The last part is okay, but the first part, I mean, you can't believe the time we spent trying to reform government agencies. One of our big victories of course was the Freedom of Information Act amendments of 1974. But other less heralded ones and how to streamline open access to the regulatory agencies like the [US] Food and Drug Administration, the FAA [Federal Aviation Administration] and others were met with horrendous opposition by both government bureaucrats and corporate lobbyists who seemed to be working arm-in-arm against our efforts to open up, streamline, and improve the efficiency and responsiveness of the government.

So the big mistake we made isn't in your book. The biggest mistake we made was we didn't move out and develop afterschool civic skill courses for middle school and high school, and getting more colleges to engage in, not just policy studies, but the ways and means of practicing democracy.

That was the biggest failure. We tried to do it with the Public Interest Research Groups which you're familiar with. They're in 20-25 states still operating and New York being the largest one; Massachusetts is active, California and others. These are full-time citizen groups run by a board of directors of university students, paid for by student government funds or a checkoff. And they hire full-time lawyers, economists, and organizers. They had improved the New York subway. They got consumer legislation through in Albany. They had prison reforms years ago in some states. But we should have done a lot more because by now these youngsters, Paul, they'd be 40 and 50 and 60 years old. And if you had several thousand of them around the country building new civic institutions and increasing their circle of influential pursuers of justice, you would probably have a different country.

Paul Sabin: I do credit the movement for the way its openness to young people and the ways in which it drew them into activism and really a lot of career of service and public interests, that's certainly true. But when you go back to that sentence though, I think there are some interesting points. I'm curious more about your thoughts on because, actually, I stand by that sentence that the movement had a disdain for traditional institutions, including the parties and the unions. And I think it was very explicit the disparagement of people in the party in the sense that the party was corrupt and a distancing from the Democratic Party, that was clearly happening. On the unions, I think that there were clear alliances with labor, many of them, but also some of the public interest work was exposing the corruption of the unions and trying to advocate for union democracy and being part of that exposure. I go back to my own experience about another generation. And when I think about when I was in college in the late 80s into the 90s, I recall – this is a personal level more anecdotal – a sense that nonprofits were the place to go work, education nonprofits; that government bureaucracies, the political parties, particularly at the local and state level, were real backwater type places and corrupt and that they weren't places to be involved.

Ralph Nader: We're talking with Professor Paul Sabin, professor of history at Yale University, author of the new book, *Public Citizens: The Attack on Big Government and the Remaking of American Liberalism* published by [W.W.] Norton Press. Paul, I think there is ambiguity of the phrase “disdain for traditional institutions.” We criticized them as much possible, but we certainly didn't think that unions weren't necessary. We wanted honest unions. Nor did we think government regulatory agencies were not necessary. We wanted honest agencies. Nor did we think Congress was a Bywater. No, we knew how absolutely critical Congress was. In 1972, we put out magazine-size profiles on all incumbents in Congress, House and Senate running for reelection, which was never done before or since. We wanted to change them, reform them, displace the culprits in them. But I don't think we were bordering on philosophic anarchism here.

Paul Sabin: No, I agree. And I certainly agree that there was a belief in the importance of the unions specifically, and the importance of Congress. But if you go back, so starting in 1980, the Center for the Study of the Responsive Law started publishing a book that was a guide to careers, *Good Works: A Guide to Social Change Careers*. And I think it's worth going back to look at that and think about what was being said about what were the valued careers and what were careers where you could find full expression. And that book talks about that the government has these drone-like sinecures and that it was outside of government, outside of business, and I think also outside of structured unions, that it was in the citizens movement where you would find a greater kind of a more pure place, a new set of people, values, needs--that this is where the democratic

society was--in these self-organizing groups of citizens. And I think that comes out of the 60s. You think about Charles Reich spoke [The] Greening [of] America, the attack on the corporate state and the idea of trying to get away from the drudgery and all of that. And I think that I'm just describing what I think was happening. And I think that it is definitely the case that people found that there was a pure freedom outside.

Ralph Nader: Well, we definitely believed that most justice in our history comes from the civic community. It comes from citizens, like Rosa Parks refusing to go to the rear of the bus, et cetera. And we were emphasizing that as a career because people thought it was a career that couldn't sustain family livelihoods. It wasn't a paying career. It wasn't a continual career. These groups could go belly up for lack of funds. So we were really emphasizing that in our recruitment, but we clearly wanted people to go into government. And this occurred.

And a very interesting occurrence has just happened in the Congress although you'd never know it by reading the *New York Times* and the *Washington Post*. A young man from Pomona College who went to work for Peace Action for a few years and then got a staff position with Congressman Andy Levin, Democrat of Michigan. And he has started Congressional Progressive Staff Association. That's the official name. He has already in just a year, gotten 570 staffers to sign up, and 175 of them, senior staffers, in order to find their own voice and to recruit more civic leaders into staff positions in Congress and to run for Congress! So that sort of echoes a point that you've been making and here it came out of nowhere. It didn't come out of Princeton [University] or Yale recruits into special assistance to senators and representatives. So you never know, but you got to create a climate. And this book allows for a lot of introspection, not only looking backward, but looking forward. And I want to get Steve and David in in the time we have to comment or ask Paul Sabin some questions.

Steve Skrovan: Well, my question basically is because your critique is that the public interest movement took apart the bicycle, but didn't know how to rebuild it. And to me, it seems like the more accurate analogy was that the public interest movement where the bicycle repair people and the roads - the system - was so potholed that we have to keep going back and fixing the bicycle. And it seems to me that you're critiquing the bicycle repair people for not paving the road.

Paul Sabin: [chuckles] Well, I mean, I guess if you go back to an example of first, you got to think about like, well, what is the bicycle? And that is the government's ability to act and the ability to create a governing coalition that supports a government that can take action and can do things. And so when liberals took apart the bicycle, what they did was they looked at this government functioning at a very high - it was very productive level in the 60s. It was building tons of highways. It was building dams. It was doing all sorts of great modernization plans, but they were heading in the wrong direction or it was in many ways broken. And so that they took that apart. We're not going to build these highways anymore. We're not going to build those wasteful unnecessary dams. We're not going to do these various things. We're going to open up the government. We're going to have sunshine laws, freedom of information. We're going to try to reform the system so that it's not corrupted the way that it was in the past.

But then the question is, well, can the government do things? Can it do the things that it needs to do? And I think it's interesting right now, there is a lot of anxiety about the government's ability to

take action, whether it's to build housing, to build transportation, to respond to climate change. There's a lot of paralysis of the governmental system. And some of it, interestingly, and I'd be curious on Ralph's opinion about this and others, has to do with some of the very systems that got put in place in the earlier reform movements. So I've been very struck by the interesting turn of questioning sentiment towards, I don't know, the environmental quality acts at the national level and the state level and citizen participation and the sense that these are emboldening private interests to block new housing, to block transportation, to prevent the government and the public, as represented by the government, from accomplishing things that need to be accomplished for the public. So those are some of the issues that might be worth exploring.

Ralph Nader: David?

David Feldman: Yes, this is so great. Thank you for this. I have a question keeping in mind that Ralph Nader was once known as a consumer advocate. I'd like to ask you in that context about this conversation. Is there a Marxist critique missing from this conversation--the conversation writ large over the decades? Was it naive on Ralph's part to think there are political solutions to government without addressing the economic system that we're working under?

Paul Sabin: Well, I think that there is a critique there, and it has to do with the idea that one could build a powerful enough movement of small organizations whose expertise was in law and science and information and that that could be sufficient to transform the institutional structures and create a more equitable society and system, as opposed, again, to trying to build a larger social movement that was more focused on building power of the poor working class in the country and leading them through the political institutions to take over control of the government and regulate the economy to their benefit. And this example of thinking about the gerrymandering is an interesting topic because I'm very sympathetic to the idea that gerrymandering was very problematic; choosing your own voters seems like it's counter to the nature of democracy. But it is interesting, the relationship of the citizen movement to power and to the desire to gain the power to accomplish the ends that might be needed, is by its ambivalence to power, allowing those who don't have that ambivalence to seize the power.

David Feldman: I guess what I'm asking you is, what would Karl Marx have told Ralph Nader? Wouldn't Karl Marx have said to Ralph Nader, "You're banging your head against the wall?"

Ralph Nader: He'd say "Don't write a 600-page book when next door your family is starving."

David Feldman: [laughter] I think [Friedrich] Engels supported his family and then he turned on Engels. But would Karl Marx tell Ralph that you're going up against capital and they will beat you every time?

Paul Sabin: Well, I mean, I don't think Marx was a fatalist about capital. I mean, I think what the criticism of the of the public interest movement would be is that it was not allied clearly enough with the working class and the poor. And it was focused on countering corporate power and its influence on the government, but it wasn't strategically oriented towards building a class-based movement. It was in many ways middle-class and upper-class movement, and that led it down different paths and different directions.

Ralph Nader: Well, we've hardly scratched the surface of your book, Professor Paul Sabin, and we're out of time. The book is called *Public Citizens: The Attack on Big Government and the Remaking of American Liberalism*. In your acknowledgements, you have this statement. "Now we can move on to new adventures." I hope you don't move on and I hope you keep digging into the whole civic movement, which desperately needs critical minds on and off campus. And also to try to develop a broader and deeper nexus between academic researchers and civic advocates who deal with empirical reality on the ground every day. I think both would be strengthened. And I think you've pioneered in this area with this book. Thank you very much, Paul.

Paul Sabin: Thank you very much for having me on the show and those are good encouragements for the paths into the future.

Steve Skrovan: We've been speaking with Professor Paul Sabin. We will link to his book, *Public Citizens*, at ralphnaderradiohour.com. Let's take a quick break. When we come back, we will talk Afghanistan with Allan Nairn whom Noam Chomsky called one of the only true investigative journalists working today. But first, let's check in 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, August 27th, 2021; I'm Russell Mokhiber. The Federal Aviation Administration is launching a broad review of how [the] Boeing [Company] employees handle safety matters on the agency's behalf after some Boeing engineers said they face undue pressure. An FAA survey conducted this year found that 35% of a small sample of certain Boeing employees reported problems including pressure and hurdles to transparency. Some surveyed employees, who are part of a group empowered by the agency to assist its work, said they encountered difficulties in being transparent with regulators. US aviation regulators have long relied on aerospace-company employees to act on their behalf for performing certain tasks, such as signing off on certain safety assessments or approving aircraft for delivery. For the *Corporate Crime Reporter*, I'm Russell Mokhiber.

Steve Skrovan: Thank you, Russel. Welcome back to the *Ralph Nader Radio Hour*. I'm Steve Skrovan along with David Feldman and Ralph. Now let's find out what's really going on in Afghanistan, David?

David Feldman: Allan Nairn is an award-winning investigative journalist who has reported on death squads in Central America, mass killings in Indonesia and brutal paramilitary activity in Haiti. Welcome back to the *Ralph Nader Radio Hour*, Allan Nairn.

Allan Nairn: Thanks. Good to be with you.

Ralph Nader: Just to always go back to origins before we get to the present situation in Afghanistan. Why did we get into Afghanistan instead of just pursuing the backers of 9/11 as George W. Bush said he was going to do? Why did we overthrow the whole regime and occupy the country 20 years ago?

Allan Nairn: Well, from the very start, the Taliban offered to turn over [Osama] bin Laden, but Bush rejected the offer. He didn't even pursue it to see if it was real because it was clear that the US goal was to stage a spectacular strike and to seize control of the country partly out of vengeance, partly out of a desire to bring the Muslim world to heel, partly as a reassertion of US dominance, all sorts of things. In fact, Bush later followed up by fabricating reasons to attack Iraq, which had no connection to the 9/11 attacks. And the events that followed the slaughter and gutting of Afghanistan could have been avoided. In fact, the US crucial, decisive role goes back even earlier. In 1979, when there was a pro-Soviet government in Afghanistan, Zbigniew Brzezinski, Carter's National Security Advisor, recommended to Carter that the CIA [Central Intelligence Agency] start backing Islamic rebels, who were attacking that government. Brzezinski admitted in an interview in the French press in 1998, that he did this in order to increase the odds that the Soviet Union would invade Afghanistan. He was knowingly trying to provoke a Soviet invasion of Afghanistan. He said he wrote a memo to Carter saying, "We now have the opportunity of giving the USSR [Union of Soviet Socialist Republics] its Vietnam War." And when the interviewer asked Brzezinski, "Well, you were therefore delaying, basically setting the seeds for the rise of the Taliban. Do you regret that?" And Brzezinski laughed it off, saying, "What does it matter? Just some agitated Muslims. Compare that to our success in striking a blow against the Soviet Union." So what Brzezinski was saying was the US viewed all the people of Afghanistan as pawns. He viewed their lives as pieces to be easily sacrificed for US whim, for his view of the game of empire. And that resulted in more than a quarter of a million deaths over the years that followed, deaths in Afghanistan. And now we're seeing the final end game of Brzezinski and Carter's move.

Ralph Nader: What we're seeing now is the chaos of tens of thousands of people wanting to get out of Afghanistan via Kabul airport, both US personnel and a far greater number of Afghani people. What do you think the US should be doing now in the next few months in terms of its policy in that area?

Allan Nairn: Well, you know, now a policy that from the start was criminal that included a willingness to violate international law by staging aggression, a willingness to violate international law and the local murder laws by killing civilians and engaging in war crimes and crimes against humanity with incidents like the massacre by US military aircraft in Kunduz of 2015, of the Doctors Without Borders hospital in Kunduz. 42 people: doctors, patients and staff were killed. And the CIA and US Army Rangers backed Afghan army death squads, run out of the National Directorate of Security, doing persistent killer capture night raids, where they were engaged in one massacre after another. This was documented by the Human Rights Watch, *The Intercept*, and many others. That US initiative, which involved really massive criminality, has now after so many deaths, resulted in a final situation where there actually are real tragic choices and legitimate questions involved. I mean, there were no legitimate questions at the beginning. The US had no right to provoke the Soviet invasion of Afghanistan as Brzezinski did. The US arguably had a right to demand the handover of bin Laden, but they weren't interested in accepting the handover of bin Laden. The US had no right to invade and take over Afghanistan which they did. Now the US has a legitimate interest in withdrawing its own forces, which it should be doing, and also withdrawing US citizens and withdrawing Afghan refugees who were fleeing the Taliban, these fanatics who were empowered in an important sense by the ultra-rationalism of the US State Department, White House, Pentagon, and CIA.

So now there are all these tragic choices that have to be made. And on TV we're seeing American veterans were anguished that the Afghan translators, who they worked with, who helped them, may be left behind. Representative Mike McCaul, the ranking Republican on the [US] House Foreign Affairs Committee, says [Joe] Biden will have blood on his hands, if any of them, or if any American citizens are left behind. And in a certain sense, he has a point. But the larger point of this is the entire American establishment has blood on its hands for this massive crime of Afghanistan. So now the US should try to get as many people out as it can as want to leave. It should try to strike up some sort of relationship dialogue, whatever you would call it, with the Taliban that would try to push Taliban behavior away from murderousness. I mean, it's an odd discussion because it's a dialogue between two mass killers--the locally-based mass killers, the Taliban, and the global mass killers, the United States military and security forces. But you know, if the Taliban can be induced to be less a murderous [it would be] helpful if there's any way to do that. It is a tragedy now that grew out of an absolutely condemnable crime in the beginning. There was no ambiguity about Brzezinski's role. There was no ambiguity about George W. Bush's role, Bush Jr. He bears the greatest responsibility of anyone in the world for this atrocity. But now you have a situation in the very end at the airport where there's a lot of ambiguity, where there's a lot of tragedy. And it didn't have to be this way and it shouldn't be this way.

Ralph Nader: What would you do if you were chairman of the [US] Senate Foreign Relations Committee right now?

Allan Nairn: Well first, do everything possible to try to facilitate getting people out, but it's not at all how to do that. It's a tough call; it's a tough situation. There's no obvious answers to how to get the people out who want to get out without causing even more killing. But down the road, one thing that should be done is that the US should support criminal investigations, both locally and internationally, and to the US officials who were responsible for these atrocities over the years. One of the most outrageous aspects of this is that a few years ago, when the International Criminal Court [ICC], which the US ostensibly supports, when they launched a criminal investigation of the US and NATO [North Atlantic Treaty Organization] for war crimes in Afghanistan, the [Donald] Trump administration led by Mike Pompeo blacklisted the chief ICC prosecutors. And the Biden people have indicated that they basically support that doctrine, that US officials are beyond criminal accountability even when they engage in crimes!

Ralph Nader: Well, that's not true for US criminal law. Conservative former Judge Andrew Napolitano, who is a commentator on Fox News, about a decade ago in the first [Barack] Obama term, said publicly that the [US] Justice Department should criminally prosecute George W. Bush and Dick Cheney for war crimes and all kinds of other criminal violations of federal statutes and international treaties. Do you agree? There's no statute of limitations here. Do you agree that that should be the case under Biden administration?

Allan Nairn: Absolutely. Although the attempt to enforce international law on a global scale through an agency like the International Criminal Court, which was stood up under the initiative from the United Nations and with support from most countries, including the United States nominally. Although that's difficult politically, and some people make complex legal arguments about it, there's no question that if all nations simply enforce their local murder laws, that would solve a lot of the world's problems of crimes against humanity and war crimes because all of this

stuff is illegal. I mean, when you machine gun and bomb a hospital from the air as US C-130s [Lockheed C-130 Hercules] did in Kunduz and kill 42 people, that's murder. And those are prosecutable crimes, both for the immediate perpetrators who pulled the trigger and for those who were accomplices and accessories to that murder, the higher ups going up to very top. When the CIA sends a paramilitary death squads of the Afghan forces as they did in Wardak Province in December of '18, where they killed 12 boys; this was documented by Andrew Quilty and *The Intercept*, one of many, many incidents of this kind all over Afghanistan. That's the crime of murder. It's against Afghan murder laws. And it's also arguably US murder laws. You could attempt to enforce that for those officials who were complicit in setting this murder in motion from US soil.

But this is the kind of thing that is considered beyond discussion in American politics. Nobody ever raises this. It's interesting that Napolitano said that, but that's what we have to get to. It's not that complicated. Every society, every civilization has prohibitions against murder. And if we're serious about it, we have to be even-handed in its enforcement, including against top officials, including generals and presidents, and American generals and American presidents.

Ralph Nader: Well, you know, under the pressure of Senator [Patrick] Leahy from Vermont, who is a big champion against civilian killings in US lawless wars, the Pentagon recognized some of these like the school boys who were collecting driftwood on a hillside and 12 of them were killed. And they gave \$20,000 to the family. Probably get releases. Who knows what? So there's a lot of material in government files that needs to be brought out by investigative reporters. Unfortunately, we're out of time, Allan, and we have to conclude. We've been speaking with Allan Nairn, who in many areas of the world has broken story after story affecting the most serious violations of human rights, criminal behavior under international law and domestic law in various countries. Thank you very much for your work. And we hope to continue the discussion as the Afghan saga continues to unfold.

Allan Nairn: Thanks, Ralph. Good to be with you.

Steve Skrovan: We've been speaking to Allan Nairn. We will link to his work at ralphnaderradiohour.com. I want to thank our guests again, Professor Paul Sabin and investigative reporter Allan Nairn. For those of you listening on the radio, that's our show. 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 Radio Hour* website soon after the episode is posted. For a copy of *The Day the Rats Vetoed Congress*, go to ratsreformcongress.org. And also check out *The Ralph Nader and Family Cookbook: Classic Recipes from Lebanon and Beyond*. We will link to both of those at ralphnaderradiohour.com.

David Feldman: Ralph Nader wants you to join the Congress Club. Go to the *Ralph Nader Radio Hour* website, and in the top right margin click on the button labeled Congress Club to get more information. We've also added a button right below that with specific instructions about what to include in your letters to Congress. Join us next week on the *Ralph Nader Radio Hour*. Thank you, Ralph.

Ralph Nader: Thank you, everybody. The AP has reported that Boeing managers are messing with Boeing inspector employees who want to be more careful in the production of [Boeing] 737 Maxes and other aircraft. The FAA is investigating this situation. Help the bereaved families who have launched a boycott against flying the 737 Max. Go for the buttons at nader.org. Put them on your lapel; take a picture, put it up on the internet and get more people to say to the airlines: We're not flying the 737 Max. It has too many problems.

[57:52]

[Audio Ends]