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# RALPH NADER

## HIS HUMANE SOCIO-ECONOMIC PHILOSOPHY

as presented at Congressional Hearings

Overview and Selection by  
Byron Bloch

### Prologue

It had occurred to me that most people know of Ralph Nader only through various articles in the popular press, those occasional quick interviews on television, and perchance by having attended one of his speeches on a college campus or before some other group. Very few of you had known about, or thought to write for, the published Congressional Hearings of those committees before which Ralph Nader has testified. These published Congressional Hearings, virtually all of which are available to interested persons who request them, contain the verbatim transcripts of what was said by the array of witnesses appearing before purposeful committees of Congress, and also include whatever relevant letters and documents had been submitted for the record.

Having been personally familiar with the thrust of many of these Hearings, and of Ralph Nader's meaningful statements therein, I felt that a selection of such statements would give a valid overview of his humane socio-economic philosophy. Further, by selecting these statements from those hallmark Hearings in the spring of 1966... when he served to focus the nation's interest on the lack of optimal safety in automobiles... we can learn of his early motives and philosophy as a consumer advocate. And by then noting additional statements from subsequent Hearings in 1967 and 1968, we can observe the logical continuum and evolution of his expanding humane socio-economic philosophy and perceptions of our society.

To learn of a man, we must listen to his thoughts.



Ralph Nader is popularly called "The Consumer Crusader," the consumer advocate catalyst who sparked the recently renewed interests in consumer-industry-government affairs, and the revitalized concern for the impact of America's products and technology and institutions upon the health and safety and economics of her citizens.

Ralph Nader is a diversified blend of talents and abilities... attorney and lawyer for everyman, prolific writer and lecturer, challenger of misused corporate and lobbyist power, prodger of governmental agencies, organizer and supporter of students into "Nader's Raiders" investigation teams, founder of the Center for the Study of Responsive Law, founder of the Center for Auto Safety... and the list could extend onward.

Ralph Nader, as he is typically portrayed... and as I personally have known him to be through the years of our friendship and association... is literally a tireless and selfless worker, highly motivated because he truly cares about the irrational and unethical manifestations within our society, because he truly cares about the tragically-dwindling health and safety of mankind and total ecology, because he is a young man dedicated to help reform our socio-economic institutions into serving more humane purposes.

Ralph Nader moved toward national prominence in late-1965 and early-1966, triggered by the revelations and rationale for reform contained in his book, *UNSAFE AT ANY SPEED*, the poignant subtitle of which was "The Designed-In Dangers of the American Automobile."

Soon thereafter, Congressional Hearings were held in the spring of 1966 to probe the entire spectrum of auto safety. These Hearings, entitled "The Federal Role in Traffic Safety," included much of their thrust from a key witness, Ralph Nader, who sharply articulated the factual and philosophical basis for emphasis on safety in automobile design, the basis for reform by the auto industry, and the establishment of a strong representative federal agency and motor vehicle safety standards.

During the course of these Hearings, a startling set of events developed. It seems that Ralph Nader was in the process of being meticulously investigated by representatives of General Motors Corporation. On March 9th, 1966, General Motors issued a public announcement of such an investigation... claiming that it was prompted by Nader's criticisms of their Corvair automobiles in writings and public appearances. Two weeks later, in a Congressional Hearing before Senator Abraham Ribicoff and Senator Robert F. Kennedy and others, a formal apology was made to both the subcommittee and Mr. Nader by James M. Roche, the president of General Motors Corporation, accompanied by his legal counsel, Theodore C. Sorensen. During the course of questioning by Senator Kennedy, Mr. Roche had reason to admit that "Now to the extent that this [investigation of Nader] went into private affairs and other questions, which is regrettable, that those are acts of harassment and I believe that they are..." To which Senator Kennedy responded "I think that is a mild way of putting it, if I may say so, Mr. Roche."

What isn't generally appreciated by Ralph Nader's allies and detractors both, is that such national prominence could well have been fleeting... merely a moment in history, a newsworthy story that comes and goes so quickly. Yet, it was within the extraordinary motivations of Ralph Nader to keep going, to press onward even more diligently, to expand the scope of his concern for the health and safety and economic viability of his fellow man.

Another astonishing facet of what has followed, is that Ralph Nader has done all that he has as an individual. His impact on society has been the energy of a single man, and not of well-funded and well-staffed and well-advertised corporate functionaries. Though he has close friends and confidants, and may correspond with and corroborate facts and ideas with allies on a particular crusade, he is nonetheless his own man. And because his courageous individuality is so apparent, therein perhaps is the principal reason for his appeal, especially as a constructive hero for the youth of America.

Though the lay press likes to emphasize that Ralph Nader is "a loner," and gets some of his information from "secret sources" within industry and government, the press frequently fails to call attention to the fact that Ralph Nader works within the existing bureaucratic system. Indeed, one of his pet ploys is to gather significant information from previous Congressional Hearings, from governmental agency reports, from industry reports, from various publicly-accessible libraries... In other words, he gathers information that is available to anyone... anyone who wishes to seek it out.

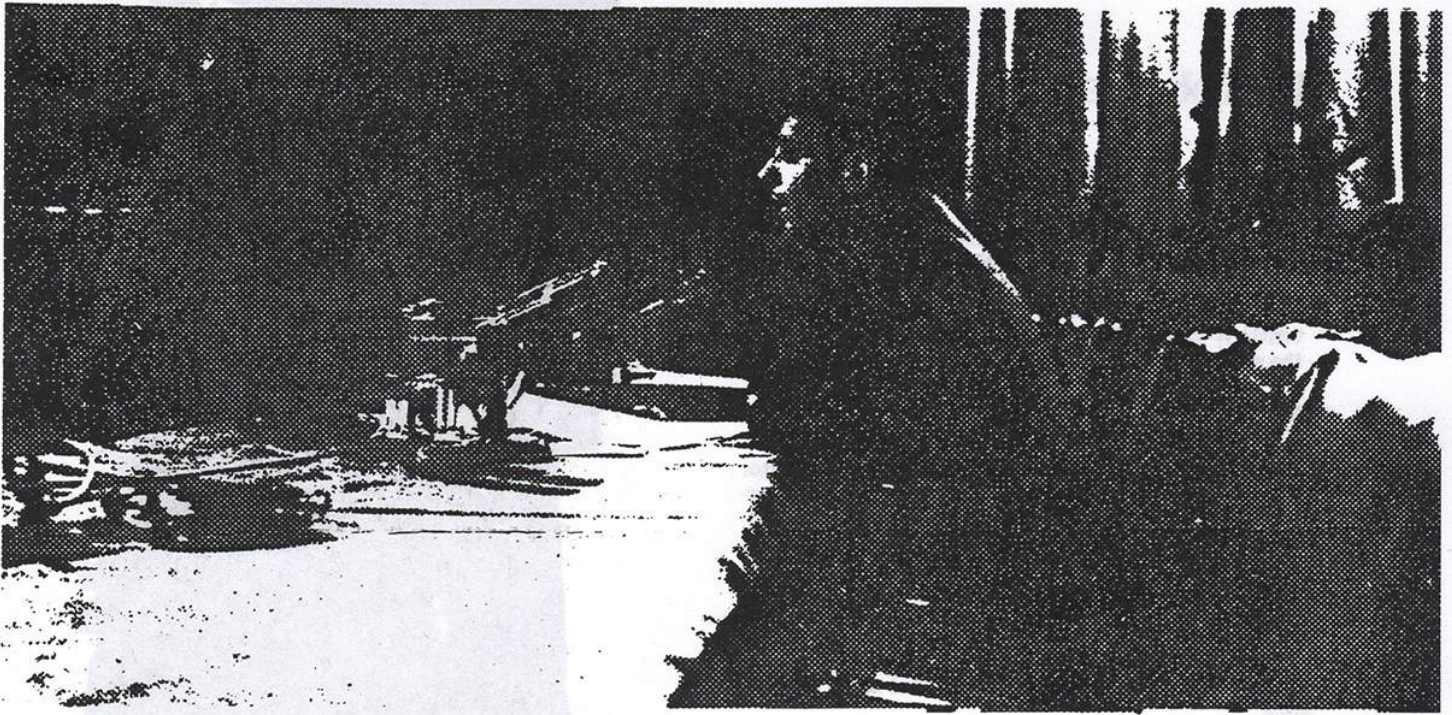
Having gathered his information base from such readily-accessible sources, and from some documents that have to be tracked down from some long-forgotten back shelf in a government library perchance, plus an occasional input from an industry or government employee who wishes to speak out about a neglected grievance, Ralph Nader then apparently applies some very basic logical questions... Does this affect the health or safety or economics of the consumer? Is the responsible industry aware of their misdeeds... and are they diligently working to correct the problem? Is there a responsible agency of government, at any level, chartered to represent the interest of the public... and are they being responsible in resolving the problem? Are the facts being adequately and accurately conveyed to the public... and does the public have initiatory rights to seek redress for any grievances, and preventive correction of the basic problem itself? How can I best serve as an advocate for the consumers' interests?

Thus, the logic of a few basic questions can usually point out the basic deficiencies in the particular consumer-interest area. Often, it has been desirable to seek a broader hearing on the subject, especially where it concerns important national dilemmas of health, safety, and economics.

Our democratic system has such a format... known as a Congressional Hearing, typically under the charter of a committee or subcommittee of the United States Senate and/or the House of Representatives.

In his quest to air these matters of public concern, and to help encourage whatever corrective legislative action may be in order, Ralph Nader has encouraged such Congressional Hearings. And on many occasions, he has personally appeared as a key witness... submitting verbal testimony in addition to meticulous formal written statements and addendum. When he appears in





person, his comprehensive research and well-structured presentations and arguments are frequently a major focus during the Hearing.

Beginning in 1966, Ralph Nader has testified... either in person or by formal written submissions... at such Congressional Hearings as those on automobile safety, the auto industry, wholesale meat quality, natural gas pipelines, radiation control, wholesale poultry products quality, coal miners' working conditions, and others... virtually all of which have resulted in constructive legislation for the benefit of the consumer public and to encourage ethical corporate and industry behavior.

The range of crusading by Ralph Nader extends well beyond these aforementioned areas... and he has launched out at the misuse of certain chemical additives in foods, the excessive fat and debris content of hotdogs, unclean and polluted fish, unstable tractors that tip over, the deadly overusage of x-ray equipment for medical and dental purposes, excessive radiation leakage from many color television sets, the abusive influences of many powerful lobbyist groups, the suppression of information by governmental agencies... and many other areas that adversely affect the health and safety and economic viability of consumers. And even beyond that... to those issues that confront any and all citizens who are affected by the deteriorating environmental and economic and personal quality of their lives.

Ralph Nader believes in working principally through the established channels of communication and debate... such as via Congressional Hearings. A primary motive is that such Hearings are designed to serve as a communications channel between the individual citizen

and the government which is supposed to represent him.

Such Hearings frequently lead to proposed legislation which can hopefully correct the problems that have been brought out in such Hearings. The proposed legislation may or may not be enacted into law. The enacted law may or may not be adequately funded, nor may a competent staff necessarily be assembled to administer the enacted laws and its provisions. The enacted law may or may not truly be able to correct the grievances, nor may such law have any adequate enforcement provisions within itself, to inhibit and penalize any transgressors. Such a law may or may not have what Ralph Nader calls "initiatory rights" inherent within itself, nor within whatever agencies it establishes. ("Initiatory rights" are an individual citizen's rights to stimulate the agency or ask the agency a question, and get a prompt and relevant response and, where appropriate, obtain the agency's assistance in correcting the individual's grievance which had prompted him to initiate such an inquiry in the first place.)

I believe it is fitting, in getting to know and understand and appreciate the impact that this one man, Ralph Nader, has made upon our society, to examine and review some of his factual and logical base... as expounded in the various Congressional Hearings that he has testified before, beginning with his initial auto safety crusade in 1966, and continuing through related Congressional Hearings in 1967 and 1968.

These statements are presented as sort of an overview, and may not carry the full force of the text from which they have been excerpted. Every attempt has been made, moreover, to ensure that the selected statements are truly within the full context of his entire statement.



## Ralph Nader

### A NEED FOR ENGINEERING ETHICS THAT WILL PROMOTE SAFETY

What is most required is a sense of engineering ethics that will promote the instant adoption of existing safety technology as well as invest in the discovery and refinement of further advances in operational [accident prevention] and crashworthy [injury prevention] safety of the vehicle.

### THE AUTO IS THE GREATEST ENVIRONMENTAL HAZARD

Year after year, with Medea-like intensity, the motor vehicle, through its traumatic and polluting impacts, performs as the greatest environmental hazard in this country—a hazard whose inceptions and consequences do not conform neatly to municipal, county, and State boundaries. And year after year, our scientific, technological, and organizational know-how, and potential, to literally “invent the future” of motor vehicle safety expand exponentially and thereby expose the shocking, shameful gap between what can be done and what is being done.

### LACK OF FREE ENTERPRISE IN THE AUTO MARKETPLACE

In terms of product competition, the automobile market is closer to closed enterprise than it is to free enterprise. Because their market structure, conduct, and performance has subverted the basic requisites of a free market system, we have the spectacle of a gigantic industry wallowing in a profitable technological stagnation and relying on superficial cosmetic changes and the inexorable coming of a new year every 12 calendar months to peddle the “all new, unsurpassed” car model.

### A GENUINE DEMOCRACY HAS TO PROVIDE FOR PUBLIC PARTICIPATION

A genuine democracy has to provide for the participation of the public in decisions relating to technology whose use is so fraught with tragedy to millions of people. There is an old Roman adage which says: “Whatever touches all should be decided by all.” The automobile touches us all in the most ultimate ways. The safety the motorist gets when he buys his car should not be determined solely by manufacturers—especially a tightly-knit few—whose interests are necessarily one of profit-parochialism.

### LACK OF PENALTIES FOR MANUFACTURING DANGEROUS VEHICLES

There are no statutory criminal penalties for manufacturing a defective automobile dangerous to life. An automaker is not within the scope of such laws. But drivers are exposed to criminal fines and imprisonment—manslaughter charges—for gross negligence leading to one or more deaths. Driver behavior is within the rule of law; vehicle design and manufacturing behavior is outside the rule of law. Could corporate and managerial immunity from public accountability be more complete?



### IMPACT OF THE AUTOMOBILE INDUSTRY

In terms of unused capacity, fuel consumption per passenger, injuries and pollution, and total time displacement of drivers and passengers, automotive travel is probably the most wasteful and inefficient mode of travel by industrial man. Yet automobiles will be here for some time to come, and the market structure, conduct, and performance of the industry must command a frontline level of attention.

### TOO MANY RELUCTANT TO SPEAK OUT ON SAFETY

During the course of gathering materials for my book, “Unsafe at Any Speed,” I was encountering continually a profound reluctance, in not a few cases it could be called fear, to speak out publicly by those who knew the details of neglect, indifference, unjustified secrecy and suppression of engineering innovation concerning the design of safer automobiles by the manufacturers. . . . The price paid for an environment that requires an act of courage for a statement of truth has been needless death, needless injury, and inestimable sorrow.



## JUDICIAL PROTECTION OF BODILY RIGHTS

Senator, the area of what I call judicial protection of bodily rights is in its infancy. We are far ahead now in protecting civil rights. We have articulated them. We have put them into law. We have governmental and citizen groups trying to further them.

However, when it comes to an individual who is injured by the negligent or defective design of a product, we sometimes think that if he proceeds in court against the defendant, there is something dirty about that. Well, there is nothing dirty about it at all. The courts are perfectly equipped to process the fraudulent claims from the genuine claims. The laws of evidence are very strong here.

What we have to recognize is that just as 15 years ago when somebody went to court to try to preserve or acquire a civil right denied him, and was looked upon with contempt or ridicule, that we are about at this same point here in terms of people trying to recover in courts of law against the harmful effects of technology.

## NEED FOR COMPARATIVE INFORMATION ON COMPETITIVE PRODUCTS

A major value of the free market system—and I think anybody who is interested in improving the free market feedback mechanism for vehicle safety should be very interested in the working out of this provision—is to allow the consumer a meaningful choice between products so that he can reject the shoddy product and reward the better product. Consumer feedback is supposed to breed better products. . . . Only a small minority of such alert customers are needed to prod the lagging manufacturer.

## STIFLING OF MASS-TRANSIT INNOVATIONS

It is quite clear now that the pressure by the highway lobby to allocate public funds heavily toward highway development and to stamp out the mass transit area, as I indicated, certainly at best is narrowing the choice for the people. And I do not think it makes any sense for the car manufacturers to adduce various policies to show the people prefer to go by car than by bus, simply because that is not what the choice would have been. What they do is they put the choice of a car against the choice of a relatively obsolete form of mass transit. Today, if we were heads up 20 years ago, today we could have the kind of mass transit that would be credible, efficient, clean, and speedy. . . .

## CORPORATE RESPONSIBILITY

The requirement of a just social order is that the responsibility shall lie where the power of decision rests. But the law has never caught up with the development of the large corporate unit. Deliberate acts emanate from the sprawling and indeterminable shelter of the corporate organization. Too often the responsibility for an act is not imputable to those whose decision enable it to be set in motion.

## A NEED FOR SOME OLD-FASHIONED COMPETITION

Old line conservatives, believing in the open market and free enterprise, instead of the controlled market and closed enterprise characteristic of modern-day oligopolies, might recommend some old-fashioned competition for meeting human needs of sober design, health and safety, economical operation and repair.

## NEED FOR IMPROVED CLIMATE FOR FREEDOM OF EXPRESSION

I think the thing that has persuaded me to continue in this area is that I cannot accept a climate in this country where one has to have an ascetic existence and steely determination in order to speak truthfully, candidly and critically of American industry, and the auto industry. . . . the chief thrust forward in terms of the quality of our life is almost always associated with individuals speaking out. . . .

## GAP BETWEEN WHAT IS POSSIBLE AND WHAT IS DONE

Then perhaps what really struck me, after law school, was the tremendous advance in science and engineering, and the application of it in other areas of our life, not only in space and missile systems, but in many other areas of industry. And as I became more and more aware of the tremendous gap between what was possible and what was actual, I became in a sense incensed at the way there can be a tremendous amount of injustice and brutality in an industrialized society without any accountability, without any responsibility. That people sitting in executive suites can make remote decisions which will someday result in tremendous carnage, and because they are remote in time and space between their decision and the consequences of that decision, there is no accountability.

## CONFRONTATION BETWEEN AN INDIVIDUAL AND A CORPORATION

I am responsible for my actions, but who is responsible for those of General Motors? An individual's capital is basically his integrity. He can lose only once. A corporation can lose many times, and not be affected. This unequal contest between the individual and any complex organization, whether it is a corporation, a union, government, or other group, is something which bears the closest scrutiny in order to try to protect the individual from such invasions.

## THE INDIVIDUAL INVENTOR

Up to now, the individual inventor—a source of remarkable value to the country past and present—has been, in the vehicle area, at the mercy of an oligopolistic, technologically stagnant industry that dislikes to be jogged from the outside, and dislikes paying royalties even more. . . . Individual initiative should be given at least some of the opportunities afforded corporations. . . . I am familiar with all the arguments by industry spokesmen about patents, and how they ridicule thousands that come in that are worthless. It may well be true. But there are others that are worth looking at. . . . I am disturbed by the use of terms here. If an individual presents an idea, it is called a gimmick. If a company presents an idea, it is called product development. . . . If an individual develops and promotes a rather refined piece of hardware, it is called commercialism. But if a corporation presents it, it is called competition.



### ON EXTRAORDINARY CORPORATE POWER

Anthropologists have taught us that the dominant institution in any society not only avoids external scrutiny, but strives to strengthen societal controls that insure perpetuation of such an unexamined status. In our country, the large corporations are the dominant institution. They comprise the strongest, consistent, generic power in the land. They share a high degree of coordinated values. Their power is all the more remarkable in its resiliency and ability to accommodate or absorb other challenging power centers—such as big government and organized labor—in ways that turn an additional profit, erect an additional privilege, or acquire protective mechanisms to ward off new pressures for change or reform.

... the top 200 corporations, which now own nearly two-thirds of the manufacturing assets of the land. ...

### CORPORATE COLLECTIVISM LEADS TOWARD ECOLOGICAL DISASTER

The absence of political vigilance by the organs of Government toward the onrush of corporate collectivism, with the exception of a few aborted Senate inquiries, is fraught with danger to a democratic society. This is the case, no matter how affluent that society has become in the aggregate, because of the gaping injustices affecting minority groups and majority public services.

Indeed, the very productiveness of our economic system, a chief referent for corporate apologists, has led, through inaction and indifference, to vast new problems, centering, for example, on the pellmell contamination of soil, air, and water that is taking us toward ecological disaster.

### INDUSTRY LETHARGY TO INNOVATION OF ANTI-POLLUTION SYSTEMS

The issue is not whether the industry has the capital and human resources to do the job, but whether it in fact has an economic incentive and the will or desire to innovate new propulsion systems for the public health and safety. That it has not had the will or incentive has been demonstrated by the agonizing experience of California, during the past 17 years, in trying to persuade the auto industry to do something about vehicular pollution. ... The sincerity of the industry can be measured also by the trivial resources allocated to research and development for pollution control, by the pervasive secrecy of the companies, and their failure to produce California-bound vehicles that maintain the State standards on emissions.

### FUTILE ANTI-TRUST ACTION IN ANTI-SMOG DEVICE COLLUSION

Another massive [Justice] Department inquiry was made in Los Angeles over the last two years [1966-1968] dealing with an allegation by the Antitrust Division that the auto industry colluded to restrain the development and marketing of auto exhaust control devices over a period extending well beyond the decade prior to that. And a grand jury was empaneled for 18 months with evidence being presented before it, and then finally, the intention to file a criminal complaint was dropped, intention was made that there would be a civil complaint filed instead, and this was in January of this year [1968]; nothing has occurred since.

### FOUNDING FEDERAL AGENCIES ... WITHOUT ANY PROTOTYPE AUTO PROGRAM

The federal agencies responsible for curtailing automotive pollution are foundering. Quite apart from other problems besetting the agencies, the absence of demonstration or prototype pollution-free vehicle programs cuts the ground from under the adoption of strong standards.

To await the revealed innovations of industry is to be dragged into the 21st century on a heap of clever delaying tactics, endemic secrecy over information, and anemic research budgets from Detroit. Because there are no sanctions for such tactics and delays, the industry can delay with impunity as long as it largely controls the "state of the art" in emission technology.

### A PROPOSED MANDATE FOR GOVERNMENT TO ACT

It would be a major step forward were Congress to enact legislation making it perfectly clear to the Executive Branch that these two objectives are pursued with dispatch:

A. A prototype, pollution-free vehicle design and development program utilizing the most efficient and immediate alternatives to the internal combustion engine. Such a program would eliminate once and for all the industry defense that such solutions are not technologically or economically possible, or that they would have to take until the year 2000 for adoption. A demonstration program will also free the engineering imagination to achieve what apparently is only achievable outside the corporate structure—basic innovation.

B. A focused government policy to use its procurement leverage in the direction of the least-polluting vehicles, thus creating an initial market for innovative firms.

### CONGRESS REMAINS THE CHIEF FORUM FOR CANDID TESTIMONY

I urge you to give serious consideration to further hearings on pollution-free automotive technology. Congress remains the chief, perhaps the only, forum for the candid presentation of varied testimony on a subject bound by corporate secrecy and intransigence, and depressed by the severe constraints of a highly concentrated and united industry. Once again, the nation's hope for cleaner air awaits your leadership.



### Byron Bloch

Consultant & Expert Witness

Crashworthiness  
Rollover - Roof Crush  
Side Impact - Intrusion  
Truck Underride  
Fuel Tank - Fires  
Window Glazing - Ejection  
Seatback Collapse

Auto Safety Design  
8016 Lakenheath Way  
Potomac, Maryland 20854

301.299.1800 office  
301.520.9312 mobile

byron@autosafetyexpert.com  
www.AutoSafetyExpert.com