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Ralph Nader is often pictured as a zealous crusader attacking corrupt, greedy corporate leaders again and again. Always on the offensive, Nader is depicted as a true muckraker searching for a newsworthy exposé.

Although this description accurately illustrates his tactics it falls far short of providing a clear portrait of his personality. In reality, Ralph Nader is on the defensive. As an ordinary citizen he is distressed, disappointed and shocked by the hot war on the consumer.

A sensitive, idealistic and occasionally paranoid person, Nader sees himself not as a general leading a charge but more like Davy Crockett defending the Alamo. No sooner has he begun erecting the walls for consumer protection than he must stop to plug the gaps and leaks that spring up almost immediately. The forces he feels most threatened by are the corporate giants, but law schools are also viewed as vile by Nader since they are hand-in-hand with his number one enemy.

Nader has a way of fighting an enemy known only to those who have been heavily outnumbered. An analysis of his views should help us understand his driving force and deep commitment that makes him one of the most influential men in Washington.

## Crime in the suites

"If we were as lenient toward individual crime as we are toward big-business crime we would empty the prisons, dissolve the police forces, and subsidize the criminals" he charges. "Where is the free enterprise system?" he asks, a sly smile lighting up his face. "I'm trying to find it. Is it the oil oligopoly, protected by import quotas? The shared monopolies in consumer products? The securities market, that bastion of capitalism operating on fixed commissions and now provided with socialized insurance?"

To support his arguments Nader offers a stream of facts, statistics and contradictions. In a typical speech he would reveal the following:

- 1) While the federal government is determined to stop \$50 thieves, million dollar price-fixers get off with a warning.
- 2) General Motors claims it cannot afford funds for a pollution study and then spends \$250 million to change its signs to read "G.M.—Mark of Excellence."
- 3) The auto industry knew for years that the non-collapsible steering column was causing thousands of unnecessary deaths and refused to improve it until forced by law—250,000 deaths later.
- 4) The federal government subsidizes the coal industry even though the industry refuses to acknowledge 100,000 black-lung victims who cry out for safe working conditions.

When Nader discusses the plight of the miners one realizes that he doesn't rattle off the statistics with delight. He is practically sick at having to tell his audience that about 100,000 miners have been crushed, burnt and choked to death in this century—and at least half of these fatalities could have been avoided by safer conditions.

Ironically, his enemy—the big business kings—have done more to make him powerful than his moving oratory. General Motors started his career when its plan to 'get something on him' backfired. Nader was cast in the role of giantkiller as he exposed the G.M. blackmail attempt. The old 'photograph him in bed with a prostitute trick' was not very sophisticated. However, compared to other attempts to ruin Nader like spreading rumors that he is a communist, homosexual, or liar, G.M. showed that it was the sharpest of the big boys.

#### Trade schools

Insofar as Nader is concerned, the legal community and its hallowed training grounds are responsible in large part for big-business insensitivity.

"It is not easy to take the very bright young minds of a nation, envelop them in conceptual cocoons and condition their expectations of practice to the demands of the corporate law firm. But this is what Harvard Law School did for over a half century to all but a resistant few of the 40,000 graduates," says Nader.

On the legal crisis in general Nader invites, "Anyone who wishes to understand the legal crises that envelop the contemporary scene—in the cities, in the environment, in the courts, in the marketplace, in public services, in the corporate-government arenas and in Washington—should come to grips with this legal flow chart that begins with the law schools and ends with the law firms, particularly the large corporate law firms of New York and Washington."

On legal education per se Nader is highly critical. After enjoying four years at Princeton he 'endured' three years of Harvard Law.

"The mixing of the case method of study with the Socratic method of teaching . . . transforms intellectual arrogance into pedagogical systems that humble students . . ." he charges.

"Law professors take delight in crushing egos in order to acculturate the students to what they call 'legal reasoning' or 'thinking like a lawyer,' he continues, "The process is a highly sophisticated form of mind control that trades off breadth of vision and factual inquiry for freedom to roam in an intellectual cage."

"Normative thinking—the 'shoulds' and the 'oughts'—was not recognized as part and parcel of rigorous analytical skills. Although the greatest forays in past legal scholarship, from the works of Roscoe Pound to those of Judge Jerome Frank, proceeded from a cultivated sense of injustice, the nation's law schools downplayed the normative inquiry as something of an intellectual pariah."

To Nader, the greatest failure of the law schools—a failure of the faculty—was not to articulate a theory and practice of a fair deployment of lawyers. With massive public interests deprived of effective legal representation, the law schools continued to encourage recruits for law firms.

"Lawyers labored for polluters, not anti-polluters, for sellers, not consumers, for corporations, not citizens, for labor leaders, not rank and file, for, not against, rate increases or weak standards before governmental agencies, for highway builders, not displaced residents, for, not against, judicial and administrative delay, for preferential business access to government and against equal citizen access to the same government, for agricultural subsidies to the rich but not food stamps for the poor, for tax and quota privileges, not for equity and free trade. None of this troubled the law schools," he concludes.

#### Conclusion

We are faced with the almost unbelievable picture of "white collar crime" in this country at least in part because the law schools have failed to turn out men who would question the status quo and a system where a corporation has no responsibility to the public.

Nader sees the law schools as archaic vestiges of the past, more fit to turn out cracker-barrel lawyers than space age solicitors. He attacks the heavy emphasis in law school curriculums of the 'bread and butter' courses.

Only the most fundamental alteration in the philosophy underlying legal education will produce the atmosphere which will encourage law students to question their profession, the corporate mystique, and their own view of society. This reform will entail more than new directions in curriculum, it will require the beginnings of true dialogues in the class room. ■