

EDITORIAL
William F. Gallagher

THE UNDOING OF RALPH NADER'S LEGACY

Ralph Nader received 97,000 Florida votes for President as Green Party Candidate. Had he withdrawn from the race, conventional wisdom has it that the vast majority of those votes would have gone to Al Gore.

With a 50-50 split in the U.S. Senate, it is highly doubtful that on the big policy issues - tax cuts, social security, education, foreign policy - the Bush administration will be able to do much more, or less, than a Gore administration would have been able to do.

Where the Bush administration will have the biggest impact will be on all those issues within the control of the hundreds of assistant secretaries, agency heads and department chiefs who will be appointed or have been appointed. These appointees will have the discretion, guidance and desire to impose the administration's point of view. They can make significant changes in agency programs without congressional approval and without dismantling existing regulations. By exercising discretion over funding to their agencies they can make it difficult to enforce regulations aggressively. They can also require more consideration of the effect on industry when deciding whether and how to enforce regulations. They can reduce or freeze the work force at various agencies, and reduce fines for breaking rules.

A look at some of the environmental issues demonstrates this. Environmental regulations will likely be interpreted to permit oil wells to be dug in Alaska. How worker health and safety rules are enforced or expanded, how labor laws are interpreted, how fuel efficiency standards are pursued, how global population control programs are supported, and to what extent the U.S. works to curb the "greenhouse" gasses that are causing global warming are all impacted.

For example, on global warming, instead of having a president who would make it a priority to rescue the failed Kyoto climate change treaty, the Bush administration has a President and Vice President who came from the energy business and do not even believe global warming is a real issue. Mr. Bush's chief of staff, Andrew Card, spent the last several years as chief lobbyist for the auto industry, fighting tighter fuel economy, air pollution and global warming regulations. Ralph Nader's agenda is the big loser on these issues.

In effect, Mr. Nader delivered a President from the oil industry, a Vice President from the drilling industry and a chief of staff from the auto industry.

This is only part of the legacy of a Bush administration instead of a Gore administration. The advanced age of several of the Justices of the United States Supreme Court - Justice Stevens is 80, Chief Justice Rehnquist is 75, and Justice O'Connor is 70 - means that George Bush will find himself in a position to name two or more replacements. Even one new justice might be enough to alter the court's present course on federal power over state governments and environmental protection, to say nothing about abortion, gay rights, church state separation, racial justice, civil rights, and criminal justice.

Asked to identify his favorite Justices, George Bush named Antonin Scalia and Clarence Thomas, the court's strongest conservatives. By citing these justices as his favorites, Mr. Bush suggests that he would fill vacancies with conservative nominees who would support his conservative agenda. Even though justices cannot always be counted on to side with the presidents who picked them, presidents in the past determined to change the court's ideological direction have generally succeeded.

Apart from whatever supreme court vacancies may arise, George Bush will have the chance to fill numerous vacancies in the lower federal courts. These appointments, especially to the federal courts of appeals, will also have a profound influence on the course of justice.

Whether we agree or disagree with the likely course of administrative regulation, global warming treaties, or the administration of justice under President Bush, his agenda and priorities are clearly contrary to Ralph Nader's agenda and priorities.

Moreover, as a candidate Ralph Nader came across as just another politician, and a rude one at that. He called Connecticut Lawmakers prostitutes when he came to Hartford to speak against building a football stadium for the New England Patriots. He call Governor John Rowland a "twerp". During the presidential campaign he continuously vilified the major party candidates. As the Hartford Courant pointed out in an editorial on November 9, 2000, it is "possible to challenge Mr. Gore's truthfulness without calling him a liar repeatedly and to question Mr. Bush's motives without referring to him as a corporation dressed in a suit."

Ralph Nader is a Connecticut native. He is an authentic hero in many ways. Because he dared to speak up consumer products and the workplace are safer, the environment is cleaner, and millions of Americans have learned to organize and lobby on their own behalf. The undoing of that legacy by his behavior in the 2000 Presidential campaign is a tragedy.