

Universities would be encouraged to develop new arrangements such that involvement of their faculty and staff in foreign aid projects would not be typically an in-and-out affair.

Gardner's appointment to the HEW secretaryship, of course, transforms him from critic and adviser to a federal administrator responsible for the new initiatives in international health and education that President Johnson has called for from HEW. Gardner's survey mission to Saigon in advance of an expansion of health and education activities seems to be evidence of the President's confidence in Gardner and faith in education and health programs.

Inside HEW, former Education Commissioner Francis Keppel has recently moved into the post of HEW Assistant Secretary for education and has indicated he will give much attention to international education.

Another advocate of reform who is no longer on the outside looking in is Charles Frankel, new Assistant Secretary of State for educational and cultural affairs. Until last September he was a philosophy professor at Columbia, with special interests which led

him to write a book, published in January, titled *The Neglected Aspect of Foreign Affairs* and subtitled "American Educational and Cultural Policy Abroad." In his book, based on a study made for the Brookings Institution, Frankel recommended the creation of a corps of education officers to serve abroad and made a number of other suggestions which appear to be in accord with presidential inclinations.

A Gardner-Keppel-Frankel axis on international education policy could well offset some of the complications in efforts to coordinate programs operated by a number of agencies. Frankel now heads an interagency council on educational and cultural affairs which includes representatives from agencies involved in programs in this field. (In addition to State and HEW, the U.S. Information Agency, AID, the Peace Corps, and the Defense Department are represented, as are other interested agencies and organizations, such as the Bureau of the Budget and the Smithsonian.) The council has not been particularly potent as a coordinating force in its 3 years of existence, but there are reportedly signs of new vigor.

The problem of coordinating health programs is not so formidable, since the Public Health Service figures in almost all overseas activities either as a principal or as a contracting agency. The question of how a supercoordinating center for international education located in HEW would affect the picture—whether such a center might have jurisdiction over education in health fields and thereby incite some conflicts—simply has not been clarified.

In broader context, the efforts at reappraisal of international health activities is part of a larger effort to rethink and reform our foreign assistance programs in light of a conclusion that "outputs" have been unsatisfactory because "inputs" have been incorrect.

The administration appears intent on giving a new look and a new momentum to international education and health activities, and it may succeed in doing so. Experience indicates, however, that, where federal programs are concerned, hearty congressional cooperation and a sizable infusion of funds is usually required to close the gap between intention and implementation.

—JOHN WALSH

Auto Safety: Nader vs. General Motors

Ralph Nader, the young Washington attorney whose book, *Unsafe At Any Speed*, exposed the auto industry's indifference to safe design, has now exposed one of its other sides as well (*Science*, 26 November). The Senate hearing held last week on General Motors' confessed investigation into the private life of its most formidable critic was something of a sideshow in the annals of industrial intelligence. It did not tell us how routine such business snooping—or, for that matter, governmental snooping—has become. But it does tell us that, when confronted with a serious analyst trying to bring basic questions of science, technology, and public policy into the public arena, the response of General Motors is

straight out of movieland: "Follow that man."

The events in the investigation of Nader appear to have been something like this. Last November, about the time Nader's book was published, Aloysius Power, GM's general counsel, conceived the idea that Nader might be connected with the 106 damage suits now pending against GM's Chevrolet Corvair, 1960-1963 models. (He isn't.) Nader's opening chapter is devoted to the Corvair, and he had previously published articles on the subject. A preliminary investigation failed to turn up any information, and on 22 December, one of Power's associates on the legal staff got in touch with Richard Danner, a Washington lawyer, asking him to

find a suitable agent for a more intensive probe. Danner contacted Vincent Gillen, a former FBI agent who runs a detective agency in New York. Gillen took the job, and in turn contracted with smaller operators in Washington and Boston to handle some of the field work. The investigation began in January and apparently continued even after 4 March, when an issue of the *New Republic* (dated 12 March) was published containing an article by James Ridgeway detailing the harassment to which Nader was being subjected. This included surveillance, late night telephone calls, and apparent efforts to lure Nader into compromising situations with young women.

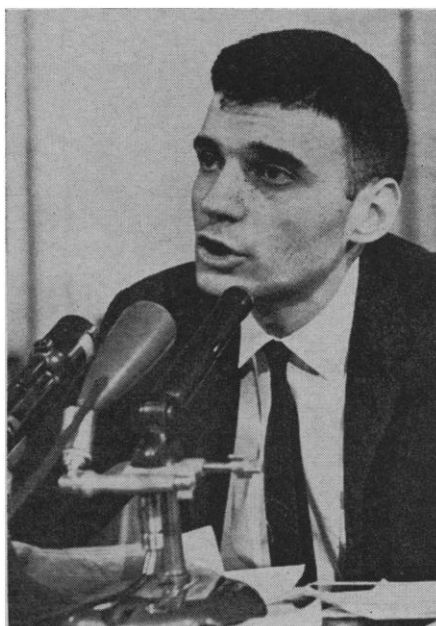
The *New Republic* article was widely quoted in the press across the country, and it—and articles based on it—received immediate attention. In Washington two Senators requested a Justice Department investigation. In Detroit, the Ford Motor Company issued a denial that it was in any way involved. In the offices of General Motors, things went a little differently. As GM president James Roche testified before the Government Operations subcommittee

last week, "in the process of ordering a formal statement denying our involvement, I discovered to my dismay that we were indeed involved." Instead of a denial, GM issued a confession. This read in part, "General Motors said today [9 March] that following the publication of Mr. Ralph Nader's criticisms of the Corvair in writings and public appearances in support of his book . . . the office of its general counsel initiated a routine investigation through a reputable law firm to determine whether Ralph Nader was acting on behalf of litigants or their attorneys in Corvair design cases pending against General Motors. . . . The investigation was limited only to Mr. Nader's qualifications, background, expertise, and association with such attorneys. It did not include any of the alleged harassment or intimidation recently reported in the press."

Of the timing of the GM statement—it was issued late at night—Robert Kennedy, a member of the subcommittee, said it reminded him of President Kennedy's famous remark about dealing with the politically sensitive disclosure of his choice for Attorney General: "I'll open the door at 2 a.m. and say 'it's my brother.'" About the text of the announcement, Kennedy and Abraham Ribicoff (D-Conn.), subcommittee chairman, had even more to say, for they considered the statement untrue.

GM's Roche, after being battered with questions, agreed. But Roche's subordinate, Power, who also testified, was reluctant to concede that the 9 March statement did not accurately reflect the facts. The argument turned on definitions. No proof emerged during the hearings that the detectives had hired girls to entrap Nader or that they had telephoned him in the middle of the night. Power and the subcommittee thus disagreed over whether the detectives' proved activities—surveillance and intimate questioning of Nader's associates—constituted "harassment." (Power ultimately agreed that he himself might have felt harassed had he been followed about as Nader was.) What concerned the Senators was that the wording of GM's statement might have contributed to defaming Nader by implying that his charges of undercover operations were a fantasy. Had it not been for the hearings, the Senators pointed out, the record would not have been set straight.

If GM's investigation of Nader was



Ralph Nader

"routine," it was routine perhaps only in the sense that this sort of thing happens every day; it was certainly not casual. A memorandum from Gillen to his field workers makes clear what his assignment was: "The above mentioned is a freelance writer and attorney. Recently he published a book, *Unsafe At Any Speed*, highly critical of the automotive industry's interest in safety. Since then our client's client has made some cursory inquiries into Nader to ascertain his expertise, his interests, his background, etc. They have found out relatively little about him. . . . Our job is to check his life and current activities, to determine 'what makes him tick', such as his real interest in safety, his supporters, if any, his politics, his marital status, his friends, his women, boys, etc., drinking, dope, jobs—in fact all facets of his life."

To find out "what makes him tick" Gillen's team, in addition to surveillance, conducted scores of interviews with Nader's friends, relatives, and acquaintances, using the pretext that they were engaged in a "pre-employment investigation"—Nader found out about the investigation, in fact, from friendly letters and phone calls congratulating him on the nonexistent "lucrative research and writing job" which he was about to get. Besides the topics covered in the memorandum, investigators, apparently on the suggestion of the GM staff, probed extensively into the question of possible anti-Semitism on grounds no more substantial than that Nader's parents were born in Lebanon.

Gillen, who seemed, oddly, to have come to believe his own story—that he was conducting a pre-employment investigation—argued that he asked such questions "in fairness to Ralph." "What the hell is in fairness to Ralph," Kennedy asked, angrily, during the hearing. "You have to keep proving he's not queer and he's not anti-Semitic." Suffice it here to say that, in the words of Ribicoff to Nader, "they put you through the mill and they haven't found a damn thing against you." Nor, as it turned out, did they find out much about him, such as whether he had a driver's license, a question which, Gillen noted in his testimony, "is still open in our report." (Nader helped him out after the hearings by showing the detective his Connecticut license.)

General Motors attempted to pass the buck down the line and make it appear that knowledge of the dirtier aspects of the investigation had never crossed its executive threshold. Roche, it appears, did not in fact know of the proceedings. But, according to Danner, one of Power's associates specifically requested information on Nader's "movements"—that is, surveillance—and Power's office was regularly receiving detailed reports of the interviews from Gillen via Danner.

It was plain, and repeatedly admitted by GM executives, that the detectives' questions had nothing whatever to do with Nader's possible involvement in the Corvair cases. The question remains: What was the intent of the probe? High company officials already knew that Nader was not connected with that litigation. He told them so during a visit to GM in January, and was assured that his disclaimer was believed. Nader's explanation is that GM executives "continue to be blinded by their own corporate mirror image that it is the buck that moves the man. They simply cannot understand that the prevention of cruelty to humans can be a sufficient motivation for one endeavoring to obtain the manufacture of safer automobiles."

How, or if, the company hoped to use any adverse material its agents might have turned up is a subject best left to the imagination of the reader. No evidence emerged that they intended to blackmail Nader, or that they hoped to intimidate him from future appearances as a congressional witness—a possibility the Ribicoff subcommittee was trying to investigate. But there are subtler ways of intimidating or dis-

crediting critics, and a man more timid than Nader might have retreated from his campaign. "The price paid for an environment that requires an act of courage for a statement of truth," he told the committee, "has been needless death, needless injury, and intestimable sorrow."

The responses of GM executives during the hearings suggest that officials ordering the Nader investigation did not have necessarily sinister plans, but, rather, were reacting in a routine (as one observer said, a "spastic") way to the emergence of an independent critic commanding a growing audience. In this sense, the subcommittee's acceptance of Roche's apology was something of a disservice, for it seemed to certify the idea that the investigation of Nader was an aberration. This does not seem to be the case: Washington headlines of the past week alone reveal, for instance, that Smith, Kline, and French planted a spy in the offices of a drug wholesaler and that the government was planning to follow Harvard historian Stuart Hughes during a planned trip to Europe next fall. In a way, the most straightforward person at the hearings, aside from Nader, was detective Gillen. Kennedy criticized Gillen for his attachment to his ruse that he was conducting a pre-employment inquiry. "Oh, come on now, Senator," Gillen said. "Where do you think I learned that—in the FBI."

The reaction of observers in the packed hearing room, which was frequently convulsed by Gillen's surprising remarks, suggested that the Ribicoff subcommittee had produced the most entertaining spectacle since the Kefauver crime investigations. "It was a great show," a subcommittee aide commented later, "but it didn't make the cars any safer."

Changing Climate

In the safety area, too, however, there is a good deal of movement, if a still somewhat uncertain direction. Evidently responding to rising public interest, the Johnson administration sent to Congress last month a proposed Traffic Safety Act. The President's bill calls for creation of a national traffic accident and injury test research facility, for federal-state cooperative programs in the general area of highway safety, and for a research, testing, and development program for vehicle safety and safety standards. Coordination of the programs would be the responsibility

of the Department of Transportation whose creation the President recently proposed.

The heart of the President's bill is its proposed manner of dealing with the politically sensitive vehicle safety standards. The bill, and the surrounding fanfare, have given the question of standards prominent attention. But it is possible, under the arrangement Johnson has proposed, that no standards would ever come into existence. The Johnson bill says that the Secretary of Transportation shall "from time to time, review existing public and private motor vehicle safety standards and the degree of effective compliance" with them. If, 2 years after passage of the Act, he determines that there is a need for new or revised standards and that (i) no standards exist, (ii) existing standards are inadequate, (iii) existing standards are not based on "all measurements of performance necessary to the achievement of motor vehicle safety," or (iv) existing standards are not being complied with, he could then issue appropriate federal standards. The standards would become effective no sooner than 6 months and no later than 2 years after being issued.

Critics of the President's bill are troubled by both its leisurely timetable and its permissive character. If Congress takes action by late 1966 (no certainty), it could be 1970 before any federal standards are applied; during that time, as Ribicoff pointed out in an appearance before the Senate Commerce Committee, "50 million new cars [would] roll off the assembly lines free of any safety regulations." Commerce Department Secretary John Connor, who has been urging industry to hasten self-regulation, testified in support of the administration's timetable, arguing that the country lacked the experience and background to adopt sensible standards sooner. But there is evidently division within the government on this point, for an official of the General Services Administration (which last year promulgated safety standards for all cars purchased by the federal government) testified that it would be better to impose standards now, however imperfect, than to wait until detailed research data were available. With this point of view Ribicoff, Commerce Committee chairman Warren Magnuson (D-Wash.), Robert Kennedy, and many of their Senate colleagues definitely agree. Nader also agrees, pointing out in a recent interview with *Sci-*

ence that the 2-year lag affords the opportunity for "development of a private government" within the industry which it would later be difficult for the government to control.

These critics also believe, in Ribicoff's words, that "in the hands of an administrator who was reluctant to be vigorous in administering its provisions . . . [the bill] could offer . . . a basis for setting no standards at all." He cited press reports which quoted Commerce Department officials as saying that any use of the enforcement provisions in the President's bill is "highly unlikely." Ribicoff wants a bill which says that the Secretary "must" set standards, not that he "may" do so. The question now is whether the small cadre of critics will be able to persuade their colleagues to amend the President's bill. At this writing, the outlook is favorable in the Senate and impenetrable in the House, where interest in traffic safety has been far less intense. With hearings about to resume in the commerce committees of both House and Senate, the battle lines are only now being drawn.

Outside Washington, considerable public stirring is evident. In New York the legislature sponsored a feasibility study of a prototype safety car which has attracted wide attention, and the state insurance department is considering raising insurance rates for makes and models of cars most frequently involved in accidents. The state of Iowa sponsored public hearings on safety, and several other states have been reconsidering their own safety legislation.

In Washington, the Senate is now considering a committee-approved bill authorizing the Secretary of Commerce to set standards for tires. And with furtive nods in the direction of Nader, the federal bureaucracy is beginning to make the small adjustments that could change the climate of industry domination that has characterized the auto safety field. Two items are of particular interest. In his book, Nader criticized the President's Committee on Traffic Safety for an unusual arrangement which permitted it to command federal office space and Presidential prestige while being staffed and paid for chiefly by automotive industry interest groups. A little noticed provision in the President's Transportation Message reads: "The President's Committee on Traffic Safety will be reorganized, strengthened, and supported entirely by Federal funds." Nader also criticized the Public

Health Service for supporting traffic safety research on the same terms on which it supports basic medical research—terms which include more attention to the worthiness of the research than to the use made of the results. He also urged that joint government-industry support of research on controversial topics, together with a policy which en-

couraged researchers to submit data to their industrial, rather than their governmental, sponsors, was cheating the public of valuable information for which it was footing a share of the bill. The PHS is now reevaluating its policy, and there are signs that it may soon shift its auto safety research projects onto a contract basis.

Nader is not single-handedly responsible for either the changes in mood or the changes in policy. But his well-reasoned book and his private campaign have gone a long way toward bringing them about. The answer to the perennial question "What can one man do?" seems to be that he can do quite a lot.
—ELINOR LANGER

Speaker Ban: Controversy Is Revived at U.N.C.

When one strikes at a king, one strikes to kill. By the same token, those who strike at bad laws often are well-advised to strike hard and stand over their victims until the last breath of life is gone. Outright repeal of North Carolina's controversial "speaker-ban" law might have spared the state and its university and publicly owned colleges a new round of turmoil. Last fall's amending of that law seems not to have brought such respite. The speaker-ban controversy, supposedly settled, has been revived—in a form potentially more virulent than ever.

Originally, the controversy involved these principal disputants: on one side, the state's superpatriots and a minority of the legislature; on the other side, North Carolina's political leaders, all of the state's major newspapers, and virtually everyone associated with the University of North Carolina. The university's trustees, administration, faculty, and students and many of its most influential alumni were speaking as one against the speaker ban. Now, however, the controversy threatens to divide the university against itself, just as Ohio State University was divided until its speaker-ban controversy was resolved last year.

The state General Assembly, acting in haste at the close of its 1963 session, enacted a law prohibiting "known communists" and persons who have pleaded the 5th Amendment in loyalty investigations from speaking on state campuses (*Science*, 29 October and 5 November 1965). By last fall it had become clear that the speaker-ban statute was doing harm to the university—

undermining faculty morale and posing a threat to the university's accreditation. In November the General Assembly amended the law, abolishing the statutory ban and making the university trustees ultimately responsible for the choice of visiting speakers.

However, the amendment was part of a compromise prepared by a special commission Governor Dan Moore had named in an effort to find a way out of the speaker-ban crisis. The compromise was regarded by many, at the time, as simply a political device permitting speaker-ban proponents to save face and enabling the legislature to rescind the speaker ban without seeming to be soft on communism. But it seems to have exacted a greater concession from the anti-ban forces than they then realized.

The compromise called for trustees of state-owned institutions to adopt a speaker policy declaring that, while students should be free to hear Communists and 5th-Amendment pleaders, the appearance of such speakers should be "infrequent," and on those rare occasions when permitted, should serve the interests of education and not exploit the campuses as "convenient outlets for discord and strife."

The university would have preferred outright repeal of the speaker-ban law but felt that, under the circumstances, it was best to accept the compromise. Moreover, while it had been recognized all along that the speaker ban infringed on academic freedom, this argument against the ban often was raised only indirectly. The principal argument used was that the ban amounted to legisla-

tive interference with the prerogatives of the university trustees, whose independence was seen as one of the principal safeguards of academic freedom. The compromise appeared to have the virtue of ending that interference, which the Southern Association of Colleges and Schools (SACS) had cited as the reason for its pending review of U.N.C.'s accreditation.

The sanguine attitude of the university and its friends was reflected in the *Raleigh News and Observer's* grandiloquent comment on the compromise. "The state of North Carolina regains its image as the free, creative capital of the Southern mind," the newspaper said. A few doubts were expressed, but they tended to be lost in the general optimism. In early December at a meeting in Richmond, Virginia, of its commission on colleges, SACS removed the threat of disaccreditation. The association did indicate that continued watchfulness for infringements on academic freedom in North Carolina and other Southern states was in order. One participant at the Richmond meeting observed anonymously that the terms of the speaker-ban compromise would "intimidate all but the boldest [university] officials."

The remark was prophetic. U.N.C.'s trustees and administrators have been afraid to permit invitation of two speakers whose appearance on campus might be interpreted as a flouting of the speaker-ban compromise. Though disposed to administer their speaker policy liberally, they are caught in a dilemma. If the speakers are permitted to appear, the university officials fear that the speaker-ban question will again become a heated political issue, just when May's Democratic primary election for legislative seats is approaching. On the other hand, if approval of student plans to invite domestic speakers of the ultra-left continues to be withheld, the administration could find itself in deep trouble with the student body and faculty, particularly the younger faculty.