

RALPH NADER RADIO HOUR EP 239 TRANSCRIPT

Allan Nairn, Paul Hudson

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

David Feldman: Top of the morning, I'm looking forward to today's Oasis of Sanity.

Steve Skrovan: Yeah. Yeah we are an Oases of Sanity, and one of the people who makes that sane is the man of the hour, Ralph Nader. Hello, Ralph.

Ralph Nader: Hello. We want more than Oasis of Sanity, we want oasis of action in all congressional districts.

Steve Skrovan: That's right. But today, we are going to turn our attention to the state of America on both the foreign and domestic side. To do that we've invited back on the show Investigative Journalist and Foreign Correspondent, Allan Nairn. For most of his career, Allan Nairn has been literally risking his life to tell the truth about brutal regimes all over the world, particularly in Indonesia, Central America and Haiti. In fact, in Indonesia, he was jailed for a time by the Suharto Regime. So you know he must have been doing something right. He has a firsthand perspective on right-wing movements and he's going to give us his take and how the Trump Administration fits that paradigm.

Also on the show, we welcome back Paul Hudson, who is the head of Flyers Rights, the nonprofit organization that advocates for airline travelers. If you fly a lot, or even little, you don't want to miss this. I find it so hard to keep up with all the changes happening in the industry with bag fees, seat assignments, and all the different ways the airlines keep lowering the bar and squeezing money out of their customers. He's gonna give us the latest on all of that. And as always we will check in with our Corporate Crime Reporter, Russell Mohkiber, covering the beat, the very few in the media, mainstream or otherwise, covering the corporate crime beat. But first, let's talk about the direction America seems to be heading and if there's anything we can do about it. David?

David Feldman: Allan Nairn is an award-winning Investigative Journalist. He has reported on death squads in Central America, mass killings in Indonesia and brutal paramilitary activity in Haiti. He's been

jailed, beaten, and has risked his life to tell the stories of brutal regimes, many of which have been backed by the United States. He has seen on the ground, the bloody effects of our policies. Noam Chomsky calls him one of the only true investigative journalists working today. Welcome back to the Ralph Nader Radio Hour, Allan Nairn.

Allan Nairn: Thanks, good to be with you.

Ralph Nader: Not only is he a great investigative journalist, but if he ever debated Trump with Trump shouting, he'd take Trump to the cleaners, because he has a very persistent way of analyzing domestic and foreign policy power grabs. So welcome, Allan. I want to start very fundamentally here. There are a lot of indicators that show our already weakened democratic systems in our country are collapsing. You've got voter suppression after a civil rights movement in the 60s supposedly was going to head that off, voter purges, all kinds of software and voting machines owned by corporations and controlled by them, all kinds of distractions in the mass media, all kinds of Wall Street taking over Washington and creating an ever-deeper corporate state, which even libertarians call fascism. Libertarians call a corporate state statism and they're as opposed to it as progressives.

Let's start with the voters. Congress is the most powerful branch of government. It's also the smallest. It's also peopled by legislators whose names we know--535 Senators and Representatives. What's wrong with 1% of the people organizing, reflecting a majority of the public, to turn domestic and foreign policy around and subordinate corporate and national security state power to "We the People", which is the way the Constitution starts.

Allan Nairn: Well, organizing is what it will take. I think the point you made at the beginning about voter suppression/purges is absolutely crucial, especially to the moment we're in right now. Right now, the thing to organize for is for the Democrats, as bad as many of them are, to take control of the House and take control of the Senate. It's a crucial turning point in American history. If that doesn't happen, if the Democrats don't take at least the House and even if they fail to take the Senate, this country could turn in a direction that leads to the dismantling, not just of your life's work and that of so many other activists in every field--from civil rights to voting rights to just, equal income distribution to anti-poverty to the environment to human rights to women's rights—a dismantling not just of all that progress and a roll-back to where the United States was a hundred years or more ago, but also a basic turn away from democracy, away from free speech in the direction in the kind of the uniquely American and uniquely modern neo-fascism that Trump and many around him have been promoting.

Ralph Nader: Allan, would you put it so far as saying the system is so degraded that the voters can elect their own dictatorship?

Allan Nairn: Yeah, well, that's the way many dictatorships come to power. You know, of course Hitler is the most extreme and the most famous example. He got in through the electoral route. But in many countries, you have situations where you have rulers who have been elected who don't even need to impose a dictatorship but who are able, through the use of the existing institutions, to create the kinds of terror that you usually associate with dictatorship. For example, in the Philippines, Duterte, American reporters will sometimes refer to Duterte as a dictator because he has presided over thousands, literally thousands of assassinations of poor people in the poorest neighborhoods in the guise of an anti-drug program. He has terrorized and jailed political opponents, but he's not a dictator. He was freely elected. He won overwhelmingly in the elections. Until recently he was doing very well in the polls in terms of his public approval ratings. He is using, not dismantling, the existing Philippine democratic institutions, but yet he is ruling with the kind of fear and oppression that we often associate with dictatorships.

Ralph Nader: Well, let's go back to the US, here. Is it fair to say that foreign policy in this country is dictated, that the people have almost no influence that most of the civic groups--consumer, labor, environment--work on domestic issues; they have virtually no impact of foreign policy. The labor unions don't either. So let's carve out parts of our political economy. Let's start with foreign policy, which is about as lawless as it's ever been in American history. Both Obama and Trump have declared that they can violate any nation's sovereignty--drone warfare, Special Forces going into over a hundred countries last year--for example, military bases everywhere; no declarations of war--the Libyan overthrow, which spilled into Africa; enormous violence to this day and chaos. There was no declaration of war. That was Hillary's war, by the way, rubber-stamped by Obama, opposed by Secretary of Defense Gates.

And there is no appropriation of funds, no authorization of funds. It's a total criminal operation, the way the criminal invasion of Iraq was, with the loss over one million Iraqi civilian lives and still huge chaos there. So is it fair to say that US foreign policy is a dictator's policy under both parties, with almost no public influence, to counter it--no judicial court influence, no congressional influence and no civic influence back home?

Allan Nairn: I would say no regarding the American public, but yes regarding the world public. The United States is a kind of world government, because US forces feel free to intervene in any country in the world without the approval of the local populations and certainly without the approval of the UN or being in compliance with international law or even being in compliance with the local murder laws. The people in Iraq, the people in Palestine, the people in Guatemala, and the people anywhere have absolutely no say in what the US chooses to do to their country. On the other hand, United States citizens do have potential power. It's less than they do on domestic fronts, because as you just enumerated, the US Congress has been giving away foreign-policy making power to the White House systematically for decades now. And the president has more and more arbitrary power so that on whim he can send a drone, he can set off a bomb, he can send US troops to any country, anywhere he wants, without congressional approval.

But the key point is that US overseas intervention is so vast, is so complex and it affects the lives of so many millions of people that a single president, a single White House staff can't really keep track of it all. There is so much going on that there are vast opportunities for Congress, acting in response to public pressure, to intervene and modify parts of US foreign policy. So for example, that's how in the 90s after the Santa Cruz Massacre in Dili, East Timor, which I happened to survive--activists here, I was one of them--we succeeded in organizing a grassroots movement that pressured Congress to, against the will of Bush Sr. and against the will of Clinton, start cutting off US military aid to the Armed Forces of Indonesia, who had invaded the neighboring country of East Timor and killed a third of the population.

And we actually succeeded in changing US policy via Congress and that contributed to the downfall of the dictator, Suharto, and the eventual independence of East Timor. Right now, there's a growing grassroots movement on the issue of Palestine, which has not yet succeeded in changing the US policy. But it has given birth to a trend within the Democratic Party where you have a number of congressional candidates, some with serious chances, now coming out and speaking up against actions like the Israeli military's systematic sniper assassination of the protesters in Gaza, which happens every Friday with almost no notice from the US press. It's possible, incrementally, for people on the ground in the United States to affect foreign policy through grassroots activism. But what's happening in November, with the election, is not an incremental choice, it's not an incremental moment. The Democrats will either get control of one house of Congress or they won't. And if they don't, expect a mass increase in the level of US overseas killing. Trump has already turned it up in Afghanistan, in Syria. He has increased the commitment to a US overthrow of Venezuela; he has systematically expanded the budget of the Pentagon. He is following the Russian doctrine when it comes to the killing of civilians. He has adopted Bush Jr.'s and Obama's drone war and continued it and given orders to commanders on the ground--don't worry about civilian casualties. It used to be when they were doing the drone strikes, they would have this bureaucratic process which would say, okay, if we do a drone strike, we'll tolerate 20 civilian casualties, 50, whatever the figure is, but beyond that we'll call off the strike. Trump now sends orders to the Pentagon people and the CIA people on the ground--don't worry about civilians; drone as many as you like. And as a result, there's been a massive increase in the number of civilian casualties in Iraq, in Syria, and in North Africa from US drone strikes.

Ralph Nader: Allan, do you think if the Democratic Party made an issue of that, it would get them more votes in next month's election--just briefly, before we go on the next month election subject?

Allan Nairn: I think it would. I think if the Democrats took stronger positions for justice, it would appeal to people. Look at the tricks that the Republicans are using. In the Kavanaugh confirmation, here you had a man nominated to the Supreme Court, who was accused of at minimum, a sexual assault and arguably an attempted rape. And the narrative that they chose to present was, oh this man is being treated unjustly. They saw that the basic issue of justice and fairness has enormous appeal to voters and they're willing to lie ruthlessly to make a case that justice is being violated. Democrats are much more reluctant to argue on grounds of justice because they think it is somehow politically too risky. And a final

point I would make is that when you were talking earlier about voter suppression, voter purges, this is absolutely fundamental to the situation we're in right now.

Many polls indicate the Democrats are favored to take the House at this moment. I don't believe that. I believe at this moment it's a dead tie on the House side and the Democrats have a small outside chance to take the Senate. I think the polls are probably wrong, because they're not taking into account these voter-suppression tactics, these voter-purge tactics, the massive last-minute splurge of money that is going to come from the Radical Republican right to smear Democratic candidates in district after district across the country. And even if there is a majority in the given congressional district that favors the Democratic candidate, that's not enough to win.

Ralph Nader: Actually, this is very true, listeners. This has happened again and again with Republicans in the last few days or weeks of a campaign. And there are six million former felons who served their time who cannot vote in a variety of states including Florida. There's a referendum in Florida to restore the right of people who've served their time--to begin to be able to vote. And in these close elections, as Allan pointed out, that can be a decisive flip into the Republican column. Let's assume that the Democrats, over the last several decades, have been less and less able to defend the republic against the worst, most vicious, most Wall-Street-indentured, warmongering Republican Party in history. And let's look forward to next month. Now, I think there are three traps that the Democrats have already fallen into to lose next month. One is, the massive focus on the Russian investigation of interfering in the election--as if we don't interfere in Russian elections or elections all over the world or topple over 50 regimes since World War II, from Iran to Guatemala. The second trap they've fallen into is the identity politics trap where they focus very, very heavily again and again on the identity politics, which is important, but wait until you see the context. And the third trap they fall into is think they can run against Trump and win. Avoiding those traps is to make massive, massive one-month program for raising the minimum wages of 30 million workers that are making less today than they made 1968 adjusted for inflation. The fact that Pelosi, Schumer, Tom Perez who never returns my calls of the Democratic National Committee, are not making this a major issue, is an example of how they haven't learned from the years of Franklin Delano Roosevelt, that the Democratic Party wins on economic issues--full Medicare for all, cracking down on abuses of consumers in the credit economy, defending tenants, affordable housing--you don't hear that. And they're falling into the trap, which is going to fulfill your prediction, because either they're not going to win the House and/or the Senate or if they win the House, they're not going to win it by more than a few seats and then they're beholden to the Blue Dog Democrats that are pretty bad and really crypto Republicans. What do you think they can do right now, if you were advising the top Democratic Party politicals and you weren't urging people to vote for Green Party because of the reasons we know. What would you advise them to do right now? They've got plenty of money; what would you advise them to do--the National Democratic Party?

Allan Nairn: Run on healthcare, run on wages, run on defending working people, run on defending poor people. I don't think there has to be any contradiction between what's described as identity politics and class-injustice politics. It's all part the same battle. I agree that the Russia issue has been a massive

diversion. It's basically been a political gift to the Republicans. MSNBC and CNN have done a huge disservice to American politics by wasting thousands of hours of airtime on a matter, a lot of which is still speculation. I want to ask you, Ralph, you, like me, have been a fierce critic of the Democrats for decades and have been documenting the way that so many of them have adopted a corporate agenda over an agenda that favors working people and poor people and the environment and so on. But in this election, at this moment, with the threat of the rightist revolution from the Republicans, from the radical right looming and the threat of Trump and the White House, what would you urge people to do? Would you urge people to go out now and organize for Democratic members of Congress and Senate candidates and vote for a Democrat, even if the particular candidate in question has not been very good on some of these issues?

Ralph Nader: Well, there are plenty of good primary candidate winners at the Democratic Party level that should be supported and including people who are challenging, Ted Cruz, like Beto O'Rourke and others. And I'm giving a lot of strategies for the Democrats to win. You can't get through other than to Congressman Jamie Raskin--you can't get through to anybody in the Congress--Pelosi, Schumer--you know, I've known them for years. You can't get through to the Democratic National Committee. I've given them great strategies, for example, midnight shift campaigning. There are millions of people who work the midnight shift--never see a candidate; they carry the country while we're asleep--they're firefighters, police, they're nursing-home workers, hospital workers, 7-Eleven workers, industrial workers. And I give them that. I tell them to develop a construct called American values and nail the Republican votes to each one of these anti-American values. You can't even get them to accept it when you give it to them. When I was running as a Green Party candidate, I gave all these to both parties. They're not willing to accept it. It's still on VoteNader.org of the 2008 presidential campaign. These are majoritarian issues. We're not talking about UFOs here. We're talking about bread-and-butter issues where people live, work and raise their families, whether they're Republican or Democrat. And the Democrats can shear off some of these blue-collar workers who went for the Regan regime and have been voting Republican. So that's my contribution and the way the Democrats are pursuing now is the following. They're trying to obstruct Bernie Sanders-type candidates and they try to obstruct them in the primary just the way they obstructed Bernie Sanders in the presidential campaign in Nevada and Iowa and elsewhere. And number two, the old guard is still in power in the Democratic National Committee--people like Pelosi, Steny Hoyer and Chuck Schumer--who really bungled the Kavanaugh nomination. So this is where we're at. And you can't even have them save themselves. And so people have got to make demands on the Democrats that are winning demands. And if all they are concerned about is the stuff that's on CNN and so on, they are going to be seriously distracted.

Allan Nairn: Yes, I agree, make those demands and the day after Election Day continue the effort to have the Democratic base take over the Democratic Party and expel the corporate and consultant class from power--from its current control of the Democratic Party. But at the same time, even if the Democratic Party does not take that very good advice you were just giving, even if the candidate, the Senate or Congressional candidate in a given district, is the one most closely aligned with corporate interests, I would say, on this November 6th, you go and vote for that Democrat anyway even though

you fought them in the primary, even though you will fight them afterward, because this is a moment of absolute crisis for the future of American politics.

Ralph Nader: Whatever you do, don't stay home. There is an article in Washington Post recently where some people said they're so disgusted with both parties, they're going to stay home. Well, that's exactly what the plutocracy and oligarchy want you to do, is to stay home. That's why they don't want universal voting as a duty the way it is in Australia. What's your position on that, by the way?

Allan Nairn: Oh I think universal voting would be a good idea. I think universal voter registration, that's something that the Republicans and the right fears. But it's not a panacea. Australia, with universal voting, has a right-wing government at this moment. And they just changed prime ministers and they brought in a guy who is a mild version of a Trump-style leader. What's needed is, first, massive organization before Election Day and then massive voting in the early voting and on November 6th. This is a turning-point moment. We already have minority rule in this country. We do not have anything resembling democracy. The Kavanaugh agenda, which will now prevail on the Supreme Court, is opposed by a majority of Americans. The Senate that confirmed him for the seat is a Senate in which the Kavanaugh/Trump position got a minority of the votes, yet it prevails because the system, at this moment, is structurally rigged in favor of the right.

If the Republicans take both houses of Congress on November 6th, that structural rigging will increase radically. And as hard as it is now, for the majority of the American public to have any say, not just in foreign policy but in wage policy, in global-warming policy, in equal-rights policy, in any kind of policy, as hard as it is right now, it will get radically harder if the Republicans succeed on holding on to both houses of Congress. They have to be stopped even if that means momentarily using the tool of what is still a deeply, deeply flawed and heavily corporate-influenced Democratic Party.

Ralph Nader: Well, not only that, but they have the cover of the five corporate-state judges on the Supreme Court. They have five to four majority now that will rubber-stamp the corporate state; rubber-stamp violations of civil liberty, criminal wars of aggression, massive government bailouts of Wall Street and give more power to Trump and they'll even block Congress in that respect. You know, they have these two convenient doctrines, Allan Nairn, one is, the courts said, "This invasion of Iraq without a declaration of war, we don't have anything to do with that. It's a political question between the Congress and President, George W. Bush". And the other technique they have is, that people who challenge these criminal actions by the US government have no standing to sue. So they're abdicating the judiciary's role here as a final arbiter under the Constitution, and the Congress is abdicating, because they don't want the responsibility and for decades they've been shifting power unconstitutionally to the White House. Let me pose a hypothetical. If somebody said to you right now, there's \$100 million that can be spent on this November election. You can give it to the democratic candidates or you can put in the field 10,000 seasoned organizers in key districts and states in the United States. Which would you take?

Allan Nairn: I'd give it to the organizers and put them in the field in support of the Democratic candidates to prevent the consolidation of this neo-fascist minority rule. And the point you were just making about the Supreme Court, if the Republicans retain control of the Senate, there's a very good chance that that five to four rightist majority that you were just describing so well, will become a six to three or maybe even a seven-two Republican majority--a radical rightist majority. It has the potential to slip completely out of reach and the same thing can happen in terms of complete dismantling of the Voting Rights Act, complete dismantling of the Civil Rights Laws, further radical gerrymandering to put the House in the future out of reach, and I think a potential danger of a revival of the 1960s and 1970s-style FBI tactics of attacks on domestic dissidents.

Ralph Nader: You don't think that the ruling plutocratic forces in this country have any self-restraint? Aren't they afraid they can push the envelope so far that they massively reduce consumer demand, tank the stock market, and develop the unpredictability that they so vigorously abhor?

Allan Nairn: I don't think they have much restraint, but who knows? And we shouldn't be dependent on that. We shouldn't be dependent on the whims of the American oligarchs. We should fight to re-establish majority rule. And that's really what this election is all about. The United States has minority rule now and the rule of a privileged minority and it's slipping toward a point of no return where ...

Ralph Nader: You know, let me interrupt you Allan. Allan knows how fragile democracies are from his coverage all over the world. We don't have as fragile a democracy, perhaps as some other countries, but we have a plenty fragile democracy. It can be flipped. I mean look what Trump, and a handful of Wall-Street forces advising him, have done just so far. Look what's happened to the nomination process in Supreme Court. I've proposed a Kavanaugh Watch--a small group of people who watchdog the five corporate statists on the Supreme Court and challenge their refusal to recuse themselves for conflicts of interest; challenge them for their decisions, publicize their decisions, and really recognize that they are a political group of jurists that provide plausibilities and casuistries, and the kind of smooth rhetoric in their decisions to cover up what they're really doing, which is implementing and enforcing the concentration of power in the country in fewer and fewer hands.

Let me put another hypothetical in front of you. What if you had 10 million voters who are leaning Democratic and they were asked the following question, would you say to the democratic candidates, we will vote for you only if you come out for a living wage and full Medicare for all or we will vote for you anyway because the Republican fascists are so much worse.

Allan Nairn: I would say you could try to threaten them--we will vote for you only if you come out for the living wage. But then if they, even if they don't come out for the living wage, the situation is so dire that yes, you vote for them anyway because the Republican fascists are that dangerous.

Ralph Nader: But you would want the challenge to come so that the vote for the Democratic Party is one that has some progressive pressure.

Allan Nairn: Oh, absolutely. I think the Democratic Party leadership has to be essentially overthrown from within. And you know, it's worth noting that very surprisingly, at least to me, grassroots activists in the Democratic Party have come somewhat close to doing that. In the fight for the leadership of the Democratic National Committee, in the fight for the leadership of the California Democratic Party, in the fight for party leadership in many other places across the country, you saw the Sanders forces over the past year and a half come fairly close, losing in many cases but losing fairly narrowly. This suggests that it is possible. It is possible to take over the Democratic Party, to take it away from the corporate-consultant class that runs it at this moment and put it back on the majoritarian agenda.

Ralph Nader: Actually, it's easier than most people think if they start at the precinct level throughout the United States. That's what the right-wing did to the Republican Party--the extreme right-wing--they drove the liberal Republicans completely out of the party and took over with just a few hundred thousand activists at the local level. I just was looking through the transcript of your interview with Jeremy Scahill, on The Intercept. And I want to read one of your answers and have you elaborate it. I think our listeners would be fascinated by this. And you answer this way and I'm quoting you, "Well, what you just mentioned is a unique personal twist of Trump. It actually relates to one of the reasons why he won the election. And that is that Trump essentially came out and said, 'Look the system is totally corrupt, I'm a crook, I've been part of this rigged system for years, I've been paying off the politicians, now I'm going to be your crook. I'm going to be fighting on your side' ". People heard that, and it sounds a lot more credible to many people than Hillary saying, "Oh no, the system is not rigged, the system is not corrupt. Those Wall Street contributions I take don't affect my decisions." She said that first to Bernie then to Trump in the campaign. She said, "In fact, Obama took more Wall-Street contributions than I did." People heard that and say, c'mon. They hear Trump say, "Look, it's crooked, I'm a crook, I'm going to be your crook" and it sounds a little more plausible." Is that still going on? When are the Trump voters going to stop being flattered, fooled and flummoxed by Trump?

Allan Nairn: Well, you know, partly it's fooling people, but partly it's people seeing that, well, at least he's addressing an issue, addressing an issue that I'm concerned about--even if he's lying about it, even if he is being a demagogue about it. In the last presidential campaign, in the primaries, there were only two candidates who acknowledged reality—who acknowledged the fact that the American middle class was collapsing, that in this country we had a massive crisis of economic opportunity—those were Trump and Sanders. All the other candidates, on both sides, denied that it was happening. And all the other

candidates refused to acknowledge the basic corruption of the political system, which had facilitated this collapse--which had allowed it to happen.

Now, Trump and Sanders addressed that fact from two opposite angles. Trump said, yeah the economic possibilities of the American working class have collapsed. How are we going to solve that? We're going to solve it with racism. We're going to solve it with a wall. We're going to solve it with scapegoating. Sanders took the opposite, more constructive approach. But in the end, when Trump was up against Clinton, you had one candidate who was at least addressing the reality and another candidate, Clinton, who was denying it, who was saying everything is okay, there's no collapse of the American middle class. And so some people, I think, maybe were naïve enough to believe so many of Trump's lies, but others, I think, may have said, okay, he's a liar, he's a crook, but at least he's acknowledging that we got a problem while the Democratic candidate is not even acknowledging that. And by this means, this monster, this racist, this effective neo-fascist was able to win the presidency with a minority of the votes, because of the rigged structural nature of the American system. And as bad as that system was, that helped bring Donald Trump into the White House, it will get unimaginably worse if the Republicans are able to retain control of both Houses in the upcoming election.

Ralph Nader: Of course Trump was not elected. He was selected. Hillary won the popular vote by millions of votes. He was selected by the Electoral College, which by the way is on the way to being neutralized by a citizen movement called nationalpopularvote.com, led by a San Francisco former entrepreneur, Steve Silberstein. He hired half a dozen people. They went around, got laws passed from California to New York to Connecticut, saying that if enough states with 270 total electoral votes pass these laws, they will give the Electoral College vote to whoever wins the national presidential popular vote. So do you agree with me that it's easier than we think to turn this country around, starting with the grass-root take back of Congress?

Allan Nairn: Absolutely. So many crucial decisions are made in meetings, in meetings that are open to the public, open to the members of the given party, where you only have a few hundred even a few dozen people in the room. And if you can just organize a countervailing dozen more or 50 more to show up and get involved and push an agenda that represents the actual majority of the population you're supposed to be representing, you can win. It is much easier than you think, much easier than people think. You're absolutely right about that. And one of the successes of the American oligarchy with the complicity of the American press, has been convincing people that political power is inaccessible, that it just can't be reached, it can't be achieved, there's nothing you can do, better to go home and do something else don't worry your heads about politics. But they're wrong. All it takes is really a marginal increase in the amount of activism--20, 30, 40, 50% increase in the amount of people who are now spending hours a week fighting for some kind of justice and you can win. You can turn this country around. I firmly believe that the long-term trend in this country, the long-term tendency, is toward the left--toward a more just, more open system where income is redistributed away from the oligarchs and back in the direction of the working people and the poor, because the American middle class has collapsed.

Ralph Nader: And the polls show this again and again on full Medicare for all, on cracking down on corporate crime, on labor-union organizing and expansion, on consumer protection, on climate disruption--again and again, as pointed out in Michael Moore's interesting new movie, he gives some of those polls. You know, and listeners, Allan Nairn knows what he's talking about. He was a one-person lobbyist on the US policy toward Indonesia and East Timor on Congress and he turned that around. He had some help, but he shows what one person can do.

Allan Nairn: These are complex matters on the one hand, but on the other hand they're very simple, they're very simple. If a few more people, relatively speaking, get out and act, get out and organize people, and for this challenge of the moment, which is a challenge of the epoch simultaneously, and get people out in order to defeat the rightist revolution in November to take away radical rightist revolutionary control of the Senate and the House, then a lot of things can start to change. That's only the beginning. That's only a first step, but it's a necessary first step, because if this opportunity is lost, if the opportunity that this election presents is lost, the chance for real change will start slipping out of reach. And we can certain ...

Ralph Nader: And if you don't vote in November, you're helping that very dangerous trend that Allan Nairn is describing. And by the way, Allan Nairn is talking from historical experience. Here, in my little book *Breaking Through Power: It's Easier Than We Think*, I give a lot of examples of how change can occur with just a few people. Allan Nairn helped launch the challenge to the standardized testing racket in this country, with the book he wrote called *The Reign of ETS*, that's the Educational Testing Service in New Jersey, in 1980. And that started a whole critique, which is still ongoing and more and more colleges are dropping the SAT as a requirement because it's a specialized form of fraud and doesn't really give full recognition of how students are going to perform in college.

So thank you very much Allan. Unfortunately, we're out of time, but we look forward to future interviews with you on important subjects that will challenge people's resiliency and self-respect and turn them into even greater civic advocates taking only a tiny amount of their time week after week, for the future of our country and posterity. Thank you, Allan.

Allan Nairn: Thanks, Ralph.

Steve Skrovan: We've been speaking to Investigative Journalist, Allan Nairn. We will link to his work at ralphnaderradiohour.com as well as the transcript from that Intercept interview. When we come back, we will talk to Paul Hudson, Director of Flyers Rights, the nonprofit organization that advocates for airline passengers. But first, we're going to take a short break and find out what's going on in the

corporate crime world with our intrepid Corporate Crime Reporter Russell Mohkiber. You are listening to the Ralph Nader Radio Hour, back after this.

Russell Mohkiber: From the National Press Building in Washington DC, this is your Corporate Crime Reporter Morning Minute for Friday, October 12th, 2018, I'm Russell Mohkiber. Nippon Chemi-Con was sentenced to pay a \$60 million criminal fine for its role in a conspiracy to fix the prices for electrolytic capacitors sold to consumers around the world. In addition to the \$60 million criminal fine, Nippon Chemi-Con was also sentenced to a five-year term of probation during which the company must implement an effective compliance program and submit annual written reports on its compliance efforts. In May 2018, Nippon Chemi-Con pled guilty to conspiring with others to suppress and eliminate competition for electrolytic capacitors. The federal indictment charged the company with carrying out the conspiracy by agreeing with co-conspirators to fix prices of electrolytic capacitors during meetings and other communications. For the Corporate Crime Reporter, I'm Russell Mohkiber.

Steve Skrovan: Thank you, Russell. You know, back in 2006, a real estate broker named, Kate Hanni was on a flight out of Austin, Texas, where she and her family and all of the other passengers were stranded on the tarmac without food, water or communication for over nine hours. She was so outraged by this she started a petition that got such an overwhelming response, it resulted in the creation of a group called Flyers Rights, which has been fighting for the rights of passengers ever since. Our next guest was a part of that fight that changed the tarmac policy and now heads this group, David?

David Feldman: I've been through that. It's unbelievable, the claustrophobia. Paul Hudson has been a groundbreaking public-interest advocate for over 30 years--in the 1970s, in energy and utility policy; during the 1980s, for crime victims' rights and during the 1990s through 2012 for air travelers and terrorist victims. He led the Pan Am 103/Lockerbie Bombing Victim Family Organization and the Aviation Consumer Action Project. Today, he is the President of Flyers Rights. Please put your seat into an upright and locked position as we welcome back to the Ralph Nader Radio Hour, Paul Hudson.

Paul Hudson: Thank you very much for having me.

Ralph Nader: Welcome indeed, Paul Hudson. You're an example of how one person can make a tremendous difference and how it's easier than we think. But you're also an example of a consumer advocate that's had a very difficult time getting airline passengers around the country to support the small, but very effective group called Flyers Rights. So why don't you tell our listeners just some of what you and a very, very tiny number of other people have accomplished in Congress and on the FAA (Federal Aviation Administration) to make life better, for people who climb onto airlines every day, getting to their destination.

Paul Hudson: Well, thank you, Ralph. I guess the first thing that the organization did in 2009, it succeeded in getting what's called the Three-Hour-Rule enacted. That meant that the airline could not keep you on the tarmac more than three hours without letting you out of the airplane if you wanted to go to the terminal or just go home or cancel your flight. We've also had a number of other victories in terms of getting the increase in baggage-loss compensation. And most recently our biggest issue is seats. As pretty much everyone knows that's been flying in the last 10 years, seats have been getting smaller and the average passenger is getting somewhat larger, in fact a lot larger.

And so three years ago we filed a petition with the FAA to have some minimum seat standards. They rejected it. We went to court. The court more or less agreed with us. It went back to the agency. They rejected it again and now Congress has enacted something requiring them to look at it again. So we're hopeful, if we get some strong public support, we're going to see a reasonable accommodation for passengers, not the way the airlines would like them to be but the way (Unintelligible) they are. Right now anyone over 6'2" or 250 pounds or if you're in the one-third or almost one-third category, that's unfortunately rated obese, you simply cannot get into these seats. There are health issues as well as comfort issues.

We've worked on a number of other issues, but our overall approach is that of reasonable regulation and to encourage more robust competition to get better service and to lower the cost of air travel. That was the promise of deregulation, but unfortunately it hasn't always worked out that way.

Ralph Nader: Well, the Congress says that the main concern of passengers who complained to their Senators and Representatives are these crazy fees that Delta, United, American, but not Southwest, put on people--\$200 for reservation change, for example—ever-higher baggage fees for luggage. United is now charging for putting your luggage in the bin above your seat. And even though in most instances Southwest doesn't do that, don't you think that Southwest doesn't get enough credit? You see a lot of these reporters, they come down hard on American, United, Delta for doing these things--gouging passengers--but they don't have a couple of paragraphs that say, well, you know, Southwest doesn't do these things and they're making money.

Paul Hudson: Yes, Southwest is in a kind of special niche. They, however, generally are not a carrier that flies outside the United States. They also have a system where you do not have a reserved seat and that turns off some people. And there's a variety of other things. Southwest does not allow their fees, their ticket prices, to be advertised on the websites where most people book flights. So a lot of this is limiting it, but Southwest is quite profitable. Other airlines however have taken a completely different tact. They're following what has been done in other industries. I can think of banking, for instance, that used to make most of their money with interest, now make as much or more with fees.

And the fee thing is allowed under the current law for a couple of reasons. One, there is no definition of what a ticket includes--no legal definition. So an airline could advertise a ticket price for one dollar and everything else to be fees. Now, why would they do that? Well, they do that because it would give them a marketing advantage; they would come up as the cheapest one, but also fees are tax-exempt. There is no ticket tax applied to fees so the airlines get a big increase in their bottom line for that reason as well.

Ralph Nader: Well, there's another bit of progress that Flyers Rights and Paul Hudson have succeeded in doing. They succeeded in getting the bumping-compensation range doubled. It was formerly \$200 to \$400; it's now \$400 to \$800. This is when you got a confirmed reservation, you go up, and years ago, the airlines can just bump you, say, oh, you know, the plane is full, too bad. You say, well, I have a confirmed reservation; they say, too bad, the plane is full. Well, they tried to do that with me once on a flight from Washington to Hartford and I took it to the Supreme Court and I won nine-nothing and the Supreme Court ruled that there could be regulation of these. So now people who show up with confirmed tickets and they say the plane is full, the airlines have to--inside the plane, before the doors close--offer passengers to go on the next flight and they can give them compensation.

And now that compensation can go as high as \$400 to \$800, thanks to Paul Hudson and Flyers Rights. Paul, how can people find out more about Flyers Rights to join, to support, to pay their dues and get a huge return in terms of reducing some of the anxiety and some of the stress and the frustration and sometimes anger that airline passengers reflect, because of the way they're treated?

Paul Hudson: The best way, Ralph, is to go on our website, www.flyersrights.org, that's F-L-Y-E-R-S and you can join the organization or for a very modest amount; you can sign our online petitions. You can subscribe to our weekly newsletter. We're the only organization that puts out one weekly for flyers. You can also call, if you have a particular problem yourself with air travel, our hotline, which is free: 877-FLYERS6, that's 877-FLYERS6. We offer also, of course, advocacy and you can advocate as a volunteer with our organization. We're primarily volunteer, but we also have very good staff. And that's how you can make a difference.

Ralph Nader: And I might say that Flyers Rights is nonprofit and Paul Hudson has been subsidizing it with his own money! This is just the kind of honest consumer advocacy group that you want to support, listeners, and spread the word as well. In the recent legislation that Congress passed, the so-called FAA Authorization Bill, they did tell the Department of Transportation (DOT) to do something about shrinking seat size and crushed knees. But they succumbed to the airline industry's lobby and didn't put in the regulation these outrageous fees like \$200 for a reservation change by Delta or other airlines. So what you're pushing for, Paul, is not only to get that regulated, but you've been pushing for an update of the Passenger Bill of Rights. You call it Passenger Bill of Rights 2.0. Do you want to describe that?

Paul Hudson: Yes, that's something that we developed in 2012. It consisted of about 30 proposals, now up to about 45. And we believe that that would fix the regulatory problems in air travel and make it much, much better. Unfortunately, all 535 members of Congress have declined to introduce it. And even the one thing you mentioned about seats, unfortunately, I hope I'm wrong, it may be a trick because the way the legislation is worded, it asks the FAA to regulate seats based on safety. And that means to the FAA, if you can get out of the airplane in an emergency evacuation. And they have taken the position that the existing shrunken seats are safe. And in their last iteration back in July, they indicated that they could shrink seats even more and they would still perhaps find them safe.

Ralph Nader: This is one of the longest-standing farces of the FAA. They ought to be more than ashamed of themselves. Tell them how they think passengers are able to evacuate the entire plane and how much time?

Paul Hudson: They have what's called a 90-second rule. This is based on experience of many air crashes where people survived the crash but they died from smoke, fire or water because they can't get out in time. And each airplane, before it can be put in service, has to pass what's called an emergency evacuation test. They have to get everyone out in 90 seconds in low-light conditions with half the exits disabled. Now, this is a pretty tough test. And so in order to pass it, essentially what's happened is the manufacturers have fudged and faked. They have, in their test subjects, they eliminate 80% of the actual passenger profile. Anyone over 60 is eliminated, children are eliminated, overweight people are eliminated, obese people are eliminated, really tall people are eliminated, anyone, disabled is eliminated and so forth and so on.

And they also don't even do the full evacuation test anymore. They do computer simulations and some partial tests. And this farce has been going on for about 20 years now and it's gotten so bad that even the Inspector General of the Department of Transportation is doing an investigation to see if they are actually valid tests.

Ralph Nader: You know, the FAA has long been a toady of the airlines and the airline manufacturers. There have been many documented books on this. But, you know, there is something people can do. The FAA puts out a list of airline passenger complaints and if they go up on a particular airline like Delta or United or American, it's publicized all over the country. So the airlines are very sensitive to a surge of direct complaints to the FAA. So if you ever have a problem with an airline, do a complaint to the FAA. How would they complain to the FAA, Paul Hudson?

Paul Hudson: They'd complain to the DOT, which is the agency over the FAA. If you go on our website, we have a section called know your rights and that will explain exactly how to do it or you can simply go on the DOT website. You should also send a complaint to us because one of the things that keeps the statistics from not being worse is they hide the actual specifics of the complaints under the grounds of

Personal Privacy Protection. So if you send your complaint to a group like ours as well, the particulars will get publicized.

Ralph Nader: And your website again, slowly, before we ask Steve or David if they have a question.

Paul Hudson: It's flyersrights.org.

Ralph Nader: That simple, flyersrights.org. Use it, help it and be part of it, especially if you fly. David, Steve, any question for Paul Hudson and Flyer Rights?

David Feldman: Yeah, airlines always present themselves to the American public as basket cases. Up until recently they really never turned a profit. Is this the first time in modern aviation history that we're seeing airlines finally being profitable?

Paul Hudson: Yeah, there was a major turnaround starting in about 2010. American Airlines went bankrupt and it was major consolidations going on before that. So prior to that, we generally had 10 or 12 major airlines. Now we're down to four that control about 80, 85% domestic flights. We also have three joint ventures—they call them alliances—that control about 2/3 of the international flights. And these things, for the most part, have antitrust exemptions, which they can do things that would otherwise be illegal.

Ralph Nader: And in conclusion, Paul, we're running out of time, but in conclusion, just to be fair, even though the big airlines have been pushing their envelope like outsourcing maintenance to Central America or Asian countries with less perhaps regulation than would occur in this country, they have a pretty good safety record in the last 25 years, haven't they?

Paul Hudson: They do and, you know, the safety was never deregulated. And that is the major reason, I think, we have a good safety. And the second reason is perhaps, nearly is good, the manufacturers have made planes safer and engines more reliable. And those two things together, I think, are primarily responsible for the excellent safety record we now enjoy.

Ralph Nader: Well, on that “knock-on-wood” note, thank you very much, Paul Hudson, who directs the nonprofit, super effective group Flyers Rights, but it'll be even more effective if you contribute to it and send Flyers Rights your complaints. Just go to flyersrights.org. Thank you very much, Paul.

Paul Hudson: Thank you, Ralph.

Ralph Nader: Good job.

Steve Skrovan: We've been speaking to Paul Hudson, President of Flyers Rights. We will link to Flyers Rights at ralphnaderadiohour.com. Well, that's our show. I want to thank our guests today, Investigative Journalist, Allan Nairn and President of Flyers Rights, Paul Hudson. For those of you listening on the radio, that's our show. For you podcast listeners, stay tuned for some bonus material we call the Wrap-Up. A transcript of this show will appear on the Ralph Nader Radio website.

David Feldman: For Ralph's Weekly Column--it's free--go to nader.org. For more from Russell Mohkiber, go to corporatecrimereporter.com.

Steve Skrovan: And laugh yourself serious with Ralph's new book, *How the Rats Reformed the Congress*. Check out the episode we did on it two weeks ago and how we need to organize in every Congressional District. To acquire a copy, go to ratsreformcongress.org.

David Feldman: The producers of the Ralph Nader Radio Hour are Jimmy Lee Wirt and Matthew Marron. Our executive producer is Alan Minsky.

Steve Skrovan: Our theme music, "Stand Up, Rise Up", was written and performed by Kemp Harris. Our proofreader is Elisabeth Solomon.

David Feldman: Join us next week on the Ralph Nader Radio Hour. Thank you, Ralph.

Ralph Nader: Thank you everybody. Go to website ratsreformcongress.org. It also shows in great detail how you can organize a Congress Watchdog group, have a lot of fun and a lot of justice, and prove to yourselves that it's easier than we think to take control of Congress and all the beneficial things that can come from that.