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**Scrutinizing the Nader Legacy**

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Democrats liked Ralph Nader more when he was a "consumer advocate" instead of a rival for the presidency. But was the earlier incarnation of Nader a public asset? Not if you judge him by one of the earliest and most influential of the organizations he created, the Public Interest Research Groups (PIRGs), a national network of professional lobbying groups with branches in twenty-three states. My research into the New York branch of PIRG (NYPIRG) reveals a startling gap between perception and reality.

Although NYPIRG enjoys a favorable reputation — the news media frequently cite the group's views on environmental and consumer issues — an examination of its record proves the group to be a significant public liability. In 1997, prompted by my research into five NYPIRG studies,<sup>1</sup> fifty-eight of my fellow science professors issued a statement citing NYPIRG for scientific research misconduct.<sup>2</sup> NYPIRG earned this censure through its consistent use of dishonest methodology: the group selectively reported or altered data and ignored scientific control, thereby reporting conclusions that were arbitrarily chosen rather than analytically derived.<sup>3</sup> About a year later, proving that leopards don't change their spots, NYPIRG issued a statement on lead poisoning that the New York City Council on Health Priorities, an affiliate of the American Council on Science and Health, characterized as "misleading to the public and unscientific in its basis."<sup>4</sup>

The NYPIRG case is particularly compelling: that the group falsified data in one of its studies makes them look more like perpetrators of fraud than mere junk scientists. The news media nonetheless continue to routinely and uncritically report the results of NYPIRG's research. Such "news" stories are likely to lead to unwarranted public fear and unjustified (often expensive) governmental action.

Obviously, NYPIRG itself must bear most of the responsibility for the damage it does, but NYPIRG's "enablers" must share some of the blame. Prominent among these enablers are college officials. As is true for PIRGs nationwide, colleges in New York permit NYPIRG to raise money through mandatory student fees, supervise research projects, teach credit-bearing courses, and maintain permanent offices on campuses. No other ideological organization is afforded such privileges.

The degree to which my university, the City University of New York (CUNY), protects NYPIRG is disturbing. Perhaps motivated by the fact that NYPIRG lobbies to increase CUNY funding, or by a shared ideology, CUNY administrators have refused to investigate the charge of research misconduct leveled against NYPIRG by scores of the University's own scientists. To this day, CUNY continues to authorize the transfer of more than half a million dollars of student fees to NYPIRG each year. Indeed, it twice attempted to prevent students from voting to reduce NYPIRG funding, an effort that was thwarted when my undergraduate students, acting as their own attorneys, successfully obtained court orders reversing the University's actions. (That amateurs beat professionals in court reveals the strength of these cases.) CUNY's willful neglect of NYPIRG's misconduct, and its illegal efforts to protect the flow of student fees to the group, make the University complicit in the damage done to public policy by NYPIRG's pseudo-research. Further, CUNY undermines educational integrity when it continues to allow NYPIRG to supervise research projects and teach credit-bearing courses on its campuses.

CUNY is not NYPIRG's only enabler. *The New York Times* must also take some blame. Both the frequency and manner in which the *Times* reports NYPIRG's research findings make it evident that the paper has great faith in NYPIRG's expertise — faith that was unshaken by the press release reporting NYPIRG's misconduct. The *Times* did not report the scientists' criticism of NYPIRG and continued to report NYPIRG's results as if that criticism did not exist. In the eighteen months following the (February 1997) release of the scientists' statement, the *Times* made NYPIRG's research the focus of eight news articles<sup>5</sup> and cited it in four other pieces, including an editorial.<sup>6</sup> The newspaper did not include comments by independent experts on the quality of NYPIRG's research in any of the articles (although it did report comments from officials of the organizations targeted by NYPIRG research). In contrast, when the *Times* reported the research findings of a legislative committee, it cast NYPIRG in the

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role of a neutral arbiter of research quality (by quoting a NYPIRG official on the validity of the committee's methods and conclusions).<sup>7</sup>

Beyond accepting NYPIRG's research expertise, the newspaper appears to validate NYPIRG's integrity when it characterizes the group as a "good government organization"<sup>8</sup> and cites its views on ethical questions.<sup>9</sup> NYPIRG remains a frequent and respected source for the *Times* to this day, as a review of any news database reveals. I have to wonder how long NYPIRG's scam (or CUNY's indifference to it) would continue if the *Times* chose to do a thorough investigative piece on the group.

The NYPIRG case raises a question about the Nader legacy in general: If one prominent Nader organization is corrupt, how many of the others are? There have indeed been hints of trouble in the Nader empire before. *Forbes* magazine investigated Nader and his organizations in 1990 and found Nader himself to be "at the center of a web of sometimes predatory, frequently secretive, private interests."<sup>10</sup> No one in the mainstream media pursued the *Forbes* story further. When the media give a free pass to influential people or groups, the public invariably gets harmed. The media would do well to heed the alarms raised by the NYPIRG case: Close scrutiny of the Nader legacy is likely to serve the public well.

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<sup>1</sup> The five reports, all published by NYPIRG itself, are: "What's blowing in the wind? Preliminary findings of a health survey of a community located near the Fountain Avenue and Pennsylvania Avenue landfills" (1983); "A citizen's guide to the toxic dumps in New York City" (1986); W. L. Hang and S. A. Romalewski, "The burning question: garbage incineration vs. total recycling in New York City" (1986); B. Horner and J. Sammons, "Rolling loaded dice: an analysis of the use of the Scholastic Aptitude Test (SAT) for higher education admissions in New York State" (1988); T. Wathen and H. Caffey, "Shifting the blame - a report on sudden acceleration in the Audi 5000" (1987).

<sup>2</sup> See: "Scientific Misconduct - Charges Fly Over Advocacy Group Research" by Jock Friedly, *Science* 275 (1997): pages 1411-1412.

<sup>3</sup> Detailed analyses of NYPIRG research malfeasance appear in: D. E. Seidemann and J. S. Mirotznik, *Northeastern Environ. Sci.* 6, 103 (1987); D. E. Seidemann, *Environ. Management* 15, 73 (1991); D. E. Seidemann, *Buffalo Environmental Law Journal* 3, 221 (1995); L. Ramist and G. Weiss, "Response to: 'Rolling loaded dice: an analysis of the use of the Scholastic Aptitude Test (SAT) for higher education admissions in New York State'," (The College Board, New York, NY, 1988); J. Tomerlin, J. Dinkel, C. Lave, *Road and Track*, February 1988, p. 52. For a summary of the case against NYPIRG research see: D. E. Seidemann, 1997, *Environmentalists behaving badly — but influentially: NYPIRG and research misconduct*, *Priorities*, v. 9, p. 38-40 (also available online)

<sup>4</sup> See: <http://www.acsh.org/press/releases/NYPIRG071698.html>

<sup>5</sup> See New York Times articles by Andy Newman (June 24, 1998); Thomas J. Lueck (June 12, 1998); Norimitsu Onishi (May 15, 1998); the Associated Press (May 8, 1998); Nichole M. Christian of May 7, 1998; no byline (April 26, 1998); Neil MacFarquhar (May 22, 1997); and the Associated Press (April 3, 1997) reporting research by NYPIRG or its Straphangers Campaign.

<sup>6</sup> See New York Times articles by Richard Perez-Pena (June 8, 1998); Elizabeth Kolbert (August 4, 1997); Richard Perez-Pena (May 5, 1997); and an editorial of July 28, 1997.

<sup>7</sup> See the article by Richard Perez-Pena in *The New York Times* of May 18, 1998.

<sup>8</sup> For example, in New York Times articles by Norimitsu Onishi of May 15, 1998 and July 8, 1998; and an editorial of November 2, 1998.

<sup>9</sup> See the article by Richard Perez-Pena in *The New York Times* of June 8, 1997.

<sup>10</sup> See "Ralph Nader, Inc.", by Peter Brimelow and Leslie Spencer, *Forbes*, September 17, 1990.

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