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Mr. Willian Shewn
New Yorker
25 W 43rd Street
New York NY 10036

Dear Editor:

Mr. Brodeur's articles would have been longer but less tedious if he had made even a slight effort at fairness and balance. The articles are totally biased, unrelenting promotions of that new breed of American Robber Barons - the contingent fee lawyers. Manville will continue its efforts in court and in Congress to provide fair compensation for physical impairments or death resulting from excessive exposure to asbestos. Reduction of the confrontational and obstructionist approach represented by Mr. Brodeur and his fellow travelers would hasten the realization of that goal.

Mr. Brodeur's snivelling attack on Senator Hart cannot go unchallenged. Senator Hart was presented with the issues involved and the inadequacies of the present system. After satisfying himself as to the need for Congressional involvement he became active, not as a partisan for Manville, but as a United States Senator discharging his oath by attempting to resolve a nationwide problem of immediate impact on thousands of citizens. He considered and incorporated the views of industry, labor and government and his own experience and ethical sense into proposed legislation. The objections expressed at that time by some labor organizations were mostly to the effect that the approach was not broad enough to cover occupational diseases other than those related to asbestos exposure.

Senator Hart's willingness to reach for an answer should be applauded. His example stands in shining contrast to the tort lawyers for whom maintaining the status quo means ever more lucre in their swollen coffers. Mr. Brodeur's pathetic efforts to discredit a United States Senator whose reputation for integrity is beyond reproach dishonors the writer instead.

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Even though he addressed the issue only from the parochial bias of the contingent fee lawyers, Mr. Brodeur's wandering writings do present a picture of the immensely complex issues which have refused to yield to various resolution proposals. Manville will continue to seek means of paying its creditors and asbestos health claimants. However, only the Congress of the United States has the ability and the responsibility to bring to an honorable conclusion the multi-faceted issues presented by this occupational disease tragedy.

The good news is that asbestosis, like silicosis and other occupational diseases, has yielded to industrial hygiene programs. Few new cases showing any lung function impairment are being diagnosed. With the disease epidemic approaching an end, our efforts are properly concentrated on compensating people who have been injured and in controlling the litigation epidemic and its destructive effect on the nation's industries, job opportunities, and insurability. Already the litigation phenomenon in the United States has driven up insurance premiums dramatically and made it difficult for some traditional risk to find insurance coverage. The effect of U. S. product liability costs on our competitive strength vis-a-vis foreign manufacturers is of growing concern. Other industrial societies deal with occupational illnesses and disabilities rationally and fairly through administrative, non-adversarial compensation programs. In the United States, by contrast, we tolerate a system which compensates the lawyers more than the injured. And only in the United States can we find a litigation system which yields awards of a half million dollars for a condition which represents no lung or other physical impairment such as plural thickening sometimes found in asbestos workers. We are playing a cruel hoax on all of us if we think our society can long afford such unwarranted compensation and still provide employment opportunities in a competitive manufacturing segment.

If fault must be assessed in these tragic circumstances, there is enough fault to go around and enough parties to share that blame. The medical and scientific community, labor unions, manufacturers, the United States Public Health Service, and the United States Navy, the insurance community, the industrial hygiene community, veterans organizations - indeed, almost every spectrum of our society, cannot deny

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that its actions and lack of actions contributed to a special and industrial system which, in past decades, placed less emphasis on the protection of health and safety than at the present. But the movement of society to new levels of social priorities does not, in itself, mean that older values were wrong or deserving of punishment. We must reject the temptation to find fault, assess blame and punish, and turn our efforts and resources toward finding rational and fair means of compensating the suffering which has fallen on a segment of our population. That effort will free us to continue moving toward higher and better social relations and away from the destructive clawing and back-biting of the past.

Very truly yours,



G. Earl Parker

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