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Requiem for Regulators: The Passing of a Counter-Culture?

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Abstract

The Struggle for Auto Safety, by Jerry L. Mashaw* and David L. Harfst.** Cambridge, Mass.: Harvard University Press, 1990. 285 pages.

The Struggle for Auto Safety is a tour de force, written with an eloquence, insight, mastery of institutional detail, and grasp of broad economic, political, social and legal themes that few other studies of regulation can match. For most readers, the book will evoke a series of reactions. There is, on one hand, a sense of excitement and exhilaration at the soaring vision and noble ideals that motivated the enactment of the Motor Vehicle Safety Act of 1966. On the other, there is a sense of despondency, even tragedy, mixed with comic relief, as the National Highway Traffic Safety Administration (NHTSA) became increasingly embroiled in endless administrative proceedings, and faced massive setbacks at the hands of the federal courts and a Congress whose commitment to the initial ideals of the Act, or indeed any other coherent rationale for that legislation, proved wafer-thin.

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