

Massive verdict tells Tobacco public is fed up with lies

Our view:

Jury warns that protecting profits at expense of health can be fatal.

In case anyone missed the message in the \$145-billion punitive-damage award against the tobacco industry Friday, Miami jurors spent the weekend driving it home. Jury foreman Leighton Finegan told reporters that he came away from the two-year trial, in which the industry was accused of peddling a defective product, with this indelible sense: The tobacco executives who testified were "not truthful, not straight."

The same strain came through on the Today show Sunday, where a juror said the award was meant to punish the industry for its decades of lies.

"I'm almost inclined to believe they take us as fools," John Mestre said.

The record-shattering verdict may well be reduced by the trial judge as early as this week, because Florida law prohibits punitive awards that financially destroy a defendant. But the jurors' verdict is, nevertheless, a marker for the tobacco industry and business more broadly. It is compelling evidence that when a company jeopardizes lives to protect its profits, its own health may be put at risk.

The Miami trial was part of an avalanche of court challenges that the industry faces, including lawsuits brought by farmers, consumers, health insurers and even the U.S. government.

Industry executives spent the weekend on the talk-show circuit complaining about runaway juries and absurd awards. But the jury instead focused on the 400,000 Americans a year killed by tobacco. In doing so it rejected Big Tobacco's favorite defense: that smokers make a personal choice and that everyone knows smoking's dangers.

Once surefire, that claim has been unraveling since the late 1990s, when internal industry documents revealed a litany of lies, many of them put before the Miami jurors:

► In 1954, new research revealed that tobacco tar painted on the skin of mice caused tumors, prompting the industry to issue its "Frank Statement" to the public. The full-page ad in more than 400 newspapers expressed "deep concern" over the health issue and pledged a distinguished industry-research effort. What the public got instead was the Council for Tobacco Research, which spent years putting out spurious data and doing battle with independent researchers who tried to warn the public.

► In the 1960s, 25 years before the U.S. surgeon general officially found that nicotine was addictive, cigarette maker Brown & Williamson already had evidence of nicotine's addictive nature, internal company documents show. In 1963, its general counsel put

Big Tobacco faces big challenges

The tobacco industry is embroiled in legal action across the nation and around the world:

► Louisiana smokers' class-action suit goes to trial in January 2001. Other smokers' class-action suits are pending in Arizona and Illinois. Price-fixing class actions are pending in New York and California.

► In September, a lawsuit by Blue Cross and Blue Shield goes to trial in New York over the cost of treating smoking-related illnesses.

► The U.S. Justice Department filed suit in September 1999 to recover Medicare and Medicaid funds spent on smoking-related illnesses.

► In February, tobacco farmers filed an antitrust suit accusing tobacco companies of conspiring to buy less tobacco from U.S. farmers.

► The governments of Ecuador, Venezuela, Bolivia, Panama, Ukraine and Ontario have filed suit in U.S. courts seeking reimbursement for national health-care expenses.

► Class-action suits have been filed on behalf of smokers in Argentina, Canada, Finland, France, Germany, Ireland, Israel, Italy, Japan, the Netherlands, Norway, Sri Lanka, Thailand and Turkey.

Sources: Associated Press; USA TODAY research

it baldly: "We are, then, in the business of selling nicotine, an addictive drug effective in the release of stress mechanisms." But in 1998, when the company's chairman came before Congress, he was still quibbling over whether smoking was addictive: "I personally would not use that term."

► In the 1970s and 1980s, R.J. Reynolds Tobacco, facing declining sales, developed aggressive marketing proposals to reach adolescents as young as 14 years old, according to internal company documents. In 1988, the company launched its controversial Joe Camel-cartoon advertising campaign. The documents contrast sharply with the company's public protestations that it did not target young people.

The tobacco industry points to its agreement to pay states \$246 billion over the coming decades as proof of its repentance. Yet late last year, as the industry told the public how much it had changed, Philip Morris continued to argue in a New York court about whether smoking causes disease and whether nicotine is addictive.

Tobacco's mistakes aren't lost on other industries. Even before the verdict Friday, corporate crisis counselors were using the tobacco industry as the example of how not to handle the discovery of product-safety problems.

In May, for example, when Ford Motor Co. publicly volunteered that its sport-utility vehicles caused serious safety and environmental problems, William C. Ford Jr., the chairman, told *The New York Times* that he was worried that ignoring the problems would leave automakers with reputations like those of tobacco companies.

In the coming months, the Miami jury's verdict will face an onslaught of attacks from the industry. Ultimately, appellate courts could find reasons to rule that the case was fatally flawed from the start. And appeals will go on for years, as victims languish with no compensation.

But regardless of the outcome, the Miami verdict serves a vital purpose, as does the rest of the effort to make the industry account for its deceptions.

Jury foreman Finegan got it right: The award will put all companies on notice against "fraud and misrepresentation of the American public."



Letters

The average Joe: A real Ame

I got a huge belly laugh from USA TODAY's article about women looking for heroes in the movies ("The men of our dreams: Women swoon over Hollywood's strong-but-selfless ideal male," Cover Story, Life, Tuesday).

Let me see if I have this straight: a nation of women that has made selfishness into an art form wants men willing to sacrifice everything? And this is "news"?

I have a news flash for you: These movies are nothing more than dime-store romance novels with moving pictures.

What a laugh!

The biggest laugh of all, however, comes from Susan Faludi, feminist, definer of modern masculinity and, now, movie critic.

The erudite Faludi, it seems, sees no contradiction between women's struggle for equality and their need for heartthrob movie heroes.

After all, she says, "There is a very basic human need for a world in which people

take responsibility for their actions and see it as their responsibility to take care of others and to have a meaningful mission in life."

Of course. Now I understand. Women define "hero" as a man who does the exact opposite of what women do.

After all, what woman wants a man who refuses to take responsibility for careless sexual activity?

What woman wants a man whose "meaningful mission in life" is to "have it all"?

Faludi's notion that there is no conflict between the feminine desire for heroes and feminism is yet another laugh.

How would feminists react if a male movie-watching trend involved women, barefoot and pregnant, making such heroic sacrifices as staying home with their children?

In short, as one honest female interviewee put it, "We want to have it all."

The saddest truth of all is that Ameri-

'Reality TV' is just invasion of privacy

It seems sickening that the media are now willing to show the interactions and bodily functions of people we don't know — or care to. But, at the same time, in our daily life there is fear of making eye contact with our neighbors, let alone strangers ("Reality shows merely offer harmless, if tasteless, fun," Editorial, Wednesday).

But just as pendulums swing, we go from the isolation of spending hours on the Internet alone in a room to the opposite: visual and auditory invasion of privacy.

Are we so fed up with our own lives or so disconnected from ourselves that seeing mild forms of human torture becomes more than appealing? Or is it just the next media binge — one from which more people than I could list will happily abstain?

Ingrid Middleton
Oceanside, Calif.

You really want 'reality' on TV?

I'm laughing at all of these people who are criticizing such shows as *Survivor*, *The Real World* and *Big Brother* for not being the "reality TV" that the hype suggests they are ("Non-fiction TV" better describes it," Letters, Wednesday).

This is television entertainment, and yet, people are watching it religiously and talking about it ad nauseum. This is exactly what the producers hoped for.

And honestly, is there anything less realistic about a group of unpaid non-actors chilling out on an island vis-a-vis the *Friends* characters who work at coffee shops yet somehow afford beautiful Manhattan apartments that could fetch \$10,000 a month in rent? Everyone knows that the most realistic show on television is *The Simpsons* — isn't it?

Michael Wozniak
Sunnyvale, Calif.

Film critique right on



No longer with Fighting Irish: Matt Doherty the media after accepting the Notre Dame

Doherty's move t

Matt Doherty's move to the University of North Carolina as head basketball coach is a shining example of one of the problems in our society today ("Doherty off to a fast start at Carolina, sets lofty goals," Sports, Thursday).

The president of the school, Bill Friday, applauded Doherty's arrival by stating that "... he maintains the same character, quality and integrity that has always marked Carolina."

Apparently, Friday and most of the people who have cheered Doherty's arrival think that breaking a contract and disrupting another school's basketball program demonstrate character and integrity.

Doherty left Notre Dame, the school that gave him his first head-coaching

Tobacco stocks tumble

Already embroiled in state lawsuits in 1998 and under increasing scrutiny from the Food and Drug Administration, tobacco stocks have continued to slide:

Philip Morris Co.	Stock value
01/02/98	\$45.31
07/14/00	\$24.88
R.J. Reynolds Tobacco Holdings	
06/01/99	\$32.25
07/14/00	\$27.13
British American Tobacco (Brown & Williamson)	
01/02/98	\$18.63
07/14/00	\$12.75

1 — RJR Nabisco separated its food and tobacco divisions in June 1999.
Sources: Hoover's; Dow Jones