

BRUCE BARTLETT

The Washington Times

4/15/98

It is now clear that all the furor over tobacco is just about the money. To be sure, there are legions of anti-smoking zealots who want to regulate smoking out of existence. And there are many moderates concerned about smoking among children and the effects of second-hand smoke. But by themselves these groups could not have forced the tobacco companies into a settlement with the states or compelled Congress to act against them. Only the prospect of vast sums for greedy politicians and huge fees for sleazy lawyers could have achieved this result.

Indeed, so rapacious were the politicians that \$368 billion in tobacco money wasn't enough for them. They demanded an additional \$138 billion, for a total of \$506 billion, at which point the tobacco companies walked away from the table. However, having let the genie out of the bottle themselves, by agreeing to the original \$368 billion deal, the tobacco companies are in a very weak bargaining position. They may win a few concessions, but it is a foregone conclusion that they are going to pay heavily for their foolish decision.

Having seen how easily a big industry can be intimidated and extorted for big bucks, the interesting question is: What industry will the politicians and lawyers go after next in their unending quest for money? Following are some potential candidates.

• **Liquor.** The liquor industry is an obvious target. It is rich. It can be accused of multiple crimes, from alcohol-related traffic deaths to cirrhosis of the liver to targeting children. The states can make the same argument they made against tobacco, that they need to be compensated for alcohol-related health costs, and Congress can easily raise existing federal liquor taxes to finance the latest round of pork-barrel spending. And, of course, the lawyers will do all the dirty work — for a healthy cut, of course. In short, the liquor industry appears to be ripe for the picking.

On the other hand, consumption of alcohol is much broader and more widely accepted than smoking. Also, consumption of hard liquor has been falling for years and it will be much harder to demonize wine and beer consumption the way cigarettes were. However, the industry's deep pockets may still make it the target of choice.

• **Guns.** Gun-makers have been under assault for years and lawyers have already had some success in holding them responsible in court for gun fatalities. Further, anti-gun zealotry almost equals that of anti-cigarette fanaticism. However, defenders of the right to bear arms are much better organized at the grass roots, and the gun industry in the United States is not large enough to raise the kind of money that makes politicians and top law firms salivate. This may be enough to give gun-makers a pass for now.

• **Microsoft.** The Justice Department already has Microsoft, a huge and immensely profitable software company, in its sights for alleged violations of the antitrust law. Now the states are looking for a piece of the action as well and a number of attorneys general are preparing to bring their own lawsuits. Although it is almost impossible to find an ordinary consumer who believes he has been injured by Microsoft in any way, the possibility of a huge payoff may be enough to propel an anti-Microsoft effort forward.

• **Caffeine.** Last Sunday, the New York Times reported that researchers are concerned about growing consumption of caffeine-rich coffee and soft drinks by teen-agers, causing all manner of health problems. It draws a direct parallel between caffeine and nicotine addiction. Will Starbucks be the new Philip Morris?

Bruce Bartlett is a fellow with the National Center for Policy Analysis and a nationally syndicated columnist.

2071783484