The Center in Law, Society and Culture presents:

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“Criminalizing Big Tobacco: Legal Mobilization and the Politics of Responsibility in the U.S.”

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Preceded by a Meet-and-Greet for faculty and students with light lunch and refreshments at 1:30 PM in the same room.

Abstract: Abundant scholarly literature on the legacy of litigation against Big Tobacco in the United States rightly credits the lawsuits by state Attorneys-General during the mid-1990s as a major turning point in the political contest. This talk is part of a paper, co-authored with William Haltom and Shauna Fisher, and reinterprets the discursive terms and cultural meanings that constructed that pivotal turn among legal elites, among political elites, and in popular culture. We underline the palpable shift from a tort-based logic of challenge, which most analysts emphasize, to one incorporating features of criminal law; these are manifest in the “crime-tort” model of litigation and negotiated settlement as well as in the broader media attention to revelations supporting charges of criminal intent to mislead, deceive, and cover-up by the industry. The study builds on legal mobilization theory and combines narrative history of events with systematic analysis of media coverage over a twenty year period. Our analysis holds important implications for discerning the future of tobacco regulation as well as the limited potential of litigation against corporate producers of other harmful products in the U.S.