

# Lawsuits and the End of Sanity in America

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## Lawsuits and the End of Sanity in America

Not having experienced much of the past is a mixed blessing. What's grotesque, shocking and unheard of to older Americans might seem normal, perhaps just a bit curious, to younger Americans. For example, last year New Orleans Mayor Marc Morial brought suit against gun manufacturers to recover carnage costs in his city. This January, Philadelphia Mayor Ed Rendell met with his advisors to consider whether the City should sue gun manufacturers for creating a public nuisance since guns were used in Philadelphia's 400-plus homicides. The City would seek to recover the cost of everything from cleaning up after bloody murders to the costs of court and social workers for victims. Mayor Rendell's imagination has also led him to [discover](#) a new liability for tobacco companies: since some of Philadelphia's fires have careless smoking as their origin, why not sue tobacco companies to recover the city's fire losses?

Decades ago anyone suggesting bringing lawsuits against gun manufacturers for homicides, or tobacco companies for fires caused by careless smoking would have been considered a prime candidate for a lunatic asylum. If one generalizes from the lawsuits brought against gun manufacturers because people use their product to commit murder

and mayhem, and against tobacco companies for smoking [illnesses](#) and fires caused by careless smoking, he would conclude that people are not to be held responsible for anything they do. It is the inanimate object, while incapable of acting, that is responsible. That is, a gun is responsible for murder, not the gun's user. A cigarette is responsible for a fire, not the careless smoker. That being the case, it "logically" follows that manufacturers of the offending inanimate object are culpable. After all had the [manufacture](#) not produced the gun or cigarette there would be fewer homicides, smoking-related illnesses and fires caused by careless smoking.

This it's-not-my-fault principle could be broadened to include just about anything. If a scantily clad young lady is prancing along the street, distracts my attention, and I have an automobile collision, the it's-not-my-fault principle would hold the young lady liable for my accident. But she might make the case that it is the manufacturer of her mini-skirt who is really liable. If we Americans were to carry the it's-not-my-fault principle to its logical conclusion, we would virtually guarantee poverty. There would be little production. Why should I manufacture irons if I could be held liable for anything a person might do with the iron, including assault or leaving the iron unattended thereby causing a fire.

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