



Can Big Oil Be Prosecuted Under the Fraud Laws That Brought Down Big Tobacco?

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In 1999, the federal government found big tobacco companies guilty of racketeering under the US's RICO law, traditionally used to go after organized crime syndicates. The Feds found that big tobacco had knowingly funneled money to fake research groups whose job it was to disseminate "science" claiming that smoking wasn't, in fact, bad for you.

In recent months a movement has begun to approach big oil in the same way, as *The Guardian* reports. Critics allege that fossil fuel monoliths like ExxonMobil paid propped-up research institutions and "think tanks" to deny climate change, while knowing that the science in fact proved that climate change is real. As a matter of fact, many of the entities that these critics claim were responsible for the propaganda were the very same ones employed by the tobacco companies. These include the Heartland Institute, Heritage Foundation, Cato Institute, and the George Marshall Institute, to name a few.

The junior Senator from Rhode Island recently penned an essay in the *Columbia Journalism Review* lamenting what he considers another arm of this misinformation campaign. Sen. Sheldon Whitehouse complained that, after he wrote an opinion piece recommending a civil investigation into the fossil fuel industry last spring, an army of (likely paid) detractors attacked him in a variety of publications nationwide—publications that have themselves been famous for denying climate science.

Sen. Whitehouse noted similar tones, language and tactics in many of the opposition pieces and concluded: "The breadth of the op-ed assault suggests that a new level of critical scrutiny will be needed at honorable editorial boards to make responsible choices between legitimate and honest opinion and clever, made-to-order, industrial-scale dissemination of industry propaganda."