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## Choice Robbers: California Nannies Won't Give Up

BY KERRY JACKSON

When the Legislature declared a moratorium on cities enacting soda taxes, it felt like a win for freedom and a pushback of interventionism. But the busybodies never give up and they plow a fertile field in California, which has no rival as a nanny state.

Lawmakers passed, and Gov. Jerry Brown signed in late June, a bill that bans cities and counties from taxing sodas and other sugary drinks for the next 12 years. It would be reassuring if Sacramento's motive was to protect personal liberty after Berkeley, San Francisco, Oakland, and Albany enacted soda taxes, and other cities and counties began to consider following them.

But that's not what happened.

The cynical view is that the state is reserving the authority to tax sodas unto itself. The legislation, Assembly Bill 1838, does not bar Sacramento from doing just that. It's no surprise then, that, according to a [Washington Post analysis](#), there exists "hope that lawmakers . . . will now support a statewide soda tax."

The practical view is that Brown and lawmakers were virtually forced to ban future soda tax hikes. They knew that if they didn't, a voter initiative coming this fall could kill future opportunities to further squeeze taxpayers. It would require two-thirds majorities to approve local sales tax increases, and a two-thirds vote of the Legislature to pass revenue-generating bills. With ballot measures to hike sales tax scheduled for November in several cities, Sacramento enacted the soda tax ban in exchange for the voter initiative being withdrawn.

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Though it appears the nannies have lost, they're still resolved to continue their crusade. Larry Cohen, who called the ban "a setback," his activist organization Prevention Institute, and others refuse to retreat. A coalition has already announced plans for a 2020 statewide ballot measure that would overturn the soda tax moratorium.

"We won't give up on reining in the soda industry and protecting community health," Cohen wrote in a defiant op-ed published in [The Hill](#) just after the bill became law. "Just as advocates have saved lives and prevented suffering by exposing and countering Big Tobacco, we can do the same with soda. We can and must fight back."

Comments such as these properly elicit the response: Why do such people think they have the moral authority to dictate what others consume? Is it simply because they care for their fellow man so deeply that they will seek forceful measures to protect people from themselves? Or are they fanatical crusaders following their authoritarian impulses?

History indicates that they are indeed bent on compelling others to live as they deem appropriate. And California is rife with them, as well as policymakers who are eager to codify their overbearing aspirations into law. They have banned Happy Meals that include toys unless the food inside is previously approved by government; sent hither swarms of officers to carry out "door-to-door raw milk confiscation" and to harass those who've bought a legitimate consumer product; declared it illegal for grocers to provide free plastic bags to customers; and criminalized the sale, import, and production of caffeinated beer.

Other successful interdictions include barring Bay Area residents from burning wood in their fireplaces on cold nights when they most need the warmth, and forbidding them from placing wood-burning heating devices in new and renovated homes; suing an energy drink maker to force it to make less-potent products; requiring restaurants to list nutritional information on menus; and shutting down locals who want to cook homemade meals for their neighbors.

That's quite a list of accomplishments, but our nannies won't rest until they have deprived all Californians the choice to use plastic straws, and prohibited stores from selling plastic bottled beverages that don't have a cap attached to the container. These are among the next bogeymen blocking the path to the utopia envisioned by the choice robbers.

But even then, they wouldn't take a break. They would just be further emboldened. As C.S. Lewis wrote, those "who torment us for our own good" -- and, we add, for the "good of the environment" -- "will torment us without end for they do so with the approval of their own conscience." The busybodies still hope they will one day be empowered to force stores that sell coffee to post cancer warning labels, prohibit the serving of foie gras in restaurants, and eliminate tackling from youth football.

Roman historian Tacitus said, "the more corrupt the state, the more numerous the laws." It's reasonable to ask how that applies to California's lengthy catalog of legislation that restricts choice, and arrests behavior that the scolds have deemed to be undesired.

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