



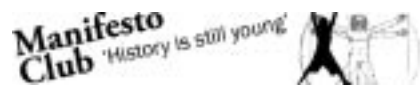
Smoking Policies

A Civilised Approach
Dolan Cummings

A Manifesto Club Thinkpiece

About Thinkpieces

Our ambition at the Manifesto Club is to start to develop the theory and substance of a new progressive politics. Thinkpieces are deep-thinking, spirited proposals for how to do things better in a particular area of life, written by Manifesto Club members from all over the world. Subjects can range from education policy to the running of a local school, from immigration to public culture. For more information, or if you are interested in writing a Thinkpiece, see www.manifestoclub.com/thinkpieces; or email Josie. Appleton@manifestoclub.com



About the Author

Dolan Cummings is one of the co-founders of the Manifesto Club. He is the editorial and research director at the Institute of Ideas in London. In this capacity he has developed a strong interest in the role of ideas and intellectuals and the changing nature of the public sphere, and has written several articles and reviews on this subject. He edits the reviews website *Culture Wars*, for which he writes about theatre, film and books; and is also the editor of *Debating Humanism*, a collection of essays exploring different conceptions of humanist politics. This Thinkpiece is based on a speech he gave at 'The Last Gasp', a Manifesto Club night in June 2007, the week before the smoking ban was introduced in England and Wales (see <http://www.manifestoclub.com/lastgasp>).



In short...

State-imposed smoking bans infantilise the public, and diminish public life.

With smoking bans, we defer to authority for guidance on appropriate behaviour - evading our personal moral responsibility, and retreating from engagement with others.

Individuals are capable of deciding for themselves whether to smoke or not, and groups of individuals are capable of working out informal rules about where and when smoking should be allowed or not.

A vibrant public life must be founded on both personal free choice, and an informal give-and-take between members of a community.

We should choose our own smoking policies – which should directly reflect the wishes of the people they concern, not conventional wisdom or bureaucratic diktat.

In the past few years, smoking in public places has been banned in various cities, states and countries across the world. This is more significant than has been generally acknowledged. Of course, ever since tobacco was introduced into Europe in the sixteenth century, smoking has been disapproved of in certain contexts, and often banned outright. In the modern period, however, it has generally been accepted as a matter of personal choice, albeit unwholesome and forbidden in certain situations. As the health risks became clear, smoking went from being a near-universal habit to one indulged in by a minority, but ‘smoking or non-smoking?’ remained a reasonable question, and until very recently either answer was respectable.

Wherever else it was banned or restricted, smoking was permitted in pubs and bars, where people went to relax, drink and socialise. The encroachment of smoking bans into pubs therefore marks a major change in etiquette across the Western world. In fact, the proliferation of legally enforced smoking bans represents a diminishment of public life, which should be of concern to smokers and non-smokers alike.

This Thinkpiece is not a ‘pro-smoking’ argument, or a case for some inalienable right to smoke anywhere and everywhere. In a civilised society, however, the public ought to take responsibility for devising reasonable and good-humoured – and thus preferably unwritten – rules for individual conduct in public. State-imposed smoking bans are a retreat from that. We can do better, and work out ways to ensure everyone has a maximum of personal freedom without imposing on or upsetting others. It is not

unreasonable to want to sit in a public place and have a cigarette with a pint or a glass of wine, and it is not beyond the wit of man to come up with a way to allow people to do so without blowing smoke in others' faces. So how have things come to this? And what might be an alternative approach?

The Moralisation of Smoking

The attitude that has driven bans on smoking in bars emerged only recently. The first citywide ban on indoor smoking in public places was introduced in San Luis Obispo, California, in 1990. This was followed by a California-wide ban in workplaces in 1994, which was extended to bars and other public places in 1998, and soon emulated by other US states, as well as numerous counties and cities in other states. Ireland and Norway banned smoking in public places in 2004, and Scotland followed in 2006. By the time indoor smoking in public places was banned in England and Wales on 1 July 2007, it was part of a worldwide trend extending from the US and Europe to Australasia; that is, most of the Western world.

When smoking bans were limited to California, they were seen elsewhere as a peculiar excess of this notoriously faddish and health-conscious American state. The fact that bans were then adopted, and – crucially – met little or no resistance in places like New York and Ireland, however, indicated that something more significant was going on. This impression is confirmed by the introduction of smoking bans in such unlikely cities as Paris and Rome. On closer examination, then, there is more to anti-smoking sentiment than so-called 'health fascism'. Indeed, the health argument is relatively minor. While the alleged dangers of 'passive smoking' have been widely touted, the medical case for bans is not so persuasive as to account for the seismic shift in attitudes. The increasingly 'socially unacceptable' character of smoking in public has less to do with scientific breakthroughs than cultural change, and specifically a transformation of the way we conceive of public space, and

what we expect of other people.

The health dangers of smoking have been generally understood at least since the 1960s, but smoking continued to be widely tolerated for over a generation. The establishment of a definitive link between smoking and cancer confirmed the already established feeling that this was a bad habit, and something to be discouraged, but if anything it also added to the glamour of smoking. Since then, many people have chosen to smoke despite the dangers, and others have accepted it in most circumstances, reasoning that it's a choice for the individual.

Of course, people have often taken exception to guests smoking in their private homes, or in offices, trains or cinemas, where people are closely confined for substantial periods of time. Even without the health risks, it has always been understood that other people's smoke can be unpleasant. Nonetheless, the 'No Smoking' sign, or the polite request not to light up, represented exceptions to the rule that smoking was considered a normal part of life. Indeed, it is almost incredible now that until 1984 people were allowed to smoke on London Underground trains. It was only after two major fires that a ban was imposed and respected throughout Underground stations in 1987. And it was not objections to the smoky atmosphere, or even long-term health concerns, but more immediate public safety considerations, that clinched it. Smokers were not yet pariahs.

It could be argued that the recent decline in the *social acceptability* of smoking is part of a broader, progressive trend towards improving health and hygiene. In the eighteenth century, human waste flowed through the streets and people would spit as soon as look at you. Even a couple of generations ago, when smoking was so much more common than it is today, it was far from being the unhealthiest, or dirtiest, aspect of everyday life. Many Western cities were badly polluted. Millions of people worked in dirty factories. Most British families didn't have a shower in their homes, and certainly weren't able wash their clothes as regularly and thoroughly as we do today. The current 'princess and the pea' attitude to the odd whiff of smoke would have seemed absurd in most contexts. (We should bear this in mind when considering the current uptake of smoking

in rapidly industrialising places like China, rather than assuming Chinese smokers are too simple-minded or ignorant to appreciate how awful smoking is.)

It is a good thing that we now enjoy a better quality of life, and part of this is not being involuntarily exposed to other people's smoke as we fly off on foreign holidays, watch a Hollywood blockbuster or Korean arthouse movie, or settle down to work at interesting jobs in light, air-conditioned offices (or even boring jobs in soulless call centres; we still have a long way to go). Doesn't this make the case for smoking bans, extending even into pubs and bars? I don't believe it does. Because unlike, say, regulations that prevent factories from polluting the air simply because it's cheaper than not polluting the air, smoking bans prevent individuals from doing something they positively want to do. Why not have bars – or indeed offices, cinemas and public transport compartments - where people *can* smoke if they like, and if others *don't* object. Comprehensive, state-enforced bans are premised on something other than a desire to protect non-smokers from unwanted smoke.

The psychology of smoking bans

The important thing about recent smoking bans is that they don't simply protect non-smokers from smoke; they protect smokers from themselves. Bans have been presented, quite successfully, not as coercive measures forcing people to go against their own inclinations, but as official support for what we are all supposed to agree is in our best interests – not so much the stamp of an authoritarian jackboot as a friendly shove. This more benevolent understanding is worth taking seriously, because it is widely enough held that shrill protestations about 'health fascism' or the 'right to smoke' fail to resonate with most people.

Many supporters of smoking bans would refute my assertion that smoking is a choice. We are told that smoking is addictive, and thus smokers have *no choice* in the matter. In its simple form, this argument is nonsense: smokers clearly do make decisions, and indeed many smokers choose

to quit smoking and never go back. Nonetheless, nicotine does have a chemical effect on the body, which makes it unpleasant to withdraw. This combines with the fact that smokers enjoy their habit and often weave it into the lives, so that it becomes hard to do lots of things, from settling down to work to relaxing in the pub, without wanting a cigarette. What we think of as addiction to smoking is really just a sign of the complexity of human psychology, the fact that we are often conflicted and unsure about what we really want. 'Addicts' are people who want to have it both ways, to quit cigarettes and smoke them.

This is not without precedent. A century ago the American writer Jack London supported the women's suffrage movement, not out of any egalitarian impulse, but because he knew women would vote for the prohibition of alcohol. As an alcoholic himself, he felt he needed the help. Unable to control his drinking, he wanted the choice taken out of his hands. Many smokers take a similar attitude to smoking bans. Indeed, of all the arguments around the smoking ban, about health, passive smoking and the competing rights of smokers and non-smokers, the most interesting thing is the acceptance, even embrace, of the ban by some smokers themselves.

By banning smoking in pubs, we collectively save ourselves from temptation. Like the Greek hero Odysseus, who ordered his crew to tie him to the mast of his ship as they passed the Sirens' Isle, in order that he could hear the seductive song of the Sirens without succumbing to temptation. But perhaps we are not so noble as Odysseus – ultimately the decision is not ours. We are more like Odysseus' crew, whom he made to stop up their ears with wax so they wouldn't have to face temptation at all. Not a whiff of smoke is to be allowed in an enclosed public space, so there is no need for smokers to agonise over it. Whether frustrated smokers are grateful or furious, the decision, like the cigarette, is out of their hands.

The assumption is that smokers cannot be persuaded of the health risks by reason alone – a shove is necessary. Advocates often suggest an analogy with laws requiring car drivers to wear seatbelts, and the analogy

might hold up in the case of smoking bans in the forecourts of petrol stations, or in hospital wards, where intransigent smokers sometimes have to be cajoled into respecting a rule they basically understand and agree with. It would be disingenuous, however, to suggest that the same goes for bans on smoking in pubs. The argument has not been won; it has barely been had out. Many smokers, and indeed non-smokers, are opposed to such bans, but invariably they are imposed without serious debate: a combination of pseudo-scientific bluster and moralistic browbeating effectively marginalises dissent.

The many smokers who insist that they want to quit, and that for this reason they welcome bans, express a peculiar sort of resolution: one which they claim to be incapable of exercising without external compulsion. It doesn't take a great leap of imagination to realise that it isn't a meaningful resolution at all, but rather a piece of self-deception. You only have to imagine a Bridget Jones-type character fretting to friends about her inability to 'give up the racism' to see that a professed desire to give up smoking is very different from a genuine conviction. No doubt many smokers would like on some level not to be smokers, but their inability to quit is testament less to the power of nicotine than to their own lack of resolution, which is to say their unacknowledged desire to go on smoking, or at least to have another cigarette. If smoking bans are relatively uncontroversial with smokers, it is because they enjoy a spurious legitimacy - based on weak-willed acquiescence rather than whole-hearted endorsement.

The philosophy of smoking bans

Doubts about the rationality of smokers are founded on doubts about the rationality of human behaviour in general. In philosophical terms, smoking bans implicitly question the idea that people are self-determining subjects. Instead, people are assumed to be prey to addictions, to advertising and peer pressure, all of which compel them to behave not only against their objective interests (or at least their health) but against their avowed desires.

This is why the obvious solution of offering a choice of smoking or non-smoking bars, restaurants, and so on, has never taken off. While this would give non-smokers the option of avoiding smoke altogether, it seems that even non-addicts are incapable of making the 'rational' decision. Indeed, where there has been a choice – as when several London pubs introduced smoking bans before the national ban came into force – entire groups of non-smokers have been known to go to a smoky pub for the benefit of one or two smoking friends. The spectre of 'peer pressure', familiar from discussions about juvenile delinquency, is supposed to account for this odd behaviour, though it is not clear why it should not operate in the other direction. Do non-smokers suffer from 'second-hand addiction'? Isn't it about time we all got a grip?

What if 'irrational' behaviour were actually rational? Smoking bans are premised on the idea that individuals behave irrationally, but in reality, it is bans themselves that *constrain rational behaviour* in the name of an official notion of what is rational – one that floats free of what people actually want. It is not that smokers have no choice because they are addicts, but that given the choice, they choose to go where they can smoke, either in defiance of their own stated intention to quit, or perhaps more often, simply in defiance of conventional wisdom.

The stark choice offered by a mix of smoking and non-smoking venues only reveals the difference between those smokers who actually want to quit, and those who just say they do. By banning smoking in all enclosed public places, the authorities 'correct' this unfortunate mismatch between conventional wisdom and people's actual wishes. The naivety of this authoritarianism is matched only by its moral bankruptcy.

The theology of smoking bans

Smoking itself perhaps remains a trivial issue, but the ban tells us important and interesting things about how we understand personal responsibility and moral agency. State-imposed smoking bans show a casual disregard not only for individual choice, but even for collectively

agreed and practically observed compromise. This reflects a lack of seriousness about morality in contemporary political culture.

The popular, tongue-in-cheek American TV drama *Buffy the Vampire Slayer* captured the ambiguity of emerging twenty-first century attitudes to morality through two characters, the vampires Angel and Spike. Angel had been notorious as one of the most vicious vampires in the world until he was cursed by Gypsies as punishment for feeding on a Gypsy princess. The curse restored his soul, so that while he remained undead and needed to drink blood to survive, he felt unbearable guilt about what he had done, and was duty-bound to serve good despite his corrupt nature. This is something like the traditional Christian view of the moral subject, tainted by original sin, and struggling to be virtuous. We are all sinners, and we all have our vices – like smoking – but we must not make excuses for ourselves. The focus is on the individual conscience, and the freedom to sin or not to sin is crucial to any judgement of morality.

Spike, on the other hand, is evil through and through, and continues to wreak havoc until he is captured by soldiers and has a chip implanted in his brain that prevents him from harming humans. Even then he still wants to kill and feed on humans, but simply can't. While this conceit is a rich vein for drama (and comedy), the point is that Spike is now not only inhuman but less than human. Dramatically, he has the perversely tragic quality of other not-quite-human characters from Pinocchio to Mr Spock (or Data the android in Star Trek's 'next generation'). The comedy of Spike's situation comes from our recognition that the chip is a wholly inadequate solution to the problem of his evilness. The insertion of a chip is an archetypally authoritarian fix to the 'problem' of morality, and thus all our sympathy is for the monster constrained by dumb authority, while we are unmoved by his reluctantly virtuous deeds. (It should go without saying that Spike is a smoker, relishing his one permitted vice.)

The resort to policing as the default means of dealing with any problem, however minor, is not only authoritarian, but morally illiterate. Anonymous, blanket smoking-bans like the ones introduced in the past decade reduce human beings to less-than-human objects, to be shoved, prodded, and

cajoled into behaving in a civilised manner. But this isn't civilisation at all; it is pathetic.

Taking responsibility for our own smoking policies

A civilised approach to smoking would not consist of a blueprint or a set of guidelines to apply to any situation, but should instead be founded on individual choice, and negotiation with others. Individuals are capable of deciding for themselves whether to smoke or not, and groups of individuals are capable of working out informal rules about where and when smoking should be allowed or not. In the absence of bans, people have always developed informal rules about these things, ranging from tacit agreements not to smoke while others are eating, to separate smoking areas, or even no-smoking rules in particular places or situations.

A localised, specific agreement or rule, such as no smoking during meetings in a company or organisation, or indeed no smoking in a particular pub, is always more legitimate than an externally imposed ban. The resort to such bans reflects a loss of confidence in our ability to develop these informal agreements, and it only institutionalises social inadequacy: rather than having to talk to one another, or decide on rules for appropriate behaviour, we defer to anonymous authorities.

Some advocates of smoking bans argue that if you ask a smoker to move away or put out his cigarette, he'll simply abuse you or beat you up. But this is not so much an argument as a whinge, with little basis in reality. If unchallenged, such a misanthropic attitude is likely to become a self-fulfilling prophecy: the more we retreat from social life, the more we weaken it.

We have to begin by acknowledging that people have different needs and wishes, and that in a free society these will lead to different results in different situations. Personal freedom is a moral good, and the starting point for public morality rather than something to be weighed against it. Public life thrives on spontaneous interactions and informal give-and-take

between individuals and groups, and it is only through the rough and tumble of social life that meaningful compromises emerge. State-imposed smoking bans, by contrast, infantilise the public and diminish public life. This is especially so when they encourage and play on the worst cultural expressions of our sometimes complicated feelings and desires, such as the belief that smokers are hopeless addicts and the rest of us are just hopeless. People are better than that, and we ought to expect more of ourselves.

Ultimately, the only general rule to insist on is that smoking policies should directly reflect the wishes of the people they concern, not conventional wisdom or bureaucratic diktat. Smoking in public places may seem a relatively trivial matter, but if we cannot take genuine responsibility even for that, what hope do we have of taking control of our greater social and political destiny? True civilisation is up to us.