

Tyranny of the Anti-Tobacco Groups

Life, liberty, and the pursuit of happiness are three essential qualities we enjoy as citizens of the United States that were established in the Declaration of Independence and protected in the Bill of Rights. America provided an escape from other countries where beliefs and ideas were forced upon an unwilling populace. Our country was established to provide freedom of action, independent of government control, as long as that freedom did not violate another's rights. These ideals provide the basis for our laws, and while some actions should obviously be banned, the enjoyment of tobacco is not one of them. The city council of Calabasas, California does not have the right to restrict smoking in privately owned places, including "public" businesses. If the city council wants to ban tobacco smoke in public places, then valid reasons must be presented; however all reasons provided by anti-tobacco groups fall short under close scrutiny.

While legislators are not currently attempting to regulate tobacco smoking in private residences, they are banning smoking in privately-owned venues and vehicles. Some people might see these places as public space, however the key word in their existence is privately owned. The government should not be able to pass laws concerning legal activities in these places. The owner of each establishment should have the absolute right to decide whether smoking should be allowed on their property. As long as an activity is legal, as tobacco is, the government should not have the power to eliminate its use.

Public smoking is an entirely separate issue. To justifiably ban public smoking or make it illegal, the government must provide legitimate reasons. While the government cites three reasons for banning smoking, none of them carry enough weight to prohibit the activity. The first rationale is that a majority of people dislike smoke in their personal space. This reason is entirely a matter of taste and should not hold up as a legal reason for a ban. The preferences of a majority

should never be forcibly pressed upon a population. Similarly, body odor is almost universally abhorred; however we don't have laws requiring personal cleanliness. The second point offered is that smoking is bad for the smoker's health and a public ban could cause smokers to quit. Despite the appearance of a valid argument, the initial premise is dubious at best. Although smoking has been shown to increase chances for diseases, the increase is very slight in comparison to other risk factors.

The third reason used to justify bans is considered the main validation. The government states that second hand smoke is unhealthy for anyone in close proximity to the smoker. This myth has permeated our culture and become so entrenched in our society that it is rarely questioned. The media stands fully behind the concept, often burying any evidence that is contradictory. While this "fact" has become common knowledge, many studies have attempted to validate it. The two largest studies were done by the Environmental Protection Agency (EPA) and the World Health Organization (WHO). The study performed by the EPA found that second hand smoke is dangerous to all people, however the study was so poorly performed that it was thrown out in a federal court. The supporters of this study soon appealed the decision on grounds that the court could not discredit scientific research. The EPA study is regularly quoted by anti-tobacco groups, despite its inaccuracies. The WHO study found no statistically significant increase in risk of disease due to second hand smoke. This study received zero media coverage and therefore was never publicized.

The government of the United States has provided no legal arguments to validate the passing of smoking bans. Without them, the Calabasas smoking ban is a clear violation of the inalienable rights our forefathers provided all citizens. CS Lewis once said, "Of all tyrannies a tyranny sincerely exercised for the good of its victims may be the most oppressive".