

As seen

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The Right to Smoke

Most of us at this journal do not smoke, but that does not mean we have lost all fellow feeling with those in whom human weakness takes this particular form. Smoking, it seems, is rapidly becoming an exception to normal rules of decorum and tolerance. There are people who pride themselves on the way they graciously accept the foolishness and impositions to which life with other people subjects them, but who feel free to assert the rigid inviolability of their personal space when it is threatened by a whiff of cigarette smoke. There are liberals who indignantly defend a person's right to rot her own mind with drugs, or to invade others' privacy with unwanted publicity and humiliation by the exercise of free speech, but who just as indignantly deny that person's right to smoke in peace anywhere the long arm of the state can reach to snuff out her cigarette. The discomfort and health concerns of non-smokers are not a sufficient explanation for the rush to ban smoking in public places. Smokers are our new official pariahs, and smoking is the last personal vice that can be officially identified and punished as such.

The Civil Aeronautics Board has decided to ban all pipe and cigar smoking on commercial airliners, and is pondering a rule banning cigarettes as well. This is the kind of idea that gives government regulation a bad name. Smokers already are segregated at the back of the plane, where they can cough and wheeze and die slowly among their own kind. Apparently this is not sufficient. Apparently the danger that an occasional wisp of smoke will drift forward to irritate a non-smoker is more important than the genuine misery millions of nicotine addicts will suffer from

going without tobacco for the course of a lengthy airplane ride. Of course since they are smokers their misery doesn't count. Serves them right, as a matter of fact.

Cigarette smoke is genuinely annoying to non-smokers, and apparently it can be dangerous to them, as well. Rules to minimize this annoyance and danger are reasonable, even if they cause minor inconvenience to the smoker. A ban of smoking in elevators, for example, where people are packed tight without much circulation and the duration of the ride is short, makes perfect sense. Likewise segregating smokers in planes and restaurants: this is a case where separate-but-equal works. But everyday life carries with it inevitable irritations, and even health risks, caused by other people. The fact that smokers are killing themselves doesn't mean they aren't entitled to some consideration when the balance of inconvenience is being weighed.

We note with pleasure that Alfred Kahn, the new chairman of the CAB, voted against the cigar and pipe ban. Kahn is an economist and the leading specialist in the economics of regulated industries. Selecting him—instead of one of the usual run of defunct politicians and revolving-door lawyers—was one of President Carter's most imaginative appointments. For 30 years the CAB has stifled competition in the airline industry by forbidding new entry, restricting routes and setting prices. The proposed smoking ban is just the latest example of needless and inept regulatory intervention. We're happy to see that Mr. Kahn hasn't forsaken his principles just because this particular intervention has the false appearance of being pro-consumer.

Michael Kinsley
Managing Editor

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