

Should Smoking Be Banned in Public Restaurants?

In the perfect situation, smoking policy would be set by bar or restaurant owners, and customers would patronize the establishments with the policy they prefer. Customers would decide—without the government's help—if they want to avoid smoke-filled rooms or enter them. They might even choose to sit in an area sectioned off for smokers or non-smokers, but the ultimate issue is choice (Ruwart 1). When the government starts telling restaurant owners what their customers can and cannot do, the government is overstepping its boundaries.

Our government aims to protect us—to save us from society's evils. However, in an attempt to protect the public from the effects of passive smoking (second hand smoke)—of which, according to the non-partisan Congressional Research Service in 1994, “the statistical evidence does not . . . support a conclusion that there are substantive health effects . . .” (Krauthammer)—the feds have failed to protect a vital part of the U.S. economic population: business owners. Many people who drink also tend to smoke; banning drinkers from smoking has hurt business in some bars and restaurants. “According to the California Licensed Beverage Association, business has dropped as much as 85 percent . . . since the prohibition took effect” (“Bar Owners Vow” 1). The decrease in customers and subsequent loss of revenue has far-reaching effects on employers. A study by the American Beverage Institute entitled “Effect of 1998 California Smoking Ban on Bars, Taverns, and Night Clubs” asked 300 respondents about the effects of the ban on their businesses. When asked if the ban caused owners to lay off employees or cut working hours, 29.7 percent of respondents answered “yes”; 59 percent gave the same answer when asked if they experienced a loss of tips/gratuities for bar and serving-staff employees (1). The plight of restaurant and bar owners is often ignored, but it is a serious issue for them and for their employees.

While the argument rages over the effects of smoking on public health, the question that remains is this: “How much is society entitled to penalize smokers for their decisions because—in society's view—those decisions are unhealthy?” (Samuelson). Smoking tobacco is not an illegal act, yet the 25 percent of Americans who do smoke are often treated as if they were criminals. They are incessantly nagged, blamed for numerous illnesses and unpleasanties, and made to feel guilty by self-righteous nonsmokers (Bork 28). The Environmental Protection Agency estimates that living with a smoker increases your chance of lung cancer by 19 percent. What they fail to tell you is that, in contrast, (firsthand) smoking increases your chance 1,000 percent (Buckley). Why is the act of smoking tobacco, which merely injures oneself, so scrutinized and shunned by society, while drinking alcohol, which is by far more deadly to innocent bystanders, is accepted by society and virtually unregulated? (Krauthammer). One may not wish to be seated near an extremely obese person in a restaurant, but it would certainly be unconstitutional to deny service to these patrons. In modern society, the government knows better than to discriminate against minorities, senior citizens, or the physically handicapped; it does not hesitate, however, to discriminate against smokers.

Personal choice is a simple principle that is highly valued in American society. Banning smoking in all public restaurants violates this principle and jeopardizes our freedom. Smoking should not be banned in all restaurants. A ban on smoking imposes unnecessary governmental interference in private business, affects business owners negatively, and discriminates against smokers. Like the black Southerner turned away because of racial segregation, the smoker is unfairly treated. Sadly, just when our government claims to be whisking away the clouds of smoke, it is legislating a cloud of discrimination.

Works Cited

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