

Should Smoking Be Banned in Public Restaurants?

The government aims to protect us—to save us from society’s evils. However, in an attempt to protect the public from the effects of second-hand smoke, it is violating the freedoms of others. 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.

In attempt to protect the health of some Americans, restaurant and bar owners in America are losing money. 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. Fifty-nine percent said they had to lay off employees or cut worker’s hours. 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? 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 unpleasant-ries, and made to feel guilty by self-righteous nonsmokers (Bork 28). 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.

Ironically, as the government claims to be whisking away the clouds of smoke, it is legislating a cloud of discrimination.

Summary v. *So what?*

In conclusion, a ban on smoking has many negative side effects. Two important ones are that it causes restaurant and bar owners to lose money and smokers to feel like second-class citizens. Smokers have rights, too, and should be allowed to smoke in restaurants and bars as they choose.

Ironically, as the government claims to be whisking away the clouds of smoke, it is legislating a cloud of discrimination.