

DEBATE GUIDE

ARGUMENTS FOR AND AGAINST OUR POLICY

Supporter's Arguments: The harm of secondhand smoke

THE SUPPORTER'S ARGUMENT	THE OPPONENT'S REBUTTAL
<p><i>Controlling Secondhand smoke is an issue for public health:</i></p> <p>Public health is to protect the public at large, to look around and see what is making people sick. Secondhand smoke makes others sick. Individuals should not be allowed to do things that place the general public at risk.</p>	<p><i>Controlling Secondhand Smoke is not about public health:</i></p> <p>Lung cancer, heart disease, and emphysema are not contagious diseases. Smoking is a behavior, not an illness. If people are exposed to secondhand smoke, it is because they choose to go to a place that puts them at risk; it is not something that happens against their will.</p>
<p><i>Secondhand smoke and illness:</i></p> <p>According to the Surgeon General's Report, second hand smoke kills more than 50,000 non-smokers each year in the United States.</p> <p>Tobacco is unique among consumer products. No other product is lethal when used as intended by the manufacturer.</p> <p>Secondhand tobacco smoke in the air contains over 200 toxins and 43 carcinogens.</p> <p>The Environmental Protection Agency has determined there is no safe level of exposure to secondhand smoke.</p>	<p><i>Attack the data:</i></p> <p>Such "scientific" studies are in fact "junk science" and conducted by advocates trying to push their agendas. (www.forces.com)</p> <p>Studies showing that secondhand smoke has no effect are ignored by other scientists.</p> <p><i>Accept the argument, but reframe the debate:</i></p> <p>Secondhand smoke may be dangerous, but government regulation over private behavior is an intrusion into adult lives and the decisions of business owners.</p> <p>People who are concerned with the health effects of secondhand smoke should patronize another bar.</p>
<p><i>Clean indoor air protects the health of workers (including performing musicians):</i></p> <p>According to an article in the American Journal of Public Health, non-smoking bar workers who work in single-room bars have hair nicotine concentrations similar to those of daily smokers. Bars and restaurants are workplaces. Employees in bars should have the same right to healthy air that employees in other businesses enjoy.</p> <p>Employees who would like to speak out in favor of this ordinance, but are afraid to speak out for fear they would lose their jobs.</p>	<p><i>Workers can work elsewhere, or they are aware of the risk when they take the job:</i></p> <p>Employees have a choice where they can work. They know that they'll have to be dealing with smoke before they take the job.</p> <p>While it's a good goal to attempt to eliminate risks for workers, we can't. There are lots of jobs that entail risk. There are people that work on highway or in the medical profession. These people know the risks involved in their jobs, but they choose to take those jobs anyway.</p>

**Opposing Arguments:
Impacts of Smoking Ordinances on Business Revenues**

THE OPPONENT'S ARGUMENT	THE SUPPORTER'S REBUTTAL
<p><i>Banning smoking will hurt business:</i></p> <p>A restaurant cannot make money if it doesn't allow smoking.</p> <p>Restaurants anticipate losing 10 to 30 percent of their business due to smoking restrictions.</p> <p>Massachusetts did a survey that showed a 21% job loss in areas that enacted smoking bans in the restaurant industry.</p>	<p><i>Banning smoking will not hurt business:</i></p> <p>No creditable economic analysis has shown a decline in restaurant or bar revenues after passing a smoke free ordinance.</p> <p>While most analyses show no effects, a few show positive effects (that is, the revenue increases).</p>
<p><i>People will frequent businesses in neighboring communities:</i></p> <p>Restaurants in our town will be at a competitive disadvantage with restaurants in nearby cities.</p> <p>A majority of smokers in our city will take their business dollars to establishments in surrounding cities, hurting our economy.</p> <p>It creates an un-level playing field. It pits one community against another, one type of business against another.</p>	<p><i>People will still patronize the places they like:</i></p> <p>If it's a good business, customers will come whether they can smoke or not.</p> <p>Customers do not choose their places to eat, drink, or listen to live music on the basis of whether they can smoke or not. All of our movie theaters are now smoke-free, smokers accept that, and still go to movies. Customers will go to the same businesses, but will not smoke while they are there.</p>
<p><i>The marketplace should dictate smoking policy:</i></p> <p>A restaurant owner and not the government is solely responsible for the success of the business. The owner must be able to determine how to best make a profit based on market demand.</p> <p>The public should have choice; the market should dictate that choice.</p> <p>The solution is simple economics. When bar patrons stop frequenting bars that allow smoking, the bars will quickly become smoke-free. Government intervention is not required.</p> <p>An example of the market meeting consumer demand is non-smoking seats in restaurants. The percentage of non-smoking seats has increased greatly in recent years.</p>	<p><i>The marketplace has not responded to the majority of the population:</i></p> <p>Across the US, the majority of citizens do not smoke. The market is not responding to the majority of citizens.</p> <p>According to a ZAGAT restaurant survey, of some of the larger restaurant markets in the country, an average of 82% of restaurant customers felt smoking should be banned in restaurants. An average of 72% would dine out more often if a smoking ban were put into effect in restaurants.</p> <p><i>The marketplace should not dictate a health issue:</i></p> <p>In what other industry is it acceptable to make the argument that the employees' and customers' health should be jeopardized because it's better for the business' bottom line.</p> <p>Chemical plants and oil industries cannot knowingly endanger workers' health because they can make more money. Casinos or bars or restaurants should not be allowed to do that either.</p>

**Supporter's Arguments:
Why not "Choice?"**

THE SUPPORTER'S ARGUMENT	THE OPPONENT'S REBUTTAL
<p><i>Real restaurant "choice" does not exist:</i> Restaurants are not going to choose to do this on their own and be leaders because they are too afraid of alienating even some of their patrons. Restaurants and bars that are voluntarily smoke free often have different styles of food or entertainment, therefore full choice does not exist. Customers with asthma don't have a "choice". They can't enter smoking restaurants. This is discrimination based on their disability.</p>	<p><i>Non-smoking sections and non-smoking bars exist; non-smokers should choose them</i> Many restaurants are already non-smoking. Of the percentage that does allow smoking, most of their seats don't allow smoking, giving customers ample choice. For smoker "accommodation" arguments, see the website www.philipmorris.com</p>
<p><i>Accommodating smokers indoors permits unsafe and dangerous exposure to secondhand smoke:</i> According to the EPA, there is "no safe level of exposure" to secondhand smoke. That is, there is no minimal level at which secondhand smoke exposure can be considered harmless. According to the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), air purifiers can eliminate the sight and smell of smoke, but no ventilation system can eliminate the harmful components of secondhand smoke.</p>	<p><i>The signage solution:</i> As long as customers are aware of the smoking policy of a restaurant, they are best suited to make that choice. Restaurants should be required to post signs that are red if smoking is permitted throughout, yellow if there are both smoking and Smokefree sections, and green if they are 100% Smokefree. Then everyone is informed and we can accommodate smokers and non-smokers alike.</p>
<p><i>Government regulations are widely accepted when public health is threatened:</i> Government regulations are already in place to protect our health in the workplace—and while we are at restaurants and bars. Do businesses have the right to determine their own course regarding other health issues? Are opponents also opposed to health laws regarding cleanliness in restaurant kitchens? Refrigeration of food? Do businesses have the right to determine their own course regarding safety issues? Would opponents also recommend that we roll back safety laws regarding having enough fire exits, sprinklers, and smoke detectors? Businesses are not private homes—they are public places. As such, they are subject to rules that protect the public.</p>	<p><i>This is a government intrusion on a private decision</i> It's a business decision, and each business has a right to determine its own course. This is government intrusion into areas it has no right to go. The real issue is the principle of the government telling people how to run their businesses. The smokers choice is taken away by this ordinance—those supporting this new law just want to force their preferences on others. A business that is privately owned is not public. When we enter that establishment, we do so as a guest of the owner. We don't have a right or an entitlement to demand how the business is run—that is up to the owner.</p>

**Opposing Arguments:
Smoking is a right and is part of our culture**

THE OPPONENT'S ARGUMENT	THE SUPPORTER'S REBUTTAL
<p><i>Placing restrictions on smokers is discrimination; "we're an oppressed class":</i> For too long, smokers have been marginalized, discriminated against, singled-out for persecution and oppressed by society. Right now they are forced outside to smoke even on the worst days. How much more must smokers endure?</p>	<p><i>Discrimination is not the same thing as limiting a harmful behavior:</i> It's not discrimination to ask someone not to practice a dangerous habit in a public place. Discrimination laws arise from mistreatment of those of a certain gender, the disabled or those of a particular ethnic background, none of which can they change temporarily while they dine out.</p>
<p><i>Smokers have a right to practice their habit without restriction:</i> The intent of laws like this is to limit, if not outright curtail, the rights of persons who may practice something that is objectionable to others but which is not illegal. Banning smoking is taking people's rights away from them.</p>	<p><i>A smokers right to smoke ends when it endangers someone else:</i> Smoking in an enclosed public space forces nonsmokers to inhale carcinogens in tobacco smoke. It limits the right to clean air and better health. No one is saying the smoker must quit smoking, but they must refrain from smoking in places where they put others at risk. All rights have limits. Science has shown that blood alcohol levels of .08 or higher create dangerous drivers. An individual's right to drink alcohol ends when they have too much and want to drive a car.</p>
<p><i>Non-smokers have no right to clean air:</i> We have freedom of speech and freedom to petition our government in this country. Those are rights. We do not have a 'right' to eat broccoli that has been cooked perfectly at a restaurant. To my knowledge, the Bill of Rights does not include a right to clean indoor air.</p>	<p><i>Everyone has the right to breathe clean air:</i> Smoking not only kills smokers, but smoking kills the people who are exposed to second-hand smoke. Your right to practice a behavior ends where it limits someone else's right to a healthy life. The alcohol example above also applies here.</p>
<p><i>Smoking is part of American culture:</i> Many people who go to bars know there is smoking. They expect it or at least accept it. For many, the only time they smoke is when they go to a bar. If customers didn't like smoking, why are restaurants and bars so crowded on Friday and Saturday nights?</p>	<p><i>Many things have been part of our culture that we later determined to be wrong for moral, ethical, or public health reasons:</i> Slavery and ethnic discrimination were also part of our culture in the past. We no longer tolerate these 'behaviors' because we know them to be wrong. Food production was not controlled before we learned the science of food borne illness. Now we have laws that protect the public by keeping food at proper temperatures.</p>
<p><i>The "slippery slope" argument or "what's next?":</i> Many people are also offended by the perfume of others, and some people are allergic. Are we going to outlaw wearing perfume in public? Eating fattening food is also bad for your health. Is the government going to ban eating Twinkies? It's not going to end with smoking. In the near future, the government will be banning alcohol, Twinkies, steaks and televisions.</p>	<p><i>Private behavior vs. secondhand effects:</i> There are no documented deaths from exposure to perfume worn by others. There is no secondhand effect from someone eating red meat or Twinkies. The only harm they do is to themselves.</p>