



Point/Counterpoint: Smokers, minorities dealt another blow from the ruling class with ban on menthols

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The war against smokers continues, as the FDA will move to ban menthol cigarettes. From the initial bans on smoking indoors in the late 1990s to the current war on vaping, nicotine users have been increasingly marginalized. And they're particularly discriminated against by the wealthy and ruling class, especially because smoking has become more concentrated in lower-income people.

Now, the administration of President Joe Biden seeks to push smokers even further to the margins, this time adding an unfortunate racial component since menthols are overwhelmingly used by African Americans.

Here's a better idea: Let the people smoke.

Public health is important, but so is the freedom to make decisions that give you pleasure despite harming your own body. Pretty much every day, we all do something that is not optimal for our health, whether it's eating a hamburger or going bungee jumping. Whether and how the government allows us to harm our bodies is a question rooted as much in class as it is in science. If you prefer harmful activities the ruling class enjoys, you're probably safe. But if your vices are looked down upon by them, watch out.

An interesting question: how many people in the Biden administration are smokers? We don't know, but given their socioeconomic status, it's likely to be very few. Among "elites" in East Coast cities like D.C., smoking has become extremely unpopular (trust me), and those who smoke are treated like lepers.

But how many in the Biden administration routinely stop to get some sort of frappuccino at Starbucks, which has as many calories as a Big Mac? Those same people might look with disdain on those who routinely eat Big Macs. Similarly with soda, which has acquired class-based implications because poorer Americans drink it significantly more often.

True, smoking is quite bad for you, and deaths and adverse health effects from smoking are a significant problem. Yet despite that unquestionable fact, is it still possible to legitimately choose to smoke? Yes, it is. People all around the world enjoy smoking, and taking away their preferred flavor diminishes their subjective sense of well-being for the same reason that banning

frappuccinos would diminish the well-being of those in the Biden administration who like to occasionally indulge. Why don't smokers' preferences matter in the same way?

Some may argue that those who are addicted to smoking are no longer "choosing" to smoke, so their preferences don't actually matter. Yet, if addiction was the only reason people smoked, it wouldn't explain why anyone starts smoking in the first place. Moreover, millions of Americans who aren't addicted to nicotine enjoy occasional cigarettes after a long day, after a big meal, or when they're out at the bar. Often, that's a menthol cigarette.

There are some legitimate concerns about whether secondhand smoke adversely affects others. Yet those concerns have largely been eliminated by pushing smokers outdoors, off college campuses, out of sports stadiums and parks, and essentially away from every other public space. Smokers are now relegated to back alleys and huddling under eaves to protect others from potential harm.

Or perhaps health care costs are the problem. Yet some studies have shown that the net costs of smokers for health care might actually be positive — and certainly aren't clearly negative. Smokers will incur more health care costs during their lives, but they will also die sooner, thus costing less in the final years of life when a significant amount of lifetime health care costs will be incurred. For countries with generous retirement and pension plans, the earlier deaths of smokers might yield significant savings.

That may sound morbid, but our risky choices often can affect public finances. Why are smokers any different? Moreover, insurance companies can charge smokers up to 50% more under the Affordable Care Act, one of the few categories that can legally be made to pay more. Meanwhile, states like New York put more than \$4 in excise taxes on cigarettes. Are smokers not paying their fair share for their choices?

Paternalism is a slippery slope. If your vices become unpopular with the ruling class, prepare to defend your right to harm your own body. But first you need to defend the rights of others — even, especially, those who enjoy vices you abhor.

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