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## License to smoke

By: Patrick Basham - December 3, 2012

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Tobacco users should be required to obtain a "smoker's license" to buy cigarettes. So argues the academic Simon Chapman in the journal PLOS Medicine. He envisions a "smart card" system that would allow the government to limit smokers' cigarette purchases and encourage them to quit.

Licensing is the antitobacco movement's latest proposal to "denormalize" smoking - that is, to portray smoking as unacceptable and smokers as deviants. It confirms that public-health elites suffer from Mary Poppins Syndrome: They won't rest until we're all practically perfect in every way.

This kind of paternalism assumes (incorrectly) that individuals are uninformed or irrational in their choices, and public-health considerations must take precedence over their liberty. Accordingly, the state is obligated to force everyone to conform to the public-health consensus. The rights of otherwise competent adults must be restricted to protect them from their own insufficiently considered actions. So smokers are subjected to real-time experiments designed to change their consumption habits on the grounds that it's "for their own good."

In this way, the state's regulatory powers define and enforce a single vision of what constitutes a good life. This replaces the individual's weighing of risk and reward - a significant trespass on personal autonomy.

Denormalization isn't designed to abolish smoking and its attendant pleasures in one grand gesture. That would be too obvious and crude, and it would arouse too much passionate opposition. Instead, denormalization uses the instruments of social engineering, such as licensing and bans on public smoking, to ease it out of existence gradually.

However, liberal democratic societies are inherently uncomfortable with the idea that the state should order our lives by telling us what to think, believe, and be; by directing our likes and dislikes; by structuring our pleasures; and by passing judgment on what we eat, drink, and inhale. A proposal to license certain books, plays, or associations, for example, would not survive a moment of serious consideration. Yet paternalists justify the same policy applied to smoking by arguing that it's all about public health.

But diminishing personal autonomy under the guise of improving health is still diminishing personal autonomy. As such, it's unacceptable in a free society.

Instead of admitting that they are really providing advice based on their values, health paternalists characterize their directives as scientific and therefore unquestionable. The

health paternalist says to the average Joe, "It's a scientific fact that if you stop smoking, you will live longer. Therefore you should stop smoking."

But the paternalist is actually assuming an additional premise: that Joe values living longer more than he values his enjoyment of smoking. As soon as this assumption is revealed, the supposedly scientific character of health paternalism is exposed as a cheat. Although it is science that tells Joe he will live longer if he doesn't smoke, it's not science that determines he ought to value living longer more than he does smoking.

This doesn't mean that the health paternalist's admonitions are unworthy of Joe's attention. It just means that they're not unimpeachable scientific pronouncements.

After all, why is a life of 70 years full of self-chosen pleasures inferior to a life of 75 years that has been deprived of many of those pleasures? We're not suggesting that 70 years crammed with frowned-upon pleasures are necessarily better than 75 abstemious years - only that these are the sorts of choices that are best made by individuals.

Moreover, moral considerations aside, licensing simply wouldn't achieve its goal of nudging smokers into quitting. A major scholarly review found that smokers' health concerns generally drive cessation. Smokers who decide to quit voluntarily - as opposed to those who feel pushed by social pressure or legislation - are far more successful.

The paternalists shepherding the antitobacco flock think of health in terms of longevity, and smoking is an enemy of longevity. But it's also true - and of far greater importance to smokers and nonsmokers alike - that licenses and other such denormalizing tools are an enemy of liberty.