

“No: No smoking. no jaywalking. no fun?”

Peggy Curran, *The Gazette*

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May 20, 1966. Through the thin blue haze of an unfiltered Export A, the young mother rocks her baby, watching idly as a pack of kids climb onto the scaffolding at the unfenced construction site across the street. Secure in the knowledge that their parents have only a vague idea where they are, the kids guzzle Cokes straight from the bottle and gorge on after-school snacks – peanut butter, Spam or Cheez-Whiz sandwiches, nickel bags of potato chips or Popeye candy cigarettes. The daredevils put down their cap guns and take turns in the cab of the grader, left behind when the work crew headed off to the tavern, that smelly, sticky, men-only bastion, for pigs’ feet, pickled eggs and an unending row of stubbies.

“Stop! Stop! Are you crazy?” says the editor, who looks and sounds like Woody Allen before the mother Mia-for-daughter Soon-Yee trade made him seem a lot less funny. “The mother can’t be smoking. The kids can’t be eating junk food. Where are their parents? Where are their juice boxes, their carrot sticks, their cellphones? Don’t they have play dates to go to? Have those workmen been screened on the national pedophile registry?”

Yes, those were the days. But were they the best of times or the worst of times, the last gasp of unfettered liberty and intoxicatingly dangerous fun, or the twilight of a benighted recklessness in desperate need of social engineering?

Four decades ago, successive reports by the U.S. Surgeon General had already signalled dire links between tobacco and lung cancer, emphysema and heart disease. But you could still smoke in bars and restaurants, offices, planes, trains, intercity buses, grocery checkout lines and hospital wards. If you ran out of cigarettes, you could send the kids out to the *depanneur*. Without stiff penalties, merchants were happy to sell to anyone with the price of a pack of smokes, then less than \$2.

Back then, no one talked about the hazards of secondhand smoke, or the virtues of paper vs. plastic, or cloth vs. disposable diapers. There were no bicycle helmets or baby car seats, either – Britney Spears could have gone joyriding around Hollywood with a toddler on her lap for hours without a peep from anyone. A thoughtful host still offered his guests “one for the road.” A steady marinade of chemicals kept dandelions out of the lawns in suburbia, where summer days were spent lolling on a deck chair with a big bottle of Johnson’s Baby Oil and an aluminum sun reflector.

Well, we’ve come a long way, baby. We know about the perils of nicotine, drunk driving, sexual harassment, unprotected sex, UV rays, pesticides, pollution and Internet porn.

Quebec, the unofficial smoking section of North America, is recalling all ashtrays on May 31. Non-smokers, a silent, fuming, majority for too long, say hallelujah. No longer will we choose our outfits based on the expectation we’ll return from a night at the pub or a trip to the bus shelter smelling like we’ve been at a five-alarm fire. Our clothes will be cleaner, and so will our lungs.

Yet even a virulent anti-smoker may wonder whether there isn't a tad too much negativity in the air these days. More and more, there's a tendency for society to rely on legal avenues to control our behaviour.

Today's mantra is dead simple. Just Say No, to everything. Free will and fun be damned. Do as you're told, drink in moderation, drop the carbs, eat your vegetables and hang out at the 24-hour gym. Pick up after your dog, don't spank the kids, play responsibly and give up jaywalking. You'll live forever and you won't get sued. But has the pendulum swung too far?

Last year, Britain's Future Foundation, a social trends forecaster, coined the term "New Puritans" to describe a dogmatic breed of young activists for whom Lent never seems to end. Guided by their "inner traffic warden," they preach a doctrine of political correctness and moderation in the extreme, calling for a boycott of everything from chocolate bars (bad for the hips) to discount airfares (harmful for the environment).

Meanwhile, industries and government agencies have developed their own risk-management techniques, based on the time-honoured art called "covering your ass."

Two weeks ago, soft-drink companies in the U.S., heading appeals from a health committee chaired by former president Bill Clinton, announced they would withdraw high-calorie Coke, Pepsi and fruit drinks from cafeterias and vending machines in elementary schools. Chicago has banned the sale of foie gras in restaurants, saying pate perpetrates cruelty to ducks and geese. A school in England recently forbade a child from bringing a birthday cake to class for fear it would encourage unhealthy eating habits. In Houston, a new computerized checkout system means parents can keep tabs on what their children are eating at school - electronic sensors blow the whistle if little Madison tries to substitute a bag of Cheetos onto her lunch tray.

In the film satire *Thank You for Smoking*, the slick, unscrupulous lobbyist played by Aaron Eckhart makes the case for freedom of choice - until he's hoisted on a petard of nicotine patches.

David and Dan Romano spearhead the Citizens Against Government Encroachment, a small, feisty lobby group which sees Quebec's smoking ban as part of a larger trend by governments and "health nannies" to regulate individual choice. CAGE has hired constitutional legal eagle Julius Grey to challenge the legislation as an infringement of Charter rights. "Just mentioning the need to protect children makes people accept state encroachments that the Nazis would only have dreamed of," David Romano proclaims on the CAGE website. "This struggle must wrest victory from a paternalistic state." Dan Romano is a non-smoking fitness buff who has been known to ask CAGE members to step outside his home before lighting up.

"Let us make our own decisions," says Iro Zannetides. A 52-year-old grandmother who has smoked for 37 years - "and I'm not dead yet," - she joined CAGE last year because she felt Bill 112 went too far in restricting "a legal product, which is highly taxed." Zannetides sees anti-smoking activists pushing an agenda, carefully selecting statistics that shore up their arguments and force people to quit. "Living is dangerous, breathing is dangerous. You can choke eating fish with a bone in your throat," she said. "The day I decide to quit, I'll do it because I want to, not because some bureaucrat tells me I have to."

However, ethicists and health experts see the anti-smoking ban as a legitimate, logical way to protect society at large and encourage smokers to quit. "Thoughtlessness is common to the species," said Jack Ornstein, a philosophy professor who teaches a course in bioethics at Concordia University.

"I don't like Big Brother anymore than anyone else does. But governments are a necessary evil, laws are a necessary evil, traffic lights are

a necessary evil,” said Ornstein, who quit smoking 30 years ago. “People are ignorant and selfish and they don’t care who they bother with their smoke. I am sick and tired of going into a restaurant, and having to breathe other people’s smoke. Your right to self-determination ends where mine begins. Every right is limited. I can’t go into the next room and yell “Fire!” just because I feel like it.”

Jennifer O’Loughlin holds the Canada Research Chair for study of Childhood Onset of Adult Chronic Diseases at McGill University. Her research includes a comprehensive study of kids, beginning in Grade 7, tracking when they start smoking, how soon they become nicotine dependent and what impact it has on long-term health.

“In a Utopian world, people would behave in a way which was good for them and respectful of others. But that doesn’t happen. (Pierre) Trudeau said that the government has no place in the bedrooms of the nation, but how far do we go? Into their kitchens? Into their cars? Smoking in cars is a sensitive issue, because it’s an enclosed area. When you see a mother lighting up with her kids in there, you just want to go in and pull them out.”

O’Loughlin is also part of a study by the Institut national de sante publique, which is currently polling 2,000 Quebecers on their smoking habits. Four months from now, pollsters will go back to see how they are doing, and where they are smoking. She said smokers are surprisingly eager to talk to pollsters. “Neutrality is not an issue. When it comes to smoking, people are very passionate.”

She said the latest scientific findings indicate nicotine addiction has to be tackled from all angles, starting with a person’s cellular make-up and fanning out to include home and school environment, social economic status, public education initiatives, even whether there’s a depanneur nearby.

Research shows that in schools where teachers and older students smoke, younger kids are more likely to start. “What kind of role-modelling is it

when students see their teachers smoking? It tells them it’s an OK kind of thing.” She’s curious to see what happens after the ban prohibits anyone from smoking within nine metres of school property.

“Everything has a downside. If you restrict and restrict and restrict, then you have to ask where they are going to go to smoke. Are they going to smoke more, and where are they going to do it – at home? Or is it going to contribute to a sense of lawlessness?”

She argues the smoking ban is warranted, because nicotine is highly addictive and has lasting effects on health. A 16-year-old boy who starts smoking now will likely smoke for another 16 years. The average teenage girl won’t quit smoking for 20 years. “By the time you’re an adult, the damage is done.”

O’Loughlin sees parallels between smoking and the next hot topic facing wealthy Western countries – our eating habits. For children growing up in what scientists call an “obese-o-genic environment,” she said, “the diagnosis is pretty straight-forward. You’re going to get fat.”

Given the health risks, Daniel Weinstock, director of the Centre de recherche en ethique at the Universite de Montreal, sees the proposed smoking ban as an acceptable solution. “Smoking in public places affects people who have never consented to smoke, and so it seems to me to be a justifiable limit on those grounds.”

Trouble is, he said, there are lots of things we do that irk or have a negative impact on the people around us, yet we do nothing to regulate them.

“Taking that reasoning to its logical conclusion would involve more than simply smoking,” he said. “Why not also impose a ban, or at least a levy, on non-essential automobiles in the downtown core, and make our public transit both cheaper and more user-friendly with the proceeds?”

Weinstock admits he worries about our new dependency on bans and legislation, often “quick fixes usually aimed at easy targets. Poverty, housing, a neglected education system that deepens social inequalities, are more fundamental policy objectives, which would have a huge impact on public health – and which would probably be a more effective way of addressing problems like smoking and bad nutrition. But they are hard to address, and the political will is lacking. I sometimes fear that we satisfy ourselves with relatively easy policy devices like bans on specific behaviours because we don’t have the ability or, more likely, the will to tackle the underlying determinants of public health.”

It’s much easier, Weinstock suggests, to introduce showy legislation like a smoking ban, which can be “politically trumpeted,” than it is to try to crack the really tough nuts which don’t effect the daily lives of policy makers. “There are mobilizations around issues like decent housing, poverty, and the iniquities of our two-tier educational system, but their political impact is limited.”