It's Not About Smokers' Choices

The Montgomery County Council's recent ban on smoking in restaurants has been criticized repeatedly as paternalistic "Montgomery Passes Smoking Ban," front page, March 31. This criticism is fundamentally misconceived.

Council member Nancy Dacek, who voted against the ban, argued that the government ought not interfere with a smoker's choice for the smoker's own good, because once the government regulates self-destructive behavior there's no stopping point. The next ban might be on McDonald's Big Macs or Burger King Whoppers. In short, paternalism is hazardous to our liberty and privacy.

But the purpose of the ban is not to protect smokers from themselves. It is to protect nonsmokers and restaurant workers.

To be paternalistic, the law would have to restrict smokers' liberty under circumstances where the only harm prevented would be the smokers themselves. The dangers of secondhand smoke are beyond dispute. Smokers do not puff solely at their own peril but also at the peril of those seated at nearby stools and tables.

I agree that government should not restrict a citizen's liberty to act as she pleases when she harms only herself. I stand with John Stuart Mill and Nancy Dacek and oppose paternalistic government. But Montgomery County's smoking ban is not paternalistic because it doesn't just protect me from myself.

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And Tax Cutting in D.C.

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