The politics of tobacco regulation

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Regulation of the sale and use of tobacco has long been a matter of intense political discourse, despite decades of now-indisputable evidence regarding the addictiveness and deadliness of tobacco use. The fact that tobacco regulation is at all politically controversial is largely due to the perpetuation of resistance by massive economic interests in preserving the tobacco economy, allied with (or taking advantage of) populist strains of thought that uphold notions of individual rights and antiregressive taxation. These sentiments, along with pro-business and pro-employment inclinations, tend to align ‘pro-tobacco’ forces neatly on the right side of most national political spectra. Indeed, public discourses around many public health issues are often framed as a debate between the ‘nanny state’ on the left, and advocates of personal freedom and prosperity on the right.

In their study of political climate and tobacco regulation, Bosdriesz et al.1 describe a very limited effect of left-right political control upon national tobacco policies which began to diminish after 2002. There are several possible reasons for the apparent decline of left–right relevancy. One may simply read this finding as evidence of the dilution of national-level effects as the European Union integrated over the past decade. However, it is also possible that ostensibly laudable arguments advocating for personal freedom and against regressive taxation are being used by the tobacco industry to influence European policies on tobacco sales and use.

Based upon documented behaviours elsewhere, it would be naïve to suggest otherwise. In USA, for example, tobacco regulation (particularly taxation as well as restrictions on marketing and usage) historically attracted the attention of industry lobbyists with little regard for political affiliation.2 However, we conducted a similar study to Bodriess et al., and found that right-wing political control at the state level did, in fact, matter, at least in terms of the level of cigarette taxation.3 Another analysis of recent “third-party” political activities in USA, where the tobacco industry relied upon partner organizations to carry their message, found overlap between the key players and strategies used by the tobacco industry over a number of decades, and current right-wing Tea Party activities that have emerged since 2009.4 Clearly, the connection between pro-tobacco and right-wing political forces has not disappeared in USA. Indeed, appeals to freedom from personal restrictions and excessive taxation have many merits, but may also be used in ways that harm public health.

What, then, are we to make of the findings from the European context? Perhaps this: that the left-vs.-right argument is not useful to public health efforts. As the Bosdriesz article describes, it appears too easy for proven tobacco control measures, such as the levying of sin taxes, to be manipulated into populist resistance that neither left nor right can ignore. This is not just true of anti-smoking measures; see, for example, attempts to ban trans-fatty acids and over-sized soft drinks in New York City. In order not to fall prey, the discipline of public health must be able to engage in such debates without exposing itself to ‘nanny-state’ accusations.

Take, for example, the argument that tobacco taxes are regressive (i.e. those that create a higher tax burden on persons with lower income). Rather than answering that such taxes are warranted because they are effective (a very consequentialist argument), a stronger argument might be that the effects of nicotine addiction are themselves regressive in their prevalence across economic classes,5 and that exposures to addicting and deadly substances are inequitably distributed to a much greater extent than any taxation scheme.

Indeed, public health efforts will almost always fall on the side of ‘positive liberty,’ as described by Isaiah Berlin a half-century ago.6 Public health practitioners, advocates, and policy makers must therefore be mindful not to fall into traps within the political discourse that masquerade as defenses of personal prerogative, but are actually catastrophic for the health and well-being of populations and individuals alike.

References