

Private Property Rights and Personal Responsibility**You Don't Own Joe's Bar and Grill***John Robson*

You don't own Joe's Bar and Grill, unless you are Joe. Simple? Perhaps. But if you aren't the owner, surely you can't walk in and help yourself to the contents of the till, decide to redecorate the place, give his workers a raise, or change the menu. Yet we do.

Lucien Bouchard paints out Joe's apostrophe. Activists hammer him with taxes and hand out the money to street people. Bob White tries to give all the employees a raise to at least \$10 an hour. And the City of Toronto says that for the benefit of Joe's customers, his employees, and his own prosperity, he must ban smoking. All these proposals enjoy substantial popular support, so the general public does believe that they own the place, and that their representatives can make any rules they like about what happens in it.

The *Ottawa Citizen* reported approvingly that "More and more compelling evidence of the dangers of second-hand smoke, and the fact that most people hate their smoking habit, are the reasons behind the new tolerance

for smoking bans, say no-smoking advocates."¹ Terry Corcoran responds that second-hand smoke is less dangerous than two pork chops a week. And I respond: if we are justified in coercing people for their own good because "most people hate their smoking habit," should we also lock people's fridges and perform compulsory plastic surgery because most of us wish we ate less and looked better?

It no more matters whether second hand smoke is carcinogenic than whether loud music is deafening or bacon is fattening. The real question is: should we let people wrestle with their own lives, dilemmas, and risks, exactly as though we considered them responsible moral agents, or should we take over their pitiful lives for them and strap them all into safety equipment before forbidding them to leave their houses?

The *Globe's* editorial page clouds the issue by saying "Smoking is still a legal activity. It may be a misguided pastime, but that's beside the point. Keeping it out of the office, shunting it to the

back of the restaurant, exiling it from the shopping mall—these are fair approaches to the regulation of an offensive habit in establishments that all must frequent."²

... if we are justified in coercing people for their own good because "most people hate their smoking habit," should we also lock people's fridges and perform compulsory plastic surgery because most of us wish we ate less and looked better?

But offices, restaurants and shopping malls are emphatically not "establishments that all must frequent." If you don't like them, stay away. I myself do not agree with Gene Hackman's character in *Crimson Tide* who justified lighting a cigar by stating, "I don't trust air I can't see," and I generally don't go to bars because they expose one to second-hand smoke, loud "music"

1 *Ottawa Citizen*, July 4, 1996, p. A3.

2 *Globe and Mail* lead editorial, July 4, 1996, p. A18.

and fun, all of which I prefer to avoid.

But just as no one has to go to Joe's Bar and Grill if they don't like the atmosphere, no one has the right to stop people from going there, nor to wage war on their desire to do so. No one is deprived of any legitimate rights if this, or any other, commercial establishment happens not to be one they themselves would care to shop in or work in.

In a free economy, no matter how eccentric your tastes—and I speak from experience—someone will almost certainly offer to satisfy them commercially. But if not, you may not resort to force to make them do so. You are no worse off if Joe's Bar does not appeal to you than you would be if it did not exist, and you may no more force Joe to establish a bar and then run it to your tastes, than you may force him to change an existing one to suit you better.

I have no grievance because most corner stores sell only milk chocolate, and I can no more return with the cops and compel

the owners to make wholesale changes to their range of merchandise than they can order me to buy what they have or go to jail. For the essence of a free market is to protect not producers' but consumers' freedom. To portray smoking as evil owners versus virtuous patrons and employees is just blowing smoke. The corner store sells what it does because people want to buy it, and Joe's Bar and Grill prospers because it satisfies customers' tastes. In consequence, any attack on the store's shelf-stocking practises, or on bars' or restaurants' smoking and other rules, is secretly an attack on the preferences of their customers. Even those who don't smoke must be happy enough with the place, for otherwise they wouldn't be its customers.

So the ban on smoking in private places, made even less honourable by fraudulently labelling them public, turns out to be simply an extension of the usual totalitarian impulse to use the police power of the state to make everyone behave the way you think they should, generally

linked to a vacuous profession of absolute tolerance for anything one agrees with totally. The real "war on smoking" isn't on bars that inflict tobacco fumes on unwilling customers. It's on those customers, who don't behave properly and who don't want the things their self-appointed betters say they should.

The anti-smoking activists can already patronize and work only in smoke-free establishments, try to persuade other owners to change their policies through the lure of their custom, and attempt through peaceful persuasion to convince other citizens to join them in doing so. But no, that's not good enough for them. They have to change every bar in Toronto so that it behaves as though all its customers shared their tastes. They want the world, and they want it now!

NOWNOWNOWNNOW
NOWNOW!

But they can't have it. They can't even have Joe's Bar and Grill. You see, it's not mine to give. ☹

continued from page 32

Citizens would be in charge of both government spending and donations. If this is too bitter a pill for our leaders to swallow, they might at least consider easing their hold on government monopolies. If these institutions suffered fewer government regulations they could offer us something new and interesting for our voluntary donations. A move in either of these directions would boost the power that individuals have to do good.

Further reading

Becker, Elisabeth and Lindsay M. Cotton (1994). "Does the Government Free Ride?" *Journal of Law and Economics*, 37:277-298. ☹

vary greatly across time and place, implicating cultural factors as the third and most general aspect of drug addiction. These factors are rooted in but not reducible to psychological processes, just as psychological processes are not reducible to biology. Patterns of alcohol use around the world, which show that the prevalence of drinking problems cannot be predicted by consumption alone, illustrate the importance of culture. Italians, for example, historically have consumed large quantities of alcohol with relatively low rates of drunkenness and alcoholism. The effects of alcohol on human behavior—violence, boorishness, gregariousness—also have been shown to vary dramatically across cultures.

In coming to terms with cigarette addiction as a psychosocial process, rather than a simple pharmacological one, we need to distinguish between cigarette addiction and nicotine addiction.

Given the cultural role in addiction and the radical changes that have occurred in attitudes about smoking, it is quite possible that the young smokers of today are not at all like the smokers of 50 years ago. Those who begin smoking now do so with the belief that it is addictive, causes poor health (and wrinkles!), and can be deadly. If individuals are willing to start smoking despite such knowledge, it is likely that they will acquire and keep the habit, seeming to confirm the current, politically correct image of addiction. And if this self-fulfilling prophecy is realized, chances are that interventions aimed at the social realm will continue to miss their target and fail to curtail addiction. ♣

Richard J. DeGrandpre (Rdegrandpre@smcvt.edu), an independent scholar of drugs and culture, is a visiting assistant professor of psychology at Saint Michael's College in Vermont. He is co-editor, with Warren Bickel, of Drug Policy and Human Nature (Plenum) and coauthor, with Stanton Peele, of The Changeable Self (forthcoming from Simon & Schuster).

LIBERTY ISN'T FREE

Its price is eternal vigilance.

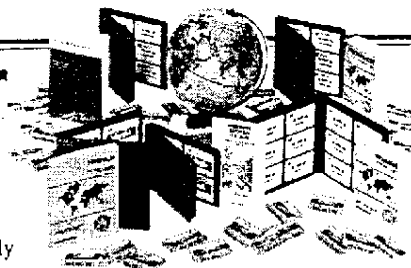
Over 11,000 Cato Sponsors are willing to pay the price of liberty. Cato Sponsors make annual tax-deductible contributions ranging from \$50 to \$3,000 or more, advancing the American experiment in limited government and individual liberty and entitling them to receive Cato's outstanding Policy Analysis series and other publications.

Should you be a Cato Sponsor?



1000 Massachusetts Avenue, N.W., Washington, D.C. 20001 • (202) 842-0200 • Cato@Cato.org

Learn Another Language on Your Own!



Learn to speak a foreign language fluently on your own and at your own pace with what are considered the finest in-depth courses available. Many were developed by the Foreign Service Institute of the U.S. Department of State for diplomatic personnel who must learn a language quickly and thoroughly. Emphasis is on learning to speak and to understand the spoken language. A typical course (equivalent to a college semester) includes an album of 10 to 12 audio-cassettes (10 to 18 hours), recorded by native-born speakers, plus a 250-page textbook. Some of our courses.

<input type="checkbox"/> Arabic, Saudi	\$185	<input type="checkbox"/> German I	\$185	<input type="checkbox"/> Latvian	\$185	<input type="checkbox"/> Slovak	\$185
<input type="checkbox"/> Egyptian	\$185	<input type="checkbox"/> German II	\$155	<input type="checkbox"/> Lithuanian	\$135	<input type="checkbox"/> Spanish I	\$185
<input type="checkbox"/> Bulgarian	\$245	<input type="checkbox"/> Greek	\$185	<input type="checkbox"/> Mandarin	\$185	<input type="checkbox"/> Spanish II	\$165
<input type="checkbox"/> Cantonese	\$185	<input type="checkbox"/> Haitian Creole	\$225	<input type="checkbox"/> Norwegian	\$125	<input type="checkbox"/> Swedish	\$185
<input type="checkbox"/> Catalan	\$185	<input type="checkbox"/> Hebrew	\$255	<input type="checkbox"/> Persian	\$185	<input type="checkbox"/> Swahili	\$225
<input type="checkbox"/> Czech	\$125	<input type="checkbox"/> Hungarian	\$195	<input type="checkbox"/> Polish	\$185	<input type="checkbox"/> Tagalog	\$295
<input type="checkbox"/> Danish	\$135	<input type="checkbox"/> Italian	\$185	<input type="checkbox"/> Portuguese	\$215	<input type="checkbox"/> Thai	\$195
<input type="checkbox"/> Dutch	\$125	<input type="checkbox"/> Japanese	\$185	(Brazilian)		<input type="checkbox"/> Turkish	\$195
<input type="checkbox"/> Estonian	\$295	<input type="checkbox"/> Korean	\$195	<input type="checkbox"/> Romanian	\$115	<input type="checkbox"/> Ukrainian	\$195
<input type="checkbox"/> French I	\$185	<input type="checkbox"/> Lakota	\$185	<input type="checkbox"/> Russian	\$255	<input type="checkbox"/> Urdu	\$185
<input type="checkbox"/> French II	\$215	<input type="checkbox"/> Latin	\$160	<input type="checkbox"/> Serbo-Croatian	\$195	<input type="checkbox"/> Vietnamese	\$225

You can order now with a full 3-week money-back guarantee:

Call toll-free 1-800-243-1234, fax (203) 453-9774, e-mail: 74537.550@compuserve.com

Or clip this ad and send with your name and address and a check or money order—or charge to any major credit card, by enclosing card number, expiration date, and your signature. Ask for our free 56-page *Whole World Language Catalog* with courses in 96 languages. Our 25th year.

AUDIO-FORUM
THE LANGUAGE SOURCE

Audio-Forum, Room K 108, 96 Broad Street,
Guilford, CT 06437 (203) 453-9794