

# From *The Endgame*

## All Is Not Quiet On The Campus Front

College campuses are likely to be a hot battlefield in this decade, and one on which Free Choice advocates have a solid chance of prevailing. Given the outrageous weakness of outdoor smoke exposure claims,<sup>1</sup> the demands of the Antismokers for total campus bans are quite clearly extremist and unreasonable. Even the current situation on many campuses, banning all indoor smoking other than living quarters, is far more extreme than could ever really be justified on health grounds involving secondary smoke exposure.

On some campuses smoking actually has been banned in private living quarters of dormitories, although fear of lawsuits following “unintended consequences” may be hampering the spread of that particular type of ban. It’s not easy to track something so vague through Google, but several years ago, after noticing an Internet reference to a past tragedy, I did some searching and turned up two incidents that made the news back in the early 2000s. The first took place in October of 2001 and involved a University of Arkansas freshman who climbed out on a wide window ledge from his fifth floor smoke-banned dorm room for an evening smoke. After he fell to his death a University police lieutenant noted that the practice of getting around the ban by smoking on the ledges was one the school was well aware of. Radio host Neal Boortz passed off the death with the comment “This kid was climbing out

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<sup>1</sup> Recall the earlier discussion about campus smoke exposure. Walking through a crowd of smokers at a doorway every single day of the school year might produce something on the order of one extra lung cancer for every 250 million student-years of schooling. I don’t want to appear hard-hearted, but if it takes someone that long to get a degree, I think we might be better off if they went into manual labor.

on that window ledge to DO DRUGS! He was a drug addict and he died because he was a drug addict.”<sup>i</sup> The second took place about a year later, in December of 2002, and involved a Providence College sophomore who slipped off a rain-slicked roof while sneaking a late night smoke with a friend. Again, a little investigation revealed the fact that school authorities knew that students were responding to the ban in this way – and yet the ban remained in place.<sup>ii</sup>

While university officials may figure it’s not that big a deal if a few smokers miss their graduations, my guess is that the parents involved may not be so blasé about the collateral damages of school policies. I’m generally not a fan of lawsuits, but I hope that in both cases the parents in question considered what responsibility may have lain with the schools. And while I have not been able to find actual hard statistics on the matter, I believe it may well be true that dormitory bans have been soft-peddled in the years since those tragedies despite the pressures from Antismokers.

The fact that the population in question, college students, is generally both fairly well-educated and computer-literate, also works in our favor. The sound bite arguments that play so well on TV don’t pack nearly the same punch in a population that knows how to read and analyze a study, or one familiar with the wiles and tricks of debaters. College students are also likely to be more jealous of their freedoms and retain at least some memories of the potential for “the way things used to be” back on the free-spirited campuses of the 1960s and 1970s. The desire for sex and drugs and rock ‘n roll may be more constrained than it was back in those days, but it hasn’t disappeared – it’s merely gone undercover. Whether that’s an improvement or not depends upon one’s orientation, but it’s unquestionably led to a darker atmosphere on today’s campuses, one in which students are increasingly expected to inform on each other for rule violations, and one where things that would previously have been treated as only minor infractions are now seen as possible deal-breakers for a student’s future advancement and career.

However, nature abhors a vacuum, and the wild left-wing freedom organizations of past decades have now been replaced by more straight-laced, but still freedom-loving, conservative student groups with names

like Students For Liberty, Young Republicans, and Young Americans For Freedom. These organizations have become increasingly active in recent years as students have become aware of the slow trickle of their freedoms gradually dripping away. Chapters of such conservative-leaning organizations on hundreds of campuses have become well-known and respected despite many universities' historical leanings toward more liberal political positions.

Antismoking efforts on campuses depend heavily upon keeping the students of a particular campus isolated and making them feel that they are the only ones fighting against "the overwhelming trend toward smoke-free campuses." Smoke Free Campus advocates love to parade the raw number of campuses they claim have banned tobacco (currently somewhere between 700 and 1,000 in the US) while never mentioning that there are actually around 5,000 campuses in the fifty states. Even when they could only brag about 300 campuses under their control, the antismoking organizations tried to make it sound as though it represented an overwhelming majority of campuses.

Seven hundred to a thousand campuses is a respectable number, but it's a bit questionable as to how solid that number actually is. If you visit the campus newspaper websites of some of the schools that have had total campus bans in place for several years, you'll find that the letters columns and comment areas sport an uncomfortable number of complaints from students about how the bans are being ignored. There may well be 750 or more campuses with official full-campus bans... but if a ban is ignored, is it really a ban? At one university, the University of Michigan, the *Michigan Daily* ran a news story on May 8, 2013 touting the success of its ban.<sup>iii</sup> The story noted that it was on the list of the thousand "completely smoke free" universities that Americans for Nonsmokers Rights was using to convince other campuses that "Everyone is doing it!". Unfortunately, as you read the story you find out a few things that show the real meaning behind such claims. Two points that stood out for me were that there are "designated ashtrays" all around the campus for smokers, and that over a third of the student body felt smoking on campus hadn't declined *at all* since the start of the ban! Not surprisingly,

Antismokers seem to be rather loose in their definitions of “completely smoke-free campuses.” That’s how they boost the numbers to enhance the bandwagon effect.

Additionally, there have been stories of campuses, both school and hospital, that had so much trouble with total bans that they quietly backtracked without actually changing their official policy. A few secluded and totally unofficial corners where smokers can gather without a hassle are given the blind eye, or, in at least one case I read about in a comments area that I neglected to grab an iCyte image of, a campus went so far as to build a few small and inviting gazebos with comfortable seating and butt bins. According to the commenter, campus authorities just pretended that they, and the smokers using them, simply didn’t exist. Meanwhile the corners and gazebos reduce the threat of fire from hidden smoking within the buildings and reduce the number of butts that need to be cleaned up all around the campus when a full ban is officially in place but widely ignored. Meanwhile, by not officially acknowledging such accommodations the schools protect themselves from antismoking groups’ threats to warn parents of prospective students that the schools “condone and support student drug use,” while also protecting grant funding linked to official campus smoking ban status.

This last element has come into considerable importance recently on the Austin campus of the University of Texas after the Cancer Prevention and Research Institute announced it would tie future research funds to smoking bans. University administrators claimed that continuing to allow students to smoke could cost the University up to \$80 million a year in grants.<sup>iv</sup> In a similar situation at nearby Texas Tech, where they were looking at a possible loss of just \$1 million a year, their vice-president of research said, “I don't know what we want to call it. It's not legislation, it's not a mandate, it's not a federal or state requirement.”<sup>v</sup> In a posted comment on that news story, I offered the opinion that it could simply be called “blackmail.”

Of particular interest in the case of these universities in Texas is the fact that the actual grant limitations seem to apply only to buildings in which cancer research sponsored by the grants is actually occurring,

despite information to the contrary disseminated by campus administrations. Students may be getting falsely told that the campus-wide bans represent the only choice possible if the schools don't want to lose those millions of dollars. In Pennsylvania, just several years earlier, the State University system tried a similar trick with its students while pushing campus-wide bans. Supposedly responsible administrators put on long faces of resignation and regret and sadly informed students that their hands were tied in the decision to impose a total outdoor ban, because their legal consultants had informed them that the state's smoking ban mandated full bans on all state campuses.<sup>vi</sup>

In reality, the state ban, titled "The Clean *Indoor* Air Act" (emphasis added), said nothing of the kind. While most of the students at the system's fourteen campuses proceeded to cooperate in ignorance of the actual law, one campus, based in Shippensburg, engaged in some very active protests under the leadership of two determined students, Tom Wing and Allie Bitzer. They mobilized hundreds of others, spread Free Choice flyers and booklets widely, and pretty much completely overturned the efforts for a total ban on that campus.<sup>vii</sup> Unfortunately, there weren't clear paths of communication to the other state campuses and I believe most of them simply accepted the ban as being state law rather than child behavior management. That situation turned out to be somewhat temporary though, as you'll see in a few paragraphs.

In both the above situations, Texas and Pennsylvania, college administrations tried to force their smoking bans on the student body by passing the buck – basically using the Nuremberg Defense popularized after World War Two when Nazi officers and scientists claimed that they should not be blamed for their actions because they were "simply following orders." That defense didn't hold up for the war criminals and it most certainly shouldn't hold up for university administrators who should be setting good examples for their students – particularly when such "orders" didn't even exist!

What's needed at this point is for a nationwide group like Students For Liberty to take an official stand supporting reasonable campus accommodations for smoking students while also pushing for college

course modules to honestly examine the issue of smoking bans from both health and social perspectives. A large national organization that would help establish communication on this issue among groups at different campuses through a well-organized website could go a long way toward balancing the millions of dollars poured into organizations like Smoke Free Campuses. An organized national face of resistance could also go a long way toward countering pressures from funding organizations controlled by advocates who use scientific grants as bludgeons to force conformity rather than as honest tools to support needed research efforts.

A final, and somewhat different, approach to fighting campus bans was demonstrated rather strongly during that battle for Pennsylvania State University. While Shippensburg seemed to be the only campus to successfully organize its students, another force reared its head elsewhere. Unions have collective bargaining agreements that often require renegotiations if a significant change is to be made in workplace requirements or conditions. In absence of a state law, a university requirement that workers have to go off campus to smoke most certainly counts as “a significant change,” in their contractual agreements and Pennsylvania’s campus workers raised a strong and largely successful objection to the full campus bans. In the fight for the open air at the universities, Free Choice activists should make sure they establish communication with campus workers as well as campus students.

Campuses represent a unique opportunity for Free Choice advocates to reach out to larger numbers of receptive ears. They combine two vital elements mentioned previously. First, the scientific grounds for such outdoor bans is laughably weak, and second, the student population is uniquely designed to be open to and capable of critically examining the facts and arguments on both sides of the debate. That combination, an easily exposed lie, and an educated population open to listening fairly to the arguments on both sides of the issue, is a winning game for Free Choice. Antismoking forces have stretched a lot of truths very thinly in their recent drive to proclaim control over a thousand university campuses by September of 2013. They may very well find that they have rashly overextended themselves.

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<sup>i</sup> Boortz N. "Cowardly Islamic Warriors," *Newsmax.com*, October 24, 2001.

<sup>ii</sup> [http://www.traditionalroofing.com/TR8\\_bits.html](http://www.traditionalroofing.com/TR8_bits.html).

<sup>iii</sup> <http://michigandaily.com/article/smoking-ban-shows-success>.

<sup>iv</sup> Hamilton R. "UT Austin Bans Smoking On Campus," *kvia.com*, April 11, 2012. <http://www.kvia.com/news/UT-Austin-Bans-Smoking-On-Campus-/391068/15242966/-/mk718mz/-/index.html>.

<sup>v</sup> Hamilton R. "With Billions in Grant Money, Leverage to Curb Smoking," *New York Times*, February 18, 2012. <http://www.nytimes.com/2012/02/19/health/texas-cancer-institute-uses-might-to-curb-campus-smoking.html>.

<sup>vi</sup> Luff R. "Smoking banned on campus of Shippensburg University—indoors and out," *Public Opinion*. [http://www.publicopiniononline.com/ci\\_10474147](http://www.publicopiniononline.com/ci_10474147).

<sup>vii</sup> Heberlig D. "Shippensburg University students react to smoking ban," *The Sentinel* (Shippensburg, PA), September 19, 2008. [http://cumberlink.com/news/local/shippensburg-university-students-react-to-smoking-ban/article\\_10a39454-444f-5acd-a255-020cbc02ca69.html](http://cumberlink.com/news/local/shippensburg-university-students-react-to-smoking-ban/article_10a39454-444f-5acd-a255-020cbc02ca69.html).