

'The Anti-Smoking Movement'

Presented to the TICAP conference, Brussels, 26 January 2009

Good afternoon. I'm here today to talk about the modern anti-smoking movement. Specifically I'm going to talk about the sordid subject of money and how a fairly innocuous campaign dedicated to achieving non-smoking sections evolved into an extraordinarily wealthy enterprise that is dedicated to the extinction of tobacco.

There are virtually no volunteers in today's tobacco control movement and yet it continues to have the appearance of a grass-roots campaign. It has the appearance of being run by volunteers. It has the appearance of being funded by the generosity of the public. And this works in its favour. People are naturally more inclined to support a voluntary group or a charity than they are to support politicians or to support an industry.

But in reality the funding comes from the state, from 'charities' and from the pharmaceutical industry. And these sources of funding are so closely intertwined that sometimes it is difficult to see where one ends and another begins. The pharmaceutical industry funds the charities. The charities are often set up and financed by the government. The government is then lobbied by the charities.

None of this need be an issue. I don't begrudge anyone making a living and I don't have a problem with charities paying the people who work for them. And if you don't like it, then don't give to the charity. The problem comes when you don't have any choice in whether you give to the charity because you are forced to fund it through your taxes. The problem comes when you arrive in the bizarre situation of having government-funded charities using tax money to lobby for something the government has already decided it wants to do. And the problem comes when the makers of pharmaceutical nicotine products are giving millions of dollars to groups whose primary aim is to put the makers of traditional nicotine products out of business.

It might be rather late in the afternoon for a history lesson but I need to tell you that once upon a time there was a genuine grass-roots anti-smoking movement. In fact, anti-smoking groups have popped up throughout history, usually run by small bands of volunteers operating on show-string budgets.

There was a plethora of them in the late 19th and early 20th century. These were the placard-waving, letter-writing, church-hall meeting kind of groups. They disappeared completely after the Second World War and only began to reappear at the beginning of the '70s. The most prominent of them was called GASP - the Group Against Smoking Pollution - and they were quite typical of the placard-wavers that had come before them. GASP was founded by a housewife and environmentalist called Clara Gouin in the state of Maryland. She set up the society with a few friends from her local church and charged a \$1 a year membership fee. GASP started out by campaigning locally for nonsmoking sections in public places and, to that end, made badges, printed posters, wrote letters, petitioned politicians and published pamphlets.

New branches of GASP sprang up under like-minded individuals in the 70s, first on the West Coast, then on the East Coast and then throughout America and Canada. GASP had a big voice but it was still a small organisation. Even by the late 1980s, a senior member of GASP was advising anyone who was planning to form their own anti-smoking group: "Don't expect crowds at your meetings. Expect maybe five to ten people at most."

But two things happened in the late 20th century that transformed the make-up and the fortunes of the emerging anti-smoking movement. Firstly, they began to receive very large amounts of money from the state. Secondly, they began to receive money from pharmaceutical companies. The result of this was that a small-scale nonsmokers' rights movement developed into a large-

scale tobacco control movement.

The change began - as it so often did - in California. In 1988, a campaign led by Americans for Nonsmokers Rights and GASP resulted in the passage of Proposition 99. This bumped up the tax on a pack of cigarettes but its real achievement was to secure a commitment from the state's politicians that 20% of the money raised would be funnelled towards anti-smoking projects.

Prop 99 created an almost bottomless pit of money - some \$500 million a year - for Californian anti-smoking organisations, and long-serving, unpaid activists were well placed to take up full-time jobs in tobacco control or receive lucrative commissions for tobacco research.

The same thing happened on a much, much bigger scale ten years later when the American tobacco industry settled with the US government resulting in a Master Settlement Agreement worth \$246 billion. This deal turned the financial affairs of the anti-smoking movement upside down. New anti-smoking organisations were created all over the country, millions became available in grants for researchers to study every aspect of tobacco control and the anti-smoking movement was presented with more money than it knew what to do with. But it didn't stop there.

The rags to riches story was completed when the makers of nicotine-based pharmaceuticals began to get involved. The nicotine patch had been developed in the early 1980s and first appeared in commercial form as Nicotrol, manufactured by Pfizer and marketed by Johnson & Johnson.

The founder of Johnson & Johnson was General Robert Johnson. He died in 1968 leaving a legacy of \$1.2 billion to be used for good causes through the aegis of the Robert Wood Johnson Foundation. To this day, the foundation receives the lion's share of its income from Johnson & Johnson. It currently owns around 40 million shares in J & J with a value of over \$3 billion.

What is good for Johnson & Johnson is good for the Johnson foundation and vice versa. And what could be better for a seller of nicotine drugs than smoking bans, the demonisation of the tobacco industry and higher cigarette prices?

In 1991, the US government approved the sale of nicotine patches on prescription and it was in that year that the Johnson foundation began funding anti-smoking projects. Since then it has given \$450 million to anti-smoking projects including \$84 million to the Centre for Tobacco-Free Kids, \$10 million towards a campaign to raise the price of cigarettes and \$99 million to the Smokeless States initiative.

The only other suppliers of so-called "nicotine replacement drugs", are Pfizer and GlaxoSmithKline. While the Robert Wood Johnson Foundation's activities are largely confined to the United States, Glaxo and Pfizer are more focused on making tobacco control a truly international affair. By the end of the 1990s, both Glaxo and Pfizer were fully paid-up members of the World Health Organisation's Tobacco Free Initiative. The two companies helped finance the Smokefree Europe conference and they part-funded the Institute for Global Tobacco Control. In the UK, they fund the Roy Castle Foundation. When the 11th World Conference on Tobacco came to Chicago in 2000, the Johnson foundation paid \$4 million to be one of the hosts and Glaxo was a patron of the event. The Pfizer foundation has recently donated \$33 million to an assortment of anti-smoking groups including the newly formed ASH International.

It goes on and on, and it doesn't take a genius to work out what their motivation is for this extraordinary generosity. Already by 1999, Nicorette and Nicoderm were selling to the tune of \$570 million a year. By 2007, *Chantix* alone was making \$883 million. These sums, enormous though they are, will seem like peanuts if the rest of the world brings in the kind of anti-smoking policies seen in America and Europe.

If you are cynical, you might say that the interests of professional anti-smoking advocates and pharmaceutical companies would not be best served by prohibition. Prohibition would put the anti-smokers out of a job and, after a few years, there would be no need for the nicotine patches and gums that are meant to help people stop smoking.

And if you are very cynical, you might say that the best-case scenario for both groups would be one in which the nicotine has been removed from cigarettes entirely, leaving the pharmaceutical industry as the only legal seller of the drug. This would leave people free to smoke but they'd have to buy the pharmaceuticals if they wanted the nicotine.

Remarkably, this is exactly the scenario put forth by the tobacco control movement. In 2005, the flagship *Tobacco Control* journal published an article called "Toward a comprehensive long term nicotine policy". This was a rare example of the movement spelling out its ultimate goal. In the short term, the authors said,

"The immediate need is to capture all nicotine into a regulatory system."

This would allow the government to reduce nicotine levels in cigarettes, ultimately to zero, and this is exactly what the Centre for Tobacco-Free Kids are currently demanding of the US government. The authors then go on to say that pharmaceutical nicotine should be available at "reduced prices" and in "more outlets, including vending machines". At the same time "tobacco availability should become progressively less easy" until pharmaceutical nicotine replaces tobacco as "the dominant source of the drug". They go on:

"The ready availability of clean nicotine would also allow addicted smokers who do not obtain adequate nicotine from their reduced nicotine cigarettes to supplement their nicotine intake."

Such a policy would leave pharmaceutical giants as the sole legal purveyors of nicotine. Smokers could still purchase cigarettes and could still damage their health. Smokers could continue to fund the tobacco control industry through cigarette taxes while lining the pockets of the pharmaceutical industry.

By the way, I should tell you what the long-term goal is. You won't be surprised. It is, of course:

"the virtual elimination of tobacco use as it is presently known."

That's what the tobacco control enterprise and the pharmaceutical industry hope to be able to achieve together and they certainly have the cash with which to fight for it. So where does this embarrassment of riches leave the grass-roots anti-smoking groups? The answer is that they barely exist at all. The tobacco control movement continues to portray itself as a David fighting a Goliath but if that was ever a true analogy it certainly is not the case today.

At one time, in the 1980s, the tobacco industry would create front groups to campaign against anti-smoking proposals. Creating fake grass-roots groups is known as astro-turfing and it has now been adopted as standard practice by the anti-smoking movement. For example, when a bill to ban smoking in public places was put before the electorate in Texas it was the American Cancer Society that resorted to manufacturing not one but two so-called 'grass-roots groups' to masquerade as the "voice of the people".

In Britain, regional anti-smoking groups like D-MYST and SmokeFree Action are entirely funded by the Department of Health. England's branch of ASH was *created* by the government and it currently derives less than 3% of its funding from voluntary donations. It has no volunteers. Nor does ASH Scotland or ASH Wales, both of whom are overwhelmingly funded by the state, with additional funds coming from the Pfizer Foundation.

Those old activists of the 70s are certainly not impoverished any more. The British version of GASP is no longer even a charity. It has long-since become a limited company and it now makes its money selling 'No Smoking' signs and other smoke-free paraphernalia. James Repace has long-since left the EPA and now does very well as a self-employed 'secondhand smoke consultant'. Both he and Stanton Glantz have personally been given \$300,000 as winners of the Robert Wood Johnson Foundation's Innovators Awards. Simon Chapman, who was a prominent member of the 70s activist group BUGA-UP, is now the editor of *Tobacco Control* magazine. John Banzhaf continues to draw a \$200,000 salary as the director of ASH when he isn't suing restaurants for making people fat.

While the anti-smoking movement is awash with money, most of the groups that oppose them - and that includes many of the groups here today - do not receive a penny from the tobacco industry and never have. The simple truth is that the only volunteers involved in the battle over smoking today are those in the smokers' rights movement. Yes, it's a David and Goliath struggle but it's not the anti-smokers who are holding the sling and the stones.

In closing, I should say that I am not talking about the funding of the anti-smoking movement because I believe that a cause is any more noble just because it is staffed with unpaid volunteers, or because I believe that corporations should be forbidden from funding research or delving into politics. I mention all this only to highlight the fact there is a fundamental dishonesty about the way the anti-smoking movement operates in 2009. It is ironic that tobacco control campaigners are using the tactics that their archenemies in the tobacco industry used so effectively in the past. Today it is the anti-smokers who are manufacturing the front groups. It is they who are perverting statistics and twisting science for their own ends. And it is they, not the people in this room, who are receiving hundreds of millions of dollars from one of the world's most powerful industries.

The funding is important because it doesn't just get spent on lobbying. It gets spent on research. Research that shows that smoking bans do not hurt businesses. Research that shows that smoking bans slash heart attack rates. Research that shows that third-hand smoke is deadly. This research arguably has more effect on the political process than the lobbying does.

In an ideal world, all scientific research would be funded by utterly impartial organisations which had no interest in anything but the truth. Of course, we understand that that is never the case. We accept that if a company, a government or a pressure group is going to fund research, it is because they have a financial or ideological reason to do so.

I am not suggesting that the makers of alternative nicotine products should be barred from funding research. I am not in favour of preventing the tobacco industry from funding research for that matter. I am not in favour of barring *any* industry - or any *government* - from funding anything so long as it is done in an open manner.

And it is this lack of openness that concerns me, both in the way the science is conducted and in the way the campaign for anti-smoking legislation is conducted. The use of front groups, the lack of accountability, the endemic misuse of statistics: these are all now firmly rooted in the movement and I would like to offer just two small suggestions as to how a little honesty could be injected.

Firstly, the medical journals and the mainstream media should face the fact that the Robert Wood Johnson Foundation owns tens of millions of shares in one of the world's biggest producers of alternative nicotine, and that this constitutes a clear conflict

of interest when it funds groups whose activities are likely to lead to more use of its products. Similarly, the funding of anti-tobacco projects by Pfizer and Glaxo should be treated with the same scepticism as they would treat funding from Philip Morris or British American Tobacco. I say this not with a view to banning these companies from being involved, but with a view to making the scientific and political process more open.

My second suggestion is that governments simply stop funding charities. The best charities do not require state funding and for governments to set up and finance bogus charities in an attempt to manufacture a consensus degrades the very notion of charity. Any charity that accepts state funding is bound to be compromised by it and any charity set up by the state is little more than another branch of government. The whole point of charity is that it is voluntary. It should not require the input of government at all. If the state stopped funding these anti-smoking charities, people would still be free to donate to them and if, as tobacco control advocates insist, they are popular, they would surely prosper. The state, meanwhile, would remain free to carry out national anti-smoking campaigns, it would just use its own departments and committees to do so. It need not necessarily change very much, but - again - there would be an element of openness and honesty.

Because the threat is very real and the events of last Friday gave us a prime example of what happens when power is concentrated in the hands of so few people. The SmokeFree Partnership, who lobbied to have this conference banned, is as unaccountable a charity as can be imagined and governments do not get any bigger than the EU. Last Friday government and so-called charity joined forces.

That the EU is financially corrupt is a matter of public record. Its behaviour last week reminded us that it is also morally corrupt; it is fundamentally undemocratic; it is instinctively opposed to free speech; it is scared by even the hint of an open debate. What I've tried to illustrate today is that the anti-smoking movement is run by well paid bureaucrats, politicians, lobbyists and ideological extremists. Not only have they lost touch with real people, but they believe themselves to be untouchable. They can do whatever they please. They are accountable to no one but themselves. If you were ever in any doubt about that then the fact that you are sitting here and not down the road should put that beyond question.

Thank you.