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To Allow Theater Smoking is Illegal and Unhealthy

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VIEWPOINTS

GUEST OPINION

To allow theater smoking is illegal and unhealthy

Because those who wrote letters about smoking at the UI theater believe they are dealing with "one man's silly complaint" (July 14), it is necessary to explain the legal background to this dispute. For some years now the Iowa Legislature has prohibited smoking in public places including (by name) theaters, (Iowa Code sect. 142B). Although the code permits smoking areas to be designated, such a designation is impossible at the UI because its own operations manual prohibits smoking "in all buildings and vehicles owned or leased by the University of Iowa, regardless of location." (Section V.35.5.) On Oct. 20, 1999, the Iowa City fire marshall informed Ann Rhodes, the UI vice president for University Relations, that a complaint had been lodged about smoking on-stage at the theater and that to his knowledge, smoking areas had not been designated at the theater in accordance with state law.

Rhodes's response was to forward the letter to Alan MacVey, the chairman of the theater department, and Provost Jon Whitmore. MacVey replied by asserting his academic and artistic freedom to produce plays that

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offend audiences with "profanity, nudity, political points of view and smoking." Although MacVey may be free to offend audiences ideologically, his free-speech rights do not privilege him to commit otherwise illegal acts that in addition harm people physiologically. MacVey fails to understand the difference between staging a play that praises smoking and actually smoking on stage. Whitmore's response was to boast about how he, as an actor, had once been required to smoke 10 cigarettes each performance and that he had "just about died." In secret and without any participation or knowledge by the thousands of people who would be affected by it, a cabal of five people — Rhodes, Whitmore, MacVey, Richard Gibson, the associate vice president for the Facilities Services

Group, and his subordinate Allen Stroh — within a period of a few days undertook the first subversion of the campus-wide ban smoking ban by adding to the Operations Manual the amendment: "Facilities may be posted 'smoking permitted' to accommodate bona fide artistic performances, when smoking is an integral part of the work." The UI's own rules for revising the Operations Manual require approval by the general counsel and the president and "a copy of a letter from the president to the vice president for University Relations transmitting the policy for inclusion in the OM (to be received by the OM editor)." Nevertheless, in violation of these rules, Gerhild Krapf Greenhoe, the editor, has stated that she made the change on instructions from Rhodes without any letter of approval from the president. The amendment is therefore invalid, and smoking at the UI theater remains, as it has been, unlawful.

Smoking is the single most easily avoidable cause of death and shortened life in the United States. The UI theater is owned by a state government that successfully sued tobacco companies

for having destroyed the health of thousands of Iowa residents. The purpose of the UI campus-wide smoking ban is to protect all non-smokers from second-hand smoke. People like MacVey and Whitmore who are inspired by a macho the-show-must-go-on attitude regardless of the health effects on themselves are incompetent to make a decision as to whether carcinogens should be discharged at captive audiences (in a theater in which on-stage smoking immediately blankets the entire audience area). Because studies show that people who do not start smoking by the age of 22 are very unlikely ever to smoke, the UI has an obligation to persuade undergraduates not to begin smoking — especially in light of the skyrocketing proportion (now more than 40 percent) of female college students smoking at the UI. One method of persuasion is maintaining the campus-wide ban.