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OPINION PIECE

Why government must lift the ban on tobacco sales – University of Pretoria experts weigh in

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On 15 April 2020, a shopkeeper in Kalbaskraal, Malmesbury was stabbed to death for refusing to sell cigarettes. Tobacco is addictive, and nicotine withdrawal can cause severe cravings, irritability and anxiety. Amid the heavy burden of gender-based violence, and with men forming the bulk of smokers, women and children may well bear the brunt of mood swings and withdrawal outbursts.

Despite several calls by smokers and the legal tobacco industry, on 29 April, government confirmed its uncompromising stance on the ban. Strangely, this announcement follows only six days after President Cyril Ramaphosa declared that government planned to lift the tobacco ban as South Africa enters Level 4 of lockdown on 1 May. Unsurprisingly, there was a collective sigh of relief among smokers at the time, only for that to turn to disgust and outrage on social media late Wednesday evening over the authorities' about-turn.

Despite wide support for the nationwide lockdown, the tobacco ban has pitched South Africa's estimated 7 million smokers firmly against government, thus shedding light on the social contract between smokers and the state. Government missed a golden opportunity to garner support and goodwill from the millions of smokers. South Africa has one of the strictest tobacco laws worldwide, and smokers in general comply with this legislation. It is not against the law to smoke; however, buying illicit tobacco products is. It is estimated that the illegal tobacco industry contributes to government losses of R7 billion a year.

During the lockdown ban on the sale of legal tobacco products, the fiscus is losing about R35 million a day in tax revenue, which amounts to R1.2 billion over the initial five-week ban. Uncertainty about the length of Level 4 lockdown restrictions makes it impossible to calculate further losses – this income is a permanent loss that can never be recovered. Admittedly, the aforementioned figures amount to fractions of the country's income, yet every single rand counts in our fight against the COVID-19 pandemic, considering the fact that our cash-strapped government plans to borrow almost R400 billion from various international lenders to foot the bill of the coronavirus response.

Strain theories are useful in making sense of smokers' current behaviour. While everyone experiences objective strain in the form of the lockdown, subjective strains refer to stressors that impact us at a deeply personal level. This may include the lack of personal contact with friends and family, walking the dog, jogging or consuming takeaway food. Furthermore, when something that one values as positive is removed and replaced by something negative, the situation increases stress. Government's refusal to entertain the pleas of smokers to purchase legal tobacco and the accompanying whimsical restrictions of what amounts to an extended lockdown add to smokers' stress, with withdrawal symptoms compounding an already vexing situation. Prolonged stress leads to frustration which eventually turns into anger. These emotions are intensified when a sanction is seen as unjustified, when one has little control over the situation and when there are few checks and balances to prevent criminal behaviour.

The magnitude of strain increases exponentially, and it is unsurprising that the tobacco ban has been described as nonsensical, spiteful and downright mean. The interpretation of the source of strain – namely, government – is what amplifies feelings of resentment. Smokers' anger towards government is fuelled by public perception of years of corruption and mismanagement, so they easily find reasons to justify breaking laws that they have complied to before.

In order to navigate through their subjective stress and anger, smokers are left with very few options. Either ration current stock, quit smoking or source tobacco illegally. The facts are that most smokers have run out of the stock they bought for the initial three-week lockdown and the difficulty of quitting the habit is well documented. The result is that smokers have turned to the illicit tobacco trade, thus feeding organised crime. Illegal sourcing of tobacco is a form of adaptation to government's relentless stance on tobacco sales.

Most people conform to the norms, values and laws of government. Individuals who attain their goals through illegal means are called 'innovators' because they find alternative ways to get what they want. Presently, smokers who have largely been conformers to tobacco legislation are becoming innovators to source cigarettes. Anecdotal evidence points to much 'innovation' to purchase tobacco. Strategies vary, from approaching petrol station attendants, homeless people and unsavoury characters in rundown areas to making use of social media platforms and drones to receive deliveries.

Much like the legal market, the parallel criminal economy functions on the principles of supply and demand, and with the high demand for tobacco, prices have skyrocketed. Depending on the geographic area, a carton of illicit cigarettes sold for as little as R200 during the first phase of lockdown, with prices substantially higher for legal ones (R1000 or more). Before lockdown, these products sold for about R80 and R400 respectively. Predictably, following government renegeing on its undertaking to lift the ban, prices will balloon even more. While the manifest consequence for the smoker is unlawfully purchasing an illegal product, the latent consequence for the South African economy is far more devastating. What government further seems to ignore is that, although smoking is harmful to one's health, illegal tobacco is manufactured without any quality control measures, which further heightens the health risks of smoking.

The solution to the problem is clear: government must lift the ban on tobacco sales. Most smokers are all too familiar with the health hazards of smoking and they should shoulder whatever health consequences come their way. If government's intention with the tobacco ban was to reduce the number of smokers in South Africa and/or ameliorate the negative consequences when smokers fall prey to the ravages of COVID-19, the aspiration clearly failed. Smokers continue to source tobacco products because they were pushed into the welcoming arms of the country's organised crime industry. Both smokers and government are now picking the fruit of a poisoned tree.

With some politicians and high-ranking officials having been linked to the illegal tobacco industry – without any investigation or prosecution thus far – perhaps the pertinent question to ask is: who is really lining their pockets with the current tobacco ban?

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Spread over seven campuses, it has nine faculties and a business school, the Gordon Institute of Business Science (GIBS). It is the only university in the country that has a Faculty of Veterinary Science which is ranked top in Africa, and overall has 120 academic departments, as well as 92 centres and institutes, accommodating more than 55 000 students and offering about 1 100 study programmes.

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