

Air Pollution: The Role and Limits of Consent

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Since Socrates, philosophers have asked if virtue can be taught. Controversy is now brewing over whether public schools should be in the business of trying to teach it p. 11

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A top-forty singer croons to his girl friend: “All I need is the air that I breathe and to love you.” Like love, air is an essential human good: wherever we go and whatever else we do or care about in life, we all must breathe. And like love, air is found everywhere: in a dimly lit bar, on a stroll in the park, on the factory assembly line, in the office copy-machine line, in cities, suburbs, farms, wilderness.

But, along with love and air, air pollution, too, turns up in all these places. In bars and restaurants, at work and at home, nonsmokers inhale what nearby smokers exhale: one cancer epidemiologist warns that breathing other people’s cigarette smoke may bring early death to as many as 2,000 nonsmoking Americans every year. Airborne contaminants in the workplace (offices as well as factories) are responsible for the largest share of the 100,000 to 200,000 occupational disease fatalities in the United States every year. Even otherwise pristine wilderness is not untouched: the Office of Technology Assessment has estimated that “acid rain” currently threatens 9,500 lakes and 60,000 miles of streams. Some 50,000 deaths annually in the United States and Canada may be attributable to the effects of outdoor air pollution.

What moral judgment can we pass on air pollution in these different cases? On one common and persuasive moral view, it is simply wrong to cause a serious harm to another person without his consent, whatever the benefits — to you, to society generally, even to that person — of so doing. To cause disease or death, or