Today, it is well known that smoking is very unhealthy as it causes many diseases for both the smoker and the people who inhale the secondhand smoke. In addition to being a leading cause of lung cancer, smoking causes cancers of the mouth, pharynx, larynx, esophagus, and bladder, and contributes to the development of cancers of the pancreas, cervix, kidney, and stomach. Smoking is also a major cause of heart disease, aneurysms, bronchitis, emphysema, and stroke [1]. Smoking greatly reduces life expectancy. According to a study from the Centers for Disease Control and Prevention, smoking shortens male smokers' lives by 13.2 years and female smokers' lives by 14.5 years [2]. Secondhand smoke causes major damage to health including about 3,000 lung cancer deaths and about 35,000 deaths from heart disease each year in healthy non-smokers living with smokers. It can also affect non-smokers by causing asthma and other respiratory problems, eye irritation, headaches, nausea, and dizziness [1].

It is a positive Biblical commandment (Devarim 4:9) to guard one's life. The Rambam, in Hilchos Rotzeach U'Shemiras HaNefesh (11:5), listed many activities prohibited because they are dangerous. Based on this command to guard one's life and the medical knowledge available today about the health risks of smoking, it would seem to be assur, prohibited, to smoke. A heter, allowance, used by some Rabbis to permit smoking is based upon a verse in Tehillim (116:6), “Shomer Pesayim Hashem,” meaning that God protects the foolish. There are many instances in which Chazal used this idea to permit an activity that involves a possible life threatening danger if society views the risk level of the activity as negligible. Rav Moshe Feinstein, in a 1963 teshuva, wrote that while there is a concern that one may become ill from smoking and it is appropriate to refrain from doing so, it is not assur because many people engage in this behavior and “Shomer Pesayim Hashem” applies. In a later teshuva in 1981, Rav Moshe Feinstein noted that one cannot smoke in a Beis Midrash or other public place where people might object. This is because even if it is not dangerous but just uncomfortable for the people around the smoker, it is considered halachically as if the smoker has damaged the people around him and is liable for those damages [4]. Rav Moshe Shternbuch, in Teshuvos VeHanahagos, wrote that even if a person wants to rely on “Shomer Pesayim Hashem” himself, he cannot do so in a public place, such as in a Beis Midrash, because he cannot impose the leniency of “Shomer Pesayim Hashem” upon others.

While many people rely on Rav Moshe Feinstein’s teshuva to permit smoking on the basis of “Shomer Pesayim Hashem,” one cannot do so because many other poskim prohibited smoking, especially in light of the increased knowledge and awareness of the health risks involved. Later teshuvos by many gedolim, including Rav Eliezer Waldenberg, Rav Avigdor Nevezral, and Rav Shlomo Wolbe, all noted that the heter of “Shomer Pesayim Hashem” is no longer applicable because of all the new medical information on the health risks of smoking and thus smoking is assur [5, 6, 7]. Rav Waldenberg noted that not only is it assur for a person to smoke but that others have a responsibility to stop him because he is hurting himself [5].

Many other contemporary gedolim have also warned about the dangers of smoking and concluded that it is assur nowadays. These gedolim include Rav Shlomo Zalman Auerbach (Minchas Shlomo 2:58:6), Rav Yaakov Kaminetzky (Reb Yaakov, 240), Rav Chaim Kanievski (Sheiras Rav, p. 92), Rav Moshe Shternbuch (Teshuvos VeHanahagos 3:354), and Rav Shmuel Wisner (Shevet HaLevi 10:295) [8]. Rav Waldenberg also brought the Chofetz Chaim (Likutei Amarim ch.13) who wrote in the early 1900s that people should not smoke because doctors had already acknowledged health risks with smoking. The Chofetz Chaim also presented other reasons why one should not smoke, including that it leads to Bitul Torah, to Lashon Harah, and that it is a waste of time and money [5]. The Chazon Ish, in his Kovetz Igros, wrote that smoking will cause one to forget his Torah.

While it is clear that smoking is not permissible, there seems to be some leniency for allowing someone who is already addicted to smoking to continue smoking. Rav Waldenberg said that the only heter for those addicted to smoking to continue is if it would cause them more short-term damage to quit than the long-term damage they would get from smoking. He noted that there is no heter for a non-smoker to start smoking and that a smoker not suffering severe with-
drawal symptoms, which would equal the long-term damage of smoking, also must stop smoking [5].

From a halachic standpoint, it is clear that today it is prohibited to smoke in public or even in private. One certainly may not start smoking, and according to many poskim, one who does smoke should try to quit. The gedolim have made it clear that it is a danger to health and that one cannot rely on the heter of “Shomer Pesayim Hashem” to smoke. ■

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