

# POLICY DYSTOPIA: ANALYSING GOVERNMENT DISCOURSE IN DEFENCE OF SOUTH AFRICA'S TOBACCO CONTROL BILL DURING A PUBLIC ENGAGEMENT EXERCISE.

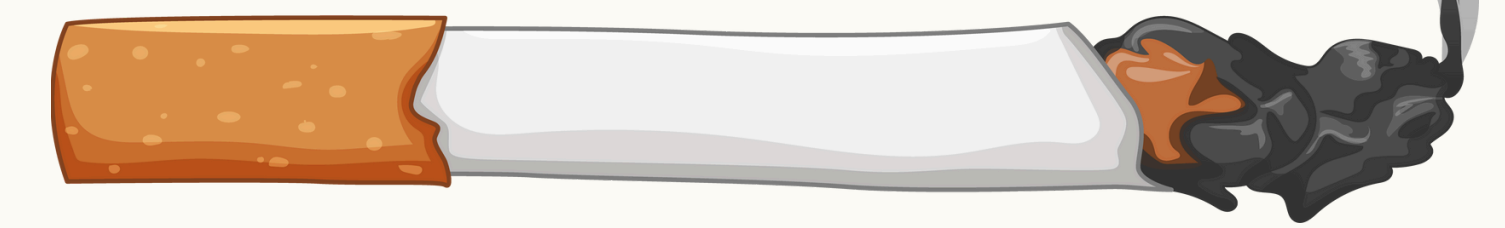
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## Affiliations

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- **What is NEDLAC?** South Africa's tripartite forum where the Bill was negotiated. This study analyses the official NEDLAC report of those negotiations.
- **What is the Policy Dystopia Model?** A framework for mapping industry "dystopian" narratives and tactics. We use it to classify government counter-arguments against known interference patterns.



## 01 Introduction

- **Persistent barrier:** Tobacco industry interference undermines public health policy, especially in LMICs.
- **Key tactic:** Distorting the intent and content of tobacco control measures.
- **South Africa case:** The Tobacco Products and Electronic Delivery Systems Control Bill prompted strong opposition from the industry and its allies.
- **Analytic focus:** Examining government responses to these dystopian narratives.
- **Value:** Insights to strengthen public awareness and policy buy-in, helping shield policymaking from commercial influence.

## 02 Aim

This study used the policy dystopia theoretical model to examine how the South African government countered arguments put forward by the tobacco and e-cigarette industry represented by the business "social partner" during the recently concluded NEDLAC (National Economic Development and Labour Council) negotiations on the proposed legislation.

## 03 Methods

A qualitative document analysis was conducted, focusing on the NEDLAC report, the tobacco control bill, and the World Health Organization Framework Convention on Tobacco Control (WHO FCTC). The analysis mapped the domains of industry concern and the government's corresponding responses.

## 04 Results

- **Economic impact:** Reduced tobacco spending shifts to other sectors, mitigating job losses.
- **Job losses:** claims are overstated; mechanisation, not regulation, drives employment trends.
- **Tax:** falls under National Treasury, not the Bill's scope.
- **Illicit trade/enforcement:** Standardised packaging improves detection of illicit products.
- **Legal authority:** Supreme Court ruling and FCTC obligations affirm government powers on packaging.
- **"Nanny state" claim:** Widespread voluntary smoke-free policies now formalised by the Bill.
- **Smoker fairness & public health:** High compliance and the need to eliminate second-hand smoke address concerns about "punishment."
- **Child protection:** Bill prohibits "characterising flavours" that appeal particularly to the youth
- **Bottom line:** Data and precedent across economic, legal, enforcement, and social domains neutralised industry opposition.

## 05 Discussion

Government discourse at NEDLAC systematically neutralised industry claims: on jobs, tax, illicit trade, legality, and "nanny state" fears - using economic substitution evidence, coordinated enforcement plans, Supreme Court and FCTC precedents. Public-health benefits and child protection were foregrounded; harm-reduction rhetoric was challenged. Overall, the Bill's viability and Article 5.3 alignment were reinforced.

## 06 Conclusion

The government's rebuttals - grounded in economic data, enhanced enforcement measures, legal precedent, and existing smoke-free norms - demonstrate the Bill's viability in practice, shielding policy from commercial interference. This evidence-based approach offers a practical template for other countries aiming to strengthen tobacco control and curb corporate influence.

### References:

1. NEDLAC. NEDLAC REPORT ON THE TOBACCO PRODUCTS AND ELECTRONIC DELIVERY SYSTEMS CONTROL BILL. 2025.
2. Ulucanlar, S., Fooks, G. J., & Gilmore, A. B. (2016). The Policy Dystopia Model: An Interpretive analysis of tobacco industry political activity. *PLoS Medicine*, 13(9), e1002125. <https://doi.org/10.1371/journal.pmed.1002125>
3. World Health Organization. (2003). WHO Framework Convention on Tobacco Control. <https://iris.who.int/bitstream/handle/10665/42811/9241591013.pdf?sequence=1>