

'25

前期日程

# 小論文

(医学部医学科)

## 注 意 事 項

1. 試験開始の合図があるまで、この問題冊子を開いてはいけません。
2. 問題冊子は1冊(11頁)、解答用紙は3枚、下書用紙は3枚です。落丁、乱丁、印刷不鮮明の箇所等があった場合には申し出てください。
3. 氏名と受験番号は解答用紙の所定の欄に記入してください。
4. 解答は指定の解答用紙に記入してください。
  - (1) 文字はわかりやすく、横書きで、はっきり記入してください。
  - (2) 解答の字数に制限がある場合には、それを守ってください。句読点や括弧も1字として数えます。段落を変える際に解答用紙にできる空欄は文字数に含みません。この場合、字数制限を守れば解答欄の枠をはみ出ることを可とします。
  - (3) 英数字を使用する場合は、2文字で1字とカウントしてください。ただし、「abc」や「1,000」など奇数個の文字が並ぶ場合には、最後の1文字を1字とカウントしてください。
5. 解答用紙は持ち帰ってはいけません。
6. 問題冊子と下書用紙は持ち帰ってください。

( 余 白 )

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以下の文章は、米国におけるたばこ販売の段階的廃止について論じた文章の一部である。

これを読んで、問 1 - 4 に日本語で解答しなさい。\*のついた語句には各ページ下枠内に注釈があります。

### **Toward a Tobacco-free Generation — A Birth Date-Based Phaseout\* Approach**

Despite decades of public health efforts and advances in cessation\* treatments, smoking is still the leading cause of preventable disease, disability, and death in the United States.

Smoking kills more people in this country than HIV, drug overdoses, alcohol use, motor vehicle crashes, and firearm-related injuries combined. Governments worldwide have tried to reduce tobacco use. In a development that could signal a new direction for tobacco regulation, one U.S. town's policy aimed at creating a tobacco-free generation has successfully withstood\* legal challenge.

The bylaw\*, passed by Brookline, Massachusetts, gradually phases out commercial tobacco by banning the sale of nicotine\* products to anyone born on or after January 1, 2000 (one of us cosponsored the bylaw). Eventually, no one will be old enough to purchase nicotine products. Tobacco retailers\* sued Brookline over the bylaw. A unanimous\* March 2024 Massachusetts Supreme Judicial Court decision upholding the tobacco free generation (TFG) bylaw may now boost its viability as a model for other local and state governments. In response to the ruling, health boards\* in three other Massachusetts towns

phaseout: 段階的廃止	nicotine: ニコチン
cessation: 中止、中断、停止	retailer: 小売商人
withstand: 抵抗する、逆らう、耐える	unanimous: 満場一致
bylaw: 条例	health board: 保健局

(Melrose, Stoneham, and Wakefield) voted to implement birth date-based phaseouts, and other municipalities\* have taken initial steps toward adopting this policy.

The concept of a birth date-based phaseout of commercial tobacco has drawn attention worldwide. New Zealand passed a similar law in 2022, though a subsequent change in government led to its repeal\*. The concept is under discussion in the European Union, the Philippines, Singapore, Malaysia, Australia, and Norway. In April 2024, a TFG bill\* in the United Kingdom cleared a major hurdle in Parliament when a first reading\* secured strong support. Whereas the Brookline bylaw applies to all nicotine products, including combustible\* products and e-cigarettes (vapes), New Zealand's repealed law and the U.K. bill cover combustible tobacco products only. This variation reflects ongoing public health discussion about the relative harm of vapes as compared with cigarettes. By including vapes in its TFG bylaw, Brookline targets a key driver of initiation of nicotine use among adolescents\*.

The World Health Organization considers tobacco use, which kills more than 8 million people per year, one of the largest global public health threats. In 2022, one fifth of U.S. adults still regularly consumed tobacco products. Use often starts at an early age: that same year, 22.2% of U.S. middle and high school students reported ever having used tobacco products, according to the Centers for Disease Control and Prevention (CDC). Adolescents are particularly affected by the smoking behaviors of young adults—people just above the minimum age for purchasing tobacco products, who may serve as role models or buyers for younger users. Reducing the availability of nicotine to this young-adult group may reduce its attractiveness to teenagers.

municipality: 自治体	a first reading: 第一読会(英国議会の立法手続過程の一つ)
repeal: 廃止、撤廃	combustible: 可燃性
bill: 議案、法案	adolescent: 青年期、若者

Smoking increases the risk of heart disease, stroke, lung cancer, and diabetes\*, among other conditions. Secondhand smoke contributes to 41,000 deaths per year in the United States among people who don't smoke. A reduction in smoking has long been among the most important goals for public health leaders.

Nicotine is thought to be more addictive\* than other widely available products, such as alcohol and cannabis\*. (中略)

But withdrawal symptoms\* — such as sleep problems, nausea\*, nicotine cravings\*, fatigue, irritability\*, and depression — cause more than 75% of people who try to quit smoking without medical support to relapse\* within the first week. Nicotine dependency is so strong that people who stop using nicotine for 1 year still have a 35% chance of relapse at some point in their lives. Exposure to nicotine can therefore be associated with lifelong harm.

Brookline's TFG bylaw, passed in 2020 when it applied to people who were too young to purchase tobacco products under state and federal law, represents a new approach to tobacco regulation. This approach doesn't affect people who currently smoke, a feature designed to humanely recognize access concerns generated by nicotine addiction. Instead, the bylaw could eventually establish a generational firebreak\* against nicotine addiction, preventing tobacco purchases even as the current generation of young people ages. This approach could result in a steadily increasing proportion of the population that cannot legally be sold tobacco products, thereby phasing out tobacco sales.

Several tobacco retailers in Brookline filed a lawsuit\* against the town,

diabetes: 糖尿病	craving: 切望、熱望
addictive: 常習癖がつきやすい	irritability: 怒りっぽいこと、いらいら
cannabis: 大麻	relapse: 逆戻りする、再び陥る
withdrawal symptom: 禁断症状	firebreak: 防火線
nausea: 吐き気	lawsuit: 訴訟

arguing that the bylaw is preempted\* by state law and that it violates the guarantee of equal protection under the Massachusetts constitution by discriminating against people born on or after January 1, 2000. In March 2024, the Massachusetts Supreme Judicial Court unanimously rejected these challenges, thereby paving the way for action by other Massachusetts municipalities.

Retailers had argued that Brookline's tobacco bylaw is preempted by the Massachusetts Tobacco Act, which makes it illegal to sell tobacco products to anyone under 21 years of age. The Massachusetts high court recognized that the Brookline bylaw leaves that sales restriction "untouched" and that the Tobacco Act expressly preserves a role for cities and towns in regulating tobacco.

The court also rejected the suggestion that the Brookline bylaw requires a heightened level of scrutiny\* under the state's equal protection provision. Because the bylaw doesn't burden a fundamental right, such as religious freedom, or discriminate on the basis of a suspect classification, such as race or gender, it needs only to be "rationally related to the furtherance of a legitimate state interest." The bylaw clearly meets this standard; it was drafted to prevent health-related harms associated with tobacco use. Line drawing is routine and necessary in any legislation.

As other U.S. jurisdictions\* consider this approach, the Supreme Judicial Court's decision could be an important precedent\*. The equal-protection standard in Massachusetts is similar to provisions in the U.S. Constitution and other state constitutions. Unlike the Massachusetts legislature\*, however, some state legislatures have aggressively limited their local governments' authority to enact\*

preempt: 先取する、先に行動を起こして(...を)阻止する	precedent: 判(決)例
scrutiny: 精密な調査、投票(再)検査	legislature: 議会
jurisdiction: 管轄区	enact: 制定する、規定する

public health measures. In these states, the power to consider a TFG law rests with the state legislature. Other states, including California, have permitted local innovation in tobacco control; cities in those states could now choose to follow Brookline's lead.

Brookline's bylaw will have only a modest effect on public health as long as neighboring towns continue to permit tobacco sales to people who have turned 21. We believe the bylaw, and the court's decision, offer a proof of concept for birth date-based phaseout laws. Other Massachusetts towns have already shown an inclination\* to follow Brookline's lead. As more towns implement this policy, the Massachusetts legislature and other states could be motivated to adopt a birth date-based phaseout of commercial tobacco.

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inclination: 傾向、好み	
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問 1 ブルックライン条例がどのようなものであるか、本文に即して 200 字以内で説明しなさい。

問 2 ブルックライン条例の概念は世界中でも注目を集めています。米国以外の状況を本文に即して 150 字以内で説明しなさい。

問 3 今後、ブルックライン条例を日本で導入することの是非について、本文の記述をふまえてあなたの考えを 400 字以内で述べなさい。まず、賛成か反対かについて述べ、その理由を説明しなさい。

問 4 問 3 で述べたあなたの意見に対して考えられる反論を考えて 400 字以内で述べなさい。問 3 で賛成であれば反対の立場で、問 3 で反対であれば賛成の立場で論じなさい。

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