

Consumer Ethics in *Thank You For Smoking*

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Midway through the recent film, *Thank You For Smoking* (Jason Reitman, 2005), Nick Naylor, chief spokesperson for big tobacco, is helping his son, Joey, with a homework assignment. Joey asks, 'why is the American government the best government?' Nick immediately answers, 'because of our endless appeals system'. This response perfectly captures the tone of this film, its arresting combination of cynicism and a lack of guile. Nick clearly believes what he is saying. On the one hand, it would be easy enough to classify this film with others – *Lord of War* (Andrew Niccol, 2005) or *Man Bites Dog* (*C'est Arrivé Près de Chez Vous*, Rémy Belvaux and André Bonzel, 1992), for instance – that trade on postmodern cynicism. These texts fit seamlessly into our supposedly tolerant postmodern moment, and their point is that when all is permitted, we cannot help but occasionally find arms dealers droll, serial killers romantic, and tobacco spokespeople honest. Rather than banality, evil appears to hold a special charm. On the other hand, what fascinates me about *Thank You For Smoking* in particular is that it undercuts its critique of the US tobacco industry through its efforts to persuade us to separate the actions of Corporate Tobacco from the good and honest people who work for it. In a recent historical, rather than fictional, condensation of this rationale, Steve Parrish, a Philip Morris executive,

comments in a 1994 *New York Times Magazine* interview about having been raked over the coals on TV:

If I could just sit down with Sam Donaldson, he's not going to change his attitudes about smoking, but doggone, he'd probably realize that this guy's not a bad guy. (1994, 55)

My question, then, is *how* does *Thank You For Smoking*, in addition to other cultural and social phenomena such as Parrish's stance, enact this same divorce between the abstract form of corporate America and its particular contents or employees? My answer is that, to win its viewers' identification with its characters and, through them, its ideological assumptions, the film organises its content around an ethical *form*, that of the tragic hero in Søren Kierkegaard's sense. Consequently, what I hope to enact in this essay is the revenge of content upon form, because the form that produces the tragic hero, in *Thank You For Smoking* and for Steve Parrish, ignores its own content and thereby threatens to undermine an authentic ethics, which is often intolerant and not necessarily consensual. In short, the film, based loosely on the 'smoking wars' that began in the mid 1990s, ultimately champions an impoverished ethics, an 'ethics of consumption' with the 'right to consume' figuring as its first principle.

Thank You For Smoking chronicles a few months in the life of the primary spokesperson for the US tobacco lobby, Nick Naylor (Aaron Eckhart), and peaks with his appearance before a US Senate subcommittee tasked with deciding whether tobacco companies should include a skull-and-crossbones logo on every pack of cigarettes. Senator Finistirre (William H. Macy) heads the subcommittee and ardently supports the new labeling. The film carefully sets the stage for its climactic scene. It occurs late in the film, after the audience has witnessed the tobacco lobby's firing of Nick for revealing too much industry dirt to a reporter, Heather Holloway (Katie Holmes). Holloway was also Nick's girlfriend, until she sold him out to the lobby, so he has been doubly betrayed and clearly lacks any reason to remain faithful to his former employers at this point in the narrative. Additionally, his son Joey (Cameron Bright) is in the courtroom and not safely away at boarding school, as he is in the eponymous novel by Christopher Buckley. In sum, immediately after Nick's connections to

big tobacco have dissolved, and with his son witnessing the proceedings, Nick's former nemesis, Senator Finisterre, poses a question that Nick seems suddenly free to answer honestly: 'When your son turns 18, will you let him smoke if he wants to?' Nick thinks about the question for some time. The camera cuts rapidly back and forth between him, his son, the senator, and the crowd in the courtroom, and Nick tells the subcommittee what we, the viewers, have been encouraged to recognise as the honest truth: 'If he wants to smoke ... I'll buy him his first pack' (1995, 186). He turns the tables on Finisterre (whose name one of the novel's characters translates as meaning "end of the earth," in French' (1995, 121), a wholly unlikable and prudish senator, who was clearly relishing his imminent moral victory over Nick when he invoked his son. Nick's honest response deflates Finisterre and provides the audience with the visceral enjoyment of a peripeteia. The senator's face mutates from smug, peevish assuredness to obvious surprise and embarrassment.

To begin, then, what are we to make of Nick's statement, tinged as it is with triumphalism? Let us consider the most obvious interpretation first, the possibility that Nick, as a responsible father, will have persuaded his son of the evils of smoking by the time he is 18. This action would render Nick's response a disingenuous bluff: 'If he wants to smoke - but after I'm done with him you can bet that he won't - then let him'. So his son's freedom to smoke is seemingly preserved, formally, but only if he can withstand years of his father's badgering, made all the more effective by Nick's prodigious rhetorical skills. (In the beginning of the film, in voice-over, Nick says, 'You know the guy who can pick up any girl? I'm him. On crack'). But the film is far smarter than this cursory glance suggests. For a more incisive reading, I want to draw on Kierkegaard's work, specifically *Fear and Trembling*, as a way to explain how the film can impress the viewer with its seeming triumph over a consensual ethics, because the film's real strength - and what is at stake in it - lies in Nick's bravura reply, which seems ethical while simultaneously lacking support from the three dominant strains of contemporary ethics.

First, it is difficult to imagine that Nick acts in accordance with virtue ethics, in Aristotle's sense. Commenting on Aristotle's concept of temperance,

Terrence Irwin writes that at least one reading of the *Nicomachean Ethics* suggests that 'temperance does not require total abstinence from bodily pleasures, but the right extent of indulgence' (1999, 350). So the virtuous, temperate person might smoke a reasonable amount, the appropriate amount for his or her situation, but I think that this Aristotelian concept – the mean – is precisely what has vanished in our present moment, in relation to smoking and possibly more generally. Smoking has recently become a vice, in Aristotle's terms, by which I mean that, to paraphrase Aristotle's wonderful comments on adultery, it is not possible to smoke the appropriate amount of cigarettes in the appropriate places at the appropriate time with the appropriate people (II, 6, 1107a13-19). As a vice, smoking is already a surplus or excess away from the temperate mean. Like adultery, any amount of it is always already vicious. Therefore, Nick would be vicious to abet his son's hypothetical future desire to smoke.

It is also hard to imagine a normative ethics that would condone Nick's action. Regardless of which version of normative ethics we choose – Kant's or any that build on it – it will be difficult to find one that condones or encourages a father to endanger, even hypothetically, his son's health or life. For instance, Nick's act violates Kant's categorical imperative to 'act in accordance with a maxim of ends that it can be a universal law for everyone to have' (Kant 1996, 157), for, according to this imperative, 'a human being is an end for himself as well as for others' (157), yet Nick treats Joey as a means in this case. Joey's future health must be sacrificed – Joey himself must be sacrificed – to preserve a supposedly higher right. Here is the important point: the 'higher right' – or more fundamental ground – that Nick sacrifices Joey for is apparently the *right to free choice*, understood more narrowly in this case as *the right to consume*. For Kant, there simply is *no more profound right* than the categorical imperative; nothing trumps it. So if we want to find a moral philosophy that approves of Nick's action, we must look elsewhere.

Perhaps we can find support for the consequences of Nick's action in utilitarianism? Here, we are not as restricted by normative principles; instead,

we measure the consequences of any choice or action in terms of the 'greatest happiness principle,' which,

holds that actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure and the absence of pain; by unhappiness, pain and the privation of happiness. (Mill 2002, 7)

Nick's choice makes a certain kind of utilitarian sense: he will buy his son's first pack of cigarettes not to increase his own pleasure, which presumably will decrease at least a little, and not because his son's pleasure while smoking the cigarettes will offset Nick's displeasure, but because his act preserves a kind of freedom. The film establishes Nick's choice, in front of a senate subcommittee, as a blow struck in defense of a universal good rather than a particular pleasure. It is not his or his son's specific pleasure that tips the scales here but the freedom to purchase whatever we want in the commodity market. This is the overarching good - and a presumed source of happiness for all - which Nick preserves. If Nick's choice does not make ethical sense according to the other two dominant strands of contemporary moral philosophy, since it is neither virtuous nor right, then does it, in fact, increase overall happiness? If it does, it is only because we accept the premise that the implicit good that Nick defends - the freedom to choose among commodities - promotes the greatest happiness and, for that matter, is in fact a good to begin with. Before definitively answering this question, however, we need to examine in more detail the sacrificial structure that the film deploys to invoke a form of consumerism as a moral category. If we return to the film's climactic scene, we can tap it again to reveal the ethics that it advances.

It might be evident by now that I am doubtful about the utilitarian justifications for Nick's actions and do not regard the freedom to purchase whichever commodities one desires as a genuine freedom. This is true; I am not persuaded. But I do find the *form* of the film's argument seductive, particularly Nick's apparent bypassing of normative ethics in the name of a higher good or greater happiness. This is why I turn to Kierkegaard at this point - because of his formulation of how, when, and where a consensual ethics can be suspended in

the name of something beyond it, the 'supra-ethical'. The important point here is that this form or structure is so compelling that it masks the content to which it gives shape, and this is precisely what happens in *Thank You For Smoking*: the form throws up a veil of morality that cloaks the consumerism inherent to its content. Kierkegaard's work describes the forms into which the contents of ethical situations are cast, as well as those forms' meanings. In *Fear and Trembling*, he posits a territory beyond the consensus of the 'ethical,' after he defines the ethical as 'the universal, and as the universal it applies to everyone . . . at every moment' (2003, 83). In addition to the ethical, Kierkegaard introduces the 'aesthetic,' the category of the particular and individual, which a person must acquire before aspiring to the ethical and which concerns itself with beauty but also with 'the immediate inclination of the heart' or immediacy in general (2003, 76). The 'religious' is the third and highest register and can only be reached after passing through the first two (the categories are not wholly discrete; the ethical and religious include within themselves the term/s beneath them). The religious is supra-ethical: in his exegesis of the Abraham and Isaac story from the biblical book of Genesis, Kierkegaard reserves the 'religious' position for Abraham, whose act of taking Isaac to the land of Moriah and willingness to sacrifice him there stands as 'a teleological suspension of the ethical' (2003, 83). To differentiate between the religious and the ethical, Kierkegaard explains that the latter 'has nothing outside itself that is its telos but is itself the telos for everything outside' (2003, 83). The 'supra-ethical' disavows the universal as its telos and takes a leap into the 'religious,' which is the domain of faith and, paradoxically, a turn back toward individualisation and away from the universal. In Kierkegaard's words, Abraham

had faith. That is the paradox that keeps him at the extremity and which he cannot make clear to anyone else, for the paradox is that he puts himself as the single individual in an absolute relation to the absolute. (2003, 90)

In other words, the 'religious' act mediates the contradiction between the aesthetic and the ethical domains; it is the act that elevates a particular to the level of the universal and thereby encompasses both domains within itself.

The ethical form that concerns *Thank You For Smoking* is not the religious, though; it is not the supra-ethical disavowal of the universal. It is a step below and remains within the universal of consensus. For Kierkegaard, there is a category and form for actions that *seem* to suspend the ethical but, in fact, only transcend it at one level in order to reestablish it at a higher, more august one: people who enact this form are 'tragic heroes'. The tragic hero

stays within the ethical. He lets an expression of the ethical have its *telos* in a higher expression of the ethical; he reduces the ethical relation between father and son, or daughter and father, to a sentiment that has its dialectic in its relation to the idea of the ethical life. (2003, 87f.)

In other words, the negation of the usual ethical domain allows for the emergence of a higher domain that remains within ethics. In one of Kierkegaard's examples of this phenomenon, Agamemnon must sacrifice his daughter Iphigeneia to appease the goddess Artemis. Killing Iphigeneia clearly violates the ethical, universal strictures of Agamemnon's time against murder and would therefore seem to suspend or negate the universal domain of ethics. But the fact that a goddess requires Agamemnon's sacrifice of Iphigeneia prevents that act from moving beyond the ethical. Instead, the particularity and individuality (it seems to stand apart from the universal and collective) of Agamemnon's act points not to a beyond to the ethical but to a higher level within it. Artemis's demand dialectically confronts Agamemnon's paternal duty and negates it, reducing it to (particular, aesthetic) 'sentiment,' which is then sublated into the higher good of Agamemnon's sacrifice to Artemis's (general, ethical) demand. In sum, for Kierkegaard the universal can formally *appear* to have been cancelled or suspended when it has, in fact, only passed into a higher register of the ethical. In this case, the higher register is the universal demand that the individual follow the dicta of the gods or of God, even when they seem to contradict the ethical order, because these commands are, by definition, the ethical. (The 'ethical is the universal and as such, in turn, the divine' [2003, 96]). Artemis's godhood guarantees the ethical and universal nature of her demand upon Agamemnon.

We can now compare Nick with Agamemnon to assess Nick's potential status as a tragic hero. Nick seems to violate his ethical, universal duty to his son, but the Kierkegaardian point is that, in fact, he reduces that duty in order to sublimate it into a higher register of the ethical and universal. Assuming that Nick does not speak hypocritically - knowing that his son will never smoke - then it would seem that he tragically but heroically preserves his son's, and a universal, free choice in his offer to abet Joey's desire to smoke. He willingly and knowingly sacrifices Joey's future health to assert the primacy of a higher register of the ethical, which the film identifies, obliquely, as free choice. Although no goddess or god requires this sacrifice, it is still made in the name of a higher - because more universal - ethics. In other words, the film structures this scene so that Nick's individual love for his son is demoted and cast as a particularity (Kierkegaard would say a 'sentimentality'), while the freedom to choose among all legally available commodities takes the form of a universal and is promoted to a higher plane within the ethical. It is worth noting that tobacco industry executives have traditionally made this exact argument for their products, arguing that 'their product is legal, that the same Government that posts health warnings on cigarette packs subsidizes tobacco farmers and that what they are really promoting is *freedom of choice*' (Rosenblatt 1994, 28).

So where has this analysis led us, in terms of Nick's potential tragic hero status and in relation to universal ethical norms? To sum up, although it never mounts the argument explicitly, *Thank You For Smoking's* underlying thrust is that Nick sacrifices his son's future health, and perhaps life, for a greater ethical good, an implicit higher register of the universal, which is free choice. But more accurately, the choice at stake here is the freedom to purchase and consume, and, more insidiously, the film conflates the freedom to purchase with freedom itself. Nick's defense of a supposed freedom ultimately supports the same concern with economics that George W. Bush expressed on 9/11:

Federal agencies in Washington which had to be evacuated today are reopening for essential personnel tonight, and will be open for business tomorrow. Our financial institutions remain strong, and the American economy will be open for business, as well. (Bush 2001)

This connection between freedom and economics in the face of terrorism has since been frequently parodied ('If you don't buy that Hummer H3 then the terrorists have already won!'), and perhaps for this reason, *Thank You For Smoking* does not oppose terrorism to freedom and economics in precisely this way but refines Bush's logic, which, in spite of parodies, continues to resonate in the present. The film asks, 'If you don't have the freedom to consume what you want, provided that you're legally allowed to and can also afford it, then what worthwhile freedom do you have?' In support of this seemingly ethical point, and in order to marry freedom to commodity consumption, Nick offers to sacrifice his son's life on the altar of smoking, which is the knot that interweaves ethics as 'freedom of choice' with commodity consumption. Better that his son should smoke and die than lose the freedom to choose what to buy and consume. (I do not think it is a coincidence that Nick proudly announces that he will *buy* his son's first pack for him and enable Joey's purchasing power.) Perhaps this film's climactic moment rings true because US culture currently seems intent on reaching the moment when the only freedom left is the freedom to choose between Marlboros or Camels, Pepsi or Coke.

So *Thank Your For Smoking's* strength lies in the fact that it succeeds in expressing an important strand of our contemporary cultural logic, in which the freedom to choose within the commodity market stands as the ultimate horizon of our ethics. Perhaps there is still a hope, though, that the US will not accept this ethics complacently. This would explain why the film must smuggle its logic in under the aegis of Kierkegaard's tragic hero. But how did we arrive at this point historically? Why does Nick's sacrifice make sense, if it does, in terms of US culture? In reply to this question, I will attempt to sketch below, briefly and broadly, what I see as the correspondences between the film's ethics and those of contemporary US commodity culture. I will also explain why I believe that this version of ethics must be rejected.

To begin with, what historical forces have paved the way for such an ethics? A helpful text regarding this question is John Gray's *Two Faces of Liberalism*, in which he describes the cultural logic of the contemporary US as a form of liberalism. He starts with a question: What is the implicit horizon of

understanding for ethics today? What do we mean by the term 'ethics'? For Gray, the 'West' has inherited its dominant sense of ethics from the history of European liberalism, which has always been constituted around a core contradiction:

Liberalism contains two philosophies. In one, toleration is justified as a means to truth. In this view, toleration is an instrument of rational consensus, and a diversity of ways of life is endured in the faith that it is destined to disappear. In the other, toleration is valued as a condition of peace, and divergent ways of living are welcomed as marks of diversity in the good life. The first conception supports an ideal of ultimate convergence on values, the latter an ideal of *modus vivendi* [a way of living]. (2000, 105)

According to Gray's persuasive history, US culture has always maintained two competing and contradictory strands of liberalism, one committed to a liberal toleration that will eventually give way after the emergence of a consensual, universal ideology and a second one committed to a liberal toleration of all possible ideologies in the name of peace among different groups, with no hope or demand for a future unified ideology. For Gray, this contradiction at the center of liberalism emerges in any attempt to mediate between liberalism's ultimately *intolerant* tendency toward a universal doxa, where general truths apply to all, and liberalism's tolerance tending toward relativism, where constantly mutating truths relate only to specific populations at particular times and in particular places. To my mind, Gray's work usefully points out that, although the whole of our liberal inheritance *seems* to fall under the sign of 'tolerance,' the two foundational terms of liberalism might better be grasped as 'consensus' and 'tolerance,' because the first form of tolerance contains within itself the cancellation of the very tolerance that it initially embraces. It is precisely this 'intolerant' version of liberalism that Gray attempts to steer his readers clear of: his book's thesis is that 'liberalism's future lies in turning its face away from the ideal of rational consensus and looking instead to *modus vivendi*' (2000, 105). It is this statement that I feel admirably expresses our contemporary *zeitgeist* and serves as a thesis for both Gray's book and the film *Thank You For Smoking*.

To return to the film, with its historical context as Gray describes it in mind, what might first strike Nick as repellent – his son’s desire to smoke – should be ‘tolerated’ as a *modus vivendi*. Nick might find Joey’s desire troubling and his own acceptance of it ethically suspect, but these facts should serve as precisely the signs that Nick is confronting an unfamiliar *modus vivendi*, one that he must therefore resign himself to accepting. In perfect tolerant liberal fashion, in Gray’s sense, Nick cannot forbid Joey from smoking, because who is Nick to judge whether smoking is or is not a valid element of a *modus vivendi*? In other words, Nick must take seriously the old joke that quitting smoking does not actually help one live longer; it just seems longer. It is his inability to contest his son’s ‘right to smoke’ as a form of the good life that leads him to support that ‘right’ and situates him within the logic of an ethics driven by liberal tolerance. It is this exact liberal tolerance, celebrated by Gray, which makes it possible for the film to introduce smoking and consumption into the field of ethics. What is fascinating, then, about *Thank You For Smoking* is that our contemporary ethics of tolerance allows the film to advance the ‘freedom to consume’ not ironically or cynically, as we might expect, but as ethically worthy of elevation above the father’s previously universal obligation to safeguard his child’s health.

Nevertheless, and to arrive at my counterargument to the film, Nick is, finally, no tragic hero in Kierkegaard’s sense, and his willing sacrifice is more execrable than ethical. Yet, his sacrificial defense of the ‘freedom of choice,’ which sounds suspiciously like a freedom that we ought to recognise from the US *Bill of Rights*, does *structurally resemble* a tragic hero’s behavior. The two are homologous. It is the *content* that differentiates them: the sacrifice of a child to appease a goddess simply does not correlate with a similar sacrifice designed to preserve commodity circulation, although both instances preserve the *form* of the tragic hero’s sacrifice. Or, to put it another way, the film asks us to equate the ethical content of the two sacrifices because it has formally equated them, but we need to make the genuinely ethical move of rejecting that equation, both in the film and in general. How?

First, I think that we must turn away from both liberal consensus and liberal toleration. Nick's toleration of his son's future smoking must be rejected in favor of the more radical ethical assertion (radical in relation to liberal toleration) that Nick's paternal duty to his son and his son's health outweighs the 'right' to purchase tobacco products. Nick's act, through its sacrificial element, structurally emulates Kierkegaardian tragic heroism, but Kierkegaard's tragic heroes also draw their ethical valence from the nature or content of the principles for which they make their sacrifices. In the case of Agamemnon, that principle is that a goddess must be appeased. In Nick's case, the market for commodities takes the place of the goddess. So unless we are willing to accept this substitution of the global marketplace for the divine, we must reject Nick's sacrifice and recognise that, for contemporary liberalism, sacrifice is merely the name of a form or structure rather than a content. While we might have traditionally paired sacrifice with positive ethical content (to take an obvious example, for Christians, God sacrifices Christ to free humanity from death), sacrifice in its secular, liberal, postmodern form is in danger of becoming purely formal. Through habit, we might automatically recognise its form and charge its content positively, but our historical moment demands that we interrogate the content as well.

I will not, however, attempt to resuscitate or rediscover an already existing universal, because I think that, paradoxically, we must produce it ourselves, even as we refuse to recognise its universality as temporal and mutating. And, oddly, in creating a 'particular universal' (an 'aesthetic ethical' in Kierkegaard's language), we will simultaneously know what we are doing and disavow that knowledge at the same time. Like good fetishists, we combine knowledge with its disavowal in order to proceed. But how exactly can such a move be made? We return now to Kierkegaard's third category, the 'religious,' a term that will be more reliant on faith for us than it was for Kierkegaard if we retain his category but detach it from its support in the divine.

While the tragic hero can act in response to God's will, Kierkegaard's 'knight of faith,' who teleologically suspends the ethical in service to the 'religious,' also does so for divine reasons:

there is an absolute duty to God, and if so then it is the paradox described, that the single individual as the particular is higher than the universal and as the particular stands in an absolute relation to the absolute. (2003, 108)

The difference between the tragic hero and the knight of faith lies in their audiences: the tragic hero's audience knows that he or she breaks with the universal; Agamemnon's subjects comprehend that he must appease Artemis. The audience for the person who suspends the ethical, however, cannot understand why he or she does so. Abraham cannot explain to those around him, not even to Isaac, why he must sacrifice his son or how he is able to bear it. From the perspective of Abraham's family and servants, his act violates ethical norms and defies reason. Yet Kierkegaard makes little of the fact that *God tells Abraham how to act*, and Abraham knows that his actions are aligned with God, albeit possibly an absurd God who works in mysterious ways. In other words, God has already given Abraham's act his imprimatur, just as he later assigns Christ's sacrifice his blessing when he explicitly requires it. It is for this reason that movement beyond the universal, movement toward the religious, becomes a more radical act of faith in our contemporary moment to the extent that we act secularly, without divine support. Abraham and Christ both know that they can confound the universal without explaining themselves, because God demands it. Yet, to the extent that we want to retain Kierkegaard's 'leap of faith' without adhering to the Christian faith, we must act and violate the universal when necessary without divine assurances. If we try to make a movement that violates the universal and thereby suspends the ethical, we do so in the name of a wager on a good that is not divinely guaranteed.

What, then, is the properly ethical response to Nick's act and those structured like it, and what grants such acts their apparent ethics? Nick never pretends to actions divinely sanctioned that suspend the ethical completely, but he does formally mimic the movement of the tragic hero, who violates the ethical in order to reinstate it at a higher level. But the content of his act – his substitution of the global commodity market for his son's future health – keeps it from transcending the universal. The essential point here is that the new universal is precisely the commodity market, its rules and norms. For this reason,

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we, the audience for this film as well as for the tobacco industry itself, must reject Nick's sacrifice as unethical. In doing so, we make a secular leap of faith, positing an ethics that rejects and suspends the universal, the 'ethical' for Kierkegaard, without explaining itself, because the only agreed upon universal ethics of the moment is that of the market. In rejecting the market as the creator of universal ethics, then, we must fall back upon ourselves to guarantee the - so to speak - secular divinity of our acts.

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