How do we get at the ethical content of a movie? Let's begin with a slightly easier question: Why should ethicists go to the movies? What can they expect to learn? One obvious reason is that ethicists like most people might simply enjoy watching movies. What I have in mind, however, is why ethicists *qua* ethicists should go to the movies. What can they learn as ethicists by watching films? The answer to this question will give us some ideas about how to get at the ethical content of movies. Jerry Goodenough has identified four reasons a philosopher as a philosopher might want to go to the movies.[1] Adapting his classification scheme to ethics in particular, we could say first of all that an ethicist might go to the movies because he was interested in ethical questions about the film medium itself and the nature of the film experience. Is, for example, going to the movie like going into Plato's gave?

Secondly, an ethicist might want to go to the movies because films often illustrate moral theses or problems. *Sophie's Choice* (Alan J. Pakula, 1982) clearly illustrates an ethical dilemma few parents would ever want to face in real life. Countless movies and TV shows illustrate ethical problems doctors face when called upon to save murderers, especially when not saving them would benefit a large number of people. Those who teach ethics, or philosophy, through films, usually concentrate on movies that illustrate ethics. Note that a film can illustrate ethical problems without being explicitly about ethics and without dealing with these problems systematically, not to say argumentatively. Indeed, films that only illustrate ethical problems often use these problems merely as plot devices to heighten the suspense of the movie.

A third reason an ethicist might want to go to the movies is because some film are about ethics, ethical problems or ethicists. A case in point is the recent movie *Hannah Arendt* (Margarethe von Trotta, 2012) or Jarman´s *Wittgenstein* (1993). Films that are about philosophy or ethics in particular treat explicitly and consciously of ethical problems and theses. To this category we can also assign films who´s characters discuss ethical problems or theses at some length. *Ma Nuit Chez Maud* by Alan Resnais (1969) and *Rear Window* (1954) by Hitchcock are cases in point – the latter movie explicitly addresses rear window ethics, or voyeurism.

These first three reason an ethicist might have for going to the movies – to think about the ethical nature of the medium, to find illustrations of ethical problems and to see movies about ethical problems or ethicists – are not hard to understand but Goodenough´s fourth reason is harder to explain and it´s a contested one. An ethicist might, according to this line of thinking, want to go to the movies because some movies do ethics in roughly the same way ethicists do ethics. We can contrast this category with movies that only illustrate ethics. Films that do ethics have an ethical import of their own, they do not merely illustrate ethical positions and problems which have been worked out in prior philosophical text. Such films do, of course, often illustrate philosophical problems but they also deal with them in a systematic manner and they engage the audience in ways that films that only illustrate ethics rarely do. Films that do ethics, or philosophy generally, strive not only to say things but show things and they teach us new ways of seeing things. They can challenge our preconceived notions and predjudices, and they can change the terms of ethical debates. Nancy Bauer has argued, for example, that *Dead Man Walking* (Tim Robbins, 1995) not only illustrates ethical problems about capital punishment but actually changes the term of the death penalty debate. It does so by dramatizing the lengths to which the state goes to protect individuals who carry out death-row executions … from the fact of their own participation in these killings. In numerous point of view shots, for example, various prison employees are shown to attend only to very small moments of the condemned man´s execution – the strapping down of his arm or the pushing of a button – actions that together add up to the state´s talking of a human life."[2] Thus, *Dead Man Walking* does not only illustrate known ethical positions on the death penalty but seeks to change the terms of the debate. One of the ideas here is that the film medium – with editing, close-ups and camera angulation – is better suited to doing this than philosophical texts. *The Truman Show* (Peter Weir, 1998), to take another example, articulates and systematically thinks about scepticism as a moral problem. *Gaslight* by George Cukor (1944) identifies and reflects on an ethical/psychological problem that now bears its name in the literature. We talk of gaslighting as a peculiar kind of moral or mental abuse, which involves undermining a person´s faith in her own memories. The Hollywood comedies of remarriage, according to Stanley Cavell, probe the nature of marriage and trace its legitimacy to the couples willingness to remarry.

Let me emphasize that this fourth reason – films that *do* ethics – is highly contested. There

are both scholars in the field and students of philosophy who would not accept this as a legitimate reason to go to any movie, since movies simply cannot do ethics in their own right. Their philosophical light, so it is argued, is a reflection from brighter philosophical sources such as proper philosophical works, i.e. texts. I will not spend my time here justifying these distinctions explicitly. But I want to use this classification scheme to make a point about the theme indicated by my title, i.e. how we identify ethics in films. I will limit my discussion to one film, Woody Allen´s *Crimes and Misdemeanors* from 1989. Like our Mike, Woody Allen is a witty New Yorker who loves to philosophize about ethics in the careless manner, to quote Annette C. Baier quoting Hume.[3] My aim is to contrast briefly two ways we might go about identifying ethics in films. One way is based on a narrow method of reading films, the second is a broader method as I will explain shortly. If successful my treatment of *Crimes and Misdemeanors* will illustrate: (i) weaknesses in how we philosophers tend to identify ethical problems in film and in even real life; and (ii) how our philosophical methods – or our conception of the proper philosophical method – determine how we identify moral problems in films and real life.

A cursory glance at *Crimes and Misdemeanors* suffices to show that the film illustrates moral positions and problems and also that it is about ethical problems. The film tells two independent stories that are connected through a key character and come together in the end. One storyline tells of the ophthalmologist Judah Rosenthal (Martin Landau) who is in a bind. He has been having an affair with a lonely flight attendant, named Dolores (Anjelica Huston), who seems to lead a very isolated live in New York City and she desperately wants Judah to leave his wife and marry her. Indeed, she tells Judah that if he doesn't leave his wife she will tell her about the affair. Dolores also threatens to inform the authorities about Judah´s questionable financial transactions. Judah, who is a wealthy man and highly respected philanthropist in New York City, enlists his brother Jack (Jerry Orbach) to arrange to have Dolores murdered. The other story relates the plights of Cliff Stern (Woody Allen), a film maker who has been working on a documentary about Professor Louis Levy (Martin Bergmann), an existential thinker. Cliff is unable to make a living from doing interesting documentaries about interesting people, and, therefore, accepts an offer to make a documentary about his superficial brother in law, Lester (Alan Alda), who is a successful film director. Lester´s brother, Ben (Sam Waterston), a rabbi, is a patient of Judah and that´s how the two stories are connected.

In a recent book on doing philosophy through films, Mary L. Litch details how *Crimes and Misdemeanors* illustrates ethics and is about ethics.[4] In her view, this is an excellent film to teach ethics to undergraduates. She emphasizes at least four ethically relevant features of the film. Firstly, see takes the film to articulate the failure of utilitarianism as an ethical theory.[5] The reasons are not hard to fathom. Judah has a human being murdered and not only does he get away with this horrible crime but we are led to believe at the end of the movie that everyone is happy partly as a consequence of the murder. Judah's family and his business are prospering. No one misses Dolores. Her death was not a painful one and her murder was pinned on a man who had committed many murders. It seems, to Litch at least, that utilitarians might have to conclude that this murder was morally right. But, surely, an ethical theory that justifies a murder is seriously flawed. Secondly, the movie illustrates an important theme from Kantian ethics in so far as it shows that Judah´s maxim cannot be universalized. His maxim, according to Litch, is: "Whenever a person threatens my well-being, I´ll kill that person."[6] But Judah soon learns when the shoe is on the other foot that his brother Jack also acts on this self-same maxim. Jack makes clear to Judah that if he threatens his well-being he will kill Judah. Thirdly, the movie is also clearly about ethics. Open discussions of ethical problems occur most naturally in this movie. One reason is that we are dealing with New York Jews who, at least if we may believe Woody Allen and countless other movies, adhere to or have been alienated from an intellectually rigorous form of religion. It is, therefore, not forced at all when the dinner conversations at the Rosenthals, Judah's parents, during Seder revolve around the moral structure of the universe, the subjective nature of value, the problem of evil or the relation of right to might. Another reason discussion of ethics come naturally to this film is that Cliff is interviewing professor Levy on ethical issues. Fourthly, Litch is able, convincingly in my view, to associate most major characters in the film with ethical positions. Sol (David S. Howard), Judah´s father, adheres to divine command theory, Ben the rabbi to theistic natural law theory, Aunt Mary (Anna Berger) is a relativist and a Thrasymachean, professor Levy is an existentialist, Judah is an egoist and a consequentialist.[7]

Litch thus shows in fine details how a film may illustrate ethics and be about ethics. But I have a number of problems with her approach, which I think is based on a rather narrow method for identifying ethics in films. My first problem with Litch's approach is that she focuses almost exclusively on dialogue and the storyline when identifying the ethics in

Crimes and Misdemeanors. Not surprisingly, she only pays attention to front-page moral issues. Murders, extra marital affairs, grand theses about the meaning of life, are the ethical issues that show up on her radar. It is perhaps not surprising that she should read the ethics from the dialogue of the film as that is what we do most of the time in philosophy. Philosophy deals with arguments and theses expressed in language, mostly texts. But films are, of course, much more than dialogue and storyline. In films we have moving pictures, acting, music, editing, set, lighting, camera angulation, close-ups, panning and so forth. Should these not be taken into account when we identify the ethical content of a movie? To reverse the example, we could imagine having music, lighting and props in an ordinary philosophy lecture. If Mike had stopped in the middle of his lecture earlier today[8] and played the violin or if he had had someone play the violin throughout his lecture, or if he had flashed images at us, we would, I surmise, have considered taking that into account when assessing the content of his lecture.

A related problem with Litch´s approach is that she never considers the possibility that *Crimes and Misdemeanors* could be doing ethics in its own right. She never reflects on how a film as film might think about its ethical issues and consequently she never ask what the point of Woody Allen´s movie is, if, indeed, it has an ethical point. Her method allows her to use the film to illustrate an ethical problem without caring about the ultimate point of the movie itself. She does not take directions from the film itself on how to read the film. A case in point is Woody Allen´s irony and his constant tendency to undermine almost every ethical position taken in the movie. Professor Levy, for example, jumps out of a window, which is what clever people sometimes do in Allen's movies (see *The Front* (1976) and *Whatever Works* (2009)).

If we broaden our method of identifying ethical problems and theses in movies, to include sensitivity to editing, lighting, colors, camera angulation, close-ups etc., we will see that the ethical content of the movie is quite different from the one Litch imagines. Much more mundane worries come to the surface if we choose a broader method of identifying ethical issues in films, ethical concerns that most of us might face in our everyday lives. Let me sketch briefly what I take to be the ethical point of the movie. In my view *Crimes and Misdemeanors* deals with the nature of Hollywood movies, how we tend to watch them and

how they have influenced our ways of seeing ethical issues and dilemmas. Throughout the film, we are made aware of the fact that we are watching a movie, in particular a Hollywood movie. This is done most skilfully when Woody Allen cuts between the two stories. In one striking instance, he cuts from a scene where Judah and Dolores are having a dramatic lovers' quarrel to a scene were Cliff is sitting in a theatre with his niece watching an almost identical scene from an old black and white Hollywood film. The upshot of this is that we are also made aware of the fact that we are watching a Hollywood movie, a dramatization of a lovers' quarrel. More directly, we are made aware of this fact through numerous comments from the two film-makers in the film, Lester and Cliff.

Crimes and Misdemeanors further seeks to challenge some of our preconceived notions or prejudices, many of which may have been facilitated by Hollywood movies. Here are some of the unfounded beliefs in question:

"Bad people get punished in the end for their evil deeds. Good people are rewarded."

Crimes and Misdemeanors seeks to show that this is not the case in real life. We have come to believe this partly as a result of watching too many Hollywood movies. When Judah pitches the story of Dolores' murder to Cliff, without revealing that this is his own story, Cliff objects that the ending of the story is no good. They have to have a happy ending, the murderer must be caught. To which Judah replies: "… if you want a happy ending, you should go see a Hollywood movie."

Another ethical / aesthetical prejudice *Crimes and Misdemeanors* seeks to reveal is the following:

"Good movies, movies worth thinking about, are made by good, thoughtful people."

This is shown to be wrong. Lester who is superficial womanizer apparently makes excellent comedies. At one point in the movie, he explains that the college he dropped out off, now teaches a class on existential motifs in his situation comedies. Cliff who is deep and thoughtful apparently makes lousy films that no one wants to interpret.

Still another common prejudice the film seeks to reveal is the following one:

"People who can articulate or point to the good life are themselves on the way to the good life."

This common attitude is also shown to be unfounded. Professor Levy jumps out of the window after articulating a wonderful theory about the importance of making the right moral choices. And he does so without leaving a note for Cliff which annoys Cliff. It is indeed one of Levy's speeches that leads Litch to call this an ethical film. It´s worth quoting the speech at length:

We´re all faced throughout our lives with agonizing decisions … moral choices. Some are on a grand scale, most of these choices are on lesser points. But, we define ourselves by the choices we have made. We are, in fact, the sum total of our choices. Events unfold so unpredictably, so unfairly. Human happiness does not seem to have been included in the design of creation. It is only we, with our capacity to love, that give meaning to an indifferent universe. And yet, most human beings seem to have the ability to keep trying and find joy from simple things – from their family, their work, and from the hope that future generations might understand more.[9]

This is a wonderfully pithy statement of Sartre's existentialism with an anti-darwinian sentiment about happiness thrown in to boost, as well as a Nietzschean call for simple things. Put professor Levy is not a good guide to the ethics of *Crimes and Misdemeanors*. Like Litch, he is a partial guide to its message at best. The movie does not seek to show that

we are defined by our choices. It seeks to show how we fail to take responsibility for our choices. Or more precisely, it shows how we fail to recognize our choices as our choices. This is shown most clearly in the scene at Judah's home when Judah and Jack first talk about the Dolores problem. Jack who has connections to the underworld quickly realizes what the audience of the film has known all along, i.e. that Judah wants him to get kill Dolores. But Judah never says this. He describes his problem to Jack and simply ask what can be done. Jack suggests a number of possibilities, which Judah immediately rejects as ineffective. Apparently, there is no point in talking to Dolores or in threatening her. By rejecting the other possibilities, and asking for more suggestions, Judah slowly but surely directs Jack to the option he has in mind. When Jack finally suggest to Judah that he could get rid of Dolores, Judah appears astounded, even hurt. "I am not even going to comment on that," he says, "that's mind boggling." His guilt trip after Dolores has been murdered also rings false. It is no more than a lame attempt on Judah's part to tell himself that he, Judah, is not the kind of man who could have taken this decision. Surely someone else must have decided to have Dolores killed.

Thus, if we broaden our scope and let the film itself teach us to how to view it, we may find a lot of ethics in *Crimes and Misdemeanors* that strike close to home.

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[2] Nancy Bauer, ?Cogito Ergo Film: Plato, descartes and Fight Club“ in *Film as Philosophy*, 42.

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[4] Mary Litch, *Philosophy through Films*, second edition (New York: Routledge, 2010), 143–166.

[5] Ibid., 150–155.

[6] Ibid., 156.

[7] Ibid., 157–164.

[8] Mikael M. Karlsson gave the first lecture at the conference where this paper was read.

[9] Quoted in Litch. Ibid., 163.