ask you to pray for us continually in this fight. The tobacco company has power and wealth, but they don't have the power like this group praying. Please help us. Thank you."

And about Merrell Williams, the moody actor and academic who decided to make his paralegal job of cataloguing Brown and Williamson's internal documents into a crusade against public deceit: "Plowing through B&W's files, Williams grew increasingly troubled about the way he felt the tobacco industry was manipulating and misleading the public . . . Certain things Williams discovered particularly stuck in his craw: evidence of marketing to kids, for example, and the use of product placement in movies. Nothing, though, shocked him more than a group of files documenting the extensive role played by tobacco industry lawyers over the years in controlling the research into smoking and health conducted by the industry and in selectively screening the results. Given the increasing concerns over product liability litigation, the lawyers' role at cigarette companies became central and pervasive. In William's view it became improper as well."

As the story evolves, Barrett and Williams become part of a growing number of characters who are searching for an effective strategy to attack the tobacco industry (or seeking to defend against it). After numerous legal defeats, the public health costs of state health coverage was recognised as the basis for a group grievance lawsuit. Experience showed that the tobacco industry could effectively counter personal product liability claims through assumption of risk arguments. But the group grievance approach, first introduced in Mississippi, eventually brought the industry to the table to work out state settlements before an outright legal victory could be won against the industry.

While even the full title of the book gives away the eventual defeat of the industry in the end, the mystery in this story is how all the elements of this battle could come together. A disappointment in the third and final section of the book is that the denouement of this elaborate complexity is made incomplete with the author's assertion that the individual state suits should have seen closure with a legislative settlement through Congress. The author feels that there should have been some national policy action to accompany the settlement agreements with state governments. Orey states: "But from a broader standpoint of public policy, the states' efforts were far less successful . . . Smokers—and potential future smokers—would have been far better off with a policy that was part compromise than with no policy at all."

This assertion is understandable from a Wall Street perspective. Let's get this resolved so business without litigation can go on. But from a tobacco control perspective, it is dead wrong. The politics of the US Congress have historically favoured the tobacco industry whereas the politics of the court system has come to recognise certain legal liabilities based on corporate responsibility that the tobacco industry must face.

This brings me to the second book, *Tobacco regulation: convergence of law, medicine and public health*. Here is the Minnesota case against the tobacco industry. This is more a reflection on events than a story. It is both longer and more useful for those seeking to know the legal motivation and basis of seeking health cost compensation from the tobacco industry. In nine essays, four articles, and one case note, this law review publication makes the legal history, goals, perspectives and likely long term results of the Minnesota case clear. Comparing Hubert H Humphrey III's remarks with Orey's opine for closure, we see: "I believe that we are better off with no federal tobacco legislation than bad federal legislation . . . Why do I think that? Remember the last time Congress acted? We ended up with a labelling act that pre-empted the states and gave the tobacco companies a strong contributory fault defense" (because the label warns tobacco is harmful, the smoker assumes the risk in part (my comment)).

Both the background essays from lawyers in the Minnesota case and other material drawn from the 1998 symposium that is included in the book are excellent. More importantly, the legal articles provide detailed explanations about the legal basis and use of document discovery, proof of reliance arguments, confidentiality agreements, and tobacco document depository public access.

While I would recommend both books, I would urge readers to recognise that Orey is presenting a legal thriller for public consumption. He speaks primarily about "maverick" lawyers and shady business interests rather than about public policy or tobacco control issues. *Assuming the risk* is a story that presents flawed individuals and incomplete resolution because it portrays a moving target of legal accountability and responsibility that is so incredible, it is bewildering. By comparison, *The convergence essays* show that those who strive for social justice are not confused misfits who stumble on a way to win a judgement against the tobacco industry. They are those for whom there is no settlement, only a long journey on the way to better public policy. This is an important lesson that puts law with medicine and public health, having public policy motivations, not simply feeding the individual pursuit of money, ambition, revenge, or religious vindication.

Finally, realising that the tobacco epidemic is an international problem, it is important to note that these books are both based in US law and therefore Americentric in their perspectives and conclusions. Although there is one mention of the importance of the US legal agreements for the larger international community by William Foege, Carter Centre and Emory University, this is the exception. Even so, I shall confess some hope in these books and conclude as Foege has done: "I do not know much about law, but I do realise there are problems with international law. It was recently stated that international law is to law as professional wrestling is to wrestling: no one over the age of nine mistakes it for the real thing. But, you could help to change that."

STEPHEN HAMANN

Faculty of Medicine, Rangsit University
Phya Thai II Hospital, Phaholyothin Road,
Phayathai, Bangkok 10400, Thailand;
slhamann@hotmail.com

VIDEO REVIEWS

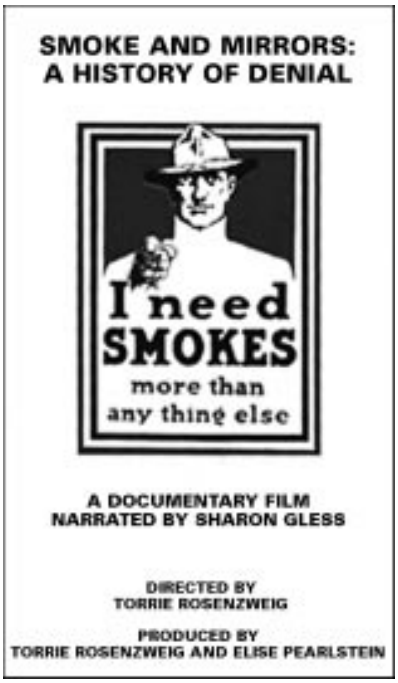
Smoke and mirrors: a history of denial

The sound rises up from the American South, rolling, lilting across the land, travelling its broad deltas and vast plains. It is the sound of tobacco being auctioned. "Lemme hear, what do I hear, lemme hear, hear, hear". Against the backdrop of the auctioneer's smooth, reassuring cadence, tobacco leaves make their journey from the farmer's field to the curing barn. "What do I hear, what do I hear, what do I hear hear hear?"

The sound of tobacco being sold is but the mood setting prelude to an extraordinary film. *Smoke and mirrors: a history of denial* tells the story of tobacco in the United States, from its role as the colonies' first cash crop to its current status as the globe's corporate "public enemy number 1".

Director Torrie Rosenzweig, who co-wrote and co-produced the film with Elise Pearlstein, offers up thoughtful interviews with leading researchers, writers, and public health officials, but has also gone far beyond the constraints of the talking head documentary. From a wanted poster of the 1880s ("Wanted 1000 girls & 500 boys—14-21—to learn to make little cigars. Clean factory. No dust and no bad air") to the "7 Dwarfs", the tobacco industry bosses who testified in 1994 that nicotine was not addictive, *Smoke and mirrors* has captured it all on film.

James Bonsack and his automated cigarette making machine ushered in the modern era of tobacco's exponential growth. Pictures of Bonsack, his machine and his 1881 patent papers are displayed, as Allan Brandt, Harvard professor of the history of medicine, succinctly assesses the innovation's significance: "Once you can produce 70–100 thousand cigarettes a day, you need to find out how to sell them." And, as this film reminds us, the tobacco industry proved itself a particularly fast learner.



Rosenzweig has uncovered what must be one of the earliest motion picture ads for tobacco, an 1897 spot for Admiral cigarettes, by the Edison Company. A few men sit on a bench smoking as two others walk into the frame carrying a sagging banner that reads, "We all smoke". Quaint, charming and, yet, the first salvo in what has been a century of increasingly subtle incitations to light up.

Smoke and mirrors features a number of memorable ad campaigns, either selling or attacking tobacco. The famous "I need smokes more than anything else" first world war recruitment poster, inspired by Admiral Pershing and his tobacco starved American Expeditionary Force, highlights another pivotal moment in tobacco's growing social acceptability. Equally damning are the moving pictures of earnest, smiling Red Cross nurses in their starched white uniforms, eagerly rolling cigarette packs into neat little care bundles. By contrast, an early poster of "The Fatal Cigarette—The white-robed plaything of death" is no match for one showing "A patriotic lad who aided the tobacco fund".

Rosenzweig also unearths interviews with advertising icons Edward Bernays, the man who offered women "torches of liberty", and Leo Burnett, responsible for the fateful, rugged cowboy campaign that turned Marlboro into the world's leading brand. An aged Burnett positively lights up when he recalls the new look that was being proposed for Marlboro. "We slapped this together in a matter of 24 hours. It was the greatest thing I ever saw. Every instinct I had, said 'this is it'". And his instincts were sadly right.

The anti-tobacco forces have not had the financial muscle to match the industry's advertising power, but *Smoke and mirrors* underscores some significant triumphs, from the surgeon general's report of 1964 to the Fairness Doctrine ads that followed soon after, to the "7 Dwarfs" congressional testimony that has helped fuel today's anti-industry climate.

Classic smoking clips from films like *Casablanca*, *To Have and Have Not*, and *Now, Voyager* and from a "Winston break" on *The Flintstones* TV cartoon, complete the portrait of an industry still able to seduce and cajole viewers. Commentators like Philip Hilts (New York Times journalist and author of *Smokescreen*), Stan Glantz, (former TC chairman) Michael Pertschuk and, particularly, historian Brandt, set the scenes in context, but is there any match for Lauren Bacall asking Humphrey Bogart for a match?

Impeccably crafted and skilfully researched, *Smoke and mirrors* illuminates a troubling story with extraordinary images, rich music, and insightful analysis. This is one of the best movies ever made about a very bad business.

Up from the ashes: the fight for a new Tobacco Act

Up from the ashes: the fight for a new Tobacco Act is an entirely different sort of film, but one of great merit as well. Although lacking the atmospherics and breadth of *Smoke and mirrors*, this Canadian case study provides practical tools and direction for tobacco control advocates in all countries.

Director Jack Micay, a former president of the Non-Smokers' Rights Association, has gone behind the scenes with Canada's health community, filming strategy sessions as the key players lobbied for what became the Tobacco Act of 1997.

Parts of Canada's earlier legislation, the Tobacco Products Control Act, had been challenged in court by the tobacco industry and, in September 1995, certain sections of the law were struck down as being "inconsistent with the right of freedom of expression". Faced with renewed industry advertising, and with the reversal coming just a year after a catastrophic slashing of tobacco taxes, the anti-tobacco forces had to move swiftly and navigate delicately to restore some of the old law's provisions.

Micay's film chronicles some real successes and some equally notable failures, always asking pertinent questions: How best to frame ads in response to the industry's splashy campaigns? How hard to push a Health Minister who appears to be onside, but who is lacking Cabinet support? And, as the industry pushed the agenda onto the safe grounds of sponsorship restrictions, how could the message be moved back to a public health track?

As a measure of the complexity of the process, Liberal Senator Colin Kenny had to vote against his own tougher amendments, just to ensure passage of a minimally acceptable bill. Since the Tobacco Act's passage, Kenny has managed the rare feat of getting a solid piece of anti-tobacco legislation passed in the Senate, only to have it blocked by his own party in the House of Commons.

Politics is clearly a complicated game and, in a simple, sober fashion, *Up from the ashes* shows how its rules are laid out and played out. A cautionary tale, and a worthy one.

STAN SHATENSTEIN

Editor, Tobacco News Online
Montréal, Québec
Canada;
shatensteins@sympatico.ca

CALENDAR OF EVENTS

Full details of events to be included in the calendar should be sent to John Weller, technical editor, BMA House, Tavistock Square, London WC1H 9JR, UK; john_weller@msn.com

Technical Assistance Legal Center Conference on the Legal Issues in Regulating Tobacco Advertising
8 June 2000, Emeryville, California, USA
Further details: Rachel Levine, Program Administrator, TALC, 505 14th Street, Suite 810, Oakland, California 94612, USA. (Tel +1 510 444 8252; rlevine@phi.org; www.phi.org/talc)

COPD 2000: Second International Multidisciplinary Meeting on Chronic Obstructive Pulmonary Disease
14–17 June 2000, Birmingham, UK
Further details: Magus Strategic Communications, contact Annie Jones (Tel +44 1653 698460)

12th International Symposium on Atherosclerosis
25–30 June 2000, Stockholm, Sweden
Further details: Stockholm Convention Centre (Tel +46 8736 1500; fax +46 834 8441; isa2000@stocon.se)

International Respiratory Nursing Conference
21–22 July 2000, Dublin, Ireland
Further details: Royal College of Nursing, London, UK (Tel +44 207 647 3584; fax +44 207 647 3412; mia.nilsson@rcn.org.uk)

11th World Conference on Tobacco or Health
6–10 August 2000, Chicago, Illinois, USA
Further details: Conference Secretariat Manager, American Medical Association, 515 North State Street, Chicago, Illinois 60612, USA. (Tel +1 312 464 5159; fax +1 312 464 4111; 11thWCTOH@ama-assn.org)

UICC Conference on Cancer Control Issues in the Year 2000
8–9 September 2000, Seattle, Washington, USA
Further details: GP Murphy, Cancer Research Center, Northwest Hospital, Pacific Northwest Cancer Foundation, Seattle, Washington, USA. (Fax +1 206 363 3196)

Ninth World Conference on Lung Cancer
11–15 September 2000, Tokyo, Japan
Further details: International Communications Specialists, Inc, Sabo Kaikan-bekkan, 2-7-4 Hirakawa-cho, Chiyoda-ku, Tokyo 102-8646. (Tel + 3 3263 6474; fax +3 3263 7077)

National Lung Cancer Awareness Day
12 November 2000
Further details: Carolyn Clary-Macy, University of California, San Francisco/Mount Zion Cancer Center, USA. (http://cc.ucsf.edu/news/lung_ca_awareness.html or ALCASE at www.teleport.com/~alcase)

UICC International Smokeout
16 November 2000
Further details: International Union Against Cancer, Geneva, Switzerland. (Fax +41 22 809 1810; education@uicc.org)

Sixth International Congress of Behavioral Medicine
15–18 November 2000, Brisbane, Queensland, Australia
Further details: Intermedia, PO Box 1280, Milton, Queensland, 4064, Australia. (Tel +617 3369 0477; fax +617 3369 1512; ICBM@im.com.au; www.icbm2000.conf.au)