

HOLLYWOOD AND JOURNALISTIC TRUTHTELLING

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Movies are useful tools for thinking about professional behavior and ethics. For example, films about lawyers can “raise questions about the proper and possible role of law in society”^{*} while reflecting “powerful myths that influence our reactions to issues we meet in real life, including legal issues.”¹ The same applies to journalism. Media ethics professor Lee Wilkins notes that “journalists are often called upon to make decisions based on a morally mature interpretation of principles rather than any specific code of conduct,” and she says film gives dramatic life to struggles over those principles.²

This article will look at what has been called the paramount principle of journalism—truth-telling—as it is depicted in a movie about a notorious real-life case of journalistic deception. *Shattered Glass*³ is the story of Stephen Glass, who in 1998 was fired for fabricating more than two dozen stories for the *New Republic* magazine. Writer-director Billy Ray chose to focus his film more on the editor who fired Glass, Charles “Chuck” Lane, than on Glass himself. As a result, the movie turns a story of press ignominy into one of triumph, presenting a morality tale in which the hero upholds journalistic virtue and the villain is summarily banished. Similar to other journalism movies, *Shattered Glass* reaffirms notions of individual responsibility and professional

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* Nancy Hauserman, Book Review, 16 *J. LEGAL STUD. EDUC.* 353, 358 (1998)

1. John Denvir, *Introduction* to *LEGAL REELISM: MOVIES AS LEGAL TEXTS*, at xi (John Denvir ed., 1996).

2. Lee Wilkins, *Film as an Ethics Text*, *J. MASS MEDIA ETHICS*, Spring–Summer 1987, at 109, 110; see also HOWARD GOOD & MICHAEL J. DILLON, *MEDIA ETHICS GOES TO THE MOVIES* (2002) (using movies as case studies to illustrate ethical principles and decision-making models as they relate to the media).

3. *SHATTERED GLASS* (Lions Gate Films 2003). The film has been called “the best movie about American journalism since *All the President’s Men*,” David Sterritt, *All the News That’s Fit to Invent*, *CHRISTIAN SCI. MONITOR*, Oct. 31, 2003, at 18.

autonomy at a time when many see such notions as increasingly inadequate, especially in relation to truth-telling and the press's role in American life.

Part I of the article will discuss how movies explore professional conduct and how they have dealt historically with questions of journalistic truth. It also will examine how truth-telling has been viewed as a central principle in journalism. Part II reviews the Stephen Glass case and how *Shattered Glass* presented it, comparing what many critics said the case and others like it suggested about journalism with what the movie itself suggested.⁴ Part III will critically analyze the idealized portrait of the press that Hollywood presents and what that portrait implies for real-world media ethics.

I. MOVIES AND THE PROFESSIONS

The assertion that movies portray journalism or any other profession idealistically may seem dubious, especially to professionals themselves.⁵ According to law professor Michael Asimow, most attorney characters who appear in contemporary films are “unpleasant or unhappy human beings you wouldn’t want as friends” and “bad professionals you wouldn’t admire or want as your lawyer.”⁶ Similarly, a medical professor writes that positive cinematic portrayals of doctors have long been counterbalanced by “films whose central themes have been arrogance, insensitivity, greed, incompetence, and even criminality.”⁷ And a journalism trade magazine only half-

4. Cases such as that involving Stephen Glass are ripe opportunities to garner commentary from editorials, reviews, and other sources regarding the current state of journalism. *See generally* John J. Pauly, *A Beginner’s Guide to Doing Qualitative Research in Mass Communication*, JOURNALISM MONOGRAPHS (1991).

5. Journalism will be considered a profession here even though the extent to which it qualifies as such has long been a topic of debate. *See, e.g.*, Michael Schudson, *The Profession of Journalism in the United States*, in *THE PROFESSIONS IN AMERICAN HISTORY* 145 (Nathan O. Hatch ed., 1988).

6. Michael Asimow, *Bad Lawyers in the Movies*, 24 *NOVA L. REV.* 531, 533 (2000).

7. PETER E. DANS, *DOCTORS IN THE MOVIES* 173 (2000).

kiddingly has blamed Hollywood for “those loathsome misconceptions that journalists are hard-drinking, foul-mouthed, dim-witted social misfits concerned only with twisting the truth into scandal and otherwise devoid of conscience, respect for basic human dignity or a healthy fear of God.”⁸

A common contention is that movies have become increasingly critical in recent years in response to mounting public mistrust of the professions. One journalist has written that there “is a lag between when an institution develops the symptoms of an illness and when the movies respond, by which point the disease is often far advanced.”⁹ In journalism’s case, “sensationalism and a profits-above-all philosophy metastasized through our news organs, weakening their standards and enfeebling their public spirit.”** The thought is that as the cancer has spread, the movies have grown more negative.

Such arguments imply that cinematic portrayals during Hollywood’s golden era were rosier than they actually were. For example, declaring that 1930s films showed journalists “instinctively siding with the Common Man”¹⁰ overlooks that reporters in 1931’s *The Front Page*¹¹ hounded a woman until she flung herself out a window and that they urged a sheriff to move up a hanging so that they could include the news in their early editions. Another movie from the same year, *Five Star Final*,¹² graphically depicted a tabloid newspaper driving a married couple to suicide.

More importantly, however, these arguments often assume that movies’ negative depictions of individual journalists or news organizations translate into a blanket

8. Chip Rowe, *Hacks on Film*, WASH. JOURNALISM REV., Nov. 1992, at 27.

9. Christopher Hanson, *Where Have All the Heroes Gone?*, COLUM. JOURNALISM REV., Mar.-Apr. 1996, at 45, 46.

***Id.*

10. JAMES FALLOWS, *BREAKING THE NEWS: HOW THE MEDIA UNDERMINE AMERICAN DEMOCRACY* 44 (1996).

11. *THE FRONT PAGE* (United Artists 1931).

12. *FIVE STAR FINAL* (First National-Warner Brothers 1931).

indictment of the press, whereas the opposite may be true. Again, one can draw a parallel with lawyer movies. Law professor David Ray Papke writes that even in the current cynical age, “popular culture reinforces the ideas that courts work as institutions and that law in general can be trusted both in its articulation and application.”¹³ Journalism movies play much the same role in reaffirming what has been described as the “free press myth,” or the belief that an independent and privately-owned press has been “ordained by the Founding Fathers as the engine of participatory self-government.”¹⁴ According to media historians Robert McChesney and Ben Scott, that belief helps shield the press as an institution from criticism: “While individual editors or publishers along the way may be castigated for failing to do their jobs well, the system itself is beyond reproach.”¹⁵

The free press myth is built upon the tenet that journalism can and should report truth that citizens may rationally act upon in making democracy work.¹⁶ That tenet underlies both libertarian and social responsibility models of the press. Classical libertarianism did not assume that journalism had a specific duty to present truth, but did see freedom of the press as key to a self-righting marketplace of ideas: “Let all with something to say be free to express themselves. The true and sound will survive; the false and the unsound will be vanquished.”¹⁷ In contrast, the social responsibility or

13. David Ray Papke, *Conventional Wisdom: The Courtroom Trial in American Popular Culture*, 82 MARQ. L. REV. 471, 488 (1999).

14. W. LANCE BENNETT, *NEWS: THE POLITICS OF ILLUSION* 241–43 (6th ed. 2005); Robert W. McChesney & Ben Scott, *Introduction*, in *OUR UNFREE PRESS* 1 (Robert W. McChesney & Ben Scott eds., 2004). “Myth” in the present context does not automatically imply falsehood, but rather a commonsensical, taken-for-granted representation of shared beliefs. See JACK LULE, *DAILY NEWS, ETERNAL STORIES: THE MYTHOLOGICAL ROLE OF JOURNALISM* (2001).

15. McChesney & Scott, *supra* note 14, at 1.

16. See, e.g., PHILIP PATTERSON & LEE WILKINS, *MEDIA ETHICS: ISSUES AND CASES* 20–32 (3d ed. 1998); BILL KOVACH & TOM ROSENSTIEL, *THE ELEMENTS OF JOURNALISM: WHAT NEWSPEOPLE SHOULD KNOW AND THE PUBLIC SHOULD EXPECT* 36–49 (2001).

17. Fred S. Siebert, *The Libertarian Theory of the Press*, in *FOUR THEORIES OF THE PRESS* 39, 45 (Fred S. Siebert et al. eds., 1956).

neoliberal model that evolved from libertarianism asserted that journalism should present “truthful, comprehensive, and intelligent” news in a meaningful context; it espoused “positive” freedom (saying the press was intended to be free to serve the public interest) as opposed to “negative” freedom (holding that the press was only intended to be free from governmental constraint).¹⁸ Even so, the social responsibility model continued to rely on Enlightenment notions of individual rationality and autonomy and the objective ability to separate truth from falsehood. It promoted self-regulation, with government needing to step in only if the press proved unable or unwilling to police itself. Press ethics came to embrace the idea that journalism had a professional obligation to seek and report truth, but also that individual journalists and news organizations should independently decide what truth the public needed to know.¹⁹

That idea has come under challenge in recent years. It is not that truth is no longer seen as important; on the contrary, media ethicist Clifford Christians declares that it still must be the press’s guiding principle given that “human existence is impossible without an overriding commitment to truth.”²⁰ Rather, the concern is that “mass-media ethics has failed to develop persuasive critical reflection about journalism’s collective culture and institutional structure and thus tends to reinforce the status quo.”²¹ Critics charge that the press is attuned more to its own professional norms and pretensions than it is to the common good, as evidenced by its adherence to the code of objectivity: “What is

18. Theodore Peterson, *The Social Responsibility Theory of the Press*, in *FOUR THEORIES OF THE PRESS*, *supra* note 17, at 73, 93–94. See also Steven Helle, *A Theoretical Framework for Media Law Courses*, *JOURNALISM EDUCATOR*, Summer 1991, at 4 (explaining further the differences between positive and negative freedom and between libertarian and neoliberal models).

19. See JOHN C. NERONE, *LAST RIGHTS: REVISITING FOUR THEORIES OF THE PRESS* 99–100 (John C. Nerone ed., 1995); CLIFFORD G. CHRISTIANS ET AL., *GOOD NEWS: SOCIAL ETHICS AND THE PRESS* 32–41 (1993); JAY BLACK ET AL., *DOING ETHICS IN JOURNALISM* 35–39, 44–47 (3d ed. 1999).

20. Clifford G. Christians, *Social Dialogue and Media Ethics*, 7 *ETHICAL PERSPECTIVES* 182, 186 (2000).

21. CHRISTIANS ET AL., *supra* note 19, at 41.

insidious and crippling about objectivity is when journalists say: ‘We just present you with facts. We don’t make judgments. We don’t have any values ourselves.’ That is dangerous and wrongheaded.”²² Even investigative news stories about egregious social injustice are said to suffer in the telling from that same “norm of moral disengagement” so that the stories tend to evoke cynicism and apathy instead of outrage.²³ Journalism’s predominantly “Caucasian, well educated, and middle-to-upper class” occupational culture is thought to be out of touch with a diverse and multicultural public, for whom no one overarching “truth” may suffice.²⁴ And the press’s assertions of independence appear to ring hollow in the face of increasingly consolidated and profit-driven media ownership propped up by government policymaking, producing a climate in which “truth” seems less important than whatever the market will bear.²⁵

If truth long has been a subject of concern and debate within journalism, it also long has been a subject of journalism movies. Such films can be considered a distinct genre in that they show “familiar characters performing familiar actions which celebrate familiar values.”²⁶ In journalism movies, reporter and editor characters regularly interact in a newsroom setting and pursue news stories typically embodied by one or more other characters. According to historian Richard Ness, “the basic pattern of the films is

22. JAY ROSEN, *WHAT ARE JOURNALISTS FOR?* 216 (1999).

23. JAMES S. ETTEMA & THEODORE L. GLASSER, *CUSTODIANS OF CONSCIENCE: INVESTIGATIVE JOURNALISM AND PUBLIC VIRTUE* 185 (1998).

24. PATTERSON & WILKINS, *supra* note 16, at 24–25.

25. *See, e.g.*, ROBERT W. MCCHESENEY, *THE PROBLEM OF THE MEDIA: U.S. COMMUNICATION POLITICS IN THE 21ST CENTURY* (2004).

26. THOMAS SCHATZ, *HOLLYWOOD GENRES: FORMULAS, FILMMAKING, AND THE STUDIO SYSTEM* 22 (1981). *See also* RICHARD R. NESS, *FROM HEADLINE HUNTER TO SUPERMAN: A JOURNALISM FILMOGRAPHY* (1997); JOE SALTZMAN, *FRANK CAPRA AND THE IMAGE OF THE JOURNALIST IN AMERICAN FILM* (2002); HOWARD GOOD, *OUTCASTS: THE IMAGE OF JOURNALISTS IN CONTEMPORARY FILM* (1989); LOREN GHIGLIONE, *THE AMERICAN JOURNALIST: PARADOX OF THE PRESS* (1990); LARRY LANGMAN, *THE MEDIA IN THE MOVIES: A CATALOG OF AMERICAN JOURNALISM FILMS, 1900-1996* (1998); ALEX BARRIS, *STOP THE PRESSES!: THE NEWSPAPERMAN IN AMERICAN FILMS* (1976) (discussing the characteristics of the journalism movie genre).

developed in terms of what truth is being sought or suppressed in the film and how and by whom it is controlled”; conflict is “generated by who knows the truth and who is trying to find out about it.”²⁷ Often, truth is slippery and characters’ behavior is well removed from the social responsibility model of the press: reporters calling in wildly exaggerated and contradictory accounts of an escaped convict’s capture in *The Front Page* and *His Girl Friday*,²⁸ media moguls using their newspapers to promote fakery and demagoguery in Frank Capra’s *Mr. Smith Goes to Washington*²⁹ and *Meet John Doe*,³⁰ a journalist trying and failing to uncover Rosebud’s identity in *Citizen Kane*,³¹ another journalist lying about keeping a man trapped in a cave for the sake of a scoop in *Ace in the Hole*,³² a newscaster faking tears to advance his career in *Broadcast News*,³³ television executives manipulating public opinion and squelching the news in *Network*³⁴ and *The Insider*,³⁵ etc.

More often than not, though, the lying villains get their comeuppance or a voice of conscience finally gets out the truth. The journalists in *The Front Page* and *His Girl Friday* topple a corrupt mayor and sheriff and save a pardoned man from execution. The fascistic moguls are thwarted in the Capra films. The reporter in *Ace in the Hole* confesses all and then dies from a stab wound. A news producer uses rival news organizations to help reveal corporate perfidy in *The Insider*. At the end of *Absence of*

27. Ness, *supra* note 26, at 5–6.
28. HIS GIRL FRIDAY (Columbia Pictures Corp. 1940). *His Girl Friday* was a remake of *The Front Page* (United Artists 1931).
29. MR. SMITH GOES TO WASHINGTON (Columbia Pictures Corp. 1939).
30. MEET JOHN DOE (Frank Capra Productions Inc. 1941).
31. CITIZEN KANE (RKO Radio Pictures Inc. 1941).
32. ACE IN THE HOLE (Paramount Pictures 1951). This movie also goes by the name *The Big Carnival*.
33. BROADCAST NEWS (Twentieth Century Fox 1987).
34. NETWORK (MGM 1976).
35. THE INSIDER (Touchstone Pictures 1999).

Malice,³⁶ a blundering journalist who has humiliated herself and her newspaper apologizes for debasing her profession: “I know you think what I do for a living is nothing. But it isn’t really nothing; I just did it badly.” In such ways, movies assign individual blame while absolving journalism as a whole, consistent with the free press myth. It also is consistent with the familiar mythic figure of the “scapegoat,” “affirming and defending social consensus” (in this case, over what the press should be and do) by dispensing “dark consequences for those who deviate.”³⁷

Furthermore, the movies also consistently have told heroic stories about the press: Gregory Peck going undercover to expose anti-Semitism in *Gentleman’s Agreement*,³⁸ Humphrey Bogart standing up to gangsters in *Deadline, USA*,³⁹ Clint Eastwood rescuing a wrongfully convicted man from death row in *True Crime*,⁴⁰ Robert Redford sacrificing his life to break a big overseas story in *Up Close and Personal*,⁴¹ etc. No film embodies that exalted image more than does *All the President’s Men*,⁴² starring Redford and Dustin Hoffman as Woodward and Bernstein uncovering the Watergate scandal and helping topple the Nixon administration. The film encapsulates what media scholar Michael Schudson has called “the central myth of American journalism,” representing for the press “a charter, an inspiration, a reason for being large enough to justify the constitutional protections that journalism enjoys.”⁴³

36. ABSENCE OF MALICE (Columbia Pictures Corp. 1981).

37. LULE, *supra* note 14, at 62–63.

38. GENTLEMAN’S AGREEMENT (Twentieth Century Fox 1947).

39. DEADLINE, USA (Twentieth Century Fox 1952).

40. TRUE CRIME (Warner Brothers 1999).

41. UP CLOSE AND PERSONAL (Touchstone Pictures 1996).

42. ALL THE PRESIDENT’S MEN (Warner Brothers 1976).

43. MICHAEL SCHUDSON, WATERGATE IN AMERICAN MEMORY 124, 126 (1992). *See also* Bonnie Brennen, *Sweat not Melodrama: Reading the Structure of Feeling in All the President’s Men*, 4 JOURNALISM: THEORY, PRAC. & CRITICISM 113 (discussing Watergate’s mythic place in contemporary American journalism).

Even at the time of the movie's release, however, some saw it and the Watergate myth as mixed blessings. Journalist Nat Hentoff wrote that the film likely would intensify a trend of journalists "not paying much, if any, attention to how they get a story, so long as they get it."⁴⁴ In a similar vein, Sissela Bok praised Woodward and Bernstein for helping expose the scandal, but said "a whole fabric of deception arose" during their investigation as they misled or lied to some of their sources and never appeared to consider possible alternatives to their actions. Bok noted that journalism and other professions "reward competition and unusual achievement," and she said that could lead to further deceptions with serious consequences if left unchecked: "The accepted practices may then grow increasingly insensitive, and abuses and mistakes more common, resulting in harm to self, profession, clients, and society."⁴⁵

In fact, some have said that was precisely what happened to the press in the years following Watergate as journalists sought to achieve the same kind of stardom Woodward and Bernstein had enjoyed.⁴⁶ The *Washington Post*, which had so recently basked in the acclaim for its Watergate reporting, was forced to return a Pulitzer Prize in 1981 after reporter Janet Cooke confessed to making up a story. The scandal sparked consternation within the press and efforts to prevent similar incidents from reoccurring. Nevertheless, two decades later, the *New York Times* and *USA Today* were similarly embarrassed by the fabrications of reporters Jayson Blair and Jack Kelley, respectively.

44. Nat Hentoff, *Woodstein in the Movies*, COLUM. JOURNALISM REV., May–June 1976, at 46, 47.

45. SISSELA BOK, LYING: MORAL CHOICE IN PUBLIC AND PRIVATE LIFE 120–21 (1978). Bok specifically noted the pressure on "the cub reporter who will lose his job if he is not aggressive in getting stories," and who thus might especially be tempted to engage in deception. *Id.* at 244.

46. See, e.g., SCHUDSON, *supra* note 43, at 120–21; Michael Hill, *Stretching the Truth*, BALTIMORE SUN, Mar. 28, 2004, at 1C.

Stephen Glass's deceptions at the *New Republic* may have been the most outrageous of all. ("Compared to Glass, Jayson Blair was an amateur," one of Glass's former coworkers would say.)⁴⁷ Those deceptions would become the basis of the film *Shattered Glass*. Although the subject matter was distinctly less heroic than that of *All the President's Men*, the movie would draw inspiration from its cinematic predecessor, and the message it ultimately provided about journalism reaffirmed the myth of Watergate and the free press.

II. STEPHEN GLASS AND *SHATTERED GLASS*

Stephen Glass joined the *New Republic* soon after graduating from the University of Pennsylvania in 1994, where he had edited the campus newspaper and been admired by his staff for stressing "journalistic values and the importance of accurate, balanced reporting."⁴⁸ By age twenty-five, he was "the most sought-after young reporter in the nation's capital,"⁴⁹ not only a star writer and associate editor at his own magazine but also a contributor to such publications as *Harper's* and *Rolling Stone*.

Glass was a specialist in what he would later describe in a lightly-fictionalized memoir as "the dominant magazine journalism voice of the 1990s: the Ironic-Contrarian," which emphasized "sophisticated, low-key takedowns" of its targets.⁵⁰ His first major *New Republic* piece labeled the head of the Center for Science in the Public

47. David Plotz, *Steve and Me*, SLATE, Sept. 30, 2003, at <http://slate.msn.com/id/2088948> (on file with the Notre Dame Journal of Law, Ethics, and Public Policy).

48. Charles Ornstein, *Disgraced Reporter Once Inspired*, L.A. TIMES, Nov. 3, 2003, at E5. See also Buzz Bissinger, *Shattered Glass*, VANITY FAIR, Sept. 1998, at 176; Samuel Hughes, *Through a Glass Darkly*, PA. GAZETTE, Nov.-Dec. 1998, available at <http://www.upenn.edu/gazette/1198/hughes.html> (providing biographical background on Glass).

49. Bissinger, *supra* note 48, at 176.

50. STEPHEN GLASS, *THE FABULIST* 9 (2003).

*** Stephen Glass, *Hazardous to Your Mental Health*, NEW REPUBLIC, Dec. 30, 1996, at 16.

****Bissinger, *supra* note 48, at 188.

Interest, Michael Jacobson, “the closest thing we have to a national nag”;⁵¹ when Jacobson challenged the story’s truthfulness, *New Republic* editor Michael Kelly responded by branding him a liar.⁵² Glass continued in the same vein with subsequent stories: *Spring Breakdown*, about a gathering of “dejected, depressed, drunk and dumb” young conservatives; *Monica Sells*, about Monica Lewinsky-themed novelties (including an “inflatable ‘Leaves of Grass’-reciting sex doll”); and *Hack Heaven*, about a teenage computer hacker blackmailing a software firm by demanding a Miata and a lifetime subscription to *Playboy*.⁵¹

By 1998, Michael Kelly had been ousted as editor due to political and editorial differences with the publisher. His replacement, Charles “Chuck” Lane, was less charismatic and less popular with the staff, but he supported Glass to the point of contributing the titles to *Monica Sells* and *Hack Heaven*. That ended after *Forbes* online reporter Adam Penenberg investigated the hacker story and found it to be completely fabricated, leading to Glass’s dismissal.⁵² It was then discovered that Glass had made up part or all of at least twenty-six other stories for the magazine, including the young conservatives and Monica Lewinsky pieces. He had avoided detection via faked notes and other deceptions that included a phony website for the non-existent computer firm in his hacker story; he had “even inserted fake mistakes into his fake stories so fact checkers would catch them and feel as if they were doing their jobs.”⁵³

51. See *id.* at 189; Stephen Glass, *Spring Breakdown*, NEW REPUBLIC, Mar. 31, 1997, at 18; Stephen Glass, *Monica Sells*, NEW REPUBLIC, Apr. 13, 1998, at 10; Stephen Glass, *Hack Heaven*, NEW REPUBLIC., May 18, 1998, at 11.

52. Adam L. Penenberg, *Forbes Smokes Out Fake New Republic Story on Hackers*, FORBES, May 11, 1998, at <http://www.forbes.com/1998/05/11/otw.html> (on file with The Notre Dame Journal of Law, Ethics, and Public Policy).

53. Bissinger, *supra* note 48, at 180.

The Glass scandal and the Jayson Blair and Jack Kelley cases that followed generated considerable media discussion concerning who or what was responsible. For some, the blame fell squarely on the wayward journalists themselves. In a note to its readers immediately following Glass's firing, the *New Republic* said it had been victimized by "the systematic and intentional deceptions of someone who actually has no business practicing journalism," adding that it had "promptly removed the culprit" and "publicly acknowledged the problem."⁵⁴ Glass's former coworkers would later say he was "a very confused soul" who lacked "any capacity for grappling with moral questions" and who failed "to get that truth is essential to journalism, or that journalism done the honest way serves a critical role in society."⁵⁵ Others similarly declared that those such as Glass had "violated the First Commandment of journalism: Thou shalt not lie," that the violators represented individual "pathology,"^A and that "no newsroom reforms will alter that mutated variety of human nature."⁵⁶ At the same time, it was asserted (much as *The New Republic* had implied in its note to its readers) that journalism could regulate itself. One journalist noted that it had been an "honest, blue-collar" reporter, Adam Penenberg, who had exposed Glass, while another wrote that "the press's continuing exposure of the press is the best protection the public has against bad journalism."⁵⁷

54. *To Our Readers*, NEW REPUBLIC, June 1, 1998, at 8, 9.

55. Jonathan Chait, *Remembrance of Things Passed*, WASH. MONTHLY, July–Aug. 2003, at 41–43; Hanna Rosin, *Glass Houses*, SLATE, May 21, 2003, at <http://slate.com/id/2083348> [on file with the Notre Dame Journal of Law, Ethics, and Public Policy].

^A Ann Reilly Dowd, *The Great Pretender: How a Writer Fooled His Readers*, COLUM. JOURNALISM REV., Jul.–Aug. 1998, at 14, 15.

56. Nancy Day, *What Happened to the ABCs?*, BOSTON GLOBE, Aug. 30, 1998, at E7; Samuel G. Freedman, *Don't Reward Deceitful Writers*, USA TODAY, Mar. 24, 2004, at A13.

57. Tim Cavanaugh, *Is Brill's Content Going to Save the Press from Itself?*, NEWSDAY, June 28, 1998, at B06; Reese Cleghorn, *Keeping Reporters Honest*, BALT. SUN, July 23, 1998, at 17A.

However, some argued that the scandals signified broader problems. Even before Glass's deceptions were discovered, the *New Republic* was condemned for having "become smug and cynical—the embodiment of much that is wrong with political journalism today" and for teaching its young staff that the way to get ahead was to "meticulously wrap a web of venomous words" around the magazine's selected targets.⁵⁸ (In other words, the magazine was said to promote the "Ironic-Contrarian" stance that Glass would later note in his book.) Such criticisms were heard again after Glass's firing, not only concerning the *New Republic*'s cynicism but also how it exemplified a "youth-happy journalism industry" that "catapults reporters into the big leagues before they have learned the fundamentals of their craft."⁵⁹

The criticism accelerated in light of the deceptions of the similarly-youthful Jayson Blair at the *New York Times* a few years later. One observer wrote that the press could not simply blame a few "skillful liars" for such misdeeds when they pointed toward declining editorial oversight in a "buzz-and-bucks era of journalistic celebrityhood."⁶⁰ Another similarly asserted that journalists were increasingly being "seduced by fashion, money and fame to use their talents to invent a good story," in turn contributing to the "vanishing borders between fact and fiction."⁶¹

58. Richard Blow, *Liberalism's Flagship Adrift at Sea, How The New Republic Can Find its Way Home*, WASH. MONTHLY, Dec. 1997, at 24, 24. *Id.* at 27.

59. Eric Pooley, *Too Good to be True*, TIME, May 25, 1998, at 62, 62. *See also* Ana Marie Cox, *Half Full of It: The Partial Truths of Stephen Glass*, MOTHER JONES, July–Aug. 1998, at 20; Peter Steinfeld, *A Tarnished 'Republic', 'Attitude' that Led to a Fall*, COMMONWEAL, June 19, 1998, at 8 (criticizing *The New Republic* for its role in the Glass scandal). A few years before Glass's deceptions were discovered, another young reporter, Ruth Shalit, had been charged with plagiarism at *The New Republic*. *See* Interview by Alicia C. Shepard with Ruth Shalit, *Too Much Too Soon?*, AM. JOURNALISM REV., Dec. 1995, at 34.

60. David Shaw, *Is There Really No Defense against Lying Journalists?*, L.A. TIMES, May 18, 2003, at 14.

61. Ian Buruma, *Reality Cheque*, FINANCIAL TIMES (London), May 15, 2004, Weekend Magazine, at 22, 24.

And some critics suggested that journalists' hand-wringing over the likes of Glass and Blair only deflected attention from even more serious concerns: the press's chronic tendency toward stereotype and cliché, its passivity and credulousness regarding the buildup to war in Iraq, etc.⁶² For journalism educator James Carey, the highly publicized cases of deception exposed "a well-kept secret: The culture of journalism professes loyalty to truth, thoroughness, context and sobriety but actually rewards prominence, the unique take, standing out from the crowd and the riveting narrative."^B Even if compulsively-lying reporters were "sociopaths," their actions illuminated "the deepest recesses of the normal."⁶³

Writer-director Billy Ray saw the Stephen Glass story in much the same way when he first considered it as a film subject: not as a tale of press valor, but as a potential satire along the lines of *Network*.⁶⁴ However, Ray had been moved by the Watergate myth just as many journalists had been. He came to see the movie as an "open tip of the cap to Woodward and Bernstein and the work that they had done when I was a kid. I was always raised to believe that what they had done was heroic; I still think it is."⁶⁵ During the film's production when a columnist charged that journalists' "willingness to manufacture fraud can only be encouraged by movies that put their bylines in lights," the filmmakers responded by saying "the real heroes of *Shattered Glass* are the editors, who,

62. See, e.g., Benjamin Wallace-Wells, *The Banality of Fictions*, POL'Y REV., No. 120, Aug.–Sept. 2003, at 91 (reviewing STEPHEN GLASS, *THE FABULIST*); Katha Pollitt, *White Lies*, NATION, June 16, 2003, at 9.

^B James W. Carey, *Mirror of the Times*, NATION, June 16, 2003, at 5, 6. *Id.*

63. *Id.*

64. Chris Kaltenbach, *Shattered Glass Changed Paths*, BALT. SUN, Apr. 8, 2004, at 9T.

65. SHATTERED GLASS (Lions Gate Home Entertainment 2004) (DVD audio commentary).

once they uncovered evidence of Glass's transgressions, acted immediately and decisively, defending their honorable profession."⁶⁶

In short, the film shifted the focus away from Glass and toward the men who had supervised him. Michael Kelly and Chuck Lane both served as paid consultants and were given approval over the script (Glass himself did not cooperate with the making of the film). At first, Kelly had threatened to sue over how the movie might portray him; he was afraid that it "might forever immortalize him as the Editor who *didn't* catch Glass."⁶⁷ In fact, he would be depicted as a much-beloved boss who had been as victimized by Glass as everyone else at the magazine had been. After Kelly died covering the Iraq war prior to *Shattered Glass's* premiere, the filmmakers dedicated the movie to his memory.

As for Lane, he too had regrets over his role in the Glass scandal, saying he had fully expected it to result in his firing. However, he would come off as the true hero of the film. Billy Ray involved Lane closely in the production, aiming toward producing "an accurate account of a complicated mess."⁶⁸ Much as Woodward and Bernstein said they had done in reporting Watergate, Ray "checked with two separate sources" to confirm that an event had occurred before including it in the movie; at the same time, he and his cinematographer viewed *All the President's Men* "dozens of times, to see how a story about journalism could be told in a visually compelling way."⁶⁹ After being dissatisfied with a preliminary cut of the film that portrayed Lane and the rest of the *New*

66. Jack Mathews, *Truth Under Fire*, N.Y. DAILY NEWS, Sept. 1, 2002, at 18; Lions Gate Films Presents SHATTERED GLASS 9 (2003) (on file with the Academy of Motion Picture Arts and Sciences) [hereinafter "Lions Gate Films"].

67. Billy Ray, SHATTERED GLASS, *Director's Statement*, available at <http://theross.org/nowshowing.php?mid=45&source=about> (last visited Feb. 28, 2004) (on file with Notre Dame Journal of Law, Ethics & Public Policy).

68. SHATTERED GLASS, *supra* note 65; Lions Gate Films, *supra* note 66, at 5.

69. Lions Gate Films, *supra* note 66, at 8, 14.

Republic's staff as glumly resigned over the Glass affair, Ray wrote and shot new scenes for the final version that opened in theaters in fall 2003.

Shattered Glass is narrated by Glass himself (played by Hayden Christensen). "There are so many show-offs in journalism, so many braggarts and jerks," he is heard saying in an opening voiceover. "The good news is, reporters like that make it easy to distinguish yourself. If you're even a little bit humble, a little self-effacing or solicitous, you stand out." He then is seen rising at the *New Republic* by flattering and flirting with his fellow staffers, most of whom are little older than he. He also wows them with his fantastical stories that regularly find their way into print. Whenever he senses that he is about to be challenged, he defuses the potential criticism by plaintively asking (as the real-life Glass did), "Are you *mad* at me?"^C

The only staff member who is cool toward Glass is Chuck Lane (Peter Sarsgaard), with whom Glass is engaged in a running game of one-upmanship. (Whenever Lane talks about working on a serious piece regarding Haiti or the Falklands, Glass upstages him with his own stories about felonious debauchery at the young conservatives convention or "human-on-human biting.") After Glass's champion Michael Kelly (Hank Azaria) is fired and replaced by Lane, Glass subtly works to undermine Lane's already tenuous authority.

Matters come to a head when *Forbes*'s Adam Penenberg (Steve Zahn) exposes the fabrications in Glass's computer hacker piece. Under Lane's relentless questioning regarding the story, Glass wavers but does not break. "If you want me to say that I made it up, I will," he tells Lane. "If that'll help you, I'll say it." "I just want you to tell me the

^C A.O. Scott, *A Young Writer's Ambition, With Loyalty and Betrayal*, N.Y. TIMES, Oct. 31, 2003, at E17.

truth, Steve,” Lane replies, “Can you do that?” Glass cannot, and Lane fires him. When Glass’s best friend on the staff (played by Chloë Sevigny) challenges the decision, Lane confronts her in one of the newly-written scenes added to the final cut of the film:

We’re all going to have to answer for what we let happen here. We’re all going to have an apology to make. . . . Every competitor we ever took a shot at, they’re going to pounce, and they should. Because we *blew* it, Caitlin! He handed us fiction after fiction, and we printed them all as fact. Just because we found him entertaining. It’s indefensible. Don’t you know that?^D

At the end, the staff presents Lane with a written apology to the magazine’s readers and then breaks into applause for their editor. As for Glass, he appears still to be trapped in his make-believe world. The movie has been framed with scenes of him triumphantly returning to his old high school to speak to a journalism class, but it is implied that they have occurred only in his imagination. Billy Ray visually underscored the shift from fantasy to reality by shooting the early scenes inside the magazine offices with a handheld camera and the later scenes with a steadier tripod-mounted one, “the suggestion being that truth as an idea was beginning to take hold there, and that order was beginning to be restored.”⁷⁰

Prior to *Shattered Glass*’s release, according to the *American Journalism Review*, “half of the journalism industry was chomping at the bit for the film while the other half wished it would go away.”⁷¹ Although on balance reviews of the movie were good, there were dissenters. The *Columbia Journalism Review* said Glass had been “sanitized for the sake of the story into just a pathetic kid

^D SHATTERED GLASS, *supra* note 65.

70. *Id.*

71. *Rapping on the “Glass”*, AM. JOURNALISM REV., Dec. 2003–Jan. 2004, at 13, 13.

dangerously out of his league” as opposed to the “repugnant” liar he actually was.⁷² One journalist echoed earlier concerns that the movie would glamorize Glass’s misdeeds. Pointing not only to the film but also to Glass’s and Jayson Blair’s book deals, he wrote that “we in the journalism field have allowed this, turning our rapists into leading men.”⁷³

Some, however, found the film reassuring. One said “Glass wound up looking even worse in the movies than he had in print,” being “so smarmy and transparent in his obsequious behavior, so nauseatingly disingenuous in his self-deprecation.”⁷⁴ Others wrote of “the immense satisfaction of seeing a smarmy, brown-nosing little fake get what’s coming to him”⁷⁵ and of how the movie “makes us feel the way our forefathers must have felt after a really good public stoning.”^E In contrast, Peter Sarsgaard as Chuck Lane was praised for making “ethical conviction tough and attractive” and for “metamorphosing his character’s stiffness into a moral indignation that’s jolting and, finally, invigorating.”⁷⁶ Another reviewer declared herself “heartened that someone still has enough faith in the fourth estate to imagine this tawdry saga as an old-fashioned morality play in which the good guys come up tops.”⁷⁷

72. Gal Beckerman, *Facts and Fictions: Shards of Glass*, COLUM. JOURNALISM REV., Sept.–Oct., 2003, at 54, 54.

73. Freedman, *supra* note 56, at 13A.

74. David Shaw, *Fabricators: Bewitched, Bothered and Bewildering*, L.A. TIMES, Nov. 2, 2003, at E12.

75. Jim Lane, *House of Glass*, SACRAMENTO NEWS & REV., Nov. 20, 2003, available at <http://www.newsreview.com/issues/sacto/2003-11-20/film.asp>.

^E David Edelstein, *Stephen’s Bogus Journey*, SLATE, Oct. 30, 2003, at <http://slate.com/id/2090544> (on file with the Notre Dame Journal of Law, Ethics & Public Policy).

76. Wesley Morris, *Smart Glass Is Filled with Thrill*, BOSTON GLOBE, Nov. 14, 2003, at C6; Glenn Kenny, *SHATTERED GLASS, PREMIERE*, Oct. 29, 2003, available at http://www.premiere.com/article.asp?section_id=2&article_id=1291 (film review) (on file with Notre Dame Journal of Law, Ethics & Public Policy).

http://www.premiere.com/article.asp?section_id=2&article_id=1291.

77. Ella Taylor, *Bullshit Detected*, L.A. WEEKLY, Oct. 31–Nov. 6, 2003, at 38.

The film's moralizing tone did irritate some reviewers whose criticisms recalled those aimed at the press in the wake of the Glass scandal. The *New York Times*'s Frank Rich wrote that there was "a gaping disconnect between a Hollywood critique like *Shattered Glass* and the news media's more distressing ailments," including its role in perpetuating a "star-worshipping celebrity culture."⁷⁸ Another critic said the film "might have delivered a blow to the barking narcissism of our age," but instead gave journalism "a big wet kiss at a time when the profession might benefit from a kick in the ass."⁷⁹

The *New Yorker*'s Anthony Lane was especially contemptuous, pronouncing *Shattered Glass* "the most ridiculous movie I have seen this year" in how it portrayed Glass as "a rotten apple in the barrel" while suggesting that "the barrel itself, the noble calling of the reporter, is as sturdy and polished as ever." He added that it was silly to heap "wrath and lamentation on dodgy reporting" instead of on "the strains of harm and negligence that genuinely corrode our lives."⁸⁰ Yet Lane's review prompted a rebuttal from one Canadian critic: "If truth isn't something worth making an issue about, let alone a movie, then should we not just abandon all pretence of civilization, grab our clubs and buffalo skins, and retreat to the caves of our prehistoric ancestors?"⁸¹

III. MOVIES AND MEDIA ETHICS

The most common criticism of *Shattered Glass*, even from the film's admirers, was that it provided little insight into what drove Glass to lie. Glass

78. Frank Rich, *So Much for 'the Front Page'*, N.Y. TIMES, NOV. 2, 2003, at 1.

79. Mark Bowden, *When the Front Page Meets the Big Screen*, ATLANTIC MONTHLY, Mar. 2004, at 146, 150.

80. Anthony Lane, *Deceived*, NEW YORKER, Nov. 3, 2003, at 104, 104–105.

81. Peter Howell, *Big Game of Untruths and Consequences*, TORONTO STAR, Nov. 28, 2003, at D03.

himself raised that point after viewing the movie: “I don’t think there’s ever an expression of why or what it felt like to be the person doing this.” In response, Billy Ray said Glass’s motivation “just doesn’t interest me that much.”⁸² That lack of interest contributed to the movie’s comparatively one-dimensional portrait of the young reporter as a sniveling weasel who received his just deserts. On the other hand, Lane’s character was more fully rounded, allowed at first to appear “cold and a little priggish, aloof from the warm, competitive camaraderie that binds the rest of the staff together” before finally winning the staff’s respect and affection.⁸³ The movie also softened the character by showing him with his wife and sick infant child in scenes that the real-life Lane acknowledged were largely fictionalized.⁸⁴

Thus the film told a straightforward tale of a sympathetic journalistic hero vanquishing an unsympathetic journalistic villain. That was consistent with the common press perception that Glass, like Jayson Blair and other deceiving reporters, was a “scoundrel” who had to be severely punished for his sins (as one journalist put it, “You cannot kill these creatures too many times”).⁸⁵ It also was consistent with journalistic ethics codes and the social responsibility model of the press: one news organization through the initiative of its staff exposed the

82. Douglas J. Rowe, *Picking Up the Pieces: Life Goes On for Disgraced Reporter*, TIMES UNION (Albany, N.Y.), Nov. 20, 2003, at P39. Glass’s own explanation was that “I lied to deceive people in[to] thinking better of me.” After losing his magazine job, he earned a law degree from Georgetown University and passed the New York bar exam, but he noted that his character and fitness review would “obviously require a great deal of consideration.” *Id.*

83. A.O. Scott, *A Young Writer’s Ambition, With Loyalty and Betrayal*, N.Y. TIMES, Oct. 31, 2003, at E17.

84. See Howard Kurtz, *Stephen Glass: The True Story*, WASH. POST, Oct. 7, 2002, at C1, C7.

85. William Powers, *Grinding Away*, 35 NAT’L J. 1712 (2003); Edelman, *supra* note 75. In his novel-memoir, Glass alluded to the press’s reaction to his misdeeds. “You’ll never be sorry enough for the journalists,” his brother tells him in the book. “The only way you’ll ever give them a modicum of satisfaction . . . is to let them run your obituary. Here lies Stephen Aaron Glass, who was wrong and broke the rules. Very important rules. And he was bad too. Very bad. He suffered all his life, and then he died painfully.” GLASS, *supra* note 50, at 234.

misdeeds of a competing news organization, and the editor at the competing organization accepted responsibility by firing the wrongdoer and issuing a public apology.⁸⁶

However, just as *Shattered Glass* eschewed an investigation of the psychological factors underlying Glass's deceptions, it also avoided examining in any significant detail the social and cultural factors that may have contributed to the scandal. The movie did allude briefly to the financial pressures upon the *New Republic* ("Our losses are a joke," the publisher is heard saying).^F It noted that the median age of the staff was only twenty-six and that Glass was the youngest of all. It touched on the young staff's desire to make names for themselves and on the envy that some felt toward Glass's growing fame; it similarly showed the competitiveness among the online reporters at *Forbes* to get a piece of the story exposing Glass. And it subtly highlighted the differences between Glass's splashy, personalized style of reporting and the drier, policy-oriented style favored by Lane.

Left unexplored were questions regarding the magazine's cynical organizational culture and the editors' role in fostering it. For example, one critic charged that "junior staffers looking to [Michael] Kelly for editorial direction would see nasty and snide as the way to go,"⁸⁷ a far cry from the movie's depiction of him as a gentle, paternal figure. As for Lane, he not only had allowed some of Glass's fabricated articles to be published but also helped provide the ironic, winking titles to them (as with *Monica Sells* and *Hack*

86. See BLACK ET AL., *supra* note 19; Peterson, *supra* note 18, at 92–94.

^F SHATTERED GLASS, *supra* note 65.

87. Blow, *supra* note 58, at 24, 27.

Heaven). “The editors were desperate for good stuff,” an anonymous *New Republic* staffer said shortly after Glass’s lies were uncovered. “A hungry dog doesn’t sniff at his bowl before eating.”⁸⁸ The ways in which such a climate could allow and even encourage various forms of deception were not directly addressed by the movie.⁸⁹ Instead it portrayed deception in black-and-white terms, with Lane resisting Glass’s attempts to envelop him in his web of lies and declaring with righteous indignation that the magazine would hold itself accountable for its indefensible performance.⁹⁰

One review of *Shattered Glass* ended by rhetorically asking, “What sort of culture elevates Glass for his entertainment value, punishes him for being too entertaining, rewards his notoriety, and then resurrects him again as a moral object lesson?”⁹¹ The answer is a culture rife with the same contradictions that James Carey pointed toward in journalism, one that extols truth and sobriety while embracing “aggressiveness and star quality.”⁹² A key role of myth is to reconcile just such “basic oppositions at the heart of human life.”⁹³ *Shattered Glass*, like *All the President’s Men* and other journalism movies before it, reaffirmed the myth of a free press.

That myth venerates personal initiative and ambition: for example, Woodward and Bernstein’s hunger to get ahead by exposing Nixon, or Adam

88. Pooley, *supra* note 59, at 62.

89. See generally BOK, *supra* note 45 (discussing the social and cultural factors underlying deception); CLIFFORD G. CHRISTIANS ET AL., *MEDIA ETHICS: CASES AND MORAL REASONING* 71–73 (6th ed. 2001) (discussing the relationship of organizational culture to journalistic fabrication).

90. Billy Ray went so far as to call the climactic scene in which Glass makes a last desperate attempt to win Lane’s sympathy “the Last Temptation of Chuck Lane.” *SHATTERED GLASS*, *supra* note 65.

91. J. Hoberman, *Bad Faith Is Back: A Pair of Clinton-Era Allegories Evoke Free-Floating Late-'90s Hypocrisy*, *VILLAGE VOICE*, Oct. 29–Nov. 4, 2003, at C67.

92. Carey, *supra* note 63, at 5.

93. LULE, *supra* note 14, at 144.

Penenberg's desire to do the same by exposing Glass. At the same time, it condemns excesses in ambition: the Nixon administration flouting the law to stay in power, or Stephen Glass flouting the truth to stay in print. Those such as Glass, Jayson Blair, and Janet Cooke who act beyond the pale are publicly pilloried. In following "the prescribed script of a ritual of atonement," the press resolves its "own internal contradictions symbolically, at least momentarily, by expulsion of the guilty." In turn, that serves "to showcase the central virtues of journalism, to shore up the boundary between fact and fiction, borrowing and stealing, and to restore the bond of trust" between the press and the public.⁹⁴ Journalism is shown to be still worthy of its charter, able to deal with its own scoundrels just as it dealt with public scoundrels during Watergate. Truth is reasserted and order is restored; professional authority and autonomy are maintained.

According to critics, the problem with such myths is that they prop up the very status quo that the critics say is no longer tenable. "Myth not only offers order but also insists on order," writes media scholar Jack Lule. "Myth not only confirms beliefs but also constricts beliefs. Myth not only passes down traditions but also sanctions traditions."⁹⁵ Yet the Enlightenment tradition of liberal, rational individualism that is sanctioned by the free press myth seems increasingly irrelevant; in Clifford Christians' words, the "modernist project to establish reason and truth as being everywhere and always the same has failed" while at the same time "the paradigm of immutable and universal morality has been generally

94. Carey, *supra* note 63, at 5; David L. Eason, *On Journalistic Authority: The Janet Cooke Scandal*, in *MEDIA, MYTHS, AND NARRATIVES: TELEVISION AND THE PRESS* 205, 224 (James W. Carey ed., 1988).

95. LULE, *supra* note 14, at 191.

discredited.”⁹⁶ Some ask whether a new project or paradigm is required. As one political scientist has put it, “Is it possible that there is a need for some kind of an ethic rooted in a critique of liberalism and based on a democratic, multicultural, humane ideal?”⁹⁷

Christians and others argue that communitarian media ethics may be the answer. Communitarianism reembraces the notion of universal morality in asserting that “persons have certain inescapable claims on one another that cannot be renounced except at the cost of their humanity.”⁹⁸ It advocates “a journalism committed to justice, covenant, and empowerment” that helps citizens become “empowered for social transformation, not merely freed from external constraints, as classical liberalism insisted.”^G Such an ethic demands a radical reorientation away from individual autonomy and toward the common good, including “a fundamental restructuring of the organizational culture within which news is constituted” and “a decisive break with individualistic capitalism” geared only toward “fattening company coffers.”^H Consistent with the last point, Robert McChesney decries the current “Market *Über Alles*” approach to media policymaking that, far from fostering innovation, only encourages “the cheap and the imitative” as well as the violent and vulgar. Charging that the current system “is not set up to create good journalism; it is set up to generate maximum profits for news media companies,” McChesney argues for “a strong policy bias toward

96. Clifford G. Christians, *The Ethics of Being in a Communications Context*, in COMMUNICATION ETHICS AND UNIVERSAL VALUES 4 (Clifford Christians & Michael Taber eds., 1997).

97. Judith Grant, *Morality and Liberal Legal Culture: Woody Allen’s Crimes and Misdemeanors*, in LEGAL REELISM, *supra* note 1, at 169.

98. CHRISTIANS ET AL., *supra* note 19, at 14, 163.

^G *Id.*

^H *Id.*

encouraging more competitive markets” as opposed to the oligopolistic one now in place. He also calls for “strong policy measures and subsidies . . . to encourage a vibrant nonprofit and noncommercial media sector.”⁹⁹

Again, though, those perspectives do not appear in movies such as *Shattered Glass*. There is no follow-up to the film’s passing mention of money concerns at the *New Republic*. There is little reference to the world outside the magazine or to a citizenry that, according to one media scholar, is typically either ignored by Hollywood or depicted as being “credulous, impulsive, and dependent” toward the media.¹⁰⁰ Instead, much as *All the President’s Men* has been criticized for focusing on Woodward and Bernstein at the expense of a more nuanced study of Watergate,¹⁰¹ *Shattered Glass* forgoes a more searching critique of the press in favor of presenting “a nostalgic view of a credible, long-standing enterprise betrayed by . . . a pathological liar.”¹⁰²

Is then the movie nothing but a sop to a model of journalism and media ethics that no longer works? Indeed, can we realistically expect anything provocative or useful from Hollywood in that regard, given that movies are themselves commercial media products designed to appeal to paying audiences by drawing upon familiar formulas and myths?

The bigger question is whether those familiar myths have anything still to offer us. For those such as Jack Lule, the answer clearly is yes. Even if myth generally

99. MCCHESENEY, *supra* note 25, at 97, 195, 209.

100. THOMAS C. LEONARD, NEWS FOR ALL: AMERICA’S COMING-OF-AGE WITH THE PRESS 210 (1995).

101. See Edward Jay Epstein, *Did the Press Uncover Watergate?*, COMMENTARY, July 1974, at 21–24; William E. Leuchtenburg, *All the President’s Men*, in PAST IMPERFECT: HISTORY ACCORDING TO THE MOVIES 288–91 (Mark C. Carnes ed., 1995); ADRIAN HAVILL, DEEP TRUTH: THE LIVES OF BOB WOODWARD AND CARL BERNSTEIN 70–103 (1993); GLADYS ENGEL LANG & KURT LANG, THE BATTLE FOR PUBLIC OPINION: THE PRESIDENT, THE PRESS, AND THE POLLS DURING WATERGATE (1983).

102. CHRISTIANS ET AL., *supra* note 19, at 118.

maintains the status quo, it also provides “stories and exemplary models that can be used by groups to alter or shape social order.”¹⁰³ In other words, myth addresses not only what is but also what could and should be. According to Michael Schudson, that is why Watergate continues to resonate for the press; as with all myths, it speaks to “what we may have been once, what we still might become, what we would be like ‘if.’”¹⁰⁴ Even a critical scholar who writes of how the free press myth masks the workings of power nonetheless acknowledges that the myth is “inspirational, hopeful, ennobling, giving substance” to enduring ideals “that would otherwise become vague in the minds of new generations.”¹⁰⁵

With that in mind, Billy Ray’s assertion that he wrote and directed *Shattered Glass* as “an open tip of the cap to Woodward and Bernstein and the work that they had done when I was a kid” sounds less self-serving or naïve. Ray said the movie was about the generation of journalists that has followed Woodward and Bernstein and that “still has to prove itself.” Not all are stars or star-wannabes; some are “grinders” who are “fighting the good fight.” According to Ray, that in turn highlights the central idea of the movie, “that the truth either tortures us or sets us free. And it clearly did one thing to Stephen Glass and another thing to Chuck Lane.”¹⁰⁶

Shattered Glass is a reminder that whatever Hollywood’s shortcomings may be in presenting systematic critiques of the press, it still can offer compelling studies of individual choices and show why they matter, even at a time when the nature of truth and individual autonomy is questioned. “The whole truth *is* out of

103. LULE, *supra* note 14, at 192.

104. SCHUDSON, *supra* note 43, at 124.

105. BENNETT, *supra* note 14, at 241.

106. SHATTERED GLASS, *supra* note 65.

reach,” Sissela Bok has written. “But this fact has very little to do with our choices about whether to lie or to speak honestly, about what to say and what to hold back.”¹⁰⁷ Those choices are especially important in journalism, in which individuals regularly make decisions reflecting either a commitment toward truth and “journalism’s stated mission toward the public trust” or toward “other principles—such as hunger for a good story or desire for career advancement.”¹⁰⁸ *Shattered Glass* dramatically depicts what is at stake within news organizations and in the end shows the right choices being made.

More broadly, the movie speaks of ideals regarding truth and democracy that we cannot afford to abandon unless we are prepared to “retreat to the caves of our prehistoric ancestors,” as one reviewer of the film eloquently put it.¹⁰⁹ The film does not come close toward addressing all that ails journalism. But in making “ethical conviction tough and attractive,”¹¹⁰ in suggesting that “grinders” are sometimes more valuable than stars, and in declaring that truth-telling remains *sine qua non*, it takes the necessary first step.

107. BOK, *supra* note 45, at 4 (emphasis in original).

108. Maggie Jones Patterson & Steve Urbanski, What Jayson Blair and Janet Cooke Say About the Press and the Erosion of Public Trust 7 (Aug. 2004) (unpublished manuscript, on file with author).

109. Howell, *supra* note 81, at D03.

110. Morris, *supra* note 76, at C6.