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| |  | | --- | |  |  |  |  |  |  | | --- | --- | --- | --- | | Jamison Colburn  Professor Jamison Colburn teaches at West New England College of Law where he specializes in environmental law and  policy       |  | | --- | | **Read other reviews:**  [Internet Movie Database](http://www.us.imdb.com/title/tt0323944/)  [All Movie Guide](http://www.allmovie.com/cg/avg.dll?p=avg&sql=1:285788)  [Readers' comments](http://docs.google.com/user_feedback.htm) |         Glass's pieces are good for the bottom line and, in that, his bosses' casualness with "the facts" might be rather familiar to many lawyers. If it were cheap and profitable, why wouldn't an editor admire it enough to take Glass's word as verification enough? | |  | | --- | | **The Law/Fact Dichotomy: Law and Journalism in *Shattered Glass***  By Jamison Colburn  *Shattered Glass*, the film about "[Fabulist](http://www.amazon.com/exec/obidos/tg/detail/-/0743227123/qid%3D1086718579/sr%3D8-1/ref%3Dsr_8_xs_ap_i1_xgl14/103-7295407-5447813?v=glance&s=books&n=507846)" reporter Stephen Glass, is not necessarily a movie about law, justice or the practice of either. It's about the practice of journalism in America today and specifically at one of its premier institutions, The New Republic. But it pushes a very interesting subtext about someone who wants to be a lawyer and in this respect tells a great story. When I say "wants to be a lawyer," I mean to distinguish Glass-who apparently hungered for it-from so many other who choose it for lack of something better to do. The film doesn't just show Glass's transition to a new profession, though. It also suggests how these two professions are becoming more and more alike.  In the movie and in real life Glass enrolls at Georgetown Law even while his practice of journalism is taking him to seemingly fantastic professional heights. Glass is clearly not one of the many in law schools today who are there because a Political Science or Philosophy major packaged them for little else. He is, you must see, "successful" at what he is doing. Depending on how you interpret Glass's character in the film, though, you could take his story as either a parable about sham performances generally or about an ambitious maniac who zeroes in on the precise weaknesses of a system begging to be gamed for profit. That interpretive choice, I'd wager, says something about what kind of lawyer (or journalist) you'd be, have been, or are.  The practice of law and the practice of journalism are very different and yet very similar. Journalists live to report facts and usually they have "fact-checkers" and editors who must independently verify the claims they are about to make. For some facts, though, these third-parties are without any real means of independent verification (say, for quotes from sources whom the journalist has interviewed). On some pieces, Glass intones at one point, "the only source material available are the notes provided by the reporter himself." The notes must be proof enough, at least until the recriminations roll in on a published story. Cook up the right "record" as Glass does habitually, in other words, and the institutional check in place to safeguard veracity is easily circumvented.  Now I'll grant it is no help that, at least in the film, Glass's superiors often seem anaesthetized to clues suggesting-they're even slow finally to believe-that Glass is a sham. And this seems as much because of how he pitches his work and how popular his pieces are as it is because of the "quality" of that work. Glass's pieces are good for the bottom line and, in that, his bosses' casualness with "the facts" might be rather familiar to many lawyers. If it were cheap and profitable, why wouldn't an editor admire it enough to take Glass's word as verification enough? Of course this is not necessarily how it has to be: anyone can imagine a verification system that would not print any story which hasn't been truly, independently verified. We just can't imagine it successfully competing with all the other "journalism" outlets in the market today.  Throughout the film the audience is shown Glass's version of journalism and its worth to outlets like The New Republic, Harper's, and Rolling Stone. In the opening scene, Glass narrates that the practice of journalism is "the art of capturing behavior." It soon becomes clear that the flash, panache, and unbelievable timeliness of his "scoops" are what catapult him to his success so much more quickly than the steadiness and method-and simple relevance-of his peers' reporting. Richly, while all of this is going on the audience catches the occasional glimpse of Glass in his office studying and highlighting the all-too-identifiable casebook, hard at work preparing, one surmises, for his truly desired profession.  Being trained as a lawyer and as an academic (and therefore being as protective of "the facts" as I flatter myself to be), I have to admit that this is really what decided the interpretation of the film for me. For, on balance, I think there are more Glasses in the world than some (journalists) might like to admit. In fact, Glass's particular mania is how *Shattered Glass* dovetails with other recent scandals in journalism, most notably [Jayson Blair](http://www.theatlantic.com/issues/2004/05/raines.htm) of The New York Times. Blair was also a meteoric success whose reporting turned out to be, repeatedly and overtly, predicated on bald fabrications that his paper failed to catch. One keeper of [journalistic ethics](http://www.poynter.org/content/content_view.asp?id=40733) said that, in the wake of so many of these scandals, "[n]ews organizations face an uphill battle in regaining the public's trust."  Now even in our post-modern world, reporting like Glass's is "indefensible" in the words of editor Charles Lane (who finally fired Glass after he had defrauded the magazine and its readers in at least 27 of his 41 stories). For me, though, the scheme underscored how much today's practice of journalism resembles the practice of law. Because while each of the spectacular disgraces to news organizations lately have involved violations of basic professional ethics, what they've done is by now common in the practice of law: they push the envelope of practice norms a shade too far. It is perfectly acceptable in some newsrooms (from what I've read and been told) to "composite" characters together and make them seem like "real" sources, sources to whom "real" statements are attributed. And of course "real" reporters share a stage every day with people whose very objective-whose ethos-is to make the games of politics and world affairs more "entertaining" or more "[homespun](http://www.newyorker.com/critics/books/?040524crbo_books)."  Glass's fall from The New Republic to the humility of a seat in the Georgetown Law class (he graduated in 2000 and has recently applied for admission to the New York Bar) is meant as a tragedy it seems. Lane doesn't allow Glass to take his Rolodex from his office as he is being booted, but he does allow him his "law books"-an allusion to the character of the profession that might still have him. Yet the [malaise](http://www.poynter.org/column.asp?id=36&aid=43343) in several of American journalism's premier institutions today is easily the bigger tragedy. The market predicament these institutions face for the foreseeable future make them look like some law firms I know: the profit motive dominates the professional culture. In journalism the result is an overarching objective to entertain, to titillate. In law it is an overarching need to serve the client. If you also see that as the larger trope of this film, I would bet that you've either: (1) practiced law long enough to have seen it firsthand, (2) practiced journalism long enough to have seen it firsthand, or (3) that you are an especially keen observer of popular culture's portrayal of these professions.  Of course, an interpretive choice has nothing to do with your moral character as a professional. But anyone who still practices conscientiously in one of these two fields today even while they spiral downward both in terms of professionalism and public esteem (or, worse, after she has personally encountered the ambitious maniac gaming a weak system) will see in *Shattered Glass* a just, if fleeting, reckoning between facts and norms.  Posted July 7, 2004 |   **Would you like to comment on this article? Please submit your comments** [**here.**](http://docs.google.com/submit-comments.htm) |  |  | | --- | | [Top of page](#gjdgxs) |  |  | | --- | | [Home](http://docs.google.com/index.html) | [Silver Screen](http://docs.google.com/silver_screen.htm) | [Small Screen](http://docs.google.com/smallscreen/small_screen.htm) | [News & Views](http://docs.google.com/newsnviews.htm) | | |