The breakdown of truth

Article by: GLENN C. ALTSCHALER, Special to the Star Tribune

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The truth matters, Karen Seymour, head of the criminal division of the U.S. attorney's office, told jurors during the trial of Martha Stewart. When a witness lies under oath, she said, "It's really our entire nation, our country, that is victimized."

James B. Stewart, a former editor of the Wall Street Journal and frequent contributor to the New Yorker, agrees. In "Tangled Webs: How False Statements Are Undermining America, From Martha Stewart to Bernie Madoff," he uses the high-profile prosecutions of Stewart, Madoff, Lewis "Scooter" Libby and Barry Bonds to examine what happens when the foundation of the American legal system -- that witnesses will tell the truth -- breaks down. A gifted storyteller with a knack for parsing technical terms and arcane practices, Stewart raises important questions about insider trading, national security leaks and the determination of the press to protect confidential sources. He does not, however, make a compelling case that in recent decades lying has become more pervasive or is less likely to go unpunished.

"Tangled Webs" breaks some news. Vice President Dick Cheney, Stewart demonstrates, certainly enabled, and probably encouraged, Scooter Libby, his chief of staff, to leak the identity of CIA agent Valerie Plame to punish her husband, Joe Wilson, for attacking Bush administration claims that Saddam Hussein sought to acquire uranium from Niger. Stewart also reveals that, although he decided not to seek an indictment, Special Prosecutor Patrick Fitzgerald laid out the substantial evidence that Karl Rove had broken the law in a letter to President George W. Bush.

Stewart also provides an important perspective on the need to balance the value of the confidentiality of sources to newsgatherers with the threat it poses to law enforcement. Confidentiality, Stewart suggests, should not be regarded as an absolute principle, protected in all cases by the First Amendment. Libby, for example, was not a whistleblower exposing wrongdoing in government; moreover, since he had released reporters from their promises to him, they should have testified. By contrast, the disclosures of reporters Mark Fainaru-Wada and Lance Williams, gleaned from a confidential source, about the distribution of performance-enhancing drugs to professional athletes by the Bay Area Laboratory Cooperative, did serve a public interest.

Although he acknowledges that it's impossible to know whether lying is a growth industry, Stewart believes that the nation is on the brink of an era in which perjury is the norm, and that officers of the law are turning a blind eye to it. He does not entertain an alternate explanation: that the ability to
retrieve e-mails and phone logs may make it easier to identify — and unravel — webs of deceit. And that lying under oath may be more visible without necessarily being more prevalent in American society.

- Glenn C. Altschuler is the Thomas and Dorothy Litwin Professor of American Studies at Cornell University.