

ALTERNATIVE FACTS: DO DIFFERENT VERSIONS OF THE TRUTH EXIST?

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Alternative Facts: Do Different Versions of the Truth Exist?

It was a hot Sunday morning at the US military airbase Pakistan. Francis Gary Powers, a pilot, had an early breakfast of bacon and eggs in anticipation of a thirteen-hour flight over Russia with a scheduled landing in Norway. It was May 1, 1960, May Day in Russia.

Although the Cold War was still “hot”, nine months earlier, in September of 1959, Nikita Khrushchev had visited the United States and met with President Eisenhower at Camp David. A Summit meeting in Paris with Eisenhower, Khrushchev, and other European leaders was now scheduled for May 14th, 1960.

At 5:20 am, Powers was strapped into the cockpit of the super-secret aircraft known as the U-2. The U-2 was equipped with cameras to take photos of Russian missiles and military bases. Powers, a former Air Force pilot and now a CIA contractor, had flown numerous U-2 missions, including a prior mission over Russia, but Powers was nervous. He was not sure whether to believe his superiors at the CIA who assured him that the Russians lacked the capability of shooting down a U-2 flying at 60,000 feet.

The U-2 finally took off at 6:26 am, when the CIA received final approval from Washington D.C. President Eisenhower approved all U-2 flights over Russia, although he, like Powers, was worried that the Russians would finally figure out how to shoot down the high-flying spy plane, and this flight was so close to the pending Paris Summit.

The CIA had assured Eisenhower that in the unlikely event the Russians did shoot down a U-2, the pilot would not survive the crash and the U-2 would disintegrate while plummeting to the earth. Why take comfort in the fact the pilot would not survive? It facilitated the cover story, alternative facts if you prefer, about an errant non-military NASA weather plane.

To assure destruction if a U-2 was hit by Russian missiles, each U-2 plane was equipped with a mechanism to destroy the U-2, or at least all the camera equipment. The destructor was to be triggered by the pilot before bailing out. As a further back-up, to prevent a live pilot from falling into the hands of the Russians, each pilot was equipped with a small silver dollar containing a toxin, that when ingested, would kill immediately. As it turned out, Powers chose not to hit the destructor button or ingest the toxin.

And what about the CIA alternative story, the cover story? If a U-2 was lost, the U-2 was operated by NASA (yes, the same NASA that would later send astronauts in space), equipped with cameras that were designed to take photos of clouds, not Soviet missiles.

As Powers was strapped into the U-2 cockpit on that Sunday morning in May, 1960:

1. Vice President, Richard Nixon, who served in the Navy during World War II, and who would later tell the nation that he was not a crook, was seeking the Republican nomination for President;
2. Nixon's opponent in the 1960 election, John Kennedy, a decorated WWII navy veteran, who would later deny that he had agreed to withdraw U.S. missiles in Turkey in exchange for the Russians withdrawing missiles from Cuba, was in West Virginia campaigning against Lyndon Johnson for the Democratic nomination for President;

3. Lyndon Johnson, who served for a brief time in the Navy during World War II, and who would later justify the expansion of the U.S. military presence in Vietnam based on an unprovoked North Vietnamese attack on U.S Navy ships in the Gulf of Tonkin, was seeking to convince the Democratic party that John Kennedy was too young and inexperienced to be President;
4. Jimmy Carter, a U.S. Naval Academy graduate, who would later say that he would never lie to the American people, was in Plains, Georgia, working at the family peanut farm;
5. George H. Bush, himself a military pilot who had shared the experience with Gary Powers of being shot down, and who would later tell the American public to watch his lips as he promised no new taxes, was the President of a Texas oil company;
6. Bill Clinton, who as the result of a high draft number avoided military service, and who would later say that he did not inhale and who would shake his finger while denying he had a relationship with that woman, was attending a segregated high school in Hot Springs, Arkansas;
7. Barak Obama, a community organizer who chose not to serve in the military, and who would later promise the American people that they could keep their family doctor, and notwithstanding claims of his critics to the contrary, was born in Hawaii a year later, in 1961; and

8. Donald J. Trump, who avoided military service as a result of (i) a series of student deferments and, (ii) according to the New York Times, a medical diagnosis from a friend of his father that said Donald had bad feet that disqualified him from military service, and whose aide Kellyanne Conway cited “alternative facts” in defending false claims by Trump’s Press Secretary as to the size of the crowd at the inauguration, was fourteen years old in 1960 and enrolled in a New York military academy.

As the U-2 took flight over Russia, Nikita Khrushchev was asleep, but Russian workers were busy preparing for the May Day celebration. Khrushchev’s slumber was interrupted by a phone call from the Russian Defense Minister; a plane had just crossed into Russian airspace from Pakistan. Both men knew it was an American spy plane. The Defense Minister assured Khrushchev that Russian anti-aircraft forces would shoot down the intruder.

As Powers would later recall, 4 hours into the flight, he heard a “dull thump”. The Defense Minister was correct; a Russian missile exploded near the intruder and quickly the U-2 was spinning to the Russian ground below. Powers later said he tried in vain throw the destructor switch. He was able to free himself from the plane and a parachute allowed him to float alive to a Russian collective farm below. Contrary to the assurances of the CIA, Powers survived the crash, as did the U-2’s camera equipment and some film.

Like other President’s that followed him, Eisenhower loved to play golf, especially on the many weekends he fled Washington D.C. to his vacation home in Gettysburg, Pennsylvania. Eisenhower’s trusted advisor, his son John, had a home less than a mile from Eisenhower’s Gettysburg home. Only a small group of people within the White House were aware of the U-2

flights, and John was among them. John was present at meetings in the oval office with the CIA and his father when the CIA had asked for authority to conduct additional flights and had assured the President no pilot or photographic equipment would survive in the event a U-2 plane was shot down or otherwise crashed.

Eisenhower had hoped to play 18 holes of golf that May 1st weekend, but the rain kept him off the course, when Eisenhower received a call from an aide who informed the President that the U-2 plane was overdue landing in Norway and was possibly lost over Russia. Eisenhower was concerned about the loss of a pilot, but as a military commander, that was nothing new. There was a backup plan in place. The pilot would not survive, the U-2 plane would disintegrate, and the U.S. government could plausibly deny an intentional violation of Russian airspace and offer the alternative story: the errant NASA weather plane.

By Monday, May 2, it was obvious the U-2 had crashed in Russia, and there was another problem. While knowledge within the government of the U-2 flight was kept to a very small group of people, the number of people grew quickly.

The ever- efficient National Security Agency (NSA) had tracked the U-2 flight and knew the Russians had been shooting at the plane. The NSA had communicated this information not only to the CIA, but also to officials at the FBI, State Department, Army, Navy and Air Force. It is always more difficult to sell as the truth an alternative story when many others know that your story is not truthful.

The distribution of information by the NSA turned out to be the least of Eisenhower's problems. The premature reports of Powers' death were "greatly exaggerated".

While the Russians remained quiet about the U-2, on May 3rd, Eisenhower, after consulting with the CIA and his aides, including his son John, authorized the release by NASA of the alternative cover story: A NASA U-2 weather plane, flying in Turkey had apparently crashed after the pilot reported experiencing oxygen difficulty.

On Wednesday, May 4, three days after the U-2 was shot down, the Russian government remained silent about the U-2, and Eisenhower played 18 holes of golf.

But the Russians did not remain silent for long. On Thursday, May 5, Khrushchev gave a public speech where he announced a U-2 spy plane had been shot down, but notably he said nothing about the pilot. Immediately Eisenhower faced a dilemma of how to respond to the Russian claim that the U-2 plane was filming Russian military bases and not clouds. Jim Hagerty, Eisenhower's Press Secretary and a former NY Times reporter, who did not know the truth about the U-2 flights over Russia, advised the President to speak to the press about Khrushchev's charges. Eisenhower, after consulting with his advisors, decided not to meet with the press, but he did allow Hagerty, the press secretary, to meet with the press and announce that NASA and the State Department were investigating Khrushchev's charges.

Later in the day the State Department issued a statement saying a NASA weather plane was missing and it was possible the pilot may have passed out because of oxygen deprivation caused by equipment failure and the plane may have continued for miles over Russian territory on automatic pilot

On Friday, May 6, Eisenhower left Washington D.C. for his Gettysburg home and a round of golf.

On Saturday, May 7, six days after Powers took off from Pakistan, Khrushchev gave another public speech, and this time Khrushchev dropped a bombshell:

“Comrades, I must let you in on a secret. When I made my report two days ago, I deliberately refrained from mentioning that we have the remnants of the plane – and we also have the pilot, who is quite alive and kicking. We did this quite deliberately, because if we had given out the whole story, the Americans would have thought up **still another fable**...Now when they learn that the pilot is alive, they will have to think up something else.”

Khrushchev then announced the pilot’s name was Gary Powers and he worked for the CIA.

It was Eisenhower’s son John, who broke the news to him that the Russians had irrefutable evidence that the US deliberately sent a spy plane over Russia. It was now obvious the alternative story was not true.

The United States government fumbled for a few days how to respond to the downing of the U-2 and the identification of Gary Powers as the surviving pilot. Initially, the idea was floated within the White House to blame the flights on the CIA and claim Eisenhower had no knowledge of the flights. Ultimately, Eisenhower rejected the idea of claiming ignorance, if for no other reason, many people within the government by now knew that Eisenhower had prior knowledge of the flights.

On May 11, Eisenhower faced the press and read a statement that implicitly acknowledged the U-2 reconnaissance flights, but defended the idea of sending spy planes for “intelligence-gathering activities” in order to prevent another Pearl Harbor. In his statement, Eisenhower did not acknowledge or address the NASA cover story or apologize for lying about the flights.

The most immediate consequence of the downing of the U-2 plane was the collapse of the May 16th Paris Summit. Khrushchev showed up at the Summit and angrily criticized the U-2 flights and the associated “ridiculous cover stories”. Khrushchev demanded that Eisenhower apologize. Eisenhower responded by saying that future U-2 flights had been suspended, but he refused to say he was sorry. Khrushchev went home and the Summit collapsed.

You may be thinking, wait a minute, surely I am not suggesting an equivalence in character of the hero of World War II, Dwight Eisenhower, and the current resident of the White House. No, I am not, but truth, honesty, and transparency did not just disappear from Washington DC when Trump was inaugurated in front of a disputed number of people.

Looking back at the U-2 affair, it is interesting to highlight certain real, not alternative facts:

- Eisenhower, whose close advisor was his son, frequently left the Capital to play golf at his vacation home;
- Eisenhower approved the release of the cover story about the errant weather plane, which was obviously false;
- The cover story was in part communicated by the President’s press secretary;
- Eisenhower later defended the use of the cover story in a national address to the country as simply a “covering story” that was “standard” use in the intelligence community, claiming it was told to “protect the pilot”; in fact, the cover story was written based on the assumption that the pilot died when the U-2 crashed; and
- Last but not least, the bad guys were the Russians.

Judging by today's standards, Eisenhower's cover story would be judged in a different way. I read the full transcript of Eisenhower's May 11th 1960 press conference where he acknowledged the U-2 was on a spy mission, and a comparison of that press conference to a Presidential press conference today is nothing but startling. At the press conference where Eisenhower admitted the U-2 was on a spy mission, the reporters failed to challenge the President about the false cover story, but as I will discuss below, did ask about attendance at an inauguration.

Eisenhower began the press conference by saying he would read prepared remarks on the U-2 flight, and "after that I shall have nothing further to say" about the U-2 flight. Eisenhower cited Pearl Harbor in defending the U-2 flights, and then completed his prepared remarks by saying "and as I remind you, I will have nothing further to say" about the U-2 flight. He then turned to the reporters, which included reporters from the NY Times and Washington Post, and asked for questions. Judging by today's standards of Presidential press conferences, what followed was amazing.

First, as for the President's statement that he would have nothing more to say about the U-2 flight, the reporters generally complied with the President's request and did not ask direct questions about the U-2, let alone in today's press conference vernacular, "challenge" the President to say more. Although no direct questions were asked, one reporter tried to ask an indirect question, but prefaced his question by saying: "Sir, would it be trespassing on your request about the U-2 to ask" a related question?

Second, the subject of the cover story was not addressed in the President's prepared remarks, and even more amazing, no reporter asked about it.

Third, the questions that were asked show, in some ways, nothing has changed in Washington D.C.:

1. One reporter asked was about pending housing legislation, and the President took the opportunity to brag about low unemployment rates, increased retail sales, and recent increases in the gross domestic product;
2. The President apparently had a trip planned to South Korea, and a reporter asked whether Eisenhower thought there was a possibility of a peace treaty with North Korea;
3. A reporter asked if the President was aware of recent political cartoons and columns in newspapers that were highly critical of the President or whether his advisors kept the President away from such things, to which Eisenhower responded by saying “I just can’t be bothered by” such cartoons and columns;
4. In defending against recent charges by the Russian foreign minister that the U-2 intelligence flights represented “provocative acts”, Eisenhower countered by citing Russian espionage activities in the U.S. and the recently captured Russian spy Rudolph Abel; ironically, two years later, in 1962, Gary Powers was freed in a prisoner swap when he was exchanged for Rudolph Abel, as dramatized by the recent movie “Bridge of Spies”; and
5. Finally, a question was raised that falls into the category of “the more things change the more they stay the same”: the question concerned a dispute as to attendance **at a Presidential inauguration**. For this I had to do some research.

As you may or may not know, Eisenhower and Harry Truman did not get along. (Imagine that, a President was not friendly with his predecessor.) In 1960, Harry Truman had published a

book where he recounted the strained transition of power when Eisenhower became President in 1952. According to Truman, in January of 1952, when he and Eisenhower were riding in the same car as part of Eisenhower's inauguration, the trip began in awkward silence, when Eisenhower interrupted the silence by saying he had not attended Truman's 1948 inauguration because he did not want to draw attention away from Truman. In his 1960 book, Truman reported he (Truman) replied by saying "you were not there in 1948 because I did not send for you", but if "I had, you would have come". When Eisenhower was asked at the May 11th press conference if he had any comments on Truman's claims, Eisenhower initially said he did not think he attended the 1948 inauguration, but when a reporter said she recalled seeing him there, he said he simply did not remember.

Imagine that, attendance at an inauguration was an issue and the subject of a reporter's question at a Presidential news conference where the main topic of discussion was the downing of the U-2 and the upcoming Paris Summit with Premier Khrushchev.

Fast forward to today, and think about whether, at a Presidential press conference called to discuss an event like the downing of a U.S. spy plane, followed by a false cover story about an errant weather plane and an upcoming Summit with the Russian Premier, the President could get away with saying, after reading prepared remarks about a subject that he would say nothing more, and the press generally abided by the request, but did ask a question as to whether the President attended inaugural events twelve years prior?

Of course, following the downing of the U-2 and the collapsed Summit, there was a Congressional investigation, or I should say an "inquiry". The President met on May 26th, 1960 with congressional leaders of both parties to discuss the downing of the U-2. Among other

matters discussed, in the spirit of bipartisanship, the leaders from the Democratic party agreed there would be a congressional “inquiry”, but not an “investigation”. One Senator was quoted as saying it will either be a study or inquiry, and they would avoid “an investigation in the ugly sense of the word”.

Today, investigations, and even the use of the word investigation, are controversial. With respect to the Mueller investigation into collusion with the country that shot down the U-2, President Trump prefers the use of the words “witch hunt”. As for the FBI investigation into Hillary Clinton’s use of emails, Loretta Lynch, the then Attorney General under President Obama, told FBI director Comey not to use the word “investigation”; she preferred the word “matter”.

Jim Hagerty, Eisenhower’s press secretary who announced the NASA cover story, attended the May 26th meeting between Eisenhower and members of Congress. Hagerty later summarized the discussions at the meeting saying all the Senators, both Republican and Democrat, “agreed that the inquiry should be conducted on a completely non-partisan and truly bi-partisan basis” and Eisenhower agreed that both political parties going forward should avoid “political dialogue”, and then Hagerty, referring to the U-2 affair, wrote:

“He [Eisenhower] stated that this was one of the things that Khrushchev was trying to do, to inject this matter into the American presidential campaign...”

How interesting: The head of the Russian government was trying to **meddle in an upcoming presidential election!**

Based on my limited research, at least in the immediate aftermath of the downing of the U-2, I could find no reference to any public figure who openly or directly criticized Eisenhower

for failing to tell the truth. In retrospect, years later Eisenhower regretted issuing the NASA cover story. “I didn’t realize how high a price we were going to have to pay for that lie...and if I had to do it all over again, we would have kept our mouths shut”. What was the “price” that Eisenhower was referencing? Was it the collapse of the Summit? Would Khrushchev have walked away in the absence of the cover story?

Gulf of Tonkin Resolution

Four years after the downing of the U-2, on August 2, 1964, when the United States had only 15,500 military advisors serving in South Vietnam, and a Gallop poll showed 25% of Americans were not aware of the fighting in Vietnam, the US Navy destroyer *Maddox*, on an intelligence mission, was patrolling in the Gulf of Tonkin along the coast of North Vietnam. The Captain of the *Maddox* was not aware that three days earlier, on July 30 and July 31st, 1964, South Vietnamese commandos, with assistance from the CIA, had raided two nearby North Vietnamese islands. The North Vietnamese responded to the raid by sending three PT boats armed with torpedoes toward the *Maddox*. The *Maddox* defended itself by firing at the PT boats and the North Vietnamese quickly retreated.

Back in Washington DC, President Johnson was greatly troubled by the prospect of South Viet Nam falling, like a domino, to the communist North. The same CIA that assisted the South Vietnamese commandos (and commanded the U-2 flights over Russia) had issued a bleak intelligence assessment in May of 1964 that concluded the military capability of the South was deteriorating rapidly and there would be dire consequences if the South fell. Johnson also felt pressure from Barry Goldwater, his Republican opponent in the upcoming election, who had

taken a hard line in defending South Viet Nam, famously saying “extremism in the defense of liberty is no vice”.

Johnson was also under pressure from the Joint Chiefs of Staff who urged the President to launch air strikes against the North. After the *Maddox* was attacked on August 2nd, Johnson decided not to retaliate, but Johnson authorized the Pentagon to draw contingency plans to bomb the North.

The next day, August 3rd, South Vietnamese forces launched two more commando attacks against the North Vietnamese coastline.

On August 4th, the Navy again ordered the *Maddox* and another destroyer, the *Turner Joy*, to sail along the North Vietnamese coastline to gather intelligence. It was a moonless night with low clouds and thunderstorms. The men on the *Maddox* were rightfully nervous having been attacked two days earlier. A young and inexperienced Navy sailor, in charge of reading the sonar, began seeing multiple indications of torpedo attacks on the *Maddox*-- twenty-one torpedoes in all. Unbeknownst to the young sailor, strange weather patterns that night and erratic maneuvers by the *Maddox* likely caused false sonar readings of attacks.

The captain of the *Maddox* immediately began sending reports back to the Pentagon that it was again under attack by North Vietnamese PT boats. Upon receiving the initial reports of the attacks, President Johnson, after consulting with Defense Secretary Robert McNamara, decided to retaliate and ordered air strikes against the North. Johnson also scheduled TV air time that night to address the American people.

Shortly after ordering the air strikes, Johnson had a problem. The captain of the *Maddox*, after initially sending reports of continuous torpedo attacks, now reported a different, or alternative version of what happened that morning:

“Review of action makes many reported contacts and torpedoes fired appear doubtful. Freak weather effects on radar and overeager sonar men may have accounted for many reports. No actual visual sightings ...suggest complete evaluation before any further action taken.”

To add to the confusion, navy jets flew over the area and saw no PT boats or evidence of the alleged attacks. The nearby destroyer *Turner Joy* also reported its sonar detected no torpedoes.

What followed next was a conflicting report from the National Security Agency as to intercepted North Vietnamese communications. The NSA had to translate the Vietnamese words into English, and the initial interpretation of the translations appeared to support a second attack on the *Maddox*, but questions were quickly raised whether the North Vietnamese were talking about the attack that did occur on August 2nd or to a second attack on August 4th.

Despite doubts that existed as to whether an attack occurred on August 4th, President Johnson appeared on TV that night to announce he had ordered US forces to bomb the North in retaliation of what the President said was “aggression by terror against the peaceful villagers of South Vietnam” that now was “joined by an open aggression on the high sea” and “repeated acts of violence” against the United States. The next day Johnson further justified the air strikes on the North by describing the attacks on the *Maddox* as “unprovoked”. Johnson did not discuss the fact there were doubts as to whether there was an attack on August 4th nor did Johnson discuss or disclose the nearby commando raids on the North by the South Vietnamese which may have in fact “provoked” the attacks by the North Vietnamese.

Two US Navy jets were shot down that night. One pilot was killed and the other, Lieutenant Everett Alvarez, survived to become the longest held American airman POW.

Three days later and based on the Johnson administration assurances that the North Vietnamese had attacked the *Maddox* on August 2nd and August 4th, and with little or no debate, Congress passed with a unanimous vote in the House and only two dissenters in the Senate, what became known as the Gulf of Tonkin Resolution. The Resolution, after acknowledging that the North Vietnamese had deliberately and repeatedly attacked the US Navy, authorized the President, as Commander in Chief, to “take all necessary measures to repel any armed attack against” US forces and to use armed force to assist South Viet Nam in “defense of its freedom”.

In his speech on August 4th when Johnson announced the air strikes against the North, Johnson said that “**we still seek no wider war**”. At the time of his speech, there were 15,500 US military advisors in South Viet Nam. Within a few months, and relying upon the broad authorizing language in the Gulf of Tonkin Resolution, a copy of which Johnson kept in his wallet for the rest of his Presidency, Johnson sent to South Viet Nam the first US combat troops. By 1969, there were 543,000 US troops in Viet Nam.

Not long after Congress passed the Resolution, after further investigation, the Pentagon told the President it was unlikely there was a second attack on August 4th. The President told an advisor: “Hell, those dumb stupid sailors were just shooting at flying fish”.

Brian VanDeMark, in his 2018 book on the Viet Nam war, writes that Johnson, in a hurry to give his scheduled speech the night of August 4th, treated the second attack on the *Maddox* as true “despite a lack of hard evidence... Johnson did not have all the facts, nor had he waited for them before making a firm judgment.”

Years later, in his 1993 video memoir the *Fog of War*, Defense Secretary Robert McNamara, while admitting there were some confusion about the August 4th attacks, said the military had assured him and President Johnson that the attacks had occurred. In hindsight, McNamara said “we were wrong”, the August 4th attack “did not occur”, it was simply “confusion”, adding that sometimes “we see only one-half of the story”; “we see what we want to believe”.

[Footnote: That August 1964 night in the Gulf of Tonkin the destroyer *Maddox* was part of a larger carrier division, and the commander of the division was Captain George Morrison. Captain Morrison had a son named Jim, and Jim Morrison would later become the lead singer of the rock band the Doors.]

So, you may be asking, enough about the past Presidents, what about Trump, Kellyanne, and others in the Trump administration who speak of “alternative facts”, and sometimes “white lies”?

I did a google search of the words “alternative facts”, and as of 12/30/18, it generated 1, 550,000 entries. One of the first entries was to something called the Urban Dictionary, which defined “alternative facts” as lies, although it also included additional language in its definition that is probably not appropriate for the Quest Club audience.

As for President Trump, articles in newspapers, magazines, and other social media appear almost daily that attempt to tabulate the number of falsehoods he or others in his administration have told. The Washington Post counted 7,644 falsehoods as of December 30, 2018; the NY Times recently told us that Trump had “offered a litany of falsehoods” in the midterm campaign; and the Fort Wayne Journal Gazette on November 14, 2018 told us that Press Secretary Sanders lied when she cited a physical altercation with a White House intern to defend the expulsion of a CNN reporter from White House press conferences. This was the CNN reporter who believed he

had a constitutional right to not only ask multiple questions, but to also “challenge” the President.

Law professors, who rarely come down from the ivory tower, have found “alternative facts” as having great legal significance. The Indiana Law Journal, published by my law school alma mater, recently ran an article entitled “First Amendment Overprotection of ‘Alternative Facts’: The Case of Cognitive Biases with Pharmaceutical Marketing”. The author somehow finds relevance among “alternative facts”, the Food and Drug Administration, prescription drugs, and the First Amendment to the US Constitution. The author began by asking “Are alternative facts always easy to spot”, and then spent 50 pages and 317 footnotes attempting to answer the question and to argue that marketing by the pharmaceutical industry should have less First Amendment protection.

Another law professor, Allison Larsen, recently wrote a 73-page article (with 380 footnotes) entitled “Constitutional Law in the Age of Alternative Facts”. Ms. Larsen begins by defining alternative facts as “false but convenient statements of facts”, and then posits that there is a risk that today’s “toxic political dialogue of rogue facts” will afflict our interpretation of the Constitution.

Two comments: **First**, the toxic political dialogue has more than afflicted our process for nominating and confirming Supreme Court justices who interpret the Constitution, and **Second**, law professors must have too much time on their hands.

If today one wants to learn about our “post-truth” political dialogue, or learn more about our President’s truth-telling or lack thereof, one need only read a newspaper, watch cable TV news, follow your favorite social media, or read just a few of the 1,550,000 entries found in the

Google search. What could I possibly add to the already loud and sometimes obnoxious political dialogue? My alternative approach in this Paper, after taking a historical license to my assigned topic, was to look back to see how two Presidents, when confronted by a crisis, responded by giving us false but convenient statements of reality.

I could conclude my paper by saying that Presidents should simply follow the lead of our first President, George Washington, who when confronted by his father about the cherry tree, said “I cannot tell a lie, I cut the tree”. But alas, the story of the cherry tree appears to be a myth, alternative facts if you prefer, at least according to an article by Jay Richardson, a professor from George Mason University. The professor says an early biographer of Washington made up the story about the cherry tree to sell more books.

As an alternative to relying on our first President for advice, we could look to guidance from our 16th President, who, in notes he wrote in preparation for a law lecture, said:

“There is a vague popular belief that lawyers are necessarily dishonest...Let no young man choosing the law for a calling, for a moment yield to this popular belief. Resolve to be honest at all events; and if in your own judgment, you cannot be an honest lawyer, resolve to be honest without being a lawyer. **Choose some other occupation...**”
(Lincoln, Notes for a Law Lecture,
<http://www.abrahamlincolnonline.org/lincoln/speeches/lawlect.htm>)

This advice, from a President also known as Honest Abe, may hold true today not only for law students and lawyers, but for Presidents, Senators, Representatives, Judges, and reporters:

If you cannot be honest, find another job.

THE END

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