

Choose Sides in This Civil War

Trump opponents need to understand what the alternative is.

by Conrad Black



The battle lines have been so sharply drawn, in what is now a bloodless civil war for direction of U.S. public policy, that the two sides cannot really communicate with each other. There is a commendable candor in Kellyanne Conway's statement: "They hate us and we hate them." I don't hate the Never Trumpers. I know many of their principal and most articulate spokesmen who have defected from the conservative Republican ranks, and in many cases I have known them for a great many years. I could never entertain allowing a matter of political differences to interfere in a valued friendship. And while I am hopeful that Donald Trump (also a friend) will be a successful president,

and am glad that he has the opportunity to govern, I am not so impassioned on the subject that it blinds me to the virtues of some of his detractors or to the president's shortcomings.

But it is impossible to receive a serious hearing from a Never Trumper for a pro-Trump argument, and the pro-Trumpers are generally convinced of the discreditable motives of the Never Trumpers. There is now unfolding what must be the last civilized debate about the trajectory of events in Washington before the civil war moves from the heavy and frequent skirmishing that has intensified since the election to the fight to the death that seems inevitably to impend. The president said in a powerful address to a very enthusiastic audience in West Virginia last week, where he received the grace of conversion to the Republican party of the formerly Democratic governor, Jim Justice, that the entire special-counsel investigation into relations between the Russian government and the Trump campaign is "a total fabrication" and "an attempt to [reverse] one of the greatest political defeats in American history." So it is.

The deputy attorney general, Rod Rosenstein, said on television over the weekend that Special Counsel Robert Mueller could not go beyond the parameters of his specific assignment – Trump campaign–Russia relations and "relevant matters" – without Rosenstein's approval. When it was pointed out by Chris Wallace on Fox News that the special-prosecutor investigation of President Clinton had started with financial activities in the Whitewater affair in Arkansas before Mr. Clinton became president and ended with the blue dress and Monica Lewinsky, Mr. Rosenstein made the point that in that case, the special prosecutor, Ken Starr, had to ask the authority of the then-attorney general, Janet Reno, to follow this trail and that any attempt to replicate the pattern by Mueller would require Rosenstein's approval. He stated squarely that he would not approve "a fishing expedition." It is also reported by his own counsel that the president has

communicated in the appropriate manner, through his counsel, with Mr. Mueller, and that this channel has been entirely constructive.

It is possible to believe that Mueller is a man of integrity who will confine himself to his brief and not be transmogrified by his position into an assassin leaking a dumpster-load of tendentious allegations and innuendos to the press every day, in the time-honored manner of U.S. special prosecutors where the president is in the frame. There is yet to emerge any serious evidence that anyone committed a crime in this area. The entire confection of Russian collusion arose immediately after the election, despite the fact that Democratic officials such as John Podesta had a great deal more to do with the Russians than the Republicans did, and that by historic criteria, there was no justification for a special counsel to be named at all. Some laws had been broken in the Watergate and Iran-Contra and Whitewater matters, apparently by people in or close to the administrations, and although all three investigations were undistinguishedly conducted and led to more injustice than justice, there was at least a reason for them.

In this case, James Comey was fired for cause. He then produced a (vigorously contested) self-addressed memo summarizing a conversation with the president, and leaked it to the *New York Times*, possibly illegally, for what he volunteered to be the motive of causing the appointment of a special prosecutor to rummage through the administration of the man who fired him. The attorney general, Jeff Sessions, had mistakenly told his confirmation hearing he had not met with Russians when he had, and left himself no choice but to recuse. Comey's sour grapes back-stab on the president may have left the just-confirmed deputy attorney general, Rosenstein, little choice, but he might have found someone other than the close friend and career benefactor of the man who had just, with questionable ethics and legality, generated

the apparent need for a special counsel. Some of the president's public reflections on the subject have muddied the waters, but his chagrin is understandable.

This is the same Comey who whitewashed Hillary Clinton by usurping the role of deciding whether she should be prosecuted in the e-mail controversy. This is not the role of a police chief, but he made a clear case for indictment and then announced that he had decided not to prosecute. Loretta Lynch, the attorney general, had disqualified herself by improperly meeting with President Clinton, but Comey should have reported to the deputy attorney general, Sally Yates, and left the decision to his superiors in the Justice Department. After the storm he caused by making this decision – *ultra vires* to him, but popular in the administration – he tried to square things with a brief reopening of the investigation, before slamming it shut again a few days before the election. Comey tried to be the queen-maker, then the nonpartisan investigator and judge, then the returning queen-maker, and then the coup leader against the new king. This is not the role of the FBI director, and it is irritating to see hostile references to J. Edgar Hoover as the original over-mighty FBI director. Hoover had his faults, but in 47 years in fundamentally the same position as Comey, he never attempted to influence presidential elections or incite a presidential impeachment, and never presumed to speak for the attorney general.

Whether Mueller conducts himself professionally or not, there is no excuse for a special counsel to have been appointed, and the president was (as he need not have mentioned publicly) badly let down by Sessions. The scramble of nominal Republicans such as Lindsey Graham, and drooling partisan Democrats such as Chris Coons, to pass redundant, grandstanding legislation to protect Sessions and Mueller is nauseating. Trump ran against and defeated both parties, the Clintons, the Bushes, and Obama, and most of their close collaborators in the Congress. The war continues and until the

president has enough economic progress, or enough time without gaffes that the hostile media can amplify into a wall of noise, or a sudden foreign-policy success such as with North Korea or even Venezuela, if he wants to start moving the needle of the polls upwards, he will face the problem of cowardice and lethargy in his own party. Senator McConnell's statement in Kentucky this week that Trump was responsible for the almost total failure of the Republican Congress to achieve anything in the past six months was just more self-serving claptrap from a familiar and very tiresome source. A lengthy pastiche of picayune snobberies in *The New Yorker* this week, from discredited journeymen such as Eliot Cohen, typifies the vacuity of most of the Trump-hate. The attacks are on Trump's admittedly grating (but steadily less frequent) flippancies and inattention to precise detail, but comparisons with Warren Harding in *The New Yorker* piece prove merely that, as in the 2016 Clinton campaign, there is no opposition argument except defamation and the pomposities of aspiring *salonniers*.

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The president's course is clear: Speak and tweet more carefully, as he is generally doing; show more focus; shut down the nonsense and indiscretions in the White House; prepare an unstoppable tax bill; take a strong line in North Korea (after three successive administrations have failed and dropped this horrible mess into his lap); denounce the Mueller investigation for the outrage that it is; do the necessary to set another special counsel on the backs of the Clintons, Lynch, Comey, Wasserman Schultz, and the unmaskers and leakers (the Democrats deserve the heat more than Trump does and this one-way shooting gallery must end); and, if Rosenstein allows Mueller to go fishing, challenge it in the courts.

This is a civil war and the apostate conservatives should realize that, if Trump loses, they don't get a new Reaganism

in the Republican party and renewed importance and self-importance for themselves; they get the semi-permanent return of those responsible for the decline of America, the sleazy transformation of America into an ineffectual force in the world and into an inert, economically stagnant welfare state. The choice, for sane conservatives, is Trump or national disaster, and it's time for my learned friends on the highbrow right to come back to (the troubled American part of) this planet – though I see no sign of its happening.

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