

How Trump Could Make a Compassionate Exit

The whole criminal trial process in the United States is essentially a conveyor belt to its loaded and corrupt prison system. President Trump has a chance to remedy a great injustice—if he chooses.

by Conrad Black



The greatest and most appropriate gesture that President Trump could make before he leaves office would be to give a blanket pardon to all federal prison inmates who are first-time nonviolent offenders who have served more than half their sentences.

As I and other commentators have had occasion to remark many times, the United States has six to 12 times as many incarcerated people per capita as the nearest comparable countries: Australia, Canada, France, Germany, Japan, and the United Kingdom—all large prosperous democracies.

The United States has five percent of the world's population and 25 percent of its incarcerated people. American prosecutors win upwards of 99 percent of their cases and 95 percent of those are without a trial because of the perversion of the plea-bargain system. Prosecutors routinely threaten witnesses with indictment for conspiring to obstruct justice if they do not produce damaging inculpatory evidence. They are regularly offered immunity from prosecution, including from charges of perjury, if they are able to jog their memories into reminiscences about the accused that are useful in securing convictions. This is a naked, notorious, and very widespread corruption of the American justice system which needlessly and unjustly destroys many lives.

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President Trump knows a good deal about this and has the best record of penal reform of any president in more than 50 years. The system is not only malevolent and inherently unjust in itself, as a great many legal scholars, lawyers, and judges have said; it is perhaps the principal engine of such racial bigotry as still exists in the United States. There is no penalty whatsoever for dishonest prosecutors and there is no category of people in the world who, endowed with such power, would not abuse it terribly, even if many American prosecutors are in fact honest and conscientious officeholders.

African Americans and Latinos, although they are only about 30 percent of the U.S. population, make up nearly 70 percent of the prison population. There could be no more dramatic gesture of the outgoing president's prodigious services to those communities (which was substantially recognized in the November election results), than to confer this benefit.

American conviction rates are not only outrageous, but sentences are also egregious, and millions of lives are

needlessly ruined. There are technically more than 40 million felons in the United States, if failed breathalyzer tests and youthful rowdiness and disorderly conduct are included. Pardoning nonviolent offenders who have conducted their post-prison lives respectably would be not only a gesture and an act of great and Solomonic justice, but an astute political initiative and a splendid reforming and compassionate farewell from this tempestuous but undoubtedly successful president.

It would be the perfect sequel to the resurrection of the Trump political fortunes after the questionable election result, the abdication of the Supreme Court from its responsibility to assure fair presidential elections when such matters come before it, and the monstrous attempt to hang the assault upon the Capitol by a gang of hooligans around Trump's neck.

The Democrats have managed to convert what they thought was a great bonanza of Trump-hate after the January 6 assault on the U.S. Capitol into what is turning into a pleasant political sorbet for the outgoing president.

It is clearer each day that the ringleaders of that assault, who had planned it days before, were semi-professional political thugs not especially connected to the Trump campaign and completely uninfluenced by the president's remarks to his approximately 300,000 partisans on January 6.

The Democratic leadership apparently imagined they could actually put across the nonsense about incitement to insurrection and use it for a post-retirement Senate trial to remove Trump from office while promoting so fervent a state of alarm that the totalitarian censorship imposed on political discourse by the Democrats' allies in the media and social media would go unnoticed. They thought they had achieved the supreme coruscation of their five-year campaign of demonization of the Bad Orange Man.

Of course, they were trying to remove him from office before he was inducted into it, and they're trying to remove him from it after he departs it at the constitutional expiry of his term. Anyone who questions the most tainted and suspect presidential election result in U.S. history is unanimously scorned in the media and is subject to the threat of removal proceedings in the Congress.

One disappointment as the regimes change: the inexcusably dilatory John Durham special counsel investigation into the origins of the fraudulent allegations of collusion between Trump and the Russian government in 2016.

The president is right to declassify so that all can see that former FBI Director James Comey and his closest collaborators knew before they started that their investigation was based on information (the "Steele dossier") paid for by the Clinton campaign. Comey knew it was a fraud from the start, and he advised Trump that this dossier existed so he could leak to the press that an investigation of the president was underway and that the president knew about it.

Comey deliberately signed a false affidavit to launch the illegal FISA surveillance of junior Republican campaign advisor Carter Page. Because it could be represented by the leaker as the product of nonpartisan intelligence work, the media were effectively relieved of seeking any further verification; the waters were poisoned for three years until Robert Mueller's investigation finally collapsed. But after all of this, Durham still hasn't produced a report. It is difficult to be optimistic that justice will be done to Comey and his gang, who abused one of the greatest public trusts in America and came closer than anyone in the history of the country has to effecting a *coup d'état*.

Trump, however, will have the pleasure of watching the impeachment scam fail even more miserably than the Democrats' initial attempt to remove him from office last year over the

Ukraine nonsense. The article of impeachment is “incitement to insurrection.” The president’s most hortatory comment to his followers in Washington on January 6 was that they should behave “peacefully and patriotically to make your voices be heard.” And insurrection is a violent uprising against a legitimate authority.

The charge itself, as filed, was one-third extracts from rabidly hostile media, extracts from Trump-haters, and, contrary to the Constitution and the unbroken jurisprudence of the country’s entire history, there was no due process whatsoever before the production of this fatuous burlesque of an indictment.

It only gradually dawned on the media, whose collective failure to deal professionally with the Trump phenomenon will weigh heavily upon them for a long time, that any Senate proceedings would be to remove from the presidency someone who would already have departed the presidency. Even now, as the whole ludicrous Democratic morality play has disintegrated and the audience is mounting the stage, commentators po-facedly speak of an impeachment trial in the Senate three months from now.

No one’s popularity can be unscathed after such endless self-sought publicity magnified by an air-tight media attack and campaign overspend by his opponents. But Trump, contrary to the wistful dreams of Peggy Noonan and Mitch McConnell (R-Ky.), will not be fading so quickly—he opened the road to victory by poaching in the Democrats’ most loyal pools of minority support.

Donald Trump is the first GOP leader to have a large personal following since Ronald Reagan, even if his enemies’ malice and his own buffoonery at times have eclipsed him. The totalitarian media bosses, Twitter’s Jack Dorsey in particular, have done him a favor by giving him a rest. On his performance, he was the best president since Reagan. No one

should imagine that he could not make the greatest comeback since Nixon, if not Lazarus. He has shaken the country before, and he is not finished.

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