

Reading an op-ed page, reading the election

by Conrad Black

As the *Wall Street Journal* has the most interesting comment pages of any newspaper in the English- or French-speaking worlds (the only languages in which I am competent to judge), and its contributors have followed a more thoughtful and dignified trajectory in following the Trump phenomenon than most, it is often a useful read both for the merit of the opinions and as a measurement of the process of reconciling thoughtful Republicans with their apparent nominee. As someone who hopes for much better government than the last two administrations and the latter Clinton term provided, I hope that Trump and his Republican opponents can patch things up seamlessly. It seems to be coming together with the congressional leadership, but the serious commentariat are late bloomers.

It is painful to take issue with my cordial former colleague (at the *Jerusalem Post*) Bret Stephens, almost always a joy to read, but I thought he [pursues the same thread](#) throughout his piece: that it is becoming an accepted truism in American politics, after frequent repetition, that the absence of a criminal conviction is all that the voters have a right to expect from a political candidate to clear the bar of ethics and probity for suitability for election to high office. In support of this theory, the comments on absence of criminal activity or charges by a succession of spokespeople for both Clintons are arrayed, quite persuasively. He leaves Donald Trump out of it, but concludes of Mrs. Clinton: "This is a woman who never tells the truth when a lie will serve her purposes equally well."

These arguments have a number of vulnerabilities. As I have

written often before, there is no serious evidence that Richard Nixon committed any crimes, though some of his subordinates did. He never touched an improvident cent, he was a patriot who always put his country first, and his transgressions were much less grave than those of his principal accusers. His name should not be bandied about as symbolic of misconduct in high office. Except for Reagan, he is the only president since Eisenhower who left the country in better condition than he found it when he was inaugurated.

Also, I think Bret Stephens labors the oil question a bit. Donald Trump said almost the same thing about taking the oil in the case of the first Gulf War and the liberation of Kuwait as he did about Iraq, and I have heard him say several times that what he meant, in both cases, is that Kuwait and Iraq should have pledged enough oil to the U.S. and its serious allies at below-market prices to pay the financial cost of the wars. "Massive garrisoning of the Middle East" is a figment of Bret's imagination, not Donald's. Paying attention to what Trump says, and not to the turgid explications of his entourage and followers would excuse the press corps from immersion in semiotics. Most of them (though not Bret Stephens or William McGurn) have problems enough with the truth without being burdened with the interpretation of imagined symbolism.

I don't see a parallel between Trump's bluster, unseemly and disquieting though it often is (and very entertaining as well), and public-policy U-turns by Obama and Clinton. Sometimes such changes are justified in themselves, and Trump has made his share, and sometimes they are just opportunism, but they aren't comparable to Trump's mere polemical liberties.

No one could accuse me of being a compulsive or even habitual apologist for Hillary Clinton, but neither she nor Donald Trump has forfeited the right to the presumption of legality, especially where nothing relevant has been adjudicated. And here I must take issue with Mr. McGurn in another regard. The

United States is a prosecutocracy with vastly higher per capita incarceration rates than other large, prosperous democracies (Australia, Canada, France, Germany, Japan, and the United Kingdom). American prosecutors win 99 percent of their cases, 97 percent without a trial, such is the hideous deformation of the plea-bargain system. The assertion of non-criminality on behalf of the Clintons or others, unless successfully challenged, in the vast kangaroo court of the United States, is not such a minimalist yardstick of eligibility for high public office as Mr. McGurn implies.

Watergate started America down the slope of criminalization of policy differences, and Iran-Contra and the Clinton peccadillos accelerated it. It was all nonsense (and so was the original presidential impeachment, of Andrew Johnson in 1868). Since Watergate, the quality of candidates for national office has generally declined and the wells of media opinion have been partially poisoned. I can understand the campaign fatigue of thoughtful commentators, especially when contemplating an election between likely nominees they don't like on either side. But let us remember that both Hillary Clinton and Donald Trump, whatever their frailties, are both trying to keep the governance of the country between the 30-yard lines, and out of the hands of Ted Cruz and Bernie Sanders. The elevation of either Cruz (despite his undoubted intelligence)? or Sanders really would give most sane Americans, including, I suspect, Bret Stephens and William McGurn, a severe case of the heebie-jeebies.

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