

# A Showdown Like No Other

by Conrad Black



We are in the midst of the fourth and fifth rounds, now unfolding simultaneously, in Donald Trump's revolutionary eviction of the Democratic establishment with its allies in the media, Hollywood, Wall Street and on K Street, and its lookalike post-Reagan Republican also-rans and regional managers. Trump won the Republican nomination and election and has taken control of the Republican congressional delegation.

What we are witnessing is the parting fusillade of the NeverTrumpers and goal-line stand of the Democrats who have only recently realized that they had a serious survival problem on their hands, and that Trump is a formidable enemy and cannot easily be banished.

This is a two-front war; the Democrats are trying to block a conservative majority on the Supreme Court and are trying to bait the president and his Senate colleagues into language and actions that would inflame the hypersensitive and volatile feminist-activist vote and deliver the Congress to the Democrats in the midterm elections.

The stakes are very high and vastly transcend the protagonists. Both Judge Brett Kavanaugh and his accuser Christine Blasey Ford performed well, though histrionically, before the Senate Judiciary Committee on Thursday, and the pressure on them was visibly intense. It may have been unseemly for a long-serving circuit court of appeal judge to be on the edge of tears for more than 10 minutes, but it was not affected. Senator Chris Coons' (D-Del.) near-tearful performance the next day was tougher to explain. It does not lie in the mouths of those who have not faced such pressures to be cynical about Ford's references to threats she has received and Judge Kavanaugh referring to his reputation and the lives of his family having been "destroyed."

Nor, even in the midst of this titanic struggle for control of the legislative and judicial apparatus of the United States, is it remotely acceptable for smarmy Democratic apologists to swarm the television studios of the anti-Trump networks claiming that Kavanaugh lacks a "judicious temperament" or claiming to perceive oppression by elderly white males.

### **A Feat Not Seen Since FDR and LBJ**

If Trump succeeds in the next two rounds-winning a conservative majority on the Supreme Court and consolidating his congressional position, (and seeing off the NeverTrumpers as a bonus), he will dominate all three branches of government, something that only Franklin D. Roosevelt and Lyndon B. Johnson have done in the last century.

The symbolism was exquisite: the aptly named Senator Flake, being screamed at by and commanded to look at an alleged rape victim in a capitol elevator on Friday. He called it "a powerful experience," to be screamed at so insolently and publicly and at close quarters. The other members of the Senate Judiciary Committee, I suspect, would have been less submissive, except perhaps for Cory Booker, who seems to consider every one of life's experiences to be unique to him and to require an interminable and heartfelt monologue to a

national audience to explain the latest milestone in the laborious evolution of his emotional growth.

Flake, one of the Senate's last NeverTrumpers and on his way out, personifies the battle for control of the Republican Senate and House delegations. Like a flak-riddled World War II bomber returning with its wings wobbling and pieces of the fuselage falling off, Flake cast his vote to report out the Kavanaugh nomination on condition that the FBI do a supplementary inquiry "limited in time and scope."

Whether Flake wishes it or not, this was an elegant final turn as a senator, in vivid contrast to John McCain's deathbed rescue of the remnants of Obamacare, in what amounted, as he turned thumbs down for the cameras while casting his last vote, to an obscene digital gesture to the White House. Kavanaugh served many years in the George W. Bush White House, and his sponsorship by President Trump is an important step in the Trump ascendancy within a Republican Party ossified for nearly 30 years after the retirement of Ronald Reagan.

### **Kamikaze Attacks**

As the tense debate over Kavanaugh's nomination to the Supreme Court wore on Friday, the Democrats placed all their rhetorical and tactical bets on a reference to the FBI. Much was made of Kavanaugh's lack of enthusiasm for demanding further research into himself, although he pledged cooperation with anything the Senate judiciary committee wished. It is almost inconceivable that the FBI will now turn up anything damaging to Kavanaugh.

Ford was a fluent and sympathetic witness at the committee, but all her corroborative parties had fled into the tall grass, and hers is a completely unsupported denunciation. There were serious inconsistencies in her statements of aversion to flying (though she is almost a frequent long-distance flyer), and especially in her sworn claim not to have known that the Senate Judiciary Committee was prepared to take

her evidence in California. She is a fragile witness, allegedly somewhat retiring by nature. Close questioning from the FBI, without the #MeToo-intimidated American public watching, will be a challenge for her, especially if the nature of her extensive psychotherapy is revealed.

Not even the Democratic senators made any serious attempt to review the Deborah Ramirez charges against Kavanaugh that the *New York Times* tried desperately to substantiate, but could not. Only [David Remnick's Obama-Kamikaze New Yorker took it up](#), "destroying" (in Judge Kavanaugh's parlance) the career of Ronan Farrow, at least for a time. His role in unmasking Harvey Weinstein, doubtless will preserve him in formation to fight another day. And even those who might take Ramirez's syrupy rhapsody about the conjured phallic apparition of the undergraduate Kavanaugh, drew the line at the egregious Michael Avenatti's attempt to associate the young Kavanaugh with drug-crazed serial gang-rapes. This was the coruscation in Wagnerian self-immolation of the anti-Trump bottom-feeders. In military terms, it covered the flanks and rear of the Kavanaugh nomination while the FBI focuses on Ford. But for good measure, they are taking the Ramirez evidence also, and perhaps the Avenatti confection too; they are indictment opportunities for lying to federal officials.

The Anita Hill-Clarence Thomas controversy in 1991 only took the FBI three days to examine. President George H.W. Bush had control of neither house of Congress, was already slipping into vulnerable poll ranges as Ross Perot threatened to pirate some of his support, and he was a well-liked figure and former war hero who had held a number of high nonpartisan positions, (the CIA, the mission to Beijing, ambassador to the U.N.). President Trump's position is comparatively strong, though he is less esteemed by his opponents, and his nominee's case appears to be as strong as was that of Clarence Thomas.

There is almost no chance that the FBI will find anything to support the Ford narrative, for which she only claimed a few

witnesses, all of whom deny any knowledge of anything remotely like this story. The president has ordered the FBI to try to identify the party that leaked her name to the media, which persuaded her to appear despite her initial desire for anonymity. The accusers of Kavanaugh now have a great deal more hanging out than the judge does. If the FBI finds nothing to disturb the present balance of probability in favor of Kavanaugh, he will be confirmed.

### **An Epic and Historic Struggle**

If there was such an incident as Ford describes, and she deserves to be believed that it is not a complete fabrication, there is a serious insufficiency of evidence that it had anything to do with the young Brett Kavanaugh. And even if the incident occurred and he was involved, there is no possible evidence that it was attempted rape. This is, at best, a trivial matter, however provocative and outrageous, and terrible for Ford. But in the ineluctable unfolding of American history, the triumph or frustration of the Trump revolution now rides on it.

The militant feminist movement is certainly a powerful force, but it is not as strong or durable as the solid majority of Americans who oppose a justice and appointments system of denunciation. As Kavanaugh and others have pointed out, it is totalitarian to convict people without evidence. In an intricate and ancient slow-dance, the contending forces in American public life have created a showdown for control of the Congress and the Supreme Court. The correlation of forces narrowly favored the administration, and neither protagonist seems to have realized at first how much was at stake. But a serious ordinary nomination became a dubious and even tawdry divertissement and has escalated into an epic and historic struggle.

The balance of probabilities is now with the administration and I continue to believe that Judge Kavanaugh will be confirmed and that the Republicans will retain control of the

Congress.

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