

Sociopathic Lies Mark NeverTrumpers' Descent Into Madness

by Conrad Black



Gabe Schoenfeld, from whose forehead a cuckoo bird emerges, screeching and flapping, whenever the name of the president of the United States is uttered in any context, has earned a new trophy for the confection of defamatory fiction with his attack on Elliot Kaufman, the *Wall Street Journal*, and me in the unseaworthy lifeboat of *The Bulwark*, to which he and others were disembarked after the failure of the *Weekly Standard*.

Schoenfeld purports to debunk an op-ed piece by Kaufman in the *Journal* on May 20 agreeing with the president's recent pardon of me. As a public service, I will, one more time, present the relevant facts about my late persecution, happily and justly ended.

Schoenfeld's entire piece is a demonstrable sequence of lies, apart from his bilious opinions, which are merely demented and sociopathic. He describes the saga of a non-compete payment in respect of a small newspaper in Mammoth Lake, Washington, and wrings out every excruciating detail of this alleged fraud, except the fact that while my former associate's retroactive designation of the payment as a non-compete payment was questionable, the money involved had already been approved to be paid to us in a lawful and ordinary related party transaction that was perfectly unexceptionable.

All of the accusatory righteousness foaming from all Schoenfeld's orifices was misplaced: it was our money. The designation of the money as a non-compete payment by my former partner, a cooperating witness who took full advantage of the immunity from perjury he received for giving false inculpatory evidence, was open to question, but by Canada Revenue as the tax collecting jurisdiction of the recipients. (He was, in fact, accused of perjury at the Circuit Court of Appeals, by the prosecutors, as if anyone other than they had suborned and extorted his perjury.)

The whole farrago of nonsense that attended the Mammoth Lake affair collapsed like a souffle when it emerged that it was merely a questionable redesignation of money that was rightly paid and owed. This oversight by Schoenfeld raises the question of whether he is an imbecile incapable of reading court papers or securing the assistance of someone who can, or is so contorted and robotically governed by malice that he compulsively distorts facts to hurl muck at anyone who does not react like Lot's disobedient wife to any contact with President Trump.

The one fraud count that was spuriously retrieved by the appeal court when instructed by the unanimous Supreme Court to "assess the gravity of their errors" was a payment of \$285,000 to me that arrived in my Toronto office when I was in Britain where I mainly lived, and which had been approved by the independent directors and stated in the company's public filings, but which the company secretary had forgotten to have signed up as a non-compete agreement. This was rightly considered by the trial judge to be a clerical error on the part of the company secretary but was torqued up to a crime to ensnare me and two of my co-defendants.

Schoenfeld also makes the further tactical error of purporting to comment on the obstruction count, which one of my counsels, Andrew Frey, former deputy solicitor general of the United States, described as "in 45 years of practice the feeblest charge of obstruction of justice I have seen." I was not trying to evade security cameras (that I had had installed) as Schoenfeld wrote. I pointed to them to ensure that there could be no question of attempting anything surreptitious. The removal of these boxes, five days before I had been ordered to leave my office of 27 years in a building I owned, was approved by the acting president of the company and the senior court-appointed inspector (whose firm was paid \$25 million to find not one misspent cent).

The prosecutors in the home jurisdiction found no grounds for prosecution and the judge seized of these matters, who was generally hostile and incompetent, found no grounds for a contempt charge and no violation of document retention orders that were in place. This only became an alleged crime when the Chicago prosecutors confected the idea that I had snuck *out* vital papers under cover of darkness (three o'clock on a late spring sunny afternoon), without telling anyone. Only the most un-Solomonic denizens of unemployed Chicago on the jury and gullible useless idiots like Schoenfeld could attach a scintilla of credence to such a fatuous charge. These two

absurd counts were all that was left of the 17 counts the prosecutors initially charged.

In sum, Schoenfeld's sanctimonious little excrescence is a lie, every word and every letter of every word, including "the" and "a", as (I believe) Mary McCarthy once wrote. And I had the pleasure of collecting from my original accusers the largest libel settlement (\$5 million) in the history of Canada, where the tort of civil defamation is alive and well.

Schoenfeld can slake his parched mind with the knowledge that if any of the malignant piffle he wrote about me for the *Bulwark* (against what I don't like to imagine), I would not have won that, or any, settlement. There is not and never has been one word of truth in the charges against me, and that was the conclusion of the White House counsel and his legal staff, on analyzing the material of the case and the arguments of Alan Dershowitz and other distinguished lawyers acting for me. Were it otherwise, I have no reason to believe the president would have granted a pardon, and if I were not demonstrably innocent, none would have been requested.

But I never claimed I was victimized because I was a conservative, and the president who appoints a judge does not assure the judge's future decisions, as even Schoenfeld must have learned from watching Justice White (appointed by John F. Kennedy), Justice Blackmun (appointed by Nixon), Justice Stevens (appointed by Ford), and many others.

What I *have* said is that the plea bargain system has been corrupted into a shakedown operation to extort false inculpatory evidence, and that the Fifth, Sixth, and Eighth Amendment guarantees of the grand jury (as assurance against capricious prosecution), due process, no seizure of property without just compensation, prompt justice, an impartial jury, access to counsel (of choice), and reasonable bail, have been put to the shredder.

Perhaps Schoenfeld would like to explain why more than 95 percent of prosecutions are successful in the United States (as in North Korea), and 95 percent of those without a trial, and why the United States has six to 12 times as many incarcerated people per capita as other prospering and sophisticated democracies: Australia, Canada, France, Germany, Japan, and the U.K.

In the interest of full disclosure, my relations with Schoenfeld began (and ended) a little over two years ago, when he deferentially canvassed my wife and me as automatic and even flattering recruitment to the ranks of those accusing the new president of every conceivable shortcoming, misdeed, and soul-destroying wickedness. We politely declined, and a somewhat cordial cyber-debate ensued between him and me, though he became a bit snappish and it lapsed.

That was where our inchoate relations stood until the eruption of May 21 and his assertion of the Damascene revelation that I am "an avaricious oligarch who got caught with (my) hands in the cookie jar." I have enjoyed some of Schoenfeld's pieces in *Commentary* and elsewhere, and liked some of his chess commentaries. But he has clearly snapped and should be conducted to a bath chair in a quiet place and given gentle sedatives until his mental equilibrium is resuscitated. I am satisfied that he is not an evil man, merely a sick one.

First published in