

OPINION

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BREXIT: A SERIES OF BAD CHOICES

Britons voted two and a half years ago to leave the European Union. As the split-up looms, they're faced with nothing but ugly options.

No sooner had Prime Minister Theresa May unveiled her 585-page draft of a deal on withdrawing from the European Union than all hell broke loose. Ministers resigned, hard-core Brexiters began stirring up a leadership challenge; in the House of Commons, Mrs. May's talk of a "smooth and orderly" divorce drew prolonged hilarity followed by a three-hour assault on her plan from every bench — Leavers, Remainers, Labourites, Liberal Democrats, Northern Irish, Scottish Nationalists.

In the bitter saga of Brexit, each formidable hurdle has been followed by an even greater one. So it is now: If Mrs. May survives this onslaught, and if the agreement is approved by the union, the deal must return for a vote in Parliament, where current tallies are heavily against it. The prospect of Britain exiting the union at the March 29 deadline without a deal, the worst of all possible outcomes, looms large. That, almost everyone agrees, would be a disaster for the British economy and security. It would mean tariffs and border checks, miles of backed-up trucks, businesses in flight, supply chains choked and other woes galore.

Yet as the members of Parliament took turns denouncing Mrs. May's plan, none had a better idea. The reason for that is simple — there is no plan that would allow Britain to have its cake and eat it, too, as disingenuously promised by Boris Johnson, the former foreign secretary and most shameless of Brexit propagandists.

From the outset, British politicians have debated Brexit as if they have the decisive say in the outcome, while Mrs. May has been compelled to deal with a European Union that actually does have the final word on the conditions under which Britain would retain access to the bloc after it withdrew. That is not to say the European Union is indifferent to the outcome — a deal-less exit would have severe repercussions on the Continent as well. But European Union officials in Brussels were never prepared to let Britain pick and choose among the benefits, costs and obligations it would keep or shed.

The key element of the compromise that has emerged is a 21-month transition period during which Britain would remain in a temporary customs arrangement with the union while the technology is put in place to ease flow of people and goods across borders. Union officials are demanding a "backstop" plan while this technology is developed, under which the border between Northern Ireland, which is part of Britain, and Ireland, which will remain in the union, would stay open. Mrs. May has objected that such a plan would split the United Kingdom in two, with Ireland effectively annexing Northern Ireland and creating a border in the Irish Sea.

More to the point, the agreement strips away any illusion of a quick and amicable break and exposes the harsh realities of what disentangling 45 years of close economic, legal, social and personal ties entails. The options are all fraught, starting with the specter of leaving without a deal. Forcing Mrs. May out would set off a long and acrimonious power struggle, possibly leading to new elections and all the unknowns that step entails. Some champions of staying in the union favor a "people's vote," or a second referendum, which would allow voters to reconsider their position on membership with a clearer idea of the costs and risks. But polls have not tracked a decisive shift, and any outcome would exacerbate bitter divisions.

Other options that have been put forward include the Norwegian and Canadian trade agreements with the European Union, which entail various degrees of access to E.U. markets at various levels of E.U. regulation. Norway is the option most often raised: It provides membership of European Economic Area, and therefore of the E.U.'s single market. But that requires accepting various E.U. rules, including free movement of goods, services, people and capital, to which hard-core Brexiters are firmly opposed. It's not what the Britons who voted for Brexit thought they were getting. And it would require an extension of the withdrawal deadline.

There is a lot to criticize in Mrs. May's handling of Brexit and in the deal she has negotiated. But at this late hour, Britain's political leaders must stop spreading illusions and grandstanding, and focus on preventing what has been appropriately dubbed a "cliff edge" Brexit, a leap into the unknown with inadequate preparation. There is no "ideal" Brexit, and it's time to make some tough choices.

How Trump is worse than Nixon

Elizabeth Drew

When President Richard Nixon decided in late October 1973 to force out the attorney general and replace him with someone who would fire the special prosecutor haunting his life, he went through the chain of command until he got to the third person in line, the solicitor general, who did the deed. Now here we are again, with another president wanting to be rid of an investigation by a special counsel that threatens his presidency.

But rather than follow the regular order, as Nixon had, President Trump selected as acting attorney general a lackey who had been chosen as chief of staff to the attorney general because of his TV appearances as a private citizen in which he echoed the president's position on the special counsel's investigation into Russia's role in the 2016 election. Among other things, he'd parroted Mr. Trump's obsessive line, "There was no collusion." It has been

broadly assumed that this man would, one way or another, end the special counsel's investigation.

Whether, as some legal scholars argue, Mr. Trump's choice was unconstitutional, since the new acting attorney general has never been confirmed by the Senate, or was simply unwise

The current president is pushing closer to fascism than even the man behind Watergate.

since his choice was blatantly self-serving, the differences in the ways the two presidents have approached getting rid of an inconvenient prosecutor are informed by their different backgrounds. Nixon, a lawyer who had been a member of the House of Representatives, a senator and a vice president, was more accepting of the political order. Mr. Trump, with no government experience, and little knowledge of how the federal government works, has been a free if malevolent spirit, less likely than even Nixon to observe

boundaries. As president, Nixon tried to bend the constitutional and political systems to his will. He interfered in the Democratic Party's process for picking his future opponent. And he challenged the separation of powers — setting off the constitutional crisis that Watergate was. But as far as Nixon moved toward fascism, Mr. Trump has been going further.

This isn't to suggest that Nixon was a sweetheart, or meek in his efforts to save himself. But his background as a creature of the establishment inhibited his actions.

One systemic and critical difference between Nixon's situation and Mr. Trump's is that Nixon faced a Democratic Congress, while Mr. Trump has enjoyed a completely Republican-controlled one. (That changes when the Democrats take control of the House in January.) Under Mr. Trump there has been more reluctance to allow top figures to testify before congressional committees than there was under Nixon.

Each president tried to stir up public impatience with his perceived persecu-

tion and thus pressure investigators to hurry up, but Mr. Trump makes Nixon look like a pussycat.

Nixon officials were prone to saying things like, "Enough wallowing in Watergate," while, for example, in early August, Mr. Trump tweeted, "This is a terrible situation and Attorney General Jeff Sessions should stop this Rigged Witch Hunt right now." Mr. Trump has done much more than Nixon did in trying to damage public trust in whatever their prosecutors might come up with.

Mr. Trump's allies among Republican leaders of House investigatory committees have sought to undermine the jobs of not just the special counsel but also key figures in the Justice Department and the F.B.I. Such goings-on didn't happen in Watergate.

Mr. Trump has other structural advantages over Nixon. Nixon's base nearly melted away in the face of evidence of his guilt in a cover-up. Mr. Trump's base has yet to be so tested, but it's larger and more cohesive than Nixon's. And Nixon had nothing remotely like the propaganda organ that Mr. Trump has in Fox News. (There was no cable TV in Nixon's time.)

Though both men have shown hatred of the press, Mr. Trump has gone much further by encouraging violence against it. And, as far as we know, Mr. Trump has been less prone than Nixon to using levers of the bureaucracy to punish his perceived "enemies," but he may be catching up. For example he appears to have moved to raise postal rates to hurt Amazon, whose owner, Jeff Bezos, also owns The Washington Post.

The big question is whether there will turn out to be a major difference between the two men when it comes to honoring the decisions of the law, or of the public. Nixon shied from challenging John F. Kennedy's narrow electoral victory in 1960 not out of magnanimity but because he concluded he couldn't make the charge of fraud stick. Mr. Trump, as we're seeing, needs no evidence before charging election fraud.

When the Supreme Court ordered Nixon to turn over the White House tapes, he obeyed. And after Republican elders went to the White House to tell him that he lacked the political support to survive as president, Nixon yielded to their implication that he should leave office. Nearly impossible as it is to imagine a similar scene involving the current president and his pusillanimous party, Mr. Trump has given us reason to wonder whether he would defer to legal findings against him or even to a re-election loss in 2020 — if, that is, he's still in office then.

ELIZABETH DREW, a political journalist who covered Watergate for *The New Yorker*, is the author of "Washington Journal: Reporting Watergate and Richard Nixon's Downfall."



ADAM MAIDA

Sheep without shepherds



Ross Douthat

Here is a striking fact about the Roman Catholic Church in the United States. The sex abuse crisis in the early 2000s, the horrid revelations of predation that began in Boston in 2001, did not have an obvious long-term effect on the practice of the faith.

Yes, American Catholicism has lost millions of its baptized flock over the last 50 years. But that decline was steepest in the 1960s and 1970s; by the turn of the millennium, some trends (attendance at Mass, for instance) had stabilized, and the number of Catholics marrying in the Church and baptizing their children had settled into a slower decline.

After the 2001 scandals Gallup showed a temporary plunge in reported attendance at Mass — but then a swift rebound. Other data showed no clear effect on attendance at all. Neither ordinations nor adult conversions dramatically declined. There were local collapses and individual crises of faith, and the moral authority of the bishops was dramatically weakened. But as an institution, the Roman Catholic Church seemed to weather the storm better than might have been expected. The Catholic belief that the sacraments are more important than the sins of the men responsible for offering them was tested — and seemingly endured.

The question hanging over American Catholicism today, as it endures a second purgatorial experience with scandal, is whether this time is different, whether the Church's peculiar

post-1970s mix of resilience, stagnation and decay can survive a second agony.

The question was sharpened by last week's fiasco in Baltimore, at the General Assembly of the National Conference of Catholic Bishops, where the American Church's shepherds were supposed to vote on some kind of plan to handle malfeasance within their ranks — only to have their intentions swatted down, at the last minute, by the Vatican's insistence that any accountability measures be hashed out in Rome some months hence.

The fiasco was not surprising — the tone-deafness and self-protectiveness of the Roman intervention, the bafflement and internal divisions of the American bishops, and the liberal-versus-conservative arguments that followed were all characteristic of Catholicism's crisis under Pope Francis.

But in being unsurprising the fiasco was still revelatory. When the sex abuse scandals broke in 2001 it was possible to imagine that they were just about sex abuse — that the church could simply stop treating predatory priests with therapy, start defrocking

them, and move forward chastened and renewed.

Seventeen years later, with neither the American bishops nor Pope Francis able to muster an adequate response to the revelation that a famous cardinal was a predator whose sins were known even as he rose, it's clear that this was wrong. The Church has done much better since 2001 in the

most basic task of keeping children safe. But in everything else connected to the scandal there is little progress because Catholicism's leaders cannot agree on what progress means.

It is clear that there is festering sexual and financial corruption in the hierarchy; it is clear that there are problems in the way the Church trains priests and selects bishops. But the Church's theological factions are sufficiently far apart that each would rather do nothing than let the other side lead reform — because the liberals

think the conservatives want an inquisition, the conservatives think the liberals want Episcopalianism, and there is some truth in both caricatures.

Thus all proposals for reform are evaluated through an ideological lens, and neither side has enough confidence to learn something from the other, or to conduct a full purification of its own ranks.

The result, as in secular politics these days, is stalemate and confusion, with a Church increasingly unsure of what it teaches, led by men who can't agree on how it might be cleansed. Which in turn leaves the Catholic faithful with less hope than in 2001 that their bishops can achieve competence and decency, let alone Christian holiness.

Recently two Catholic journalists I know, Damon Linker and Melinda Henneberger — one a convert drawn to the church despite his doubts, the other "a true-believing, rosary- and novena-praying graduate" of Catholic schools — have written pieces about how the new scandals are pushing them from practicing to lapsed, Catholic to "ex-Catholic."

Someday soon (maybe for Advent or Christmas) I will write a column about why this leave-taking is a terrible mistake. But for today it's enough to raise the possibility that Henneberger and Linker are representative of many wavering Catholics who stayed with a compromised leadership in 2001 but won't stay with a hierarchy that seems bankrupt in 2018 . . . or for however long the Church's internal stalemate obstructs justice and forestalls reform.

I think the bishops meeting in Baltimore know that this is a possibility, that they may be responsible for the loss of churchgoers, the loss of souls. I think many have genuinely good intentions, a genuine desperation to figure out what must be done.

And I think their impotence is a lesson, all too literal, in the road that good intentions often pave.



BRENDAN SMALOWSKI/AGENCE FRANCE PRESSE — GETTY IMAGES

Cardinal Daniel DiNardo at an assembly of the National Conference of Catholic Bishops.