White House insiders’ failure to rein in Trump’s tilt toward chaos and lawlessness

By Jeremi Suri

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When President Trump cries out for “law and order,” as he often does, he is neither describing his behavior nor his aspirations. Just the opposite. During his nearly four years in the White House, he has done more than any previous president to promote lawlessness and chaos across the country and abroad. As a Washington correspondent for the New York Times, Michael S. Schmidt has closely covered the lawlessness and chaos. His book, “Donald Trump v. the United States: Inside the Struggle to Stop a President,” provides an urgent explanation of how it imperils the constitutional limits on presidential power.

For many years before Trump’s unlikely rise to the presidency, dishonesty and greed pervaded his family and its closest confidants. When he entered the White House, however, Trump was surrounded by a group of government professionals who sincerely embodied a culture of law and order. The “deep state,” as Trump derisively calls it, is populated by men and women who care deeply about public service, integrity, and yes, law and order.
Trump inherited a large civil service of professionals, and he appointed a number of officials with the same ethos because they brought gravitas to his administration. Highly regarded professional warriors, especially Jim Mattis, then the secretary of defense, and John F. Kelly, then the secretary of homeland security, conveyed seriousness and accomplishment. They were “winners,” in Trump’s terminology. Schmidt chronicles how the professionals around the president tried to bring order to the White House, and how they tried to keep Trump within the bounds of the law. Schmidt writes in almost heroic terms of a few individuals who “were compelled to confront the most powerful leader in the world, uncertain whether he was acting in the interests of the country, his ego, his family business, or Russia.”

In addition to Trump’s narcissism, Russia looms over the book. Schmidt calls Russian interference in American politics “the country’s greatest intelligence failure since 9/11.” Even the professionals he admires did not take the threat seriously enough, and they acted too late. Schmidt also returns repeatedly to the Trump family’s business interests in Russia, the president’s repeated denials of Russian aggression, and the absence of any serious investigation of these matters.

Although the Mueller report offered a “damning” inventory of improper communications between the Trump campaign and the Russian government, Schmidt reminds readers that it did not investigate the president’s personal entanglements with Moscow. In fact, Rod J. Rosenstein, then the deputy attorney general, prohibited a counterintelligence investigation of that scope. And when intelligence officials raised warnings about Ivanka Trump and Jared Kushner’s ties to Russia and other countries, the president overrode those objections, granting them access to all secrets.

Two men in Schmidt’s account, then-FBI Director James B. Comey and then-White House Counsel Donald McGahn, tried to stop the madness. They did not seek to end Trump’s presidency, but they labored to tame him and protect the Constitution. They endured repeated verbal pummelings and character assassinations from the president and his sycophants, but they had some successes. They helped to keep the democratic system functioning, just barely.
Comey’s experiences are well-known, and Schmidt is one of the reporters who broke the story for the New York Times. Despite several personal requests from the president, the FBI director refused to curtail an investigation of then-national security adviser Michael Flynn’s ties to Russia and other foreign governments. The president became concerned that the FBI was investigating him as well, which it was. He fired Comey, but the FBI director’s notes on their discussions triggered a special counsel investigation, led by another former FBI director, Robert S. Mueller III.

That is where McGahn takes center stage in Schmidt’s book. A libertarian with deep ties to the Republican Party, McGahn had one overriding priority as White House counsel: the nomination of conservative judges to the federal courts, especially the Supreme Court. He also sought to bring order to important processes in the White House surrounding access to intelligence, management of personnel and decisions about pardons. Although McGahn succeeded with judicial appointments, he struggled with the other areas of his job.

Trump simply refused to follow any discipline. He was impulsive, offering pardons to celebrities, ignoring intelligence warnings and demanding the firing of high-level appointees because they did not follow his whims. For months, Trump demanded that McGahn fire Mueller, which would have only multiplied the accusations of administration misconduct. The White House counsel refused, but Trump kept asking.

The president’s attempts to undermine the special counsel were an effort at obstructing his investigation, and McGahn became deeply concerned about his own legal liability for his association with these efforts. To protect himself and contain the president, McGahn shared information with Mueller’s team — more than 30 hours of interviews about the president’s behavior, according to Schmidt.

Trump did not know of McGahn’s personal cooperation with the investigation at the time, but the president was forced to react when Schmidt reported in late January 2018 about the White House efforts to fire Mueller. To McGahn’s astonishment, Trump asked him to lie, falsely attesting that Trump never made that request. Reince Priebus, then the chief of staff, lied for the president on national television, according to Schmidt, but McGahn refused, and reported to the special counsel.
Schmidt’s account of an Oval Office meeting between the president and McGahn on Feb. 8, 2018, captures this moment, and Trump’s corruption. The president began the meeting by lamenting that the New York Times story about his demands for Mueller’s firing looked bad. “I don’t remember this,” Trump said, despite his repeated requests. “It is what happened,” McGahn responded. Trump continued to insist that McGahn fabricate an alternative, but the White House counsel held firm: “There is nothing to correct.”

Few people stood up to Trump’s bullying that way. And it cost McGahn his job. He held on long enough to guide Brett M. Kavanaugh through a stormy Supreme Court confirmation in the Senate, but was then told to leave, by presidential tweet, of course.

Comey prevented Trump from smothering FBI investigations, and McGahn prevented Trump from firing the special counsel. They faced a tirade of condemnations for their courage, and they lost their jobs, but they protected basic law and order. Trump was merely contained, not reformed. If anything, he increased his attacks on the justice system, professional accountability, competent management and, ultimately, the Constitution. Schmidt closes his book with evidence that Attorney General William P. Barr, whom Trump initially considered hiring as his personal attorney, is facilitating the president’s subversions. Law and order are imperiled because there are few people left in the administration to restrain the beast.

Much of Schmidt’s story is already in the public record because he reported on it so well. His book ties the threads together, and it offers a powerful accounting of the lawlessness and chaos that is Donald Trump. The evidence is so ubiquitous that we sometimes treat it as background noise, but it is the most dangerous sound of our time. Trump’s behavior is a consistent, growing and flagrant threat to the very law and order he dishonestly proclaims.

**Donald Trump v. the United States**

**Inside the Struggle to Stop a President**

By Michael S. Schmidt

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