



Conrad Black

## The Trials and Triumphs of Conrad Black

The spectacular rise and fall of media mogul Conrad Black is the stuff of which legends are made. But perhaps even more remarkable is the largely successful legal battle he waged from behind bars, effectively discrediting almost all of the fraud charges filed against him. (One turning point came in 2010 when the U.S. Supreme Court unanimously ruled in his favor: *Black v. United States* (130 S. Ct. 2963 (2010)). In addition to his recent memoir, *A Matter of Principle* (Encounter Books, 2012), Black has authored biographies of both Franklin Roosevelt and Richard Nixon. The Canadian-born attorney is also a member of the British House of Lords. After serving three years in prison, Black returned last year to his home in Toronto, where in January he spoke with *California Lawyer* editor Martin Lasden. Here are edited excerpts from that videotaped conversation.

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Legally Speaking is a series of in-depth interviews with prominent lawyers, judges, and academics, coproduced by *California Lawyer* and UC Hastings College of the Law.

**Q:** You've never stopped insisting that you were innocent of improperly pocketing tens of millions of dollars while serving as CEO of Hollinger International. Yet in your memoir you write, "My pride and haughty spirit were of the nature that often leads to a fall." Should this be read as an acknowledgement of a tragic flaw in your character that in no small way led to your downfall?

I wouldn't put it in quite those terms. First of all, tactically, I was taking as much blame as I conscientiously could in order to strengthen the plausibility of my basic claim that I was innocent of crimes. So in order to strengthen the argument against that allegation, I opened up the kimono somewhat exaggeratedly on the character side. Now, self-judgments are always questionable, and I'm always a little skeptical of people signing their own personality expense accounts, but that's my opinion.

**It was as a newspaper entrepreneur that you made your first real mark on the world. Yet even as you were building the**

**world's third largest newspaper empire, you didn't seem to have a very high regard for journalists. You've called them ignorant, lazy, intellectually dishonest, and inadequately supervised. Do you still feel that way about my distinguished, hard-working colleagues?**

Not without exceptions. But look, on balance I think that most journalists as people are quite pleasant—as most people are. But I do not have a high opinion of them as a group. And I'll take it one step further. I think both the media and the legal profession have failed our society, and I think they have failed very, very seriously.

**Who comes out worse in your view—lawyers or journalists?**

Actually lawyers, because lawyers swaddle themselves in the sanctity of the law and the whole concept of legitimacy, whereas journalists generally acknowledge that their job is to entertain and inform in ways that are frequently questionable.

**When you look back on the ordeal you've**

**been through over the past decade, what would you say caused you more anguish: Being outmaneuvered by your enemies or betrayed by your friends?**

Certainly more the second, because I always thought that I would win in the end, and in my opinion I have. ... But I did not realize the degree to which people are susceptible to doing completely dishonest things under levels of pressure that I would have thought resistible.

**You checked into Florida's Coleman federal prison in March of 2008. As a man who is accustomed to the finer things in life, how difficult was it for you to adjust to prison?**

Not that bad. Yes, I am accustomed to the finer things and I enjoy them, but I've never defined myself as a dependent of luxury.

**Who do you think fares worse in prison: people who know they're guilty, or people who sincerely believe they're innocent?**

It's the ones in between. The ones

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who know they're guilty are often people who don't have that burning sense of injustice. And the ones who are innocent generally have the sense that they're fighting for a good cause. The ones, however, who are really broken by the system are those who may be guilty of something but are terribly over-sentenced. Those are the ones who are beaten down.

**You're still a capitalist. You believe passionately in the free market, and people still describe you as a conservative. But in matters of crime and punishment, I note that you now describe yourself as an "unambiguous leftist."**

While in general I suppose I would still be more a Republican than a Democratic supporter if I were in the U.S., I'm not one of these people who is so horrified by the thought of Democrats nominating judges to the bench because I don't think Republican judges care about civil rights. I mean the fact is, your Supreme Court has just sat there like suet puddings while the Bill of Rights has been put to the shredder. In your country, due process is not something anyone can rely on, the grand jury is a farce, you don't get prompt justice, and you don't get reasonable bail either. I mean, I was posting \$38 million. What's reasonable about that?

**Reading your memoir I was reminded of a line from a Bernard Malamud novel called *The Natural*, in which one of the main characters tells the fallen hero that we get to live two lives: There's the life we learn with, she says. And the life we live with after that. How do you see the rest of your life playing out?**

Obviously, it's a lottery ticket and you don't know how the medical side is going to work out. But I'm 68, and I feel the same as I did 30 years ago. So I think I'm well placed at this point to have what one famous Quebec businessman once called "a golden after-burner." 🍷

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