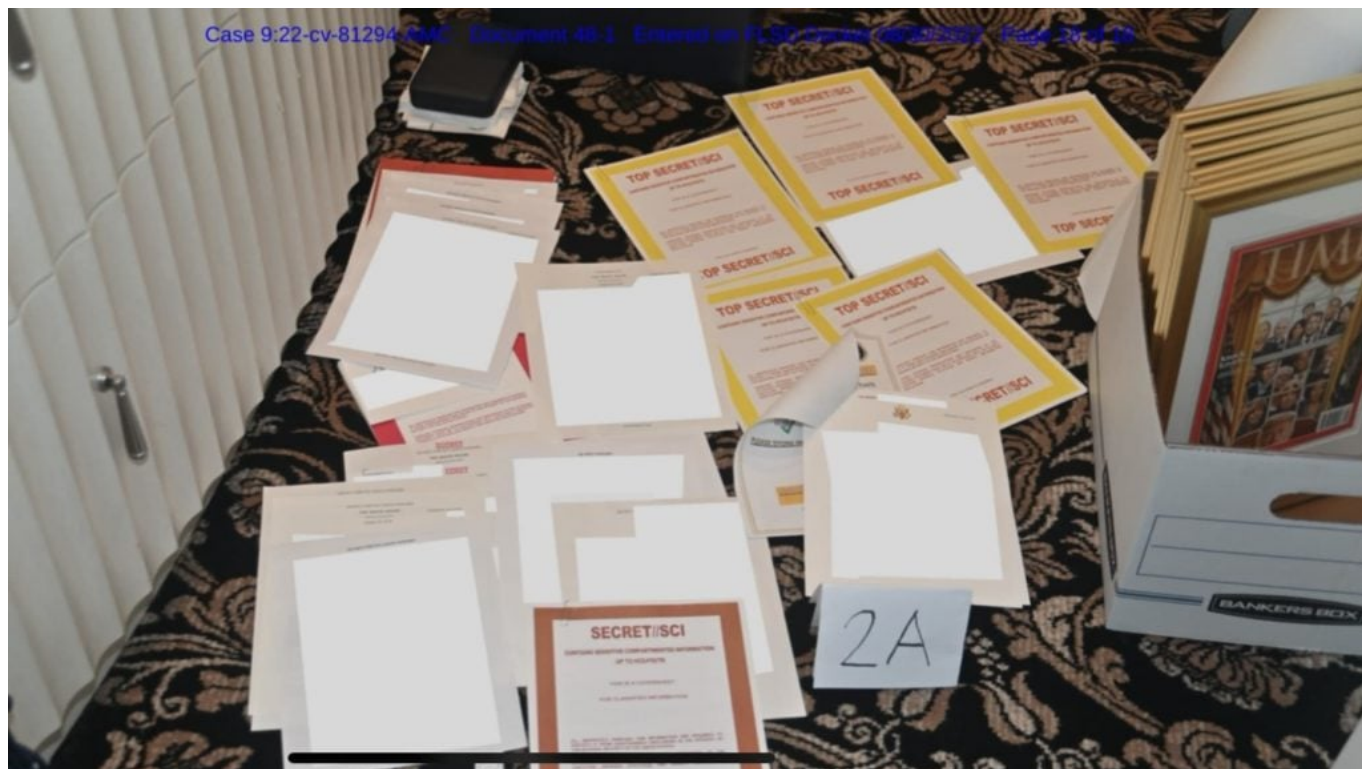


Hoopla Over Classified Documents Is an Absurd Debate

And special prosecutors in both cases appear to be nonsensical.



by Conrad Black

The current noisy attention to treatment of classified information by the current and former presidents is an absurd debate. The only legally knowledgeable people who took the official concerns expressed about retention of classified documents in former President Trump's house in Florida were Trump-haters grasping desperately at any straw they could find to renew the immense controversy generated by the persecution of him over the last seven years by the corruptly partisan justice department and intelligence services.

It was the normal discussion ex-presidents have over ownership

of documents and was subject to the former president's ability without any formalities or even written notice, to declassify anything he wished. Despite faked photographs of classified documents scattered about on the floor of one of the rooms in his home, there has never been a scintilla of evidence that any of this material was carelessly misplaced.

Predictably and inevitably, the morally bankrupt national political press, in its rabid hostility to Mr. Trump, tried to sell its more credulous audiences a notion that he had violated the Espionage Act. This is just as preposterous as the preceding theories that he had colluded with the Russian government to rig the 2016 presidential election and had attempted to bribe the president of Ukraine with American developmental and military assistance to persuade him to produce a damning indictment of the commercial conduct of the Biden family in his country.

All of these allegations are lies; it is obvious that they are lies. They're not misunderstandings, legitimate disagreements over the wordings of statutes, or arguable differences in the interpretations of the conduct of individuals. They are deliberate, premeditated, and defamatory lies.

Some commentators have been more vociferous in their criticism of President Biden than I have but few have been more consistent. My criticism goes back 50 years to his first statements on Vietnam as a freshman senator, when he proposed an end to aid to South Vietnam that would have assured an unnecessary and avoidable North Vietnamese victory in that war. The virtue of his suggestion was not enhanced by the fact that the Democratic congressional majorities two years later took advantage of the Watergate fiasco to impose just such an outcome.

I've never forgiven Mr. Biden for the outrages that he and Senator Edward Kennedy committed against Judge Robert Bork, who would have been an outstanding justice of the Supreme

Court. His idea for the imposition of a break-up of Iraq into Kurdish, Sunni, and Shia states was just sophomoric nonsense, and his opposition to taking out Osama bin Laden disclosed him, as had been widely suspected, of having a deficiency of both judgment and courage.

His endless fabrications and fantasies are an embarrassment, and I seem to be one of the few people who remembers that he actually lost the vice presidential debate with Sarah Palin in 2008. (I admit he did rather better against Paul Ryan in 2012.) Throughout his public career, while Joe Biden seemed to be affable, he has been weak, pretentious, inexplicably convinced of the superiority of his own judgment and embarrassingly awkward.

What was he thinking when he said "This is a big f___ing deal" to President Obama on an open mic after the passage of the Affordable Healthcare Act? With all that said, I think the chances of his having violated the Espionage Act by his sloppy retention of classified documents are zero.

There is massive over-classification and most of what is classified is known to America's enemies anyway. The material in Mr. Biden's case is six years out of date, and any presumption that it was snatched and put to dangerous use is pretty far-fetched. He is an incompetent president and possibly a criminally dishonest vice president and senator, though I have never seen any evidence that American official policy was altered because of foreign payments to the Biden family. However, the Bidens' treatment of those payments has probably been illegal at times. The real significance of the appointment of a special prosecutor for both presidents does not lie in any serious possibility that either of them criminally mishandled classified documents.

The special prosecutor looking into Trump matters is also ordered to consider the events of January 6, 2021. It has been clearly established that Mr. Trump committed no crimes on that

occasion; the last thing he wished was an insurrection, he urged reinforcements upon the speaker and the mayor of Washington, which were declined, and the director of the FBI effectively absolved Mr. Trump shortly after that incident. Sweating 600 detainees from the incident for two years without trial, a disgraceful oppression, has yielded nothing.

The reenactment of the Normandy landings at the former president's home at Palm Beach was obviously a political move as is most of the important activity of the Justice Department, and it succeeded in its objective: the pandemonium that ensued reminded the country of what chaos Mr. Trump tended to bring with him whether he created himself or not, and Mr. Biden cut his negative margin in opinion polls in half to 10 percent prior to the midterm elections.

The two historic guardrails preventing American democracy from leaping the tracks altogether and destroying constitutional government are that the court system will not reverse an apparent verdict of a presidential election and former presidents are not criminally prosecuted for political misconduct. It is possible to steal an election fair and square and if presidents cannot be disqualified while seeking or occupying that office, they will not be pursued after they have left it.

The courts declined to touch the questionable presidential elections in 1876 and 2000 and 2020, and in 1960, Richard Nixon declined President Eisenhower's advice to contest the election, for patriotic reasons. President Ford, though much criticized at the time, has subsequently been generously and rightly commended for pardoning President Nixon after he resigned in 1974.

Since both the special prosecutors have been installed for nonsensical reasons, their purpose must be sought elsewhere than the law. Either the Democrats were minded to violate tradition and prudence and indict Mr. Trump on spurious

grounds and set up the equally implausible Biden special prosecutor to reduce the entirely accurate appearance of rabid partisanship, or they recognize that it would be a mistake to indict the former president whom they no longer consider to be their most likely opponent in 2024, and the powers that be in the Democratic Party are moving to prevent the incumbent from seeking reelection.

Mr. Biden was plucked out of the electoral ditch as a fifth-place finisher in New Hampshire by the party elders in 2020 and given the nomination in preference to the avowed socialist Bernie Sanders. Concerns linger that millions of potentially harvested ballots resulting from largely unconstitutional voting and vote counting changes in swing states were necessary to elect him. No serious person can make the case that this is a competent administration, and the Democrats are to be commended for looking for a plausible replacement.

All these learned arguments about the criminal misuse of classified documents, whether sincere or not, are just piffle. Americans should be aware that their justice system is regarded in other advanced countries as a monster of illegality that threatens America's status as a society of laws, and this bunk is evidence of it.

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