

Tide Is Now Running In Favor of Trump

by Conrad Black



It is now clear that Russian attempts at interference in the 2016 election, though somewhat outrageous, were ineffectual, unconnected with any particular party, a small effort given what a country of Russia's resources and taste for political skullduggery and chicanery is capable of, and minor compared with the influence many countries, including the United States, have sometimes exercised in the elections of other countries.

No serious person could find anything in the conduct of the president that could be construed as obstruction of justice, the all-purpose catch-all of American prosecutors, who can conjure that charge from the most mundane acts.

The Trump-impeachers, shuffling grimly forward into the desert like Old Testament slaves to the chant of the ineffable millionaire congresswoman Maxine Waters: "Impeach 45!" will

perish in the sand. The vultures will pick their bones in an Ozymandian setting.

No president has ever been impeached and removed successfully (though Andrew Johnson, who was not guilty of anything, escaped removal by only one vote in 1868). The required "high crimes and misdemeanors" the Constitution stipulates, have never been clearly defined, but apparently did not include President Clinton's likely untruthfulness to a grand jury.

After two years of exhaustive legal investigation accompanied by intense press innuendos about everything President Trump and his family have done more ambitious than putting on their shoes in the morning (unlike the Clinton case and much closer to the relentless media badgering and defaming of Richard Nixon in the Watergate affair), there is nothing to impeach with, or about.

The statute under which Robert Mueller's investigation is operating does not give him an open and unaccountable mandate like the old special prosecutors had, and he has wildly exceeded his remit. The reasons for the assurance of even very intelligent and fair-minded legal experts, such as Alan Dershowitz, that the president could be summoned before a grand jury by Mueller, are not clear. President Clinton complied voluntarily and President Nixon eventually responded to a Supreme Court order on a document subpoena.

Mr. Mueller, though, has less authority, is outside his mandate, some of his staff have committed significant improprieties, and his operation was set up in the absence of a crime, in response to an illegal leak of an improperly removed document of contested accuracy by ex-FBI director James Comey in retaliation against the president for having been fired on the recommendation of the deputy attorney general (Rod Rosenstein), who then obliged Mr. Comey by engaging Mr. Mueller as special counsel (having first offered him the FBI position he held before Mr. Comey).

It is not clear that the Supreme Court would order Trump's attendance at a grand jury, given the farcical charade that has got us where we are. (Nor is it clear that if Mr. Trump declined to follow such an order, the Congress would consider that an offense justifying removal from office.)

The early righteousness of the anti-Trump lynch-mob was deflated when the Steele dossier was disclosed as defamatory lies assembled and paid for by the Clinton campaign. The feeble effort at claiming a boozy conversation between a very junior member of the Trump campaign team and a former Australian politician (who had secured \$25 million of Australian government money for the Clinton Foundation) as the source of the investigation has crumbled.

The origins were earlier, and Christopher Steele and prominent members of the FBI and CIA shopped his inane and scatological dossier around the media to incite the misplaced belief that there were multiple disinterested sources for its contents.

It also seems to be clear that Mr. Comey, and former National Intelligence and Central Intelligence directors James Clapper and John Brennan, were involved in improper leaks of confidential information and in coordinating their activities to mislead the president-elect. All three also appear to have misled congressional committees while under oath.

The inspector general of the Department of Justice, Michael Horowitz, is apparently only a week away from a release to the Congress (i.e., the world) of his report on the official handling of the Clinton emails affair. His report is reportedly 400 pages, and there has never in recent history been a 400-page nothingburger.

It would be astounding if there were not further criminal referrals for some of Mr. Trump's prominent tormenters, presumably starting with Mr. Comey, as there were for former FBI deputy director Andrew McCabe from the inspector general's

first report. This will be a spectacular wind-up to Mr. Comey's author's tour, as he entrusts his defense to another of America's most egregious rules-free prosecutors, Patrick Fitzgerald.

As the rot spreads and evidence of the questionable involvement of elements of the Obama administration in the sand-bag job on Mr. Trump appears at earlier dates, before the 2016 political conventions, demands from congressional committees for more information from the Justice Department are becoming more extensive and insistent. The more sophisticated Trumpophobes are claiming the Congress is over-reaching, beyond its right to know and at risk, as dishonest law-enforcement and intelligence officials always allege, of danger to agents and sources.

It's nonsense of course; no one is asking for the release of such material. The Trumpophobes have retreated so far they have backed up almost onto the president's toes, and sometime soon, he will, as is his perfect executive right, order the release of all the FBI, Justice, State, and Intelligence dirty linen. Let the inelegantly soiled undergarments fall where they may; none of it is his.

Also to be heard from this spring of surprises, will be the inspector general's further report on the FBI agent planted in the Trump camp. The New York Times has already spread the Vaseline on that one, that the agent was just looking for Russians. Why was he doing so in the Trump campaign? This turkey won't fly either.

U.S. attorney John Huber's inquiry into FISA surveillance of Trump campaign part-timer Carter Page and of the Uranium One relationship with the Clintons (in Uranium One, Rosenstein was the U.S attorney and Mueller was the FBI director) has been going for six months. When Messrs. Horowitz and Huber have finished, on the public evidence to date, it will appear that untruthful applications and certifications were made under the

Foreign Intelligence Surveillance Act by former attorney general Loretta Lynch and her deputy Sally Yates, and other officials including Rosenstein, to approve illegal surveillance of the Trump campaign.

Attorney General Sessions is not recused on Clinton emails or other matters not closely related to Russian election interference, and, having been investigated by Mr. McCabe, is probably ready to return from recusal and end Mr. Rosenstein's compulsive waffling.

A snapshot of this welter of dubious antics today reveals these points: The tide is running in the president's favor; high and trusted positions have been seriously misused in a partisan cause that would not have come to light if the election result had been different and is the greatest scandal in American history; the Trumpophobes can't go on trying to make grenades out of marshmallows like the amusing divertissement of Stormy Daniels (whose obnoxious lawyer wasn't her lawyer – just a volunteer militant Democratic publicity hound and undischarged bankrupt); and the public is bored with Mr. Mueller, and unless he looks at the Democrats too his investigation will be an unmitigated fiasco. Anyone who sees a blue wave in the mid-terms coming out of this immense shambles is in the desert suffering a mirage with Maxine Waters.

Note: My editor at NRO and professional friend of ten years, Mike Potemra, was a talented and delightful man, and the news of his sudden and premature death is deeply saddening to all who knew and worked with him. He will be very much missed.

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