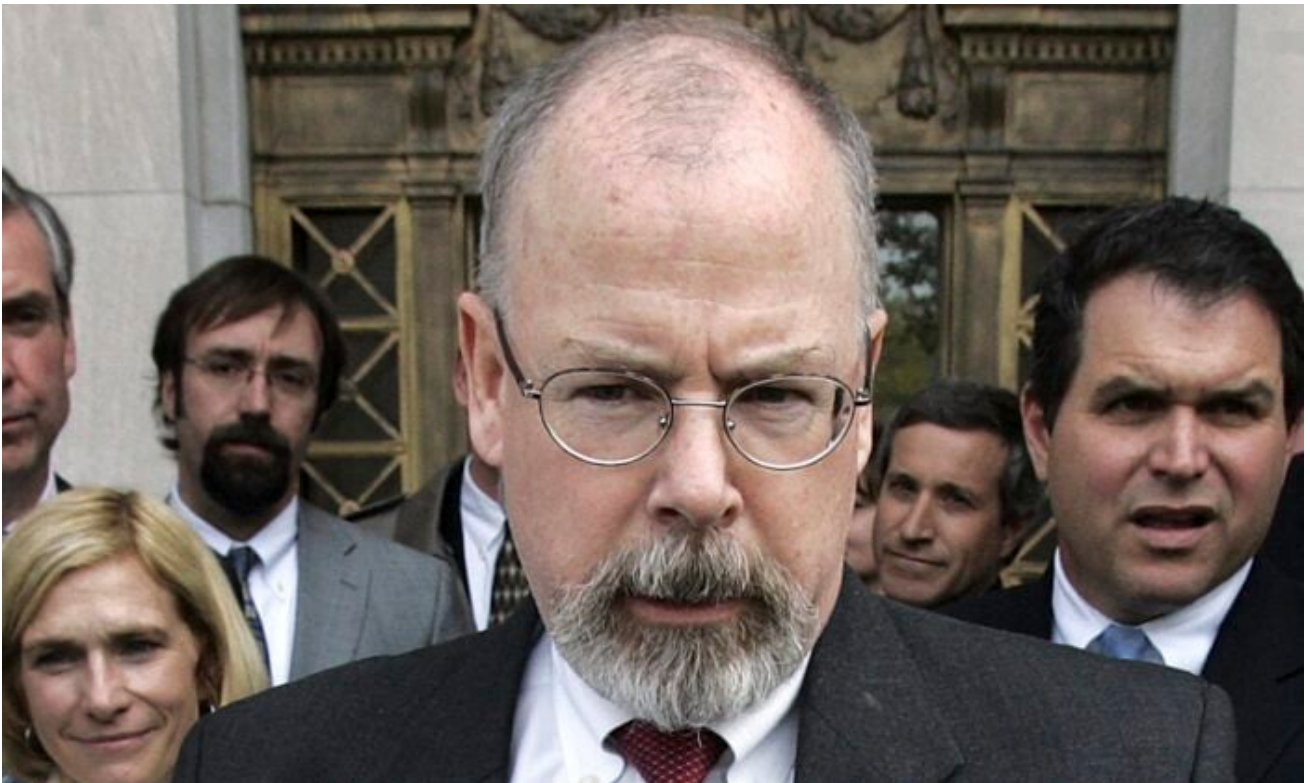


# Supreme Court Turns Back Effort to Rig Voting, but Other Scandals Wait to be Addressed

by Conrad Black



The fact that the [suggested](#) that the abdication by the Supreme Court from the task of adjudicating the fairness of last year's election, while a disappointment, may have enabled it more confidently to reject the spurious claim of the Democratic leaders that requiring voters to prove that they are whom they claim to be constitutes discrimination against non-whites.

It may be that with the benefit of hindsight, President Trump will deserve to be recognized as having turned the tide in American judicial opinion from the authoritarian Democratic notion that congressional majorities and acquiescent

presidents can effectively enact anything including the necessity to interpret the Constitution in a way that facilitates whatever any administration commanding a congressional majority wishes; never mind what the Constitution says.

President Trump has been less than enthusiastic about the performance to date of his appointees to the high court. They have convincingly demonstrated that the alarmist predictions of the Democrats and their allies during the approval processes were unfounded.

But his three nominees, Justices Gorsuch, Kavanaugh, and Barrett, provided the majority for the decisions that substantially sank the Democratic effort to turn presidential elections into practically unrestricted ballot harvesting contests in which any attempt to verify identity was suppressed and any challenges would be heard not judicially but by partisan commissions.

The Democratic endeavors in both the House of Representatives and the Senate to change radically the process of selecting the president and the vice president are the most discreditable legislative assaults upon the Democratic system and constitutional rights in this country within living memory.

## **Durham in Obscurity**

With this commendable stance by the Supreme Court, we may be within our rights to hope that progress may yet arise in some important related matters.

It is now more than two years since John Durham was charged with the task of looking into why the Republican campaign in 2016 was the subject of intelligence surveillance on the basis

of warrants that the applicants for those warrants had reason to believe were false, and why this activity became entangled in the Democratic campaign's production of what was represented to the media as legitimate, reliable, intelligence data that was in fact a pastiche of lies and defamations of no intelligence status whatever. Durham was supposed to have produced an interim report by now but has not.

The events that Durham has been called upon to investigate were so outrageous and the entire colossal distraction of the mad idea that Trump colluded with a foreign government in order to rig his own election do require a serious and credible explanation. Of course this was a preposterous idea, and no presidential nominee of a major party in the history of the United States would ever have contemplated any such thing.

But that did not prevent former National Intelligence director James Clapper from flatly announcing publicly that Trump was "an asset of the Kremlin," or former CIA director John Brennan from saying effectively the same thing. Both men in other contexts lied to Congress under oath and have never been called to account for that. Both declared that Trump's relationship with the Russians, which we now know did not exist, had altered the election result. Hillary Clinton, Trump's 2016 opponent, wrote the same thing.

Anyone who has any experience of the corruption of the American criminal justice system, especially the penchant of the prosecutors to extort and suborn false inculpatory evidence and to enjoy a 99 percent conviction rate in federal cases, 97 percent without a trial, would be prepared to fear the worst about Durham, particularly after this unconscionably long lapse.

There is also the matter of the conduct of the FBI. The Inspector General of the Justice Department, Michael Horowitz, left little doubt that serious illegalities had been committed by the Comey-McCabe-Strzok regime at the FBI, all of them

fired. And the entire ghastly and malodorous episode appears to have been the consequence of the unprecedented politicization of senior levels of the intelligence community and the Justice Department.

The outward appearance of what has been made public is disgraceful, and requires a complete uprooting and either vigorous prosecutions or a comprehensive explanation for why no one deserves to be prosecuted. Even if Durham finally emerges from his pale of obscurity and accounts for himself, this long silence is, to say the least, severely unprofessional.

## **Justice System in Doubt**

In a similar category, the investigation into Hunter Biden should be producing some sort of report by now. Just before the election, we were solemnly assured by a large group of retired intelligence officials that it was all Russian disinformation. We now know that Hunter Biden has been the subject of a grand jury inquiry for about two years. Hunter Biden's public explanations and several of President Biden's have been exposed as riddled with falsehoods.

I see no evidence that U.S. government policy was altered in consideration of any favors done by foreign companies or governments to the Bidens, and I have no problem giving them the presumption of innocence. As President Trump famously said to the president of Ukraine, the United States must know if there was anything illegal about these activities or not. Again, the delay in addressing this is completely unacceptable. It is impossible to be optimistic that in such a potentially explosive case as this, the justice system will function honestly.

Speaker Nancy Pelosi's inquiry, with the help of dismissed Republican House caucus chair Liz Cheney, into what happened at the Capitol on Jan. 6, as it is overtly political to begin

with, can incite few expectations of fair procedure or accurate findings.

But hundreds of people have been held for nearly six months, many in solitary confinement, and for the likely purpose of sweating out of them false evidence against the former administration. There has been no information at all about Ashli Babbitt, the only person who died on that occasion, an unarmed Trump supporter and armed forces veteran.

The entire Democratic argument that what happened on that day was in any way orchestrated by the Trump campaign, or was seriously organized or armed, or was in the slightest insurrectionist—all of that has disintegrated. On the long record of Pelosi's rabid partisanship, we should brace ourselves for an appalling travesty in this case. There have been congressional inquiries that have been quite diligent, but it is up to the Justice Department to close this dossier, release the prisoners, and prevent Pelosi and Cheney from executing another orgy of mudslinging against Trump.

The scandal of the social media cartel, where for a time ultra-left Democratic Senators Bernie Sanders and Elizabeth Warren were singing from the same song sheet as the Trump administration, has yielded to the generous assistance that Amazon, Apple, Facebook, Google, and Twitter have given the Democrats, and they are probably now beyond the reach of anyone with the authority to interrupt their dangerous, excessive, and irresponsibly exercised influence on American political life.

That is a project for another administration. In the meantime, if Durham and the Delaware prosecutors are people of professional integrity, it is time they satisfied doubters that they have actually been conducting serious investigations. On the contemporary record of American law enforcement there is ample room for doubt.

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