

The Greatest Constitutional Crisis Since the Civil War

by Conrad Black



The most immense and dangerous public scandal in American history is finally cracking open like a ripe pomegranate. The broad swath of the Trump-hating media that has participated in what has amounted to an unconstitutional attempt to overthrow the government are reduced to reporting the events and revelations of the scandal in which they have been complicit, in a po-faced ho-hum manner to impart to the misinformed public that this is as routine as stock market fluctuations or the burning of an American flag in Tehran.

For more than two years, the United States and the world have

had two competing narratives: that an elected president of the United States was a Russian agent whom the Kremlin helped elect; and its rival narrative that senior officials of the Justice Department, FBI, CIA, and other national intelligence organizations had repeatedly lied under oath, misinformed federal officials, and meddled in partisan political matters illegally and unconstitutionally and had effectively tried to influence the outcome of a presidential election, and then undo its result by falsely propagating the first narrative. It is now obvious and indisputable that the second narrative is the correct one.

The authors, accomplices, and dupes of this attempted overthrow of constitutional government are now well along in reciting their misconduct without embarrassment or remorse because—in fired FBI Director James Comey’s formulation—a “higher duty” than the oath they swore to uphold the Constitution compelled them. Or—in fired FBI Deputy Director Andrew McCabe’s words—“the threat” was too great. Nevermind that the nature of “the threat” was that the people might elect someone he and Comey disapproved of as president, and that that person might actually serve his term, as elected.

A Long List of Offenders—and Offenses

The extent of the criminal misconduct of the former law enforcement and intelligence chiefs is now notorious, but to make the right point here, it has to be summarized. The fact that the officially preferred candidate lied to federal officials about her emails and acted in outright contempt of Congress and the legal process in the destruction of evidence, was simply ignored by the FBI director, who announced that she would not be prosecuted, though he had no authority to make that determination.

The dossier of salacious gossip and defamatory falsehoods amassed by a retired British spy from the lowest grade of intelligence sources in Russia, commissioned and paid for by the Clinton campaign and Democratic National Committee, was

circulated to the media by high public officials and cited in illegal and dishonest applications to authorize surveillance of the campaign of the other presidential candidate. A special counsel was empowered on the false pretext of the necessity to get to the bottom of Trump-Russian collusion in the election, of which there was and remains no evidence, because it did not occur and was a complete partisan fabrication.

The special counsel then packed his staff with militant Clinton partisans, and acted very late and only when his hand was forced by the media to remove two officials who referred in texts to each other to the Bureau's ability to smear and provoke the impeachment of the winning candidate as "an insurance policy" against his filling the office to which he was elected.

Large sections of the media colluded with the Democratic campaign and produced the doctrine that anything was justifiable, no matter how dishonest, to destroy the incoming president's reputation and damage him in public opinion polls to legitimize attempts to remove him from office. Large sections of the media deliberately deluged the public with stories they knew to be false about the new president and referred to him in terms of unprecedented vituperation in what purported to be reportage and not comment.

This unorganized but widespread campaign of defamation was taken up by a great number of ordinarily newsworthy celebrities and was accompanied by false, unresearched stories denigrating President Trump's supporters, such as the [false claims](#) about Catholic school students' treatment of an elderly native American and the false claim that actor Jussie Smollett had been beaten up and reviled by Trump supporters. The former intelligence chiefs of the nation under President Obama repeatedly have accused this president of treason, the most heinous of all crimes, and have asserted with the authority of their former positions that the Russians determined the result of the 2016 presidential election. They knew this to be

entirely false.

Distracting Public Attention

The special counsel has failed to find any evidence of the collusion and electoral interference that was the justification for establishing his inquiry, and the Democrats are already expressing disappointment in his failure to produce such evidence when the leading Democratic members of congressional investigative committees still robotically claim to have at least *prima facie* evidence of such collusion.

The dishonest attempt of much of the opposition and what even left-leaning media-monitoring organizations record as 90 percent of the national media, continued for more than two years to try to condition the country to believe that the president had committed the “high crimes and misdemeanors” required by the Constitution for impeachment and removal from office.

The special counsel, apart from smearing the president, distracted public attention from or tended to justify the ever more evident misconduct of the president’s enemies. And we now know that Comey, despite his “higher duty,” lied to the president about his not being a target of an FBI investigation, illegally leaked to the *New York Times* the contents of a self-serving memo he purloined from the government, and lied to Congress by claiming 245 times in one sitting to be ignorant of recent matters that no one of sound mind could have forgotten.

And now we have Andrew McCabe’s proud confirmation that he and Deputy Attorney General Rod Rosenstein not only continued the illegal counterintelligence investigation of President Trump, but actively discussed methods of securing his removal from office by deliberate misuse of a variety of laws, including the Emoluments Clause, the 25th Amendment to deal with mental incompetence, and the Logan Act of 1799, which has never been used successfully and has not been tested in 150 years.

Make Those Responsible Pay at the Polls

This entire monstrous travesty is finally coming apart without even waiting for the horrible disappointment of the special counsel's inability to adduce a scrap of evidence to justify his replication of Torquemada as an inquisitor and of the Gestapo and KGB at rounding up and accusing unarmed individuals who were not flight risks. The collapse of this grotesque putsch, under the irresistible pressure of a functioning attorney general and Senate committees that are not hamstrung by NeverTrumpers, will cause a revulsion against the Democratic Party that will be seismic and prolonged.

The disgrace of their misconduct is profound and shocking. Richard Nixon, against whom there is no conclusive evidence that he broke any laws (although a number of people in his entourage did) never did anything like this. J. Edgar Hoover in 47 years at the head of the FBI and its predecessor organization, never tried to meddle in a presidential election. Those responsible will pay for this, including at the polls.

Without realizing the proportions of the emergency, America has survived the greatest constitutional crisis since the Civil War. All those who legitimately oppose or dislike the president, including traditional high-brow Republicans who find him distasteful, should join in the condemnation of this largely criminal assault on democracy, and then, if they wish, go out and try to beat him fair and square, the good old-fashioned way, in a free election. But they must abide by the election's result.

First published in