

A Soft Coup, or Preserving Our Democracy?

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Something's happening here, what it is ain't exactly clear.

We Americans have long regarded coups as undesirable political turmoil afflicting nations in Africa, Asia and Latin America in which governments are changed by force rather than through the ballot box. During the past several weeks, political commentators are beginning to use the word when describing the series of events that began last summer with the claim that Russia was somehow interfering in our national election on behalf of one candidate.

To be sure, no one expects the country's armed forces to march on the White House and force Donald Trump out, but some commentators are suggesting that a political environment is deliberately being created that will either make it impossible for Trump to govern or, if the pieces fall together nicely, will provide grounds for impeachment. As those who might be promoting that kind of regime change are civilians who will not be resorting to armed insurrection, it might be most correct to refer to the possible coup as "soft" or even "stealth." Conservative radio host and author Mark Levin [refers to it](#) as a "silent coup."

Coup or legitimate political pushback depends on which side of the fence one is standing on. There are two competing narratives to choose from and there is inevitably considerable gray area in between depending on what turns out to be true. One narrative, coming from the Trump camp, is that President Obama used the nation's intelligence and law enforcement agencies plus judicious leaks of classified information and innuendo to the media to sabotage Trump during and after the campaign. This was largely done by spreading malicious claims about the campaign's associates, linking them to criminal activity and even suggesting that they had been subverted to support Russian interests. As of this date, none of the "Manchurian candidate" allegations have been supported by evidence because they are not true. The intention of the Obama/Clinton campaign is to explain the election loss in terms acceptable to the Democratic Party, to hamstring and delegitimize the new administration coming in, and to bring about the resignation or impeachment of Donald Trump. It is in all intents and purposes a coup, though without military intervention, as it seeks to overturn a completely legal and constitutional election.



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The contrary viewpoint is that team Trump's ties to Russia constitute an existential national security threat, that the Russians did steal information relevant to the campaign, did directly involve themselves in the election to discredit U.S. democracy and elect Trump, and will now benefit from the process, thereby doing grave damage to our country and its interests. Adversarial activity undertaken since the election is necessary, designed to make sure the new president does not alter or eliminate the documentary record in intelligence files regarding what took place and to limit Trump's ability to make serious errors in any recalibration with Moscow. In short, Trump is a dangerous man who might be in bed with an enemy power and has to be watched closely and restrained. Doing so is necessary to preserve our democratic system.

This is what we know or think we know described chronologically:

The sources all agree that in early 2016 the FBI [developed an interest](#) in an internet server in Trump Tower based on allegations of possible criminal activity, which in this case might have meant suspicion of involvement in Russian mafia activity. The interest in the server derived from an apparent link to Alfa Bank of Moscow and possibly one other Russian bank, regarding which the metadata (presumably collected either by the Bureau or NSA) showed frequent and high-volume two-way communications. It is not clear if a normal criminal warrant was actually sought and approved and/or acted upon but, according to *The New York Times*, the FBI somehow determined that the server did not have [“any nefarious purpose”](#) and was probably used for marketing or might even have been generating spam.

The examination of the server was only one part of what was taking place, with *The New York Times* also [reporting](#) that, “For much of the summer, the FBI pursued a widening investigation into a Russian role in the American presidential campaign. Agents scrutinized advisers close to Trump, looked for financial connections with Russian financial figures, searched for those involved in hacking the computers of Democrats....” The article also noted that, “Hillary Clinton’s supporters...pushed for these investigations,” which were

clearly endorsed by President Obama.

In June, with Trump about to be nominated, some sources claim that the FBI [sought a warrant](#) from the Foreign Intelligence Surveillance Act (FISA) Court to tap into the same Trump Tower server and collect information on the American users of the system. FISA warrants relate to investigations of foreign intelligence agents but they also permit inadvertent collection of information on the suspect's American contacts. In this case the name "Trump" was reportedly part of the request. Even though FISA warrants are routinely approved, this request was turned down for being too broad in its scope.

Also in the summer, a dossier on Trump compiled by former British intelligence officer Christopher Steele that was commissioned initially by a Republican enemy of Trump and was later picked up and paid for by the Democratic National Committee [began to make the rounds](#) in Washington, though it was not surfaced in the media until January. The dossier was being worked on in June and by one account was turned over to the FBI in Rome by Steele [in July](#). It later was passed to John McCain in November and was presented to FBI Director James Comey for action. It contained serious but largely unsubstantiated allegations about Trump's connection to Russia as a businessman. It also included accounts of some bizarre sexual escapades.

At roughly the same time the Clinton campaign began a major effort to connect Trump with Russia as a way to discredit him and his campaign and to deflect the revelations of campaign malfeasance coming from WikiLeaks. In late August, Senate Minority Leader Harry Reid wrote to Comey and [demanded that](#) the "connections between the Russian government and Donald Trump's presidential campaign" be investigated. In September, Senator Diane Feinstein and Representative Adam Schiff of the Senate and House intelligence committees respectively publicly accused the Russians of meddling in the election "based on briefings we have received."

In October, some sources claim that the FBI [resubmitted its FISA request](#) in a "narrowed down" form which excluded Donald Trump personally but did note that the server was "possibly related" to the Trump campaign. It was approved and surveillance of the server on national security grounds rather than criminal investigatory grounds may have begun. Bear in mind that Trump was already the Republican nominee and was only weeks away from the election and this is possibly what Trump [was referring to](#) when he expressed his outrage that the government had "wiretapped" Trump Tower under orders from the White House.

Trump has a point about being "tapped" because the NSA basically records nearly everything. But as president he should already know that and he presumably approves of it.

Several other sources dismiss the wiretap story as it has appeared in the media. Former Director of National Intelligence James Clapper "denied" on March 5 that there had been a FISA warrant authorizing surveillance of the Trump Tower server. He stated that there had never been any surveillance of Trump Tower ["to my knowledge"](#) because, if there had been a FISA warrant, he would have been informed. Critics immediately noted that Clapper has previously lied about surveillance issues and his testimony contradicts other evidence suggesting that there was a FISA warrant, though none of the sources appear to know if it was ever actually used. Former George W. Bush White House Attorney General Michael Mukasey provided a view contrary to that of Clapper, [saying that](#) "there was surveillance, and that it was conducted at the behest of the... Justice Department through the FISA court." FBI Director Comey also entered the discussion, claiming in very [specific and narrow](#)

[language](#) that no phones at Trump Tower were “tapped.”

The campaign to link Trump to Russia also increased in intensity, including statements by multiple former and current intelligence agency heads regarding the reality of the Russian threat and the danger of electing a president who would ignore that reality. It [culminated in](#) ex-CIA Acting Director Michael Morell’s claim that Trump was “an unwitting agent of the Russian Federation.” British and Dutch intelligence were [apparently discreetly queried](#) regarding possible derogatory intelligence on the Trump campaign’s links to Russia and they responded by providing information detailing meetings in Europe. Hundreds of self-described GOP foreign policy “experts” signed letters stating that they opposed Trump’s candidacy and the mainstream media was unrelentingly hostile. Leading Republicans refused to endorse Trump and some, like Senators John McCain, Marco Rubio and Lindsey Graham, cited his connections to Russia.

President Obama and the first lady also increasingly joined in the fray as the election neared, campaigning aggressively for Hillary. President Obama [called](#) Trump’s “flattery” of Vladimir Putin “out of step” with U.S. norms.

After the election, the drumbeat about Trump and Russia continued and even intensified. There was a 25-page report issued by the Office of the Director of National Intelligence on January 6 called “*Assessing Russian Activities and Intentions in Recent US Elections*.” Four days later, this was followed by the publication of the [35-page report](#) on Trump compiled by British intelligence officer Christopher Steele. The ODNI report has been criticized as being long on conjecture and short on evidence while the British report is full of speculation and is basically unsourced. When the Steele dossier first appeared, it was assumed that it would be fact-checked by the FBI but, if that was ever done, it has not been made public.

Also on January 6, two weeks before the inauguration, [Obama reportedly](#) “expanded the power of the National Security Agency to share globally intercepted personal communications with the government’s 18 other intelligence agencies before applying privacy protections.” This made it easier for derogatory or speculative information on individuals to be shared or leaked. *The New York Times* interpreted this to be a move intended to “preserve” information relating to the investigation of the Trump campaign’s Russian ties. In this case, wide dissemination was viewed as a way to keep it from being deleted or hidden and to enable further investigation of what took place.

Two weeks later, just before the inauguration, *The New York Times* [reported](#) that the FBI, CIA, NSA and the Treasury Department were actively investigating several Trump campaign associates for their Russian ties. There were also reports of a “multiagency working group to coordinate the investigations across the government.”

Leaks to the media on February 8 revealed that there had been late December telephone conversations between national security advisor designate Michael Flynn and Russian ambassador Sergei Kislyak. The transcripts were apparently leaked by senior intelligence officials who had access to such highly restricted information, presumably hold-overs from the Obama Administration, and Flynn was eventually [forced to resign](#) on February 13 for having lied to Vice President Mike Pence about the calls. For what it’s worth, some at the CIA, FBI and State Department have been openly discussing and acknowledging that senior officers are behind the leaks. The State Department is reported to be particularly anti-Trump.

One day after Flynn resigned *The Times* [cited](#) “four current and former officials” to claim that Trump campaign associates had had “repeated contacts with senior Russian intelligence officials,” but admitted that there was no evidence that the campaign had in any way been influenced by the Russians.

The Attorney General Jeff Sessions saga, which appeared in the media on March 1, is still ongoing. Sessions is being accused of lying to Congress over two contacts with the Russian ambassador. No one is claiming that he did anything inappropriate with Kislyak and he denies that he lied, arguing that the question was ambiguous, as was his response. He has agreed to recuse himself from any investigation of Russia-Trump campaign ties.

Soon thereafter, also on March 1, *The New York Times* published a major article which I found frightening due to its [revelation regarding executive power](#). It touched on Sessions, but was more concerned with what was taking place over Russia and Trump. It was entitled “*Obama Administration Rushed to Preserve Intelligence of Russian Election Hacking.*” It confirmed the previous European intelligence service involvement in the Trump-Russia investigation and also exposed the long-suspected U.S. intelligence agency interception of telephone communications of Russian officials “within the Kremlin,” revealing that they had been in contact with Trump representatives.

The *Times* article also described how in early December Obama had ordered the intelligence community to conduct a full assessment of Russian activity relating to the election. Soon thereafter the intelligence agencies acting under White House instruction were pushing Trump-Russia classified information through the system and into analytic documents so it would be accessible to a wide readership after the inauguration while at the same time burying the actual sources to make it difficult to either identify them or even assess the reliability of the information. Some of the information even went to European allies. The State Department reportedly sent a large cache of classified documents relating to Russian attempts to interfere in elections worldwide over to Senator Ben Cardin, a leading critic of Trump and Russia, shortly before the inauguration.

The *Times* article claimed, relying on anonymous sources, that President Obama was not directly involved in the efforts to collect and disseminate the information on Trump and the Russians. Those initiatives were reportedly directed by others, notably some political appointees working in the White House. I for one find that assertion hard to believe.

The turmoil on Capitol Hill is matched by street rallies and demonstrations denouncing the Trump administration, with much of the focus on the alleged Russian connection. The similarities and ubiquity in the slogans, the “Resist” signs and the hashtags #notmypresident have led some to believe that at least a part of the activity is being funded and organized by progressive organizations that want Trump out. The name George Soros, a Hungarian billionaire and prominent democracy promoter, [frequently comes up](#). Barack Obama is also reported to be setting up a war room in his new home in Washington D.C. headed by former [consigliere Valerie Jarrett](#) to “lead the fight and strategy to topple Trump.” And Hillary Clinton has been engaged [in developing](#) a viable opposition to Trump while still seething about Putin. Two congressional inquiries are pending into the Russian connection and the FBI investigation, insofar as can be determined, is still active.

If one were to come up with a summary of what the government might or might not have been doing over the past nine months concerning Trump and the Russians it would go something like this: FBI investigators looking for criminal activity connected to the Trump

Tower server found nothing and then might have sought and eventually obtained a FISA issued warrant permitting them to keep looking on national security grounds. If that is so, the government could have been using the high-tech surveillance capabilities of the federal intelligence services to monitor the activity of an opposition political candidate. Additional information was undoubtedly collected on Trump and his associates' dealings with Russia using federal intelligence and law enforcement resources, and NSA guidelines were changed shortly before the inauguration so that much of the information thus obtained, normally highly restricted, could then be disseminated throughout the intelligence community and to other government agencies. This virtually guaranteed that it could not be deleted or hidden while also insuring that at least some of it would be leaked to the media.

The actions undertaken by the lame duck Obama administration were certainly politically motivated, but there also might have been genuine concern over the alleged Russian threat. The Obama administration's actions were quite likely intended to hobble the new administration in general as Trump would be nervous about the reliability of his own intelligence and law enforcement agencies while also being constantly engaged in fighting leaks, but they might also have been designed to narrow the new president's options when dealing with Russia. Whether there is any intention to either delegitimize or bring down the Trump White House is, of course, unknowable unless you had the good fortune to be in the Oval Office when such options were possibly being discussed.

It should also be observed that all of the investigations by both the government and the media have come up with almost nothing, at least insofar as the public has been allowed to see the evidence. Someone, widely presumed but not demonstrated to be in some way associated with the Russian government, hacked into the email accounts of the Democratic National Committee and Clinton campaign chairman John Podesta. The factual information was then passed to WikiLeaks, which denies that it came from a Russian source, and was gradually released starting in July. There has been a presumption that Moscow was either trying to influence the outcome of the election in support of Donald Trump or that it was trying to somehow subvert American democracy, but no unimpeachable evidence has as of yet been produced to support either hypothesis. The two senior Trump officials – Flynn and Sessions – who have been under the gun have not been pummeled because they did anything wrong vis-à-vis the Russians —they did not — but because they have been accused of lying.

So, whether there is some kind of coup in progress ultimately depends on your perspective and what you are willing to believe to be true. I would suggest that if there continue to be damaging leaks coming from inside the government intended to cripple the White House the possibility that there is a genuine conspiracy in place begins to look more attractive. And the possibility of impeachment is also not far off, as Trump is confronted by a hostile Democratic Party and numerous [dissidents](#) within the GOP ranks. But if nothing comes of it all beyond an extremely rough transition, the whole business might just be regarded as a particularly nasty bit of new style politics. If, however, it turns out that the intelligence agencies have indeed been actively collaborating with the White House in working against opposition politicians, the whole tale assumes a particularly dangerous aspect as there is no real mechanism in place to prevent that from occurring again. The tool that Obama has placed in Trump's hands might just as easily be used against the Democrats in 2020.

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