



Dershowitz: Either McCabe or Comey Is Not Telling the Truth

“One of them is not telling the truth,” Harvard law professor Alan Dershowitz said today on Fox Business Network’s *Mornings With Maria*. Dershowitz was referencing the remarks made by Andrew McCabe (fired on Friday from the FBI by Attorney General Jeff Sessions) that he had been given authority by former FBI Director James Comey to share information with the media concerning the investigations of Hillary Clinton and the Clinton family’s charitable foundation, and that he had done so with knowledge of “the director.” The firing was a result of the report of the inspector general of the Justice Department. Attorney General Sessions cited the I.G.’s report in his termination of McCabe.



The “director” at the time of the media leaks by McCabe was James Comey, who testified to Congress in May 2017. He was asked if he “ever authorized someone else at the FBI to be an anonymous source in news reports about the Trump investigation or the Clinton investigation.” Comey answered “never” and “no.”

Dershowitz is a strong Democrat, but he has been very critical of former director Comey, who was fired by President Trump. Dershowitz has said that Trump had every legal right, as president, to remove Comey as FBI director.

Dershowitz has been very critical of Comey for leaking information about the investigations into President Trump. “Obviously we know that Comey leaked and laundered information through a Columbia law professor. He didn’t have the courage to stand up in front of the television cameras and express his views that a special counsel should be appointed, so he laundered the information through a law professor. And we know therefore that he does and has leaked.”

Four senators have called for a second special counsel to investigate the handling of the Clinton investigations by the Justice Department, but Dershowitz does not support that. He also did not support the appointment of Robert Mueller to look into allegations of Russian collusion. In his recent book, *Trumped Up*, Dershowitz wrote, “The role of the special counsel should be limited to investigating and prosecuting violations of federal criminal statutes.... He is not a private investigator.”

Instead of a special counsel, Dershowitz argued to Maria Bartiromo of Fox Business that he preferred a non-partisan investigative commission, saying the problem with the selection of a special counsel is that “everything becomes a criminal investigation,” instead of a search for the truth. Specifically, Dershowitz argued that the report of the inspector general should be released to the public, and let them make up their own minds about it. “These investigations become so darn partisan. We don’t have



Written by [Steve Byas](#) on March 19, 2018

trust in the investigators,” Dershowitz lamented, adding that we need someone to guard us from the guardians.

In his book, Dershowitz noted that Comey “leaked the contents” of his communications with Trump “in a calculated, and successful effort to have a special counsel appointed.” Then, to compound the violation of fairness, Deputy Attorney General Rod Rosenstein “selected a close friend and longtime professional colleague of Comey [Robert Mueller] to be the special counsel.”

McCabe’s firing was strongly condemned by former CIA Director [under President Barack Obama] John Brennan, who made a public tweet to President Trump: “When the full extent of your venality, moral turpitude, and political corruption becomes known, you will take your rightful place as a disgraced demagogue in the dustbin of history. You may scapegoat Andy McCabe, but you will not destroy America.... America will triumph over you.”

That vitriolic tweet was answered by Senator Rand Paul (R-Ky), who has made no secret of his disdain of Brennan. “This man [Brennan] had the power to search every American’s records without a warrant. What’s disgraceful is attacking the Bill of Rights and the freedom of every American.” Paul was referencing revelations that the CIA had spied on staffers of the Senate Intelligence Committee. Before that, in 2013, Paul conducted a 13-hour filibuster on the Senate floor to block Brennan’s nomination as CIA director.

Paul could have also noted that Brennan’s vote for the Communist Party candidate for president — Gus Hall — years ago. After all, communists are not noted for their dedication to civil liberties.

McCabe’s firing, just two days before he could become eligible for a full pension, has been criticized on the Left. But the fact that President Donald Trump’s former national security adviser Mike Flynn is being forced to sell his Alexandria, Virginia, home to pay mounting legal bills, doesn’t seem to bother them. Also, the head of the group Americans for Limited Government, Rick Manning, reported that unless McCabe is prosecuted and convicted of a crime, he will end up getting his pension, regardless of the firing.

Image of McCabe (left) and Dershowitz: Screenshot of [Fox Business Network video](#)



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