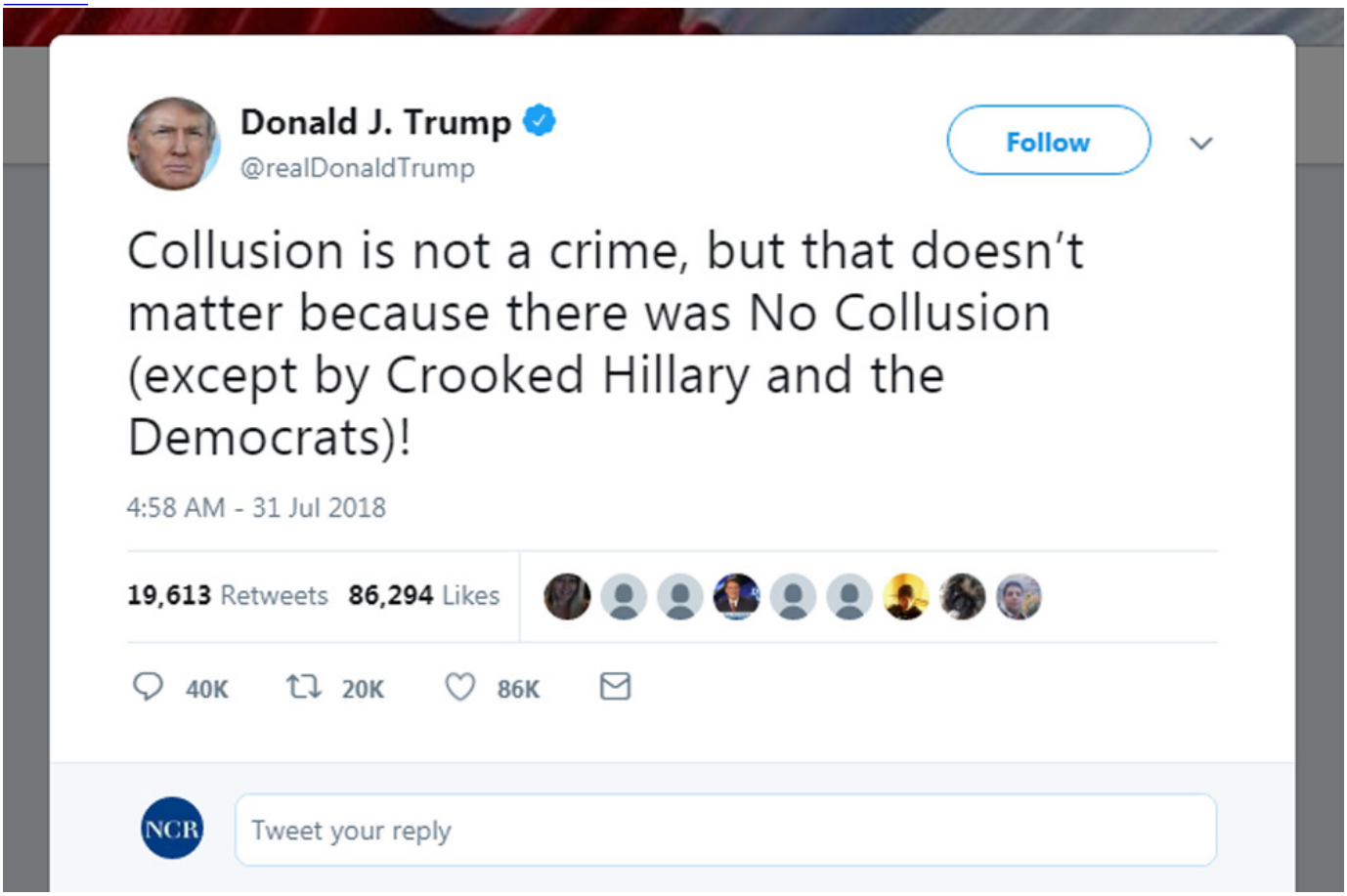
Opinion
News



Screenshot of a July 31 tweet from President Donald Trump



by Michael Sean Winters

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Suborn, sə'bôrn, verb, to bribe or otherwise induce (someone) to commit an unlawful act such as perjury.

That is the dictionary definition of "suborn," a word which will be as common as "hello" by year's end. Since President Trump's outrageous news conference with Vladimir Putin in Helsinki, and as the trial of former Trump campaign manager Paul Manafort proceeds, it is increasingly difficult to find any other justification for the president's behavior, in the past or in the present, than the fact he has been suborned by the Russian government.

Up until this week, the president has steadfastly refused to admit that he or his campaign colluded with Russia. He insisted that it was the campaign of Hillary Clinton that did the collusion. Now, midstream, he is changing horses and saying that collusion is not a crime. Me thinks Bob Mueller has discovered evidence of collusion and the president knows it.

As Greg Sargent explained in The Washington Post, Trump's tweets over the weekend essentially concede that the Trump Tower meeting in June 2016 was about collusion. Sargent notes that this fact alone does not prove the case for obstruction of justice because a prosecutor must still prove criminal intent. "Trump may have done some or all these things because he feared that his son is in jeopardy, or more broadly because he believes the Trump Tower meeting (and any other collusion that may have occurred) may implicate his whole campaign in potentially illegal behavior," Sargent writes. "But we don't *know* that, and it has to be proved." (This last observation might be a useful reminder to journalists throwing slime about how "everyone knew" about the allegations against ex-cardinal Theodore McCarrick.)

Sargent has mistaken the forest for the trees. The real news is not whether the president's tweets are building a case for obstruction of justice. It is that they are making the case for collusion in the first place.

Last week, before the most recent tweets, Trump's attorney Rudy Giuliani signaled the shift in strategy. "I have been sitting here looking in the federal code trying to find collusion," the former mayor of New York told "Fox & Friends." "Collusion is not a crime." He repeated the claim in other interviews.

At first I thought this was a word game. "I have been sitting here looking in the federal code trying to find holding up a liquor store. It's not there." No, it isn't, but armed robbery is.

The president admitted there had been previously unreported meetings with the Russians. He admitted his first National Security advisor had failed to accurately report discussions with Russian government officials. He admitted, except when it mattered most, Vladimir Putin was standing next to him, that Russia had interfered in our elections. When reports came out that did not actually focus on whether or not there was collusion, he claimed they exonerated him and his campaign of the charge anyway. But the firewall was: "There was no collusion." We heard it again and again.

Now, suddenly, the script is: "Collusion is not a crime."

President Trump has long, and correctly, recognized that the law is very murky about whether or not a sitting president could be indicted. He knew that this fight with Mueller was never going to become primarily a legal battle but a political one. The founding fathers, in their wisdom, did not define the phrase "high crimes and misdemeanors" in the section of the Constitution that treats impeachment. "High crimes" is not in the penal code. It means whatever a majority of the House says it means. And, so, up until now, no matter what development arose, he repeated the phrase "there was no collusion" because, short of that, not enough Republicans would desert him that he would become another Nixon. Obstruction of justice was never going to be enough to fell the president because it was too easy for Trump and congressional Republicans to blame the "witch hunt."

The change shows the investigators have more concrete evidence that there was collusion or subornation or both. That may or may not become evidence of obstruction of justice. I have long thought that Mueller would have to unearth more than obstruction to bring down the president, that there had to be evidence of collusion and/or subornation prior to the election, that lying to an investigator might cause the downfall of a Manafort or a Michael Flynn, but not a president. I have long assumed that the CIA had such information, not the FBI, and so Trump's attacks on the FBI were not an extension of his hatred of James Comey but a calculated, and almost successful signal to the CIA that so long as they kept whatever information they had to themselves, he would not go after them the way he is going after the FBI. Either someone at the CIA gave the information to Mueller or he came upon it himself. What other possible explanation is there for the sudden change to "collusion

is not a crime"?

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Will it work? I don't think so. I suspect there are still too many Senate Republicans who, confronted with evidence of collusion or subornation, will bail on the president and wish to rid both the country and their party of him. For example, it does not require much in the way of imagination to conclude that Sen. Marco Rubio's political ambitions have not died away, and what better way to rekindle those ambitions than to become the savior of the party and of the nation?

Up until this week, I feared the president was going to ride out the storm. It is not that I believed there were more bad people willing to indulge his white nationalist rhetoric in exchange for tax cuts and Supreme Court nominees. It was that there were not enough people who give a damn about politics anymore, that the long-term GOP project of undermining the role of government in society had worked to the point that people stopped caring, that the Republicans had killed the brand and Trump's emergence as a proto-dictator was acceptable to people more in love with their television clicker than with their community. But, if Mueller can prove collusion or subornation, and I am sure those two go together after watching Trump's deference to Putin in Helsinki, Trump's departure from the White House might be sooner than we think.

[Michael Sean Winters covers the nexus of religion and politics for NCR.]

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