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Res ipsa loquitur – The thing itself speaks



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# **Was The Bolton Leak Too Perfect? The Senate Grapples With The First Perry Mason Moment Of A Presidential Impeachment**

(<https://jonathanturley.org/2020/01/30/was-the-bolton-leak-too-perfect-the-senate-grapples-with-the-first-perry-mason-moment-of-a-presidential-impeachment/>)



Below is my column in the Washington Post on the still unfolding drama surrounding the leaked contents of the book by former National Security Adviser John Bolton.

Here is the column:

YouTube Screenshot

It was the seeming Perry Mason moment of President Trump's impeachment trial. Just after the White House team presented its defense denying any quid pro quo over Ukrainian aid, former national security adviser John Bolton jumped up from the gallery to scream, "He did it!" Not really, but close.

A few hours after the start of the president's defense, [details](https://www.washingtonpost.com/politics/democrats-call-for-bolton-to-testify-in-trump-impeachment-trial-after-new-report-on-aid-to-)

(<https://www.washingtonpost.com/politics/democrats-call-for-bolton-to-testify-in-trump-impeachment-trial-after-new-report-on-aid-to->

[ukraine/2020/01/26/de234402-409a-11ea-b503-2b077c436617\\_story.html?tid=lk\\_inline\\_manual\\_4](https://www.washingtonpost.com/ukraine/2020/01/26/de234402-409a-11ea-b503-2b077c436617_story.html?tid=lk_inline_manual_4)) from Bolton's forthcoming book leaked, including his account of Trump asserting that \$391 million in military aid would be withheld until Ukraine announced investigations into the 2016 election and the Bidens. If that seems a tad contrived for either an episode or an impeachment, that is because it is. In responding to a defense built around Trump's insistence that his call was "perfect," this leak was perfect to a fault. Perfect timing. Perfect content. It was so perfect that there is little doubt that the Senate is being played.

The leak happened at the exact time that it would inflict the most damage on the defense and throw the trial into disarray. It occurred hours after the White House team gave opening statements that seriously undermined critical points made by the House managers, including the assertions that Trump never previously raised corruption in other countries or that this type of hold on aid was uncommon. It felt like the sudden discovery of a gun near the victim at the scene of a police shooting.

That does not mean the leak will not succeed. The disclosure about Bolton's book could well make the difference in securing the four Republican votes needed to obtain witnesses. But it could also succeed too well if it leads senators to plunge into the unknown of calling witnesses such as former vice president Joe Biden or his son Hunter. There are already indications that the leak may have secured the four votes for witnesses, while even Sen. Lindsey O. Graham (R-S.C.) has said (<https://www.politico.com/news/2020/01/27/lindsey-graham-john-bolton-manuscript-106324>) the Senate may need to subpoena the book draft itself.

The fact is that the story remains damaging on its face. It reaffirms not just that Bolton has relevant evidence but also that his testimony could significantly strengthen the nexus between the demand for investigations and the hold on aid. It could contradict statements made by Trump and cited by his legal team angrily denying any such connection. It would also change the account of Bolton denouncing (<https://www.nytimes.com/2019/10/14/us/politics/bolton-giuliani-fiona-hill-testimony.html>) the "drug deal" being "cooked up" by Rudolph W. Giuliani and, for the first time, make Trump the chef in chief. AD

As damaging as that leak may prove, though, it is not on its face devastating for the defense. The leak falls short of answering key questions that would likely have to be pursued in testimony. For example, Trump allegedly told Bolton that he wanted to “continue freezing \$391 million in security assistance to Ukraine until officials there helped with investigations into Democrats including the Bidens,” the New York Times reported (<https://www.nytimes.com/2020/01/26/us/politics/trump-bolton-book-ukraine.html>).

That still leaves the question of intent. Trump has never denied asking for the investigations, but insisted that they were meant to deal with his concerns over ongoing corruption in Ukraine. Moreover, the first of the two investigations could not be a basis for impeachment. Trump asked for assistance in investigating allegations into the 2016 election – matters that were currently being investigated by U.S. Attorney John Durham. It is the Biden investigation that raises legitimate questions, but it comes down again to a question of intent. Finally, the leak refers to the freeze on the funds but does not indicate that Trump was prepared to hold the aid past the deadline at the end of September. (It was released on September 11th.).

The suspicions over the timing of the leak are magnified by the fact that Bolton could have been subpoenaed by the House and compelled to testify. Bolton has hardly been subtle about his knowledge or desire to testify. Indeed, he has been virtually wearing a sandwich board reading “Subpoena me” outside the Capitol for months. When the House refused to issue such a subpoena, Bolton continued to tease his knowledge, including a tweet (<https://twitter.com/AmbJohnBolton/status/1197862304462901248>) reading, “For the backstory, stay tuned..... .”

Despite the earlier failure to call Bolton or subpoena his book, the House built up expectations with veiled references to a leak or “gotcha” story to pressure senators to allow witnesses. We didn’t have to wait for the book and indeed we did not have to wait long all – just for the start of the defense case.

Bolton's attorney has denied the reporting of the Times that Bolton circulated the draft for weeks among "close associates." He instead blamed the "corrupted" process of preclearance review at the White House. Whoever it was, the leak was delivered with lethal effect.


Still, it may prove too clever by half. The manipulation of the trial with a carefully placed leak will not sit well with some senators. Senators play others; they do not like to be played. The leak makes it more difficult for key senators (who were moving away from voting for witnesses) to bring the trial to an early close. AD


However, it also makes it less likely that senators will be inclined to support the Democrats in their effort to block witnesses sought by the White House team, including not just Hunter Biden but possibly the whistleblower. In other words, the fallback position for some senators would be a mutually assured destruction option: allow both sides to lay waste to each other and leave it to the public to pick through the ruins.


*Jonathan Turley is the chair of Public Interest Law at George Washington University and served as the last lead counsel in an impeachment trial before the Senate in defense of Judge Thomas Porteous. He also serves as legal analyst for both CBS and BBC.*

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## **[“If I Have To Fight For Recognition, I Will”: Paul and Roberts On Collision Course Over Whistleblower Questions](https://jonathanturley.org/2020/01/30/if-i-have-to-fight-for-recognition-i-will-paul-and-roberts-on-collision-course-over-whistleblower-questions/)**

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## **7 thoughts on “Was The Bolton Leak Too Perfect? The Senate Grapples With The First Perry Mason Moment Of A Presidential Impeachment”**



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1:02:53 |

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**[Squeeky Fromm, Girl Reporter](http://squeekyfrommgr.wordpress.com)**

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Of course this was scripted! Why do you think Schiff has been screaming for Bolton to testify all this time. This pic says it all:

<https://www.zerohedge.com/s3/files/inline-images/EPbJ9z9XkAEotfN.jpg>  
(<https://www.zerohedge.com/s3/files/inline-images/EPbJ9z9XkAEotfN.jpg>)?

Squeeky Fromm

Girl Reporter

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**Lloyd Blankfien - bankster** says:

January 30, 2020 at 9:23 AM (<https://jonathanturley.org/2020/01/30/was-the-bolton-leak-too-perfect-the-senate-grapples-with-the-first-perry-mason-moment-of-a-presidential-impeachment/#comment-1917459>)

Another conspiracy from the right wing nut job crowd? If Bolton's manuscript leak occurred during the House proceedings, where would trump cultists on the GOP hide? Was it too perfect that the House didn't get any documents from the White House? Was it too perfect that trump wouldn't allow anyone in his cult administration to testify? Was it too perfect that trump illegally held aid from Ukraine immediately after Biden entered the race. Come on, get off the conspiracy bandwagon and let the pizzagate, Qanon crowd wallow in their delusional fantasies. People such as you are counted on to see reality and not be part of the conspiracy of dunces.

And you write, 'allegations into the 2016 election'. Yes, trump wanted to keep looking into all allegations that that had been discredited by ALL the intelligence agencies about some c putin spew crowdstrike and Ukraine



interference into the election. Are you now a Putin parrot as well? Why didn't your Trump look into or acknowledge that his pal Putin was the ring leader in election propaganda and meddling that allowed Trump to get elected narrowly? SAD!

You ignore the fact that your Trump has lied more than 16,000 times in three years. How much faith do you put into the words of a habitual liar in thief?

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 **OLLY** (<https://jonathanturley.org/>) says:

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So we have Clapper stating he didn't *wittingly* lie to Congress. Bolton on the other hand freely admits he believes it's his duty to lie when he believes it's necessary. Yeah, that's a credible witness...not.

*"I want to make the case for secrecy in government when it comes to the conduct of national security affairs and possibly for deception where it's appropriate," Bolton responded. He then approvingly quoted Winston Churchill's assertion that "truth is so important it should be surrounded by a bodyguard of lies."*

*"Do you really believe that?" Napolitano responded. "You would lie in order to preserve the truth?"*

*"Absolutely," Bolton said. "If I had to say something I knew was false to protect American national security, I would do it."*

*"Why do people in the government think that the rules of civil society or the laws don't apply to them?" Napolitano countered.*

*“Because they are not dealing in the civil society we live in under the Constitution,” Bolton said. “They are dealing in an anarchic environment internationally where different rules apply.”*

*“But you took an oath to uphold the Constitution, and the Constitution mandates certain openness and certain fairness,” Napolitano countered. “You’re willing to do away with that in order to achieve a temporary military goal?”*

*“The Constitution is not a suicide pact,” Bolton responded, quoting former Supreme Court Justice Robert Jackson.*

[https://thefederalist.com/2020/01/29/in-2010-fox-interview-john-bolton-confessed-he-would-absolutely-lie-about-national-security-matters/?utm\\_source=The+Federalist+List&utm\\_campaign=018df4744c-RSS+The+Federalist+Daily+Updates+w+Transom&utm\\_medium=email&utm\\_term=0\\_cfc868ceb-018df4744c-79248369](https://thefederalist.com/2020/01/29/in-2010-fox-interview-john-bolton-confessed-he-would-absolutely-lie-about-national-security-matters/?utm_source=The+Federalist+List&utm_campaign=018df4744c-RSS+The+Federalist+Daily+Updates+w+Transom&utm_medium=email&utm_term=0_cfc868ceb-018df4744c-79248369)

[https://thefederalist.com/2020/01/29/in-2010-fox-interview-john-bolton-confessed-he-would-absolutely-lie-about-national-security-matters/?utm\\_source=The+Federalist+List&utm\\_campaign=018df4744c-RSS+The+Federalist+Daily+Updates+w+Transom&utm\\_medium=email&utm\\_term=0\\_cfc868ceb-018df4744c-79248369](https://thefederalist.com/2020/01/29/in-2010-fox-interview-john-bolton-confessed-he-would-absolutely-lie-about-national-security-matters/?utm_source=The+Federalist+List&utm_campaign=018df4744c-RSS+The+Federalist+Daily+Updates+w+Transom&utm_medium=email&utm_term=0_cfc868ceb-018df4744c-79248369)

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**Paul C Schulte** says:

January 30, 2020 at 9:20 AM (<https://jonathanturley.org/2020/01/30/was-the-bolton-leak-too-perfect-the-senate-grapples-with-the-first-perry-mason-moment-of-a-presidential-impeachment/#comment-1917455>)

Bolton was sent a nice missive by the NSC saying your book is full of Secret, Confidential and Top Secret stuff. 2 days later comes a supposed leak from unnamed sources who do not quote the book.

However, I did hear last night that McConnell has enough votes to acquit.

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**monumentcolorado** (<http://gravatar.com/monumentcolorado>) says:

January 30, 2020 at 9:10 AM (<https://jonathanturley.org/2020/01/30/was-the-bolton-leak-too-perfect-the-senate-grapples-with-the-first-perry-mason-moment-of-a-presidential-impeachment/#comment-1917452>)

Did the leak itself violate laws?

As an ordinary American – bound by countless laws – I resent the cavalier way Washington insiders handle the rule of law.

We Americans commit three felonies a day (see the book of that name) and live at prosecutors' sufferance. We dare not speak to cops (if we are smart) because of the possible pitfalls.

And our public servants in washington break laws with perfect immunity!

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Paul C Schulte on [Was The Bolton Leak Too Perfect...](#)

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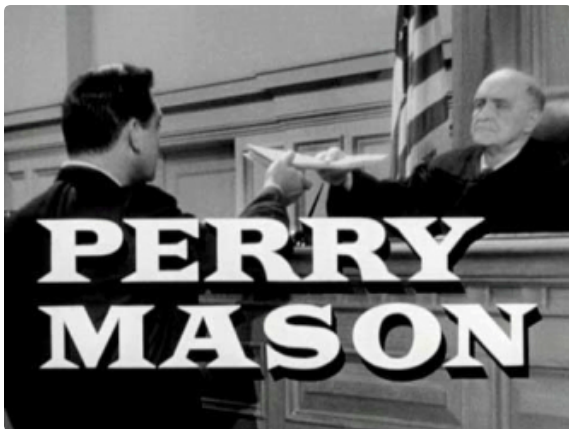


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“If I Have To Fight For Recognition, I Will”: Paul and Roberts On Collision Course Over Whistleblower Questions

**"If I Have To Fight For Recognition, I Will": Paul and Roberts On Collision Course Over Whistlebl...**

Yesterday's question and answer period was a largely choreographed exercise with legal team spontaneously responding to questions with preset video clips and visual displays. However, there w...

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The two could not be more different. Roberts is a buttoned down conservative Republican who abhors the court playing transformative roles in political areas. Chase was a politician before, and some critics would say during, the Johnson impeachment. [thehill.com/opinion/judici...](https://thehill.com/opinion/judici...)

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