



Written by [R. Cort Kirkwood](#) on February 15, 2019

## Dershowitz: FBI Attempted “Coup d’état ” in Discussing 25th Amendment To Remove Trump

The former deputy director of the FBI participated in discussions to stage a coup d’état to remove President Trump from office, leftist law professor [Alan Dershowitz said](#) last night.

Dershowitz leveled the charge after Andrew McCabe, the disgraced former G-man, surfaced in a preview of an interview on CBS’s *60 Minutes*, during which he admitted that he and his colleagues discussed using the 25th Amendment to bring down Trump.



[The amendment governs](#) removing the president from office for reason of incapacity.

McCabe and his putative co-conspirators discussed the plan just after [Trump fired](#) FBI Director James Comey in May 2017.

### McCabe’s Revelation of Possible Treason

Promoting his new book [The Threat: How the FBI Protects America in the Age of Terror and Trump](#), McCabe told *60 Minutes* correspondent Scott Pelley that he spoke to Trump after the president canned Comey. McCabe was concerned he would get the pink slip too, that Trump had won the election with Russian assistance, and thus he had to protect the “collusion” probe.

“I was very concerned that I was able to put the Russia case on absolutely solid ground, in an indelible fashion,” McCabe told Pelley. “That were I removed quickly, or reassigned or fired, that the case could not be closed or vanish in the night without a trace.”

But McCabe and other Deep Staters began discussing what Dershowitz called their coup.

Pelley said McCabe confirmed that Deputy Attorney General Rod Rosenstein suggested wearing a wire to record Trump, and then discussed removing Trump.

“There were meetings at the Justice Department in which it was discussed whether the vice president and a majority of the cabinet could be brought together to remove the president of the United States under the 25th Amendment,” [Pelley said](#) on *CBS This Morning*. “These were the eight days from Comey’s firing to the point that Robert Mueller was appointed special counsel. And the highest levels of American law enforcement were trying to figure out what to do with the president.”

The content of those discussions, [the New York Times divulged](#) in its report on the McCabe-Pelley interview, surfaced in FBI memoranda:

Mr. McCabe and his former colleagues kept contemporaneous memos on their interactions with Mr. Trump and Justice Department officials.

According to one of those memos written by Mr. McCabe, an excerpt from which was provided to The Times, “We discussed the president’s capacity and the possibility he could be removed from



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office under the 25th Amendment,” and the deputy attorney general indicated that he looked into the issue and determined he would need a “majority or eight of the 15 cabinet officials.” Mr. McCabe added that Mr. Rosenstein suggested that he might have supporters in the attorney general and the secretary of homeland security.

Deputy Attorney General Rod Rosenstein has denied the accounts.

## **Dershowitz: It Was a Coup Attempt**

[Speaking to](#) Fox talker Tucker Carlson, Dershowitz did everything but accuse McCabe and his comrades of treason.

“If that’s true, it is clearly an attempted *coup d’état*,” the retired Harvard law professor said. “Let’s assume the president of the United States was in bed with the Russians, committed treason, committed obstruction of justice, the 25th Amendment simply is irrelevant to that. That’s why you have an impeachment provision.”

Dershowitz said the amendment governs the line of succession after a president is incapacitated physically or mentally. “The 25th amendment is about Woodrow Wilson having a stroke,” he said. “It’s about a president being shot and not being able to perform his office. It’s not about the most fundamental disagreements. It’s not about impeachable offenses.”

The 25th, said Dershowitz, should not even have been discussed:

And any Justice Department official who even mentioned the 25th amendment in the context of President Trump has committed a grievous offense against the Constitution. The framers of the 25th Amendment had in mind something very specific, and trying to use the 25th amendment to circumvent the impeachment provisions or to circumvent an election is a despicable act of unconstitutional power-grabbing.

[Dershowitz agreed](#) with Carlson that McCabe’s maneuverings were more fitting for the Third World, and said their intentions, however sincere, are irrelevant:

You have to obey the law, and the law is the Constitution.

And the 25th Amendment is as clear as could be. Incapacity. Unable to perform office. That’s what you need. That’s why you need two-thirds of the House and two-thirds of the Senate agreeing. And it has to be on the basis of a medical or psychological incapacity. Not on the basis of even the most extreme crimes. Which there’s no evidence were committed.

But even if they were, that would not be a basis for invoking the 25th Amendment.... It’s an attack on our system. It’s an attack on our Constitution.

*Image: screenshot from [YouTube video of Carlson/Dershowitz interview](#)*



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