



Written by [Steve Byas](#) on January 26, 2018

Kerry's Talks With Palestinians Violated The Logan Act

Former Secretary of State John Kerry recently met with Palestinian official Hussein Agha, and promised him that he would use all of his contacts to get support for a Palestinian "peace plan." He also told Agha that Palestinian Leader Mahmoud Abbas, angry with President Donald Trump for moving the U.S. embassy in Israel from Tel Aviv to Jerusalem, should just ignore Trump.



Many have made the obvious conclusion that Kerry has violated the Logan Act, a U.S. law that makes it a felony for unauthorized person to negotiate with foreign governments having a dispute with the United States.

The act was passed when Quaker George Logan, a pacifist, negotiated with France in 1798, in an effort to end the Quasi-War then raging between that country and the United States.

Only two individuals have ever been indicted for violating the Logan Act (which may mean that it has been successful in its intent), and no person has ever been convicted under its provisions. But prosecution has been called for at various times in American history.

In fact, the *New York Times* wrote early last year that Trump's national security adviser, Michael Flynn, when he acknowledged that he had communicated with the Russian ambassador to the United States (after the election) left "little doubt that [Flynn] had also violated a federal criminal statute known as the Logan Act."

Out of curiosity, I searched for any similar *Times* articles which called out Kerry for also violating the Logan Act. I found nothing. Perhaps the *Times* has run front-page stories calling for Kerry's indictment, and the search engines have all missed it, but I doubt it.

In the case of Flynn, Trump was going to take over as president in a few days, and Flynn was making an effort to soothe relations with the Russian government, relations that had become very frayed under the outgoing Obama administration. In other words, Flynn was attempting to better relations with a nation that the incoming Trump administration would need to deal with.

With Kerry, on the other hand, Kerry has not been secretary of state in several years, and has no prospect of having a government post with the Trump administration. President Trump, acting under his constitutional authority as president of the United States, chose to place one of our embassies in the world in the city that the host country considers its capital. Certainly, some Americans do not believe it is a good policy to move the embassy, and they have every right to publicly say so.

What they apparently do not have the right to do is what Kerry did do: negotiate directly with a foreign power at odds with the U.S. government. This seems to be a much clearer violation of the Logan Act than anything that General Flynn did, yet the *New York Times* apparently has no problem with Kerry's actions.

According to press reports, Kerry offered the Palestinians his help in creating an alternative peace



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initiative, and even said he would work to get support for that plan from European nations, Arab states, and others. Kerry even told the Palestinians, “hold on and be strong,” and that Abbas “should stay strong in his spirit and play for time, that he will not break and will not yield to President Trump’s demands.”

Trump’s demands include that he wants the Palestinians to “sit down and negotiate peace,” adding that “Israel does want to make peace.”

Whatever one thinks of Trump’s moving of the American embassy to Jerusalem, or even these remarks, the fact remains that Trump was the individual elected to lead in setting American foreign policy. It was not John Kerry.

Such undermining of American foreign policy is not new for prominent Democrats, and in fact, one of their biggest liberal “champions” was implicated in directly negotiating with the Russians to undermine the Reagan administration’s tougher line. The *Daily Signal* reported that in 1983, there was actual collusion to influence a U.S. presidential race, which occurred when then Senator Edward Kennedy offered to work with the KGB to defeat Ronald Reagan in his 1984 reelection bid.

As Reagan’s son Michael Reagan recalled in a recent column, “In a secret letter written to Soviet General Secretary Yuri Andropov, Kennedy said he was eager to ‘counter the militaristic policies’ of Reagan and ‘undermine his prospects for re-election’ in 1984.” Kennedy even told the Soviets that he would do what he could to get the three American news networks to “engineer positive news coverage for Andropov.”

When KGB files were briefly revealed to the rest of the world following the collapse of the Soviet Union, Kennedy’s attempt to undermine American foreign policy was discovered.

Michael Reagan added, “The one element the presidencies of my father and Donald Trump have in common is that when the left says it will stop at nothing to prevent them from succeeding, they aren’t speaking metaphorically.”

Kerry told Palestinian official Agha, “Maybe it is time for the Palestinians to define their peace principles and present a positive plan.”

Actually, maybe it is time for the Justice Department to open an investigation into whether Kerry has violated federal law.

Photo of John Kerry: [David Hume Kennerly](#)



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