

# [***What Is Donald Trump's Crime; Reports The International Criminal Court Could Issue Arrest Warrants For Top Israeli Officials Amid War In Gaza; Donald Trump's Legal Woes***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BX6-G5R1-JCS1-62R7-00000-00&context=1516831)

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**Body**

ANITA VOGEL, FOX NEWS CHANNEL CORRESPONDENT: That's going to do it for us. Great to be with you guys. We will see you next weekend.

Right now, you want to stay tuned because LIFE, LIBERTY & LEVIN starts right now. Got a good one for you.

MARK LEVIN, FOX NEWS CHANNEL HOST: Hello, America. I'm Mark Levin and this is LIFE, LIBERTY & LEVIN Sunday.

Welcome. Two great guests.

Premiere attorney, David Schoen and former national security adviser to President Trump, Robert O'Brien. But before we get to our great guests, let me try something so we can put this in plain English.

This case in Manhattan, let's pretend we had a real judge who was competent, and who actually wanted to do what a judge is supposed to do. Let's pretend we have this prosecutor, Alvin Bragg and he files a 34-count indictment against a former president who is running for president again. And let's say the president's lawyers file as they did responses to the indictments, seeking dismissal, summary judgment. And let's pretend I'm at this hearing, that I'm the judge and Mr. Bragg has to present, not his case, but I want to deal with this issue of dismissal, potentially summary judgment.

Mr. Bragg stands before me and I say, Mr. Bragg, I have read your 34 charges. I'm a little confused.

Yes, Your Honor. What might it be?

What is the crime that you're alleging?

Well, Your Honor, we're alleging that the misdemeanor statutes in New York were violated with respect to the reporting of businesses, and that Donald Trump concealed a payment to Stormy Daniels in a nondisclosure arrangement, hush money, in order to violate the Federal Election Commission laws with respect to positive information in an election that's illegally paid for.

Well, that's interesting, Mr. Bragg. I have a couple of questions for you.

Yes.

Now this misdemeanor statute you're looking at. It's already expired. The statute of limitations are over. They've been over years ago.

Yes, Your Honor, but this revives it.

Well, I have a question. So why did you bring the case now? That's number one, Mr. Bragg. Number two, you don't get to come into this courtroom, base a case on a federal offense that has never been charged, let alone adjudicated. It's never been charged at the federal level with the Federal Election Commission, referring it to the Department of Justice. It's never been charged by the US Attorney's Office. In fact, both of those entities looked at it and took a pass.

So you're asking me, a judge, to take your 34 charges to resuscitate a misdemeanor statute that lapsed years ago because now you decide to bring the case now in the middle of an election, and you claim to resuscitate it, and it becomes a felony for which Mr. Trump can serve decades in prison, because you have decided, a local elected DA, not the US Attorney's Office, not the Department of Justice, you have decided that Donald Trump committed a federal campaign violation for which he's never been charged, let alone has the matter been adjudicated. Do I have that about right, Mr. Bragg?

Yes, you do, Your Honor. You have that about right.

Let's go on. Mr. Bragg, what kind of case do you intend to bring in front of me? What kind of arguments? What kind of motions? In other words, where are you trying to take this court?

Well, Your Honor, we want to bring individuals in who can tell a story about Mr. Trump's past practices. We need to bring in the "National Enquirer" to show that payments were made to hush Stormy Daniels and others. We need to bring in Michael Cohen who made the --

Mr. Bragg.

Yes.

It sounds to me like this is highly speculative and political. Have you ever heard of the collateral evidence problem?

What is that?

Have any of you in the audience? No. Because all of these great legal minds haven't told you about it.

Collateral evidence cannot be admitted because of a lot of reasons. Number one, their propensity to commit wrongdoing is not considered probative. As a matter of fact, it's considered prejudicial to the defendant. You can't bring in the person's life stories or their litigation history or anything else.

You've got a case in front of you and the case being tried is the case in front of you. The facts and the law in front of you. You're the judge, that's the jury. This isn't Mr. Trump, this is your life.

And yet, that's exactly what's taking place in this courtroom. So this judge should have dismissed this case immediately. Immediately.

Let me ask you folks a question. Put yourself in President Trump's shoes. You're charged with 34 counts, you are indicted. You can go to prison. And you're not exactly sure what you're charged with. If this isn't a violation of due process, there is no violation of due process, it is impossible for you to defend yourself or for your lawyers to defend yourself in any effective way if you're playing whack-a-mole. Well, maybe they mean this, or well, maybe they're going to charge with this, or maybe the argument is over here.

And I've got to deal with this witness over here and what happened 13 years ago with a money payment over here. You understand? You have a right to know with specificity, with detail, what it is that you're accused of.

Number two, the accusing party, the district attorney has to have the jurisdiction. He has no federal jurisdiction to make allegations about federal election laws. That's number two.

Number three, there are no allegations. There are no charges. There is no adjudication that Donald Trump violated any federal law respecting the election. So this whole case is a dead case walking.

The problem is that won't be realized until appeal should there be a conviction on one of 34 counts. The overcharging is absolutely outrageous, which is another thing I would have said to Mr. Bragg as a judge. Mr. Bragg, why are you breaking this into 34 individual charges? At best here, you have one, two, maybe three, this is called overcharging. I'm not going to allow this to happen in my courtroom.

So if you had a real judge, he would have dismissed this case. He would have said, I'm sorry, the statute of limitations has run, you brought the case very late in the middle of an election. You're demanding that I take up the case in the middle of an election, which really is a mistake, I'm not going to do that. In fact, it's abhorrent.

Number three, you're arguing that there's another law that breathes life back into the expired misdemeanor statute and raises the level to a felony without any evidence other than your say so.

In fact, the evidence is contrary. The Fed said no. And you expect me to hold a trial here in the course of this? And then in terms of witnesses, you expect me to agree to a long list of your witnesses that have nothing to do with what I believe to be your charges, what I believe to be your alleging in this case.

Do you understand that due process applies to the states under the Fifth and the 14th Amendments that is to this courtroom? That it is my job to ensure that the Constitution of the United States is upheld with respect to the Bill of Rights even in a state courtroom?

The Biden administration involvement is grotesque and it is obvious. You've heard about this man who was the number three man at the Department of Justice, associate deputy attorney general the United States. That is a big damn job. And he was the acting associate deputy attorney general of the United States appointed by Joe Biden under Merrick Garland.

He leaves this prestigious post to work with Letitia James on her case against Donald Trump. Here we have a case against Donald Trump that alleges fraud without fraud. Just as we had this Bragg case that alleges crimes, and we can figure them out, where there's no crimes. Fraud where there's no fraud; crimes where there are no crimes.

And so, who is behind all of this? Well, in part, it's the number three guy, the Biden guy, he helps Letitia James, then he moves to help Alvin Bragg, he's a very busy man.

So he goes from this prestigious federal position, into Attorney General's Office, and then to a lower office, the DA's Office, and we're all supposed to pretend he's just a good Samaritan lawyer. That's all.

No, he is there representing the Biden regime in their effort to destroy Donald Trump and imprison him before this election. That is exactly what's going on.

Now, let me make something abundantly clear about all of this. There is a recent Supreme Court decision, they don't call it the Supreme Court in New York, it is kind of weird, but it's their highest court in New York that just threw out the Harvey Weinstein conviction, the Harvey Weinstein conviction of 2020. Now, why did they throw that case? You know why they threw that case? Because of the collateral evidence rule.

That is the Court said in so many words, you know what? You allowed all kinds of witness testimony and evidence in that had nothing to do with the allegations that were made in the indictment in front of the trial court and that has distracted the due process, it is not probative. It undermines the defense's ability to defend themselves. That is the lawyers and the defendants, so they threw it out.

They'll do exactly the same thing with this case. The problem is, it won't happen, likely until after the election, should this jury -- should this jury in this dark blue Democrat city, the same people who elected Alvin Bragg, elected this judge, it's the same constituents, it is the same place, Manhattan. But it won't be until if something happens, God forbid, he is convicted of something, it won't be until after the election, that the actual adjudication will occur.

This is a farce beyond even my ability to describe it. It's clearly an effort to interfere with this election, by the lawyers, by the prosecutors, and by the judges in New York City, by the lawyers and the prosecutors in Albany, New York.

This is a disgusting disgrace and I hope the justices on the Supreme Court who have been sucked into this Jack Smith argument about well, is it official or private? Is it a private action or official action? Understand that what you have here is the criminalization of ***politics***, the criminalization of the electoral system, by the system, that the law is being abused.

This is not justice. It is the law that is being abused. It is being abused in Manhattan. It's being abused in Fulton County. And it's being abused in Washington, DC by a rogue prosecutor by the name of Jack Smith, who had to be admonished by the Supreme Court, eight to zero in the Bob McDonnell case, the Republican governor of Virginia, but even then it was too late by the time it got to the Supreme Court.

This is sleazy, contemptible, diabolical, evil lawfare. And everybody knows it, except for the pay grifters, the former so-called federal prosecutors and defense lawyers, the slip and fall ambulance chasers on MSNBC and on CNN. Everybody else knows what I'm telling you is true that this case should have been dismissed, dismissed on the law for a lack of a crime, right up front, but it wasn't.

And so there's Donald Trump, and even to give you a little piece of this, he keeps saying the courtroom is very, very cold. Why is the judge keeping the courtroom very, very cold? It's to make Donald Trump uncomfortable. That's all. Why did the judge rule that rather than taking off on Fridays, will take off on Wednesdays. Why? Because Orthodox Jews, they celebrate the Sabbath when the sun goes down on Friday, and they are among Donald Trump's biggest supporters in New York, so he didn't want them on the jury.

And I can go on and on and on about what's taking place here. Every one of the people involved in this should be disbarred, every one of them, but it won't happen. You know why? Because the New York State and in New York City Bars are part of the election interference.

Their party is first, justice is way down the list.

I'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

We're here with our good friend, David Schoen.

David Schoen, I look at this case in Manhattan. A crime: There is no crime. I look at this case with Letitia James, fraud. There was no fraud. I look at these judges. They're elected from the same districts. I mean, this judge that's handling the Manhattan case is elected in the same district by the same people as Alvin Bragg, and then we have an individual who was the number three at the Department of Justice, his name is Colangelo -- Matthew Colangelo.

He helps -- he leaves the number three prestigious spot at the Department of Justice appointed by Biden to help Letitia James in her fraud-no fraud case. Then he moves from the attorney general -- the state attorney general's office down to the DA's office in Manhattan to help Alvin Bragg with his crime, no crime case.

And the Department of Justice when I was chief-of-staff to an attorney general, normally would step in in a case like this and say, wait a minute, this is federal jurisdiction. If he is arguing federal offenses, he has no role. That's us. We don't see any crime. We go into federal court. We get a federal court order to stop that case in the state court. That's what we would have done.

Biden hasn't done that. Garland hasn't done that. The guy is running around in these different courtrooms, in Manhattan with these phony cases. What do you say to people who say the Biden administration is not involved in this? Don't you have any proof? Don't we have DNA, fingerprints, photographs and everything else?

DAVID SCHOEN, CRIMINAL DEFENSE ATTORNEY: Yes, I would say, you know, I know that it's very hard to do, but try to continue to believe in the system because it's really not working here. What I would add to the narrative you gave, which is completely accurate, because it this Judge Merchan was handpicked. There wasn't any random selection here.

The default in that court is random selection. The chief administrative judge said he picked Merchan. He said because he was competent. That certainly wasn't the reason if you've ever been in front of Judge Merchan as I have, but the same judge was picked -- handpicked for the Bannon case, the Trump Organization case, Weisselberg, and we know that this is a judge who, in my view, at least, his recusal was absolutely mandatory under 22 NYC RR, the Code of Regulations in New York 100.3 (e) (1) (D) (3), which says that any judge shall disqualify himself, not optional, but mandatory if the judge has a relative within the sixth degree who has an interest that could be substantially affected by the proceedings.

And this case, we know from all the media reports and public reports that the daughter's company has profited off of this case. They raised something like $93 million we're told. We have Schiff contributing for their consulting services. Clearly, the judge and his daughter have a vested interest in seeing this case not dismissed, that should offend everyone, Democrat, Republican or anything in between.

And then as you say, there is no crime here. I don't believe there's a misdemeanor. But here as you know, they've jerry rigged this to make it a felony, they charge falsifying business records with the intent to defraud, and then have to charge the intent -- doing that with the intent to commit some other crime.

I believe this indictment is 100 percent defective for the failure of the grand jury to specify what the other crime is. And I think the judge's order denying the motion to dismiss proves it.

He said, well, the prosecutor has thrown out four theories on what the crimes could be. And after all, it could be election interference, it could be a tax crime, it could be an election disclosure crime, you can't defend against completely differently defended crimes in one sitting like this. And how do you know what the intent was supposed to be that you have to prove to the jury?

I think it's absolutely defective, but they don't care about the appeal. They want to make Trump sit in a courtroom every single day, not on the campaign trail, and try to get a conviction by throwing 34 counts after him with a New York jury.

LEVIN: Hundred percent right.

Let's talk about due process. When a judge says, well, it might be this and it might be this and it might be this and it might be this, you cannot defend yourself against whack-a-mole. You cannot prepare an effective defense.

I mean, you're going to defend, you're going to fight and as long as you're doing a good job, but that's not my point. The judge has a job here, and that is to uphold the law and the Constitution, two of them, the federal constitution and the state constitution.

When you have a defendant who is fighting for his liberty, and you're saying, well, it could be this crime, and it could be this crime and it could be this crime. The prosecutor has all great kinds of theories. We'll see how this ends up. That is not upholding due process. That's not what judges normally do, is it David Schoen?

SCHOEN: Absolutely. You're absolutely right. It's a matter of due process. I believe it's a matter of every fair trial right. New York Constitution, Article I, Section 6 has its own right of confrontation. How do you confront witnesses if you go down one avenue and lock them in? They can just switch gears, put another witness on.

Well, what we really meant was it was this crime that was committed. And by the way, I think it is also a right, a compulsory process. It's certainly the right to effective assistance of counsel. But, you know, this has been an issue all along in the case.

It is impossible to defend. It also raises a double jeopardy problem, because if they get an acquittal in this case, they might say, well, what we really are going to go on next time is one of the other theories.

LEVIN: What about collateral evidence? We just had this case. I talked about it in the monologue involving this Weinstein that was thrown up by the Highest Court in New York because they have all this evidence coming in that had nothing to do with the case in front of the court.

This judge rules over and over again, for the prosecution, for Bragg, they're bringing in the "National Enquirer," they might bring in another nondisclosure agreement case. He is letting everything in and if Trump takes the stand, then you're going to have Donald Trump, this is your life on the stand.

He says that's okay. The court, the Highest Court in New York said it's not okay. That's not due process. It's not probative. It is defective, in terms of allowing the defendant to defend himself. What do you make of that?

SCHOEN: You make a tremendously important point. You know, there is this case, Sandoval from 1974, which gives a vehicle by which the prosecution has to tell what other prior bad acts they intend to use, and the defendant has a right to, at pretrial or pre putting on the evidence, a way to fight that.

And so in this case, the prosecution gave a whole list of things that they intend to use, they say, if Trump takes a stand.

So consider this, you made the point earlier that in the case before Justice Engoron, there was no fraud. We know in that case, there is no reliance, there is no material misrepresentation, there's no victim, no requirement of any of those things.

Yet they want to use the judgment in the Engoron case against President Trump. You know why they want to do it because they don't have evidence of a crime in this case. And therefore, they hope to prejudice the jury, unduly, by putting in other bad acts with the hope that it overrides the lack of evidence in this case, and they say, well, if he did bad things before, he must have done bad things here.

That's exactly what Sandoval, it was intended to prohibit. We don't want a defendant convicted because they think he might have done something else or be a bad person.

LEVIN: We'll be right back.

(COMMERCIAL BREAK)

JON SCOTT, FOX NEWS CHANNEL ANCHOR: Welcome to "Fox News Live," I'm Jon Scott in New York.

Some 40 million people from Texas to Iowa are bracing for more severe weather tonight, threats include tornadoes, large hail, heavy rain, and strong winds. East Texas, Louisiana, and Arkansas could see some of the strongest storms.

Extreme weather including outbreaks of tornadoes have been ravaging the Plains and Midwest since Friday, destroying entire neighborhoods. At least four people have been killed.

Pro-Palestinian protests at major US universities show no signs of slowing down. Demonstrations forcing several schools to call in police over the weekend to make arrests. One of those schools, UCLA where opposing groups physically clashed earlier today. Protesters are calling for an end to the war in Gaza and are demanding their schools cut ties to companies linked with Israel.

I'm Jon Scott. Now back to LIFE, LIBERTY & LEVIN.

LEVIN: Welcome back America.

David Schoen, I want to get into immunity with the few minutes we have left. We've never had a case in front of the Supreme Court involving criminal immunity for a sitting president or a former president, and it is not because of Donald Trump, David Schoen. It is because what this administration has done, it has criminalized elections.

Let me explain what I mean, I did last night on my monologue.

1876, we had several slates of electors sent in by Republican states, three states. That's not a crime. We've had politicians call other politicians whether they be secretaries of states or the speaker of a legislature whatever, all the time to try and find votes, not create votes, find votes, find a way to win an election.

Congress makes the final decision under the electoral college. That's why both Houses meet. It's a big event. We have members object to counting votes from Florida, object to this, object to that. We had the Gore campaign that litigated day and night in different counties to try and prevent the vote from taking place. It took the Supreme Court to step in.

This is the first time in American history that an administration has said, a second set of electors is obstruction, contacting another official, urging them to see if they can find votes, not create votes, find both is a crime, talking about illegal acts or talking about an unfair election, free speech. That's a crime.

And then we have the prosecutor who charges what? The Klan Act of 1871, the Enron Obstruction Act, that now the court is having to decide if that's relevant to anything, and a Federal Contractor Act?

It is my contention that what the court maybe should have said was, we're not Solomon, we're not going to sit here and split the baby. This doesn't belong with us. This should not have been criminalized.

The political system has to resolve the political system. Congress has the final say, not Mr. Smith, not Mr. Biden, and not wing lawyers. What do you think of that?

SCHOEN: Well, I think you're right and I think with respect to President Trump, I would go even one step further, quite frankly, and say that I believe he had an obligation given the information he had, and what he believed whether he had conflicting information or not, he was entitled to believe the information he was given that there had been some election irregularity.

I believe under Article II, he had at least two obligations under his Oath Clause and under his obligation to ensure faithful execution of the laws. He had an obligation to at least call for an investigation.

You know, one of the leading election law experts in the country has said that nobody really knows what Vice President Pence's role was under the Electoral Count Act. It was a very important argument, as the justices recognized, I believe they took certain the case because of the categorical rejection of immunity by the DC Circuit.

I think they're going to come up with a framework that something like Nixon versus Fitzgerald so that a president has immunity from criminal prosecution, just like civil liability, when he or she acts within the outer perimeters of his official authority, does an official act.

I disagreed, frankly, with the extreme argument President Trump's lawyers have made in the DC Circuit, and before the Supreme Court. I think they're just wrong about some of those. I don't think there's a question about a coup or about SEAL Team 6 making a hit and all of that, those were not official acts in any realm.

And I think the lawyer makes a big mistake with that. I don't think he was prepared for some of the questions, frankly.

I also think they make a mistake, though, in conceding that the president consulting with a private lawyer as to what to do would be a private action. I don't agree.

The ultimate goal there was to try to figure out what to do with respect to the election. That's an official act on a public matter, one of the most fundamentally important public matters that we have.

LEVIN: This is not a judicial matter. This is why it's never been handled this way since the beginning of this republic, because this prosecutor pushes the edges of the envelope, drags this damn thing into the criminal justice system, demands immediate decisions in his favor.

Now we have an obstruction issue that shouldn't be an obstruction issue under the Enron Act, that's in front of the Supreme Court. Somebody needs to put this back in the box.

They need to put Biden back in the box. They need to put Garland back in the box, and this unconstitutionally appointed prosecutor back in the box, or we will all be sitting here and debating for the rest of our lives, what's official and what's private and we'll have elections determined on that. And prosecutions determined on that. That's my problem.

All right, Mr. Schoen, God bless you very, very much. And we appreciate all you do, brother.

SCHOEN: Thank you very much. Same.

LEVIN: We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

We're here with a wonderful patriot, former national security adviser to President Trump, Robert O'Brien, also chairman of American Global Strategies.

Robert O'Brien, let me start with the most recent information and move back and by information, I mean, there is now information out that the International Criminal Court, the ICC, which is a radical left wing, pro- genocide court, controlled by the usual actors, well, we don't recognize jurisdiction over our soldiers, over our politicians, over our leaders, we take care of that here at home, that they are about to issue criminal arrest warrants for the Prime Minister of Israel, Benjamin Netanyahu, for his Cabinet member who is effectively the Secretary of Defense, for the chief-of-staff of the IDF, and a slew of others at the request of the Palestinians.

Now, this would not be happening if Joe Biden and Antony Blinken picked up the phone and said don't do this. Don't do this. I have a sense that they want this to happen. What do you make of all this?

ROBERT O'BRIEN, FORMER NATIONAL SECURITY ADVISER: Well, we've already had Chuck Schumer come out and say he wants regime change in Israel. I mean, think about that. He wants to Israel to get rid of Bibi Netanyahu, the elected leader, 12 years as prime minister or longer, a giant on the world stage.

His country was attacked in a terrorist attack that's the worst we've ever seen, the brutality of it made ISIS look moderate. I mean, Hamas is worse than ISIS. They're worse than al-Qaeda. And what do we do, Mark, when ISIS was running rampant and killed the Americans, Foley, Saloff (ph) and Kasich and Miller.

We tracked them down. We got Baghdadi. We took out the physical caliphate and eliminated ISIS. We should be doing the same thing with Hamas. We should be helping the Israelis not restraining them.

We've got American hostages that Hamas holds and we're treating Hamas like some sort of NGO or legitimate political party.

Remember Ronald Reagan, and I know you did. You worked in the Reagan administration. When Leon Klinghoffer, a Jewish tourist was killed and thrown off the Achille Lauro cruise ship, Ronald Reagan said you can run but you can't hide. He was talking about Palestinian terrorists. Where is that you can run but you can't hide language today? Where is SEAL Team 6? Where is the Delta Forces trying to rescue American hostages?

Instead, we are being told by these terrorists, the Hamas terrorists that they don't know how many are still alive. They've killed and tortured these hostages. And now the International Criminal Court is coming after Israel instead of Hamas. Hamas committed genocide. The ICC should be going after Palestinian leaders and Hamas leaders who are wining and dining in five - star hotels in world capitals, and then leave the Israelis who are trying to defend themselves alone. It's an outrage.

LEVIN: Yes. I mean, after 9/11, we went to war in Afghanistan and we did what we needed to do, but let me ask you this, I want to get back to this ICC, an arrest warrant for the elected prime minister of the state of Israel defending his country as a result of complaints brought by the Palestinians, perhaps South Africa and others?

Don't you think, you were national security adviser to President Trump, that our administration has a responsibility, Joe Biden and Blinken to stand up and say what are you doing? You're giving aid and comfort to Iran, to Hamas, the Houthis, Hezbollah, you're giving aid and comfort to terrorists, evil regimes all over the world by going after Netanyahu? Why is this administration so damn silent about something so critical?

O'BRIEN: I don't know, Mark, and this International Criminal Court is a joke. It's run by a bunch of leftists Europeans and they're now going after be elected leader of the only democracy in the region, the only true democracy in the Middle East is Israel and they're going after the elected leader of Israel, who is responding to a terrorist attack that killed thousands of Israelis, tore fetuses from mothers' wombs, cut people's heads off with a garden hose, killed parents in front of children, killed children in front of parents, and the genocide is somehow Bibi Netanyahu is defending Israel, and by the way, who's done it in the most restrained manner you can imagine.

I mean, think about this, the Israelis drop the leaflets on buildings that they're going to attack telling the innocent Palestinians to leave. The people committing genocide to the extent anyone's killed in Gaza as a result of Israeli military action, they are killed because Hamas is using their own people as human shields.

Think about this, Mark. Armies are designed to protect civilian populations from their enemies. Here, you've got the civilians in Gaza being used by Hamas to protect them from the Israeli troops. It's an upside down world. And now, these guys who are who committed the true genocide, the biggest prodrome of Jews since World War Two, they're in a free pass. They are somehow the victims and the Israelis who are trying to defend themselves and doing so in a manner with JAG officers and army lawyers doing everything they can to limit Palestinian civilian deaths, they are the ones who are getting accused of some sort of crime.

This is Alice in Wonderland. We're down the rabbit hole and looking through a looking glass and it's time for the Biden administration to stand up, to tell these ICC guys that they're at risk. And look, I'd love to see the Israelis indict the prosecutors in the ICC to bring down Netanyahu, let them face justice in Israel.

LEVIN: I love it. And let me just say this speaking for myself, Joe Biden talks about the Gazan civilians. They keep using Hamas numbers. Nancy Pelosi did that in Ireland and they said why shouldn't we use their numbers? They're actually relying on terrorists who are lying through their teeth.

We've had experts on this program, a statistician from Wharton who says this is not true. These numbers are false, but they don't care.

So what kind of people keep perpetuating the lie, the blood lie about the Jews, and then claim to support Jews and support Israel, but I will say this about civilian deaths, Joe Biden is responsible for more civilian deaths with that southern border open and the fentanyl deaths in the United States of America and God knows what else, the criminals and others coming here and the potential for terrorism than the Israelis have ever been responsible for -- ever -- 100,000 deaths a year, he won't secure the border. He ignores what's taking place. He is the one who has blood on his hands.

We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

We're here with former national security adviser to President Trump, Robert O'Brien.

Robert O'Brien, this administration, the way it badmouths Israel, badmouths their war effort, seeks to depose the elected government of Israel. It's day in and day out. It is a drumbeat, as Joe Biden, you know, bends over backwards for Dearborn, Michigan and others, their funding of Iran, their funding of the PLO, their funding of UNRWA through back channels, and on and on and on, in addition to empowering our enemies -- our enemies.

What does it do in our streets, in our colleges and universities, with the antisemites, with what this growing Hitler Youth Movement. Doesn't it give them energy and motivation and help provoke them to do what they're doing given the propaganda of this administration?

O'BRIEN: A hundred percent. Let me just say on the funding, Mark. Think of this, we just went through this massive debate here in America about funding Ukraine and Israel and Taiwan. And look, I was for that. I know some people weren't, but I was for the funding of Ukraine against Russia and funding Taiwan against China.

LEVIN: Me, too.

O'BRIEN: And funding Israel against Iran, but we've given Iran more money and sanctions relief and hostage rescue payments by two to one margin $200 billion in sanctions relief and in hostage ransoms than we have given to Ukraine, Taiwan, and Israel combined.

I mean think about that. We funded Iran two to one and you're right, they're using the drones to kill innocent Ukrainians, so if you're a liberal Democrat and the most important thing in the world to you is Ukraine, and God bless you for feeling that way and you want to help the Ukrainian people, you're funding the drone manufacturers.

And then when Israel was going to strike the drone manufacturers, we told them not to. So you're killing Ukrainians.

But going to your point about antisemitism, something happened to me just a couple of weeks ago, Mark. I went to Henry Kissinger's funeral or memorial service at a large synagogue on Fifth Avenue, I know you've been there. And as I walked out, a couple of protesters detached themselves from the protest and followed me and I thought maybe they're following me because they know I worked for President Trump as his national security adviser and they were chanting the most vicious vile things to me that that I should die and die, Jew, you and that sort of thing. And I thought, they're not talking about the Trump administration. They're not talking about the Baghdadi raid or some action we took in support of Israel.

They were coming after me for some other reason. And so I got in my car and I went to run my hands through my hair, and I realized that I had a kip on, I had a yarmulke. And I thought, they were coming after me because they thought I was a Jew, and I'm a Christian. I'm Mormon. You know, Mormons are Christians who think they're Jews, if you've ever been to Utah, but I thought, this is what my Jewish friends are going through every day.

So if you're a student, and you wear a kip on campus, people who have said the most vile and the most horrible things at you, it's not about Israel policy, it's about rank antisemitism and hatred of Jews, it's the oldest prejudice, and somehow that's become legitimate, that's become normalized, that it's okay to hate Jews.

And there is something very wrong with our country when that's happening on our college campuses, and on other streets in New York and LA and it is heartbreaking as an American to see that.

LEVIN: I call this the Hitler Youth because that's exactly what it is and we've had the Hitler Youth before, there have been books written about the Third Reich and what happened on our universities and colleges, how administrators and faculty actually supported Hitler up until 1941, when we were attacked by Japan and then before World War Two broke out for the United States, these elements, these Islamists are tenured professors, these Marxists are tenured professors. They have a foothold in these universities.

As a matter of fact, I have a chart as you folks will show it on the screen for us, we have Qatar since 2012, over $3 billion has been gifted to our universities; China, almost $2 billion. Saudi Arabia, almost one-and-a-half billion dollars.

You go down, UAE, Kuwait, Russia, Turkey, Iraq, Lebanon, Pakistan, Venezuela, Syria, even the Palestinian Authority. They all have fingers in our universities, spending money in our universities, the Confucius Centers, Hamas has a complete funding network in this country.

So I was shocked. I'd be curious of your opinion when Christopher Wray is interviewed on NBC News and he's asked by the host, are we monitoring what's going on in these colleges and universities? Because this is not spontaneous. This is organized by the Students for Justice of Palestine, by some nutjob professor on the West Coast and funded. Same with these other groups funded by Soros front groups and other billionaire Democrats through dark money.

It's all on the -- evidence is everywhere and Christopher Wray says we don't monitor these groups. They monitor parents, they monitor Catholics, they monitor prolifers, they monitor January 6ers. You're telling me you're not monitoring people on our campuses that are threatening, literally threatening violence against Jews? What do you think about that?

O'BRIEN: Well, one thing to look at Mark, and this is really important is and I'll tell you another story, I went to Rice University to Jim Baker's Institute to celebrate Jim Baker's 30th anniversary of his institute and there were about 500 protesters shouting "Burn Israel burn."

And I looked at these protests, I thought, who are these guys? About half of them were Chinese. So the Chinese are turning into the Confucius Institutes and they're using TikTok, which is horribly antisemitic, to divide Americans and who wins? China wins because as we're bogged down in the Middle East, as we're bogged down in Ukraine, China is looking at Taiwan and no one has funded American universities the way China has with their student tuition payments and their Confucius Institutes.

China's fingerprints are all over this, they're antisemitic, and that they're driving these radicals. So to keep your eye on China, and when you talk about the border, remember 30,000 military age males, unaccompanied females have come over in the last year in America. What are they doing here? How did they get out of China? China doesn't let people go.

LEVIN: Robert O'Brien, I want to thank you for what you've done, what you're doing. God bless you, my friend, you're a very important voice. Take care of yourself.

O'BRIEN: Thank you, Mark.

LEVIN: We'll be right back.

(COMMERCIAL BREAK)

LEVIN: Welcome back, America.

You know, we have something that Athens didn't have, the history of Athens. We have something the Roman Republic didn't have, the history of the Roman Republic. What am I talking about?

Ladies and gentlemen, our country is falling. It is unraveling. Republics don't exist in perpetuity. We see ancient history. We see modern history.

We see what is swirling around us. There is no excuse for us not to make sure that come November, we take our country back despite all that's taking place, the great uniter, Joe Biden is an arsonist.

He has blown up the world and he is blowing up America and he's shuffling through his presidency, like he is the great hope. We need to send him back to Wilmington, send him back to Rehoboth and all the reprobates that surround him.

We need to take our government back, our Republic back. We need to take our country back or we'll go the way of Athens and Rome.

I will see you next on LIFE, LIBERTY & LEVIN.

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