

Opposing unsealing of FBI affidavit, DoJ signals expanding state secrets investigation of Trump

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Amid escalating demands by Republican lawmakers for the release of all documents relating to the August 8 FBI raid on Donald Trump's Florida compound, the Department of Justice (DoJ) on Monday opposed the unsealing of the affidavit that was used to obtain the warrant sanctioning the seizure of classified documents held illegally by the ex-president.

The thirteen-page brief was filed in US District Court by US Attorney Juan Gonzalez and Jay Bratt, chief of the Counterintelligence and Export Control Section of the National Security Division of the Justice Department. It made clear that Attorney General Merrick Garland and the Justice Department are proceeding aggressively in their criminal investigation of Trump's violations of long-standing and rigorously-enforced rules and procedures safeguarding state secrets.

The government's filing underscored the unprecedented character of the crisis of the American political system, which shows no signs of abating.

The government's brief was filed in response to requests from newspapers and media outlets that District Judge Bruce Reinhart unseal the affidavit, the detailed presentation of evidence submitted by the FBI to substantiate the assertion of probable cause to prosecute Trump for violating federal statutes, including the Espionage Act.

It is highly unusual for an affidavit to be unsealed before an indictment laying out criminal charges has been issued, as in the current investigation of Trump.

The DoJ argued that unsealing the affidavit at this stage would jeopardize its investigation. It wrote: "There remain compelling reasons, including to protect the integrity of an ongoing law enforcement

investigation that implicates national security, that support keeping the affidavit sealed."

The brief listed aspects of the investigation detailed in the affidavit that would be compromised, including "highly sensitive information about witnesses, including witnesses interviewed by the government; specific investigative techniques; and information required by law to be kept under seal pursuant to Federal Rule of Criminal Procedure."

It continued: "If disclosed, the affidavit would serve as a roadmap to the government's ongoing investigation, providing specific details about its direction and likely course, in a manner that is highly likely to compromise further investigative steps. In addition, information about witnesses is particularly sensitive given the high-profile nature of this matter and the risk that the revelation of witness identities would impact their willingness to cooperate with the investigation."

It attached a footnote, stating: "This is not merely a hypothetical concern, given the widely reported threats made against law enforcement personnel in the wake of the August 8 search." The footnote cited last Thursday's attack on an FBI field office in Cincinnati by an armed pro-Trump gunman and various press reports of threats from Trump supporters.

It argued further that disclosure of the affidavit would "chill future cooperation by witnesses whose assistance may be sought as this investigation progresses, as well as in other high-profile investigations." The phrase about "other investigations" was an oblique but pointed reference to the ongoing DoJ investigation of Trump's January 6 coup conspiracy to overthrow the 2020 elections and seize dictatorial power.

Late Monday, Trump posted a demand on his social media platform for the release of the affidavit “in the interest of TRANSPARENCY.” He wrote: “I call for the immediate release of the completely Unredacted Affidavit pertaining to this horrible and shocking BREAK-IN.”

As the *World Socialist Web Site* explained in “Trump, state secrets and the crisis of the American state,” there is a stark contrast between the aggressiveness with which the Justice Department and the Biden administration have moved on the question of state secrets and national security, which raises no issues of basic democratic rights, and their timid and ambivalent approach to investigating the first attempt in US history to overthrow the government and establish a dictatorship. The decision to pursue Trump on the issue of state secrets reflects the basic orientation of Biden and the Democrats, centered on escalating the confrontation with Russia and China.

The WSWS wrote:

However, these events expose what the real priorities of the ruling class are. The state cannot tolerate Trump’s disruption of its war effort. The Democrats’ appeal is to the military and repressive state apparatus, as it has been since Trump’s election. Biden’s strategy has always been to appeal to military brass and to “save” his “colleagues” in the Republican Party through an alliance based on imperialist bellicosity and “bipartisanship...”

Its primary aim is to forge ruling class unity to prosecute the war and crush opposition from below, with no surprises from the unpredictable Trump.

This analysis was rapidly confirmed by an editorial posted Monday by the *New York Times*, the most prominent media mouthpiece of the Democratic Party. Addressing Tuesday’s Republican primary elections in Wyoming and Alaska, where two of the few Republican critics of Trump and January 6, Liz Cheney and Lisa Murkowski, respectively, are facing challenges from Trump-endorsed election deniers, the newspaper lauded the two right-wing war hawks as

models of “political bravery.”

The *Times* called Cheney, who voted with Trump nearly 93 percent of the time and whose father, Dick Cheney, is one of the main war criminals in the near-genocidal invasion and occupation of Iraq, a “consistent conservative.”

The editorial went on praise Mitt Romney for casting the sole Republican vote to convict Trump in the Senate trial following the Democrats’ first impeachment of Trump. That impeachment was over Trump’s temporary suspension of military aid to the right-wing puppet government in Ukraine, which interrupted preparations for the current US/NATO war against Russia.

The *Times* did not fail, moreover, to include the late war-mongering Senator John McCain in its honor roll of “profiles in courage.”

This is why, in the struggle against Trump and his fascist allies, the working class can give no support to Biden and the Democratic Party, and must instead expand its class struggle and consciously direct it against the source of war, social inequality, mass death from pandemics and the threat of dictatorship—the capitalist system.



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