

# Democrats push reactionary diversion in pending indictment of Trump over sex scandal

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A grand jury in Manhattan is expected to indict ex-President Donald Trump on charges related to an alleged hush money payment on the eve of the 2016 presidential election.

Trump has called on supporters to mount protests in the streets outside the Manhattan District Attorney's offices. Using language very similar to his siren call to the fascists who attacked the US Capitol on January 6, 2021, Trump posted several appeals in all-capital letters on his own social media site, Truth Social, on Saturday morning. This was combined, as always in Trump's operations, with a fund-raising message for money to pay his legal bills and promotional expenses.

The announcement seems to be of a preemptive character, with Trump choosing to focus attention on the Manhattan charges, in part because they may be the closest of the myriad investigations against him to an actual court appearance, in part because their flimsy and concocted character makes them an easy target for counterattack.

The Manhattan case involves Trump's payment of \$130,000 to adult film actress Stormy Daniels during the final week of the 2016 election campaign to buy her silence. Daniels had previously sought to negotiate hush money from Trump on several occasions, as well as seeking to sell her story about having sex with Trump in 2006 to numerous media outlets, always unsuccessfully.

In the wake of the release of the Access Hollywood tapes on October 9, 2016, in which Trump could be heard boasting of previous crude assaults on women, Daniels and her attorney revived their effort to gain a hush money payment, this time succeeding. Trump's "fixer," attorney Michael Cohen, negotiated the payoff

and then used his own funds to carry it out. He was subsequently reimbursed by the Trump campaign, which wrote it off, falsely, as "legal expenses."

Cohen was later prosecuted for violating campaign finance laws in the arrangement, ultimately pleading guilty and serving three years in prison. He would be the main witness against Trump in any Manhattan prosecution.

The main legal weakness in the case is that both the Federal Election Commission and the US Attorney declined to prosecute Trump on the federal charges, and the statute of limitations has long expired on a state charge of filing false business records, which is a misdemeanor.

Bragg's office reportedly seeks to get around this problem by charging Trump with engaging in the state misdemeanor, filing a false report, in furtherance of a second crime, violating federal campaign finance laws. This would elevate the state charge to a felony, however minor, thus avoiding the statute of limitations.

No case has ever been prosecuted in New York state on such a legal theory, and it is not assured that the judge in the case will even permit it to go forward.

From a political standpoint, the entire Stormy Daniels case is a reactionary diversion. Trump's crimes against the working class and democracy are legion, but the Democratic Party has always sought to avoid confronting them directly, in pursuit of Biden's endless efforts to save the Republican Party as an institution and seek its bipartisan collaboration in the pursuit of his right-wing policies, above all the war against Russia in Ukraine.

Trump has still not been charged with any crime relating to January 6, 2021, when his fascist followers,

summoned by him to Washington and told to “fight like hell” at a rally outside the White House, marched to the Capitol, stormed police lines and halted the congressional certification of Trump’s election defeat.

Nor has Trump faced charges relating to his previous attempt to establish military rule in the midst of the protests over the police murder of George Floyd, when he tried to declare martial law and send the military into US cities; or his crimes against immigrants and refugees, including separating children from their parents—the same charge, with much less evidence, which the International Criminal Court has brought against Vladimir Putin, to Washington’s applause.

Sex scandals, as the WSWS pointed out in relation to the effort to overthrow the Clinton administration in 1998–1999, are invariably the instrument of right-wing factions which seek to conceal their reactionary agenda from the population and instead manipulate public sentiment with media sensationalism and appeals to the most backward moralizing.

It is no better when the Democratic Party uses such methods, as they did in the early stages of the bogus Russia investigation, with the notorious Steele dossier, and now with the cases involving Stormy Daniels and L. Jean Carroll. Trump’s sex life, and his efforts to cover it up, are of no more interest to the working class than Clinton’s.

Trump has actually profited from such attacks, which give him the opportunity to characterize every case against him as motivated by his partisan political opponents within the ruling elite, even when such cases, as in the investigation of his efforts to overturn the presidential vote in Georgia, concern actual crimes against the Constitution and the American people’s right to vote.

He has sought to rally support within the leadership of the Republican Party, including among rivals and prospective rivals for the Republican presidential nomination. A political action committee backing his campaign, MAGA Inc., has already sent out a statement tracking the responses of other top Republicans, like former Vice President Mike Pence, who denounced the prospective Manhattan indictment.

House Speaker Kevin McCarthy said on Twitter that he was directing House committees “to immediately investigate if federal funds are being used to subvert our democracy by interfering in elections with

politically motivated prosecutions.”

Whatever the outcome of the Stormy Daniels case in Manhattan, the stage is being set for new and even more violent actions by Trump and his neo-Nazi and white supremacist sympathizers, which will only encourage Biden and the Democrats to move even further to the right and make more concessions to the increasingly fascistic Republican Party.



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