Justice Department indicts Trump for retaining top secret military plans

Eric London
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Thursday's filing of a 38-count federal criminal indictment against former President Donald Trump marks a new and unprecedented stage in the crisis of the American political system. At a critical juncture in the escalating US-NATO war against Russia and with the first Republican presidential primary only seven months away, an explosive conflict between the two main factions of the ruling class has burst to the surface.

This is the first time in US history that the Department of Justice has charged a former president with breaking federal law. Even in 1974, at the peak of the Watergate crisis, Gerald Ford sacrificed his political credibility and ultimately his presidency by pardoning Nixon in order to prevent a trial that the ruling class feared would destabilize the political system and weaken the world position of US imperialism.

In contrast to the ongoing state prosecutions and civil suits against Trump that are based on his sexual improprieties, the DOJ indictment, unsealed Friday, is far more consequential.

The indictment asserts that Trump usurped core state powers by retaining top secret military documents related to US war plans for personal political use. It details how Trump and his cronies stole top secret documents obtained during his time in the White House and hid them at Trump's mansion in Mar-a-Lago, Florida. It includes transcripts of audio recordings and text messages in which Trump and his employees essentially admit that they were aware the conduct was illegal.

The detailed character of the indictment indicates that a section of the state apparatus has decided that the time has come to try to remove Trump from the political arena once and for all.

The document concludes by charging Trump with 38 counts of criminal activity, including 31 counts of violating the Espionage Act, each of which carries a potential 10-year sentence for "gathering, transmitting or losing defense information." The remaining counts assert that Trump and his valet, Waltine Nauta, conspired, lied and withheld information during a federal investigation over the handling of classified documents. The conspiracy count has a maximum sentence of 20 years.

From the standpoint of the working class, there is no "democratic" side in the prosecution. The brutal imperialist politician Trump is not a victim or opponent of the war machine, and the Democratic Party-led prosecution is only interested in challenging Trump on the most right-wing basis possible: to advance its war aims against Russia.

The indictment makes no reference to Trump's violation of democratic rights or his attempt to overthrow the Constitution in the coup attempt of January 6, 2021. Its legal vehicle, the Espionage Act of 1917, is US imperialism's most powerful statutory tool for guarding high-level secrets, used to prosecute Chelsea Manning and Julian Assange.

In a brief statement to the press Friday, Special Counsel Jack Smith outlined the reactionary character of the indictment: "The men and women of the intelligence community and armed forces dedicate our lives to protecting our nation and its people," he said. "Our laws that protect national defense and its information are critical for protecting the safety and security of the United States, and they must be enforced. Violations of those laws put our country at risk."

Consistent with the Democratic Party's longstanding strategy for opposing Trump, the indictment is based entirely on defending the prerogatives of the military-intelligence apparatus and presenting Trump as an obstacle in achieving US imperialism's foreign policy, though he is in reality no less of a ruthless imperialist politician than his Democratic counterparts, regardless of their tactical differences.

But the bitter crisis between the factions of the ruling class is bringing to the surface critical information that has been hidden from the public.

For example, the indictment prominently lists the subject matter of the documents Trump retained in boxes seized by the FBI from his Mar-a-Lago mansion during the August 8, 2022 raid:

> The classified documents Trump stored in his boxes included information regarding defense and weapons capabilities of both the United States and foreign countries; United States nuclear programs; potential vulnerabilities of the United States and its allies to military attack; and plans for possible retaliation in response to a foreign attack. The unauthorized disclosure of these classified documents could put at risk the national security of the United States.

This leaves little doubt that the United States government is in advanced stages of planning for world war, including war involving strategic nuclear weapons. Behind the backs of the population, in rooms to which the public is barred from entering and without any serious inquiry from the corporate media, leading

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military and intelligence officials are gaming the impact of nuclear exchanges and tallying the cost to human life of various military options being planned in American imperialism's desperate struggle for world domination. This information is "top secret" because the success of the war plans depends on keeping them hidden from the population. The fact that Trump decided such documents were necessary to keep indicates their importance for his own plotting and intrigues.

Among the top-secret documents Trump is alleged to have taken are those concerning "military capabilities of a foreign country and the United States," "nuclear capabilities of a foreign country," "military attacks by a foreign country," "military contingency planning of the United States," "projected regional military capabilities of a foreign country and the United States," "military options of a foreign country and potential effects on United States interests" and "nuclear weaponry of the United States."

The indictment refers to high-level discussions over attacking various countries, listed in the indictment as "Country A," "Country B," etc. It prominently refers to an audio recording from a July 2021 conversation at Trump's home in Bedminster, New Jersey relating to a dispute between Trump and top military brass, including Chairman of the Joint Chiefs of Staff Mark Milley, who accused Trump of plotting to start a war with Iran as a way to maintain power after losing the 2020 US election. During the recorded discussion in Bedminster, Trump claims access to top-secret military "attack plans" outlining measures the United States would take to invade Iran ("Country A"). The indictment quotes the discussion at length:

> Well, with Milley—uh, let me see that, I'll show you an example. He said that I wanted to attack Country A. Isn't that amazing? I have a big pile of papers; this thing just came up. Look. This was him [Milley]. They presented me this—this is off the record, but—they presented me this. This was him. This was the Defense Department and him. … Look at this. You attack and …

The indictment describes additional military plans against "Country B," explaining, "In August or September 2021, when he was no longer president, Trump met in his office at the Bedminster Club with a representative of his political action committee. During the meeting, Trump commented that an ongoing military operation in Country B was not going well. Trump showed the PAC representative a classified map of Country B and told the PAC Representative that he should not be showing the map to the PAC representative."

How many more war plans have been drawn up behind the backs of the population? What other information is being hidden from the eyes of the working class behind the label "top secret"? It is worth noting that Trump is being charged under the same section of the Espionage Act as Jack Teixeira, the National Guard intelligence officer arrested for disclosing classified documents related to the US conduct in preparing and prosecuting the war in Ukraine.

Trump has responded to the indictment by denouncing the Biden administration, stating "this is warfare" and "this country is going to hell." He appealed to his supporters within the military apparatus, saying that when he was president "we had a strong military that wasn't 'woke,'" and urging the millions of people who voted for him in the 2020 election to come to his defense.

Two-and-a-half years after attempting to overturn the Constitution, Trump remains the leading candidate in the Republican primary, and the Republicans have almost unanimously stated their opposition to the indictment. Regardless of how the case unfolds, the indictment will provoke a significant escalation of the internal political crisis and further transform the Republican Party into an openly fascist party.

The Democratic Party, for its part, has sought to stabilize bourgeois rule by attempting to forge a bipartisan agreement with the Republicans based on the essential interests of the ruling class, including the massive assault on social programs contained in the debt ceiling agreement. At the same time, it is attempting to safeguard the central preoccupation of the Biden administration: the US-NATO war against Russia.

The indictment both expresses and will accelerate a massive political crisis within the apparatus of class rule in the United States. Moreover, given the role of the United States in world capitalism, it will have global consequences.

The working class cannot take sides in the conflict within the ruling elite. Rather, the task for the working class is to utilize whatever emerges in the trial to expose the ruling class as a whole and its conspiracies. As strikes and workers' protests develop in the auto industry, among postal workers, UPS workers and at the West Coast ports, the profound divisions that have exploded within the ruling class must be exploited. For this it is necessary that the working class elaborate a clear, independent position by refusing to take sides in this crisis between two reactionary factions of US imperialism.

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