Judge sets May 2024 trial date in criminal case against Trump for stealing classified documents

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On Friday, US District Judge Aileen M. Cannon scheduled the federal criminal trial against Donald Trump for illegally taking and withholding classified documents at his Mar-a-Lago mansion to begin on May 20, 2024. Judge Cannon said the trial would be held in her southern Florida court.

The setting of the trial date—one among many criminal and civil trials facing the former president and current Republican presidential candidate—takes place in the midst of an escalating war against Russia and a growing wave of strikes and protests by workers in the US and internationally. It highlights the unprecedented crisis and breakdown of the US political system.

It is not clear how the 2024 elections will be carried out—following the near collapse of the last presidential election—under conditions of an explosive conflict within the ruling elite and the state.

If the Mar-a-Lago case goes ahead as scheduled, Trump will be in court during the final days of the presidential primary elections, by which time the Democratic and Republican candidates will have likely been determined.

The criminal indictment of a former president is unprecedented, let alone the prospect of a convicted felon heading the ticket of one of the two established big business parties and possibly being elected. The long-festering political crisis in the United States has become a crisis of class rule.

At a hearing earlier this week, lawyers for Trump argued for delaying the trial until after the 2024 elections on the grounds that it would otherwise interfere with the presidential campaign of the ex-president, who is the leading contender for the Republican nomination. Lawyers for Special Counsel Jack Smith, who is heading up investigations into Trump's attempt to overturn the 2020 election and his theft of state secrets, had argued for beginning the trial this December.

Judge Cannon labeled the trial "complex," involving many thousands of pages of evidence, including classified documents. She could still agree to further delays in the course of pre-trial proceedings. Appointed to the bench by Trump in 2020, Cannon last year ruled in favor of a motion by Trump's lawyers to allow an outside review of all documents seized from Mar-a-Lago by the FBI. An appeals court unanimously overturned her ruling.

A spokesman for Trump touted Cannon's decision as "a major setback to the DOJ's (Department of Justice's) crusade to deny President Trump a fair legal process." Neither Smith's office nor the Biden administration, which is maintaining total silence on the legal proceedings against Trump, issued a statement.

Smith's office has yet to announce an expected indictment of Trump on the core issue of his role in the conspiracy to overturn the 2020 election and the US Constitution and retain power as de facto dictator, which culminated in the violent attack on the US Capitol by a fascist mob summoned by Trump on January 6, 2021.

On Tuesday, Trump announced that his lawyers had received a "target letter" from Smith on Sunday, informing them that Trump could face charges for violating three criminal statutes, including conspiracy to defraud the government and obstruction of an official proceeding. The letter cited a third statute, enacted after the Civil War to protect former slaves from retaliation by the Ku Klux Klan, making it a crime to "conspire to injure, oppress, threaten, or intimidate any person" in the "free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States."

The letter gave Trump until Thursday, July 20, to voluntarily appear before a grand jury in Washington D.C. that is taking evidence on the attempted coup. As expected, Trump failed to appear. A criminal indictment is widely expected and could be handed down by the grand jury at any time.

Such prosecution of the fascist ex-President Trump is entirely warranted and, indeed, long overdue. The fact that

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the Biden administration chose first to indict Trump for stealing and refusing to return top secret documents containing US war plans against targeted countries, including the potential use of nuclear weapons, while for months slow-walking and even blocking a criminal investigation of Trump and his co-conspirators on the plot to overturn the election, underscores the warning issued by the WSWS that workers cannot rely on the capitalist courts or the Democratic Party to defeat fascism and defend democratic rights.

Indeed, following the events of January 6, Biden rushed to rescue the Republican Party, declaring his support for a "strong" GOP and calling for "bipartisan unity" with his Republican "colleagues." The Democrats' opposition to Trump has from the outset focused on foreign policy—above all, the prosecution of war against Russia to remove it as an impediment to settling accounts with China. Biden has sought to maintain a relationship with the Republicans so as to carry through the war.

Even were Trump to be convicted and jailed, that would not remove the danger of fascism. Trump's coup was backed by significant sections of the political and corporate establishment, including a large majority of Republican lawmakers, many billionaire corporate heads, entire media outlets such as Fox, and key elements within the military and intelligence apparatus, including Trump's acting Defense Secretary Christopher Miller and former National Security Adviser Gen. Michael Flynn.

It is a product of the staggering growth of social inequality, the disintegration of the traditional middle class and the massive economic decay and decline of American capitalism.

There is no democratic side in the Mar-a-Lago documents case. Trump is a billionaire parasite and imperialist politician who brought the US to the brink of war with Iran during his presidency. The Biden administration is prosecuting him in the documents case for jeopardizing the sanctity of state secrets, i.e., war plans and plots against foreign powers and people, including the use of nuclear weapons, which are never to be revealed to the American people.

It is basing its case on the 1917 Espionage Act, which has been used against socialists and opponents of imperialist war from Eugene Debs to the leaders of the American Trotskyist movement, and more recently to persecute and jail Julian Assange, Chelsea Manning and others who courageously exposed the war crimes of the US government.

A central consideration in the move finally to prosecute Trump for his attempted coup is the determination of the faction of the ruling class and the military/intelligence apparatus represented by the Democrats to marginalize him politically, not because of his fascist politics, but because he has not fully lined up behind Washington's drive to dramatically escalate the war against Russia. Indeed, in his campaign speeches Trump continues to tout his good relations with Putin and boasts that if elected, he will end the war in Ukraine within 48 hours—another of his many lies.

Trump relies on the militarist policies of Biden and the Democrats and their attempt to make the working class pay for the war against Russia and coming war with China through the gutting of social programs, to portray himself as the victim of a "deep state" conspiracy, which he denounces as "communism." Of course, his program is to impose even more directly and brutally the dictatorship of capital over the working class.

In addition to his criminal indictment in the documents case, Trump has been criminally indicted on state charges in New York in connection with his payment of hush money to porn star Stormy Daniels in the run-up to the 2016 elections. He is scheduled to appear in court in Manhattan in that case on March 25, 2024.

This October a civil fraud trial against him begins in New York, followed by a civil defamation trial brought by writer E. Jean Carroll, who previously prevailed in a civil trial charging Trump with rape.

Trump also faces the likelihood of criminal charges by Fulton County, Georgia District Attorney Fani Willis in connection with his attempt to overturn Biden's 2020 victory in that state. This includes Trump's notorious call to Georgia Secretary of State Brad Raffensberger, in which he asked Raffensberger to "find" 11,780 votes he needed to reverse his loss.

The *Guardian* newspaper reported Thursday that Willis was preparing to indict Trump later this month or in early August under the state's racketeering statute. A special grand jury in Atlanta that sat for 11 months and heard evidence recommended charges against more than a dozen people, including the former president. Willis empaneled a regular grand jury on July 11 to review the evidence and issue an indictment.

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