

New charges in Mar-a-Lago documents case intensify political crisis in US

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With an indictment looming on ex-president Donald Trump's efforts to overthrow the 2020 elections, culminating in the January 6, 2021 fascist assault on the US Capitol, Special Counsel Jack Smith on Thursday unsealed a superseding indictment in the separate Mar-a-Lago documents case, adding a charge that Trump sought to delete subpoenaed video tapes.

Last month, a South Florida grand jury empanelled by Smith issued an indictment charging Trump with 37 counts of violating the Espionage Act by illegally retaining classified documents containing secret national defense information when he left office. The indictment also accused Trump and his personal aide Walt Nauta of conspiring to obstruct the federal government's efforts to reclaim the documents.

The documents indictment was a watershed in the long-festering crisis of the American political system. It marked the first-ever criminal indictment of a former president, one, moreover, who is the current favorite to win the Republican nomination for president in 2024. Trump and Nauta pleaded not guilty. Their trial before South Florida federal judge Aileen Cannon, a Trump appointee, was set for May of 2024—a point in the election cycle when Trump may very well have consolidated his presidential candidacy.

Following the release of the updated indictment, Trump once again denounced the Justice Department investigations as political harassment and election interference and vowed to continue his bid for a new term in the White House, even if he is a convicted felon. Virtually the entire Republican leadership once again rallied behind him, effectively defending his attempt in 2021 to overthrow the Constitution and his increasingly fascist calls to banish communists and socialists from the US.

House Speaker Kevin McCarthy threatened to launch an impeachment inquiry against President Joe Biden, citing the collapse this week of a plea bargain deal for Hunter Biden related to shady business dealings in Ukraine and China involving both Bidens.

It is highly significant that to date, more than two-and-a-half years after Trump's attempted coup, which was backed by powerful forces within the financial aristocracy, the military, the intelligence agencies and the judiciary—including at least two Supreme Court justices—no criminal charges have been brought against Trump or his co-conspirators for their attempt

to establish a presidential dictatorship.

This is in large part due to the focus of the Democratic Party and the Biden administration on the prosecution of the war against Russia in Ukraine and war preparations against China, and their desire to maintain “bipartisan unity” with at least a section of Republicans for that purpose.

At the same time, Biden and the Democrats want a “strong Republican Party” in order to impose brutal austerity policies and suppress the growing and explosive opposition of the working class to poverty wages, intolerable working conditions and staggering levels of social inequality. At the end of 2022, the two parties of big business joined to pass legislation banning a rail strike and imposing a contract that had been voted down by rail workers. But strikes are continuing to spread—among actors and writers, logistics workers, dock workers and auto workers.

There is no democratic content in the prosecution of Trump for violating “state secrets,” i.e., failing to safeguard US war plans, including the use of nuclear weapons, from the view of the American people. Hence the use in the documents indictment of the Espionage Act, which has been used by the US ruling class to jail socialist opponents of war such as Eugene Debs, railroad the Rosenbergs to the electric chair, and imprison and persecute those who expose US war crimes, such as Julian Assange, Chelsea Manning and Edward Snowden.

Earlier this week, Trump announced that he had received a target letter from the special counsel's office informing him that he was under investigation in connection with the attempted overthrow of the 2020 election and the January 6 insurrection. Among the potential charges listed in the target letter were obstruction of Congress (the January 6 attack), conspiracy to defraud the United States (by recruiting supporters to file fake certificates as “electors” for the Electoral College) and wire or mail fraud (for soliciting funds from supporters to oppose purported election fraud).

It is widely expected that Smith's grand jury in Washington D.C. will unseal an indictment on these charges in the coming days. On Thursday, prior to the release of the updated indictment in the Mar-a-Lago documents case, Trump's defense lawyers met with Smith's prosecutors to discuss the likely criminal indictment on the attempted overturn of the

2020 election.

Such a prosecution and conviction are entirely warranted and appropriate. However, the Biden administration's reluctance to pursue the case, and its well documented previous opposition to calls from lower-level Justice Department officials to do so, underscore the fact that the working class cannot stop the fascist danger and defend democratic rights by relying on the capitalist parties or state machine, and must organize its massive social power as an independent political force in opposition to the entire capitalist setup.

The 60-page updated documents indictment details a level of criminality and lawlessness on the part of Trump and his allies that rivals, if not exceeds, the operations of a Mafia don. The revised indictment adds three charges against Trump, including attempting to "alter, destroy, mutilate, or conceal evidence." It also singles out his illegal retention of a top secret military document outlining war plans against Iran. Trump is recorded talking about and displaying the document to associates at his golf resort in Bedminster, New Jersey.

However, in a recent interview with Fox News, he claimed that "There was no document... There was nothing to declassify," an obvious lie.

The updated indictment also names a third defendant beyond Trump and Nauta. It charges the property manager at Mar-a-Lago and long-time Trump employee Carlos De Oliveira of working with the previously indicted defendants to delete potentially incriminating security footage showing Trump employees moving and removing boxes of documents.

It states that in late June of 2022, only days after the Justice Department sent Trump a draft of a subpoena for the surveillance footage, Trump called De Oliveira and spoke with him for 24 minutes. Two days later, Nauta and De Oliveira inspected the surveillance cameras and the security guard booth where surveillance video is displayed. Several days after that, De Oliveira went to see Mar-a-Lago's IT expert, Yuscil Taveras, who oversaw the surveillance camera footage at the Trump resort.

According to the revised indictment, De Oliveira told Taveras that "'the boss' wanted the server deleted." Taveras refused, saying he did not know how to delete the server and did not think he had the right to do so. De Oliveira insisted again that "the boss" wanted the server deleted and asked, "What are we going to do?"

Two months later, after the FBI entered Mar-a-Lago with a search warrant and hauled away 100 classified documents, Nauta told another Trump employee, "Someone just wants to make sure Carlos is good." After that conversation, Trump called De Oliveira and said he would get him a lawyer.

The new charge of seeking to expunge the security video demanded by the Justice Department brings to mind the conflict over Nixon's White House tapes, which played a central role in the Watergate crisis 49 years ago. The difference between the outcome of the Nixon tapes dispute and the level of internal

conflict within the capitalist political system today is a measure of the unprecedented crisis of class rule and collapse of what remains of bourgeois democratic forms of rule.

An eighteen-and-a-half minute gap in a recording of discussions in the Nixon White House from June 20, 1972 brought the Watergate crisis to a head and ultimately led to an 8-0 ruling on July 24, 1974 by the Supreme Court rejecting Nixon's refusal to turn over all of his tapes to the Watergate special prosecutor.

Once the "smoking gun" transcript of Nixon's cover-up conversation with his chief of staff H. R. Haldeman was released, the 10 Republicans on the House Judiciary Committee who had voted against impeachment in the committee said they would vote for impeachment once the issue reached the House floor. Nixon's Republican support in the Senate similarly dissolved, guaranteeing the president's conviction and removal by the upper chamber.

Nixon announced his resignation on August 8, 1974, 15 days after the Supreme Court ordered him to release the tapes.

Watergate was an historic expression of the mounting economic, political and social crisis of American capitalism. It arose in the aftermath of the breakdown of dollar-gold convertibility and the Bretton Woods system, under conditions of a looming military defeat in Vietnam and growing working class opposition to economic slump and inflation.

It was followed by Reagan's Iran-Contra crisis, the impeachment of Bill Clinton and the stolen election of 2000.

There is today no basis for a peaceful resolution of the political crisis, even a temporary one—so deep is the crisis of American capitalism and putrefaction of its political system.



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