

Trump “hush money” cover-up trial opens in Manhattan

Patrick Martin
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The first-ever criminal trial of a former US president began Monday morning in New York City, with the prosecution and defense for Donald Trump making opening remarks after Judge Juan Merchan explained basic courtroom procedures to the 12 jurors and six alternates in the case.

The corporate media is providing wall-to-wall coverage of the case, despite the banning of cameras and recording devices from the courtroom, with cable networks conducting a virtual relay race as reporters inside the court send messages about the details which are then read out on the broadcasts.

This attention is driven, not by the substance of the case itself, but by its significance as the latest episode in the ongoing crisis and breakdown of the US political system. The defendant is both a former president and the likely nominee of the Republican Party in the 2024 presidential election. The Democrats hope that a conviction of Trump will give a political boost to the flagging fortunes of President Biden.

While Trump has spearheaded the transformation of the Republican Party into a fascist party in all but name, the Democratic Party has moved so far to the right that it has become the principal party of Wall Street and the military-intelligence apparatus.

Trump is not being tried for the major crimes he committed while in office, above all his attempt to overturn his 2020 election defeat with the violent attack on the US Capitol on January 6, 2021. The federal prosecution over January 6 has been delayed, in part by court challenges, but primarily because the Biden Justice Department slow-walked its investigation into the attack on Congress and only filed charges against Trump last year.

Instead, this case focuses on Trump’s actions during and after the 2016 campaign in which he won the presidency despite losing the popular vote, because of the

reactionary and antiquated Electoral College system.

He is charged under New York state law with 34 counts of filing false business records in which he covered up secret payments of hush money to porn star Stormy Daniels to stop her from going public with an account of an alleged sexual encounter with Trump in 2006. Trump’s longtime lawyer and political fixer, Michael Cohen, made the \$130,000 payment to Daniels and was reimbursed, with a bonus, by the Trump Organization, which described the payments as “legal expenses” in records filed with the state.

The opening statement for the prosecution by assistant Manhattan District Attorney Matthew Colangelo presented the business paperwork violations—normally misdemeanors punishable by a fine, and rarely prosecuted—as links in a broader conspiracy to manipulate the media during the campaign and ultimately to “corrupt the 2016 presidential election.”

“Cohen made that payment at Donald Trump’s direction,” Colangelo said, “and he did it with the specific goal of influencing the outcome of the election. No politician wants bad press. But the evidence at trial will show this was not spin or strategy. This was a planned, coordinated long-running conspiracy to influence the 2016 election, to help Donald Trump get elected through illegal expenditures, to silence people who had something bad to say about his behavior, using doctored corporate records. It was election fraud, pure and simple.”

While there is no conspiracy charge as such, the linking of the false filings to a wider effort directed by Trump was the asserted legal basis for elevating the misdemeanors to the level of a felony.

Colangelo described the testimony to come from a series of witnesses that will detail an arrangement described as “catch and kill,” in which David Pecker, publisher of the *National Enquirer* tabloid and other media properties, offered to buy negative stories about

Trump and suppress rather than publish them, while at the same time publishing scurrilous material about Trump's rivals for the Republican presidential nomination.

This effort began with an August 2015 meeting at Trump Tower. In previous Justice Department investigations under the Trump administration, which culminated in the prosecution and imprisonment of Michael Cohen, court documents referred to the three people at the meeting as Pecker, Cohen and a "high-ranking campaign official." Pecker will testify that the official was Trump himself, the prosecutor said.

Colangelo described in some detail several episodes in the effort to suppress the geyser of reports about lurid aspects of Trump's personal life. After the notorious "Access Hollywood" tape was released on October 9, 2016, most campaign officials threw up their hands, concluding the campaign had been wrecked irretrievably by the tape of Trump boasting of his power, as a media "star," to carry out sexual assaults on any woman he chose.

Adding to the crisis was the renewed demand by Stormy Daniels that Trump pay her \$130,000 to sign a non-disclosure agreement to keep silent about her brief relationship with Trump 10 years before. Afraid that this would be the final straw for his campaign, Trump instructed Cohen to make the payment and promised to reimburse him.

There is no question of the factual accuracy of Colangelo's account—which was not even disputed by defense counsel Todd Blanche in his own opening statement. The trial thus may provide a fuller account of the corrupt and sordid milieu of Manhattan real estate, casino gaming and television "reality" programming out of which Trump emerged.

But it is not clear whether any of the tawdry conduct alleged actually violates US law—in contrast to the massive evidence of Trump's defiance of the Constitution throughout his four years in the White House, and his central role in the first-ever attempt by a US president to overturn an election defeat and seize power.

Trump's attorney Blanche made no effort to rebut the prosecutor on the essential facts of the case, instead focusing on claims that nothing Trump did was against the law. He rejected the prosecution's claim that Trump was corrupting the election, declaring that trying to influence the outcome of an election "is called democracy."

He pointed out that "non-disclosure agreements" are not illegal. Indeed, they are a staple of American business,

with corporations regularly demanding that workers shut their mouths about business practices the bosses would like to conceal.

Blanche argued that Trump had "nothing to do" with the flow of paperwork other than signing the checks, and was not responsible for the false business filings, which were approved by Allen Weisselberg, the CFO of the Trump Organization. He pointed out that despite the claims of conspiracy, the district attorney did not actually bring a conspiracy charge against Trump.

The defense counsel spent much of his time attacking the two main witnesses expected to testify for the prosecution, Michael Cohen, Trump's bagman in the hush money scheme, and Stormy Daniels herself. His opening statement was interrupted twice, unusually, by prosecution objections when he vilified Cohen as a criminal and suggested that Daniels had "extorted" Trump by seeking to be paid for her silence.

Cohen served a three-year federal prison term for campaign finance charges related to the Stormy Daniels payoff, and has admitted to repeated perjury offenses—all when he was in the service of Trump.

The trial is in recess Tuesday, when Judge Merchan will hear a motion from prosecutors to sanction Trump for multiple violations of a gag order barring him from publicly attacking the lawyers, court officials and witnesses in the trial, or members of their families. Trump has continued to post vitriolic statements on his Truth Social platform, and these have instigated a wave of threats and denunciations by fascist supporters, as well as efforts to obtain personal information, including the identities of the jurors.

The trial will resume Wednesday with the first witness, David Pecker, who was on the stand Monday for only a few minutes before the recess.



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