

# Trump hush money trial goes to the jury

Barry Grey  
29 May 2024

On Wednesday, the jury in the criminal trial of former President Donald Trump began deliberations in a courthouse in Lower Manhattan. State Supreme Court Justice Juan Merchan, the presiding judge, turned the case over to the jury shortly before noon following his hour-long instruction on the legal parameters of the 34-count indictment. Trump is charged with falsifying business records in a conspiracy to corruptly influence the 2016 presidential election.

The five-week trial culminated on Tuesday in a three-hour closing argument by Trump's defense team followed by a nearly five-hour summation by the prosecution team headed up by Manhattan District Attorney Alvin Bragg.

The substance of the charges is that Trump conspired with his then-lawyer and fixer Michael Cohen to pay \$130,000 to porn film actress Stormy Daniels to stop her from going public just days before the November 2016 presidential election about an alleged sexual tryst between the two in 2006. This was in the immediate aftermath of the release of the Access Hollywood tape in October of 2016, in which Trump boasted that his star status allowed him to grab a woman's genitals in public with impunity.

Trump is charged with covering up the campaign-related payoff to Daniels, which was advanced by Cohen in his behalf, by reimbursing his then-fixer after Trump had entered the White House, in 2017, and falsely claiming the payments were legal fees, a violation of both state and federal campaign finance laws.

Cohen was indicted both for campaign finance and banking violations related to his services to Trump, and subsequently for lying to Congress about Trump's plans to build a Trump Tower in Moscow. He pleaded guilty in 2018 and served a three-year prison term. He then sued Trump and became a vocal opponent of the real estate/casino/reality TV billionaire-turned fascist president.

Cohen was the main prosecution witness, along with Stormy Daniels and the former publisher of the *National Enquirer*, David Pecker. Trump's defense lawyer Todd Blanche devoted his closing argument almost entirely to

insisting that the jury could not convict Trump on the basis of testimony and evidence linked to the convicted felon and self-admitted liar, Cohen.

At one point Blanche violated a basic canon of law by telling the jurors they could not "send someone to jail" on the basis of testimony from "the greatest liar of all time." This provoked an immediate objection from the prosecution and an angry "Sustained" from Judge Merchan, who cleared the court and reminded Blanche that sentencing was the province of the judge, and the jury was not allowed to consider possible sentences in rendering its verdict on the charges.

Prosecutor Joshua Steinglass in his summation meticulously reviewed the 34 checks, invoices and business ledger entries that substantiate Cohen's claim that he was operating on Trump's instructions when he paid off Daniels, as well as other corroborating testimony.

There is no way of predicting how long the jury's deliberations will last, although most media commentators seem to agree, for what it's worth, that a decision is likely before the end of this week. There are three possible outcomes: either acquittal on all counts (Class E felonies—the lowest category in New York State), conviction on one or more of the felony counts, or failure to reach unanimity on one or more of the counts, resulting in a hung jury. In the latter case, prosecutors could decide to retry the case, but that would not take place until after the November election.

Each count carries a possible prison sentence of 16 months to four years, but it is deemed a virtual certainty that in the event of one or more guilty verdicts, the judge will issue concurrent sentences, meaning the maximum prison term would be four years. It is believed more likely, however, that the judge would place Trump on probation or issue a sentence that would not entail incarceration. In any event, Trump is certain to appeal a conviction, delaying any potential penalty until after the election.

What is certain is that regardless of the outcome of the trial, and even were a convicted Trump to be removed as

the Republican presidential candidate, the lurch to the right of the entire political system will continue unabated.

Of the four criminal indictments against Trump, the Stormy Daniels case is the only one that will go to trial before the elections. The others—the case brought by Special Counsel Jack Smith in Washington D.C. over Trump’s attempted overthrow of the 2020 elections, culminating in the fascist mob attack on the US Capitol on January 6, 2021; the case brought by Fulton County Attorney General Fani Willis against Trump for his attempt to overthrow the 2020 election result in Georgia; and the case in Florida over Trump’s mishandling of classified documents—are far more substantial and deal, in the D.C. and Georgia cases, with Trump’s massive crimes against the democratic rights of the American people.

They have been delayed by the feckless and reactionary efforts of the Biden administration and the Democratic Party to prop up the Republican Party and cover up the extent of the state conspiracy headed by Trump that culminated in the January 6 attempted coup. This has enabled far-right Supreme Court Justices, led by Samuel Alito and Clarence Thomas, who are personally implicated in the attempted overthrow of the Constitution, to delay the Special Counsel case, and Trump-appointed Judge Aileen Cannon to indefinitely delay the documents case in Florida.

The criminal trial of Trump in New York nevertheless has immense historical and political significance. The first-ever criminal trial of a US president—one who sought to overturn the previous election and remain in power as a dictator, and who is the presumptive candidate of the Republican Party in November—is the focal point of a crisis of class rule in America decades in the making, and now at a point of unprecedented intensity.

This is not altered by the trivial character of the charges and the circus-like atmosphere the media has created around the case, in an attempt to divert public attention from Trump’s fundamental crimes and the ongoing threats by the increasingly fascist Trump-dominated Republican Party.

This is a crisis that extends across the entire political establishment, marked by the role of the Democratic Party as the full accomplice in the onslaught on the democratic and social rights of the working class. Even as Trump and the Republican leadership make clear that they will not accept the results of the 2024 election if Trump loses, and they declare the court cases against the ex-president to be illegitimate frame-ups masterminded by Biden, the Democratic Party is in a virtual coalition government with

Republican fascists in Congress on the basis of unlimited funding for the war against Russia in Ukraine, full support for the Israeli genocide in Gaza, and economic war and military preparations for conflict against China.

So as not to disturb Republican support for US imperialism’s expanding world war, Biden has largely remained silent on Trump’s legal woes and is refusing to comment on the recent revelations that fascist Supreme Court Justice Alito on two occasions flew flags at his homes associated with Trump’s “Stop the Steal” Capitol insurrection and fascist militia groups.

At home, Biden is leading the crackdown on free speech and political protest on college campuses, joining with Christian nationalist fascists such as House Speaker Mike Johnson to denounce pro-Palestinian protesters as antisemites and encourage violent police attacks and mass arrests against peaceful demonstrators. At the same time, he has adopted the fascist anti-immigrant policy of Trump and the Republicans, seeking to outflank Trump by denouncing him for opposing Democratic border bills promoted as the “most restrictive” ever.

The Democrats have broken with bourgeois democracy. They will go to any lengths to suppress the threat of a working class rebellion against exploitation and inequality assuming a directly political form in opposing war and genocide and defending the campus protesters against police state repression. This is the greatest fear of all sections of the ruling class, and with good reason, as seen in the strike by campus workers at the University of California.

The role of the Democratic Party further enables Trump to incite violence from the fascist right. In the midst of the New York trial, on Memorial Day, Trump posted a statement on his Truth Social platform denouncing “the Human Scum that is working so hard to destroy our Once Great Country,” in which category he included the “Radical Left, Trump Hating” judges who presided over his conviction in a civil case concerning his business practices in New York and massive fines in the defamation and sexual abuse cases brought by E. Jean Carroll.

Trump concluded with the threat: “Now for Merchan!”



To contact the WSW and the Socialist Equality Party visit:

**[wsws.org/contact](https://wsws.org/contact)**