

Legal noose tightens around Trump

By Barry Grey
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Only hours after a Manhattan federal judge sentenced Donald Trump's former personal lawyer Michael Cohen to three years in prison on Wednesday, the US Attorney for the Southern District of New York revealed that the parent company of the *National Enquirer* tabloid and its chief executive had corroborated Cohen's claim that Trump was complicit in violations of campaign finance laws in the 2016 presidential election.

The guilty pleas by Cohen and the admission by American Media Inc. (AMI) and its CEO, longtime Trump associate-turned anti-Trump informer David Pecker, appear to place the president in serious legal jeopardy. They coincide with growing talk of impeachment proceedings when the new Democratic-controlled House of Representatives convenes next month, and suggestions that Trump could be criminally indicted.

Cohen had pleaded guilty to nine counts of campaign finance violations, tax evasion, lying to Congress and lying to banks. The lying to Congress charge was brought by Special Counsel Robert Mueller in connection with Cohen's cover-up of business negotiations between the Trump Organization and Russian officials over a Moscow hotel project, which extended well into the 2016 campaign and involved then-presumptive Republican nominee Trump and Trump family members.

The other charges were brought by the US Attorney in Manhattan. The most damaging for Trump was Cohen's admission that he paid \$130,000 in hush money to porn star Stormy Daniels and arranged for a \$150,000 payoff to former *Playboy* model Karen McDougal to prevent the two from going public on the eve of the election with their claims of sexual affairs with Trump.

In legal filings in connection with Cohen's plea deal, prosecutors asserted, based on Cohen's testimony, that

Cohen had acted "in coordination with and at the direction" of Trump for the purpose of influencing the election. Since the payoffs exceeded legal campaign limits and had not been reported to federal election authorities, they constituted a breach of campaign finance laws, a felony, they argued. And they directly charged Trump with complicity in the legal violations.

AMI and Pecker, in return for an agreement by prosecutors not to criminally prosecute them for any campaign finance violations, admitted to the same crime in relation to the payoff of McDougal. They acknowledged that they bought the rights to her story for \$150,000 in order to suppress it, that they did so to influence the outcome of the election, and that they acted under the direction of Trump.

Perhaps most potentially damaging to Trump in AMI's agreement with prosecutors was its description of a meeting in August 2015, early on in Trump's presidential run, attended by Cohen and Pecker along with at least one other person linked to the Trump campaign. At this meeting, the participants agreed that the publisher would help the campaign by identifying dangerous stories concerning Trump's relationships with women "so they could be purchased and their publication avoided." This admission could provide the basis for a conspiracy charge.

These developments make clear that the long-running conflict between pro- and anti-Trump factions within the ruling class and the state is reaching a new stage (see: "Political warfare in Washington escalates to crisis of capitalist rule").

Growing sections of the ruling elite are losing confidence in Trump and his ability to handle a mounting crisis for American capitalism. Under conditions of intensifying geo-political tensions, signs of impending recession, losses and volatility on the stock market and an upsurge of working class struggle internationally and within the US, there is concern that

Trump is undermining longstanding ideological props of US imperialist foreign policy and political stability at home.

Trump's defense of Saudi crown prince Mohammad bin Salman in the murder of Jamal Khashoggi, along with his backing for fascists at last year's neo-Nazi march in Charlottesville and his bullying on the world stage are shattering the pretense that the United States stands for freedom, democracy and human rights—a myth that has played a critical role in US imperialist operations internationally. Even greater than concerns that Trump is backing away from the Obama administration's hard line against Russia, which has underlain the Muller Russia investigation and dominated the Democratic Party's opposition to Trump, is a more basic and generalized fear that Trump may be jeopardizing the stability of American capitalism itself, both abroad and at home.

This is underscored by the Senate vote on Thursday, one day after the sentencing of Cohen and the revelation of the non-prosecution agreement with Pecker and AMI, to condemn the Saudi crown prince for Khashoggi's murder and call for an end to US participation in the Saudi-led war in Yemen, with seven Republicans breaking ranks and voting with the Democrats.

Trump has reportedly privately told associates that he is concerned over the possibility of impeachment. He has changed his story on the payoffs to Daniels and McDougal from saying he had no knowledge of them to denying any direct involvement to claiming in recent days that they had nothing to do with his campaign, but were instead a purely private matter.

However, the *New York Times* quoted Richard L. Hasen, an election law professor at the University of California, Irvine, as saying: "It's looking a lot like an illegal and unreported in-kind corporate contribution to help the campaign, exposing the Trump campaign and Trump himself to possible criminal liability."

Over the weekend, New York Democratic Congressman Jerrold Nadler, who will become chairman of the House Judiciary Committee in January, described the hush money payoffs as "impeachable offenses." Nadler will head the body responsible for drawing up articles of impeachment and overseeing impeachment hearings, should they take place.

Interviewed on CNN Thursday, Democratic Senator

Richard Blumenthal, a member of the Senate Judiciary Committee, said he disagreed with Justice Department guidelines saying that a sitting president cannot be indicted. "My personal belief, based on the review of the law that I have done, is that the president could be indicted," he said.

Florida Republican Marco Rubio refused to rule out an indictment against Trump, telling CNN, "No one in this country is above the law."

That Trump's legal problems are likely to increase is indicated by growing media attention on Allen Weisselberg, the chief financial officer of the Trump Organization. Weisselberg was subpoenaed to testify before a grand jury and granted witness immunity by prosecutors in the Cohen investigation earlier this year.

And Cohen himself has pledged to tell all in regard to his dealings with Trump, perhaps in the hope of obtaining a reduction in his sentence. His legal adviser, Lanny Davis, a top aide during the Clinton presidency, said Cohen would be willing to testify before Congress after Mueller releases his report. Cohen, he declared, would "state publicly all he knows about Mr. Trump."

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