

91 'Coordinated' Indictments to Trump's 3. Which Is Worse?

By Victor Davis Hanson

There's been a lot of recent controversy over the indictments of former national security adviser John Bolton, [former FBI Director James Comey](#), and now New York Attorney General Letitia James.



And people are arguing that [President Donald Trump](#) had promised not to have a so-called revenge tour and use the law, in a weaponized fashion, against his political enemies, given what they did to him. And now he's doing it.

I think it's time to pause.

First, there's a question of magnitude. Donald Trump was indicted 91 times in four different jurisdictions, local,

county, federal. Those were coordinated.

Fulton County, Georgia, District Attorney Fani Willis' main prosecutor, Nathan Wade, met with the White House counsel just three days after Donald Trump announced his 2020, Nov. 15, reelection bid. That same day, Jack Smith was appointed by Merrick Garland, the Biden Justice Department attorney general, to be special counsel, to go after Donald Trump at the federal level. That same day, Matthew Colangelo, who had come from the Letitia James state prosecution of Donald Trump, resigned his blue-chip job—No. 3 in the DOJ—to go to work for whom? [Manhattan District Attorney Alvin Bragg](#).

And that was 91 indictments. So far, we've only seen three key people indicted. In addition to that, we're not even talking about the SWAT raid on Donald Trump's home or the effort to get 25 states to de-ballot him.

I haven't seen Donald Trump saying to red state governors, "We've gotta get California Gov. Gavin Newsom off the ballot. He's dangerous." Or, "We've gotta make sure former Vice President Kamala Harris is not on that ballot." Or, "You know, we found some evidence about former President Joe Biden. Let's raid his home." That hasn't happened.

So, we have to keep some fair sense of magnitude. Indicting three people doesn't compare to what they did.

Then there's the question of high-profile people. Do prosecutors tend to select high-profile people more than the average Joe? I know that seems counterintuitive. We always think wealthy people have privilege. But sometimes, prosecutors think, "If I take this person down or I target them, then it will send a message to encourage the others."

Look at Patrick Fitzgerald. Why did he go after Scooter Libby? Remember that case? He said Scooter Libby had unlawfully disclosed the secret status of Valerie Plame, the CIA operative. But he knew at the time that Colin Powell, his own

deputy—Colin Powell's own deputy, Richard Armitage—had first done that. But he wanted to go after Scooter Libby to point out that I can take down anybody. Was it wrong? Yes. But that's what prosecutors do. I'm not trying to excuse it.

Why did James Comey—remember when he was in the DOJ? He went after Martha Stewart, put her in jail for insider stock trading. But it was kind of a minor—it was very minor compared to what the Pelosis have done. But he wanted to take down Martha Stewart.

Donald Trump's not doing that. But what they're doing is they're saying, if a national security adviser like John Bolton transmitted classified files and was exempt, then anybody can do it. If Letitia James is the attorney general of New York and she lies about her mortgage circumstances or her tax circumstances, or her primary residence, then anybody can do it. So, it's logical, you go after people both wrongly and rightly.

But more importantly, which is the real sin? Under the [Biden administration](#), they knew that John Bolton had transmitted—they had information that a foreign intelligence source had interrupted or intercepted his own communication. And he was transmitting, allegedly, classified materials to his wife and daughter. They didn't do anything. They didn't do anything because he was useful. He was writing a biography that would embarrass Trump during the Biden/Trump election. Which is the greater sin? To let felonious behavior go unaudited, unaddressed, or to address it?

Maybe you can say it's selective, but a jury will find that out. At least you're not giving exemptions and amnesty to people who have helped you.

Why did they not prosecute former CIA Director John Brennan and former FBI Deputy Director Andrew McCabe and former National Intelligence Director James Clapper? They, all three,

had one thing in common. They all lied, either to federal investigators or under oath to Congress. Why didn't the Biden team go after them? Because they were all useful to them.

Clapper and Brennan were on MSNBC and CNN, and night after night, attacking Trump. Andrew McCabe was on occasion. So, they felt, we're going to excuse their sins, their illegalities—allegedly—because they're useful.

So, Trump comes in, and the DOJ under [Attorney General Pam Bondi](#) says they all have criminal exposure. And I'm going to enforce the law. You can call it selective, but I would rather see somebody enforce the law than give an exemption for political purposes. But we don't talk about that.

There is a lawfare. And the lawfare is not just prosecuting people in a political fashion, but more importantly, not prosecuting them, giving them exemptions.

There's another consideration. Whether we like it or not, almost all of these high-profile cases occur in the East Coast corridor, from the financial capital of New York to the nation's political capital in Washington, D.C.

As we saw with the E. Jean Carroll case and Judge Lewis Kaplan, as we saw with the Letitia James case and Judge Arthur Engoron, as we saw with the Alvin Bragg case and Judge Juan Merchan, and as we saw with the Fani Willis case and the Georgia judge—that was an exception—but the judiciary is more or less to the left, and especially juries and judges in Washington, D.C., and in New York.

And the chances are that most of these cases, if they come to trial—and remember, these are not, the prosecution does not hinge on what Pam Bondi says. It's what a grand jury of one's peers decides. John Bolton, for example, was indicted by a grand jury. So was James Comey. And these are in blue jurisdictions. All down the East Coast, these jurisdictions.

So, in conclusion, it's going to be much more difficult for the Trump Department of Justice, under Attorney General Pam Bondi, to find a Clapper or a Brennan or a Bolton guilty in a blue jurisdiction, where you're going to have juries that are, for the most part, decidedly anti-Trump. Much more difficult.

So, they're gonna have to prove beyond a reasonable doubt to a far greater degree than was true of Donald Trump. Donald Trump came in as a conservative, and in an era of rampant Trump hatred and Trump Derangement Syndrome, and he had to face predominantly left-wing grand juries, left-wing juries, and left-wing judges.

So, if Donald Trump is accused of waging lawfare, there's going to be a natural check on that. And that check is that he is going into hostile territory. He, I'm personifying it, but his attorney general will be going into areas that are not sympathetic to the prosecution but will be sympathetic to the opponents of Donald Trump.

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