

American Democracy Would Be at Stake in a Criminal Trial of President Trump

An indictment of the sort that is being mooted would be an act of hypocrisy and cowardice.



by Conrad Black

Americans should be in no doubt that if the New York district attorney, Alvin Bragg, indicts President Trump for an alleged crime over a payment to a nightclub stripper over a sexual encounter whose occurrence many years ago is disputed between them, the credibility of the United States as a functioning democracy under the rule of law will be profoundly degraded.

Such an indictment would be an act of monstrous hypocrisy, cowardice, professional dishonesty, and tactical stupidity. Mr. Bragg well personifies all of these qualities: he is serenely presiding over skyrocketing violent crime rates in New York, and routinely declines to prosecute violent offenders

With Mr. Trump he is retrieving a case that he himself had previously declined to make on the grounds of its absurdity and low chance of success, and is simply confirming that he is a political hack, careening negligently through what should be his only term as chief prosecutor in America's largest city.

Everyone not personally involved in it concedes that straight political partisanship is now the sole criterion not only with this nonsense, but also with the FBI's reenactment of the Allied invasion of Normandy at Mr. Trump's home in Florida over a malicious fantasy about document confidentiality, and with the last gasp of the spurious Democratic treatment of the January 6, 2021, trespass at the Capitol.

Trump-haters have mangled the processes of investigation and the criteria for determining whether to prosecute a political figure is now entirely partisan. The president has the right to declassify anything, even implicitly, and the thought that Trump violated the Espionage Act and that prurient FBI agents had any legitimate reason to rummage through Melania's underwear looking for inculpatory evidence is contemptible.

The possibilities of Trump (or Biden) violating the Espionage Act, like the truth of the claim that an insurrection was incited at the Capitol, are zero, and a moron can see that they are zero.

This is in perfect succession to the Trump-Russian collusion fraud, for which there was never a scintilla of plausible evidence and in which the FBI and the National and Central Intelligence leaders lent their organizations to what amounted

to an attempted putsch. Attorney General Barr supposedly returned to office to deal with this.

Instead, he appointed, in John Durham, the most ineffectual special counsel in American history, presumably to assure no senior Trump enemy was held legally accountable for any serious offenses, though some were certainly committed. (The United States attorney for the District of Delaware, David Weiss, who is now fumbling silently into his sixth year with the astonishing Biden family binge of influence-peddling may win that award from Mr. Durham yet.)

The release of film of January 6, 2021, without it being doctored or spliced by Speaker Pelosi's hanging and smearing committee (with Trump-haters Liz Cheney and Adam Kinzinger as her chief "Republicans"), shows, in my view, that there was probably an FBI sting operation; surely substantial cooperation between the Capitol Police and the trespassers; no valid explanation for the death by gunfire of the one fatality of the intrusion, an unarmed Trump supporter; and no evidence whatever of any plan or conspiracy to do anything, except register disapproval of the Congress, a sentiment shared by approximately 80 percent of Americans.

It has been adduced in evidence from the beginning, and never disputed, that the FBI found no connection whatever between the organizers of the trespass and the Trump campaign, and it is equally undisputed that President Trump warned Speaker Pelosi and Washington D.C.'s mayor, Muriel Bowser that there could be hooligans who would try to cause trouble on the fringes of his law-abiding demonstrators.

It is equally clear that he, Mr. Trump, offered Mrs. Pelosi and Ms. Bowser, and advised them to accept, the reinforcement of 20,000 national guardsmen, which they declined. The Biden administration spent over two years sweating hundreds of improperly detained, uncharged suspects from that day, and despite the notorious ability of the corrupt American

prosecution system to extort and suborn evidence through misuse of the plea-bargain and cooperating witness system, they still have no evidence against Mr. Trump.

There has never been a cease-fire since Trump assaulted the complacent, seedy, and profoundly inadequate OBushinton bipartisan establishment, including the McRomBush Republican Losing Society. They discounted Mr. Trump as a joke, and when he was elected, they have spent every subsequent day trying to destroy him.

There seems to have been a race among the various officials who have been making jackal-attacks on Mr. Trump, to see who can hand up an indictment against Mr. Trump first, no matter how spurious it may be. The competition includes the utter idiocy of the claim of improper interference in the Georgia presidential election, where the governor and secretary of the state rolled over like poodles for Stacey Abrams in inundating the state with unverifiable harvested ballots in 2020.

This is not just the logical extension of the many pandemics of nasty politics and dirty tricks of the past. The [Struldbuggs](#) of the Watergate bloodless assassination, Woodward, Bernstein, and Dean, still intrude in our homes by television, complaining about Richard Nixon, of whom there remains no conclusive evidence that he committed any crimes and who was, in any case, an outstanding president.

The two guard rails that have ultimately kept American presidential politics within manageable parameters are that the court system will not alter the apparent result of a presidential election, and former presidents are not indicted.

Mr. Trump is right to call for demonstrations as long as they are peaceful, and all Republicans must support him on this issue or lose any credibility as Republicans. Donald Trump has received more votes for President of the United States than any individual in history, and a large number of supporters

know that their very right to vote for him is being undermined in ways that are a spectacular affront to any pretense to legal norms, professional conduct standards, or the retention of a political system that maintains more than a vestige of fairness and impartiality.

All Americans who support a just political system that accurately reflects the democratic wishes of the citizens, must support the former president and current leading presidential contender. The Trump-haters are now so rabid and trigger-happy, they are threatening the entire system, and have to be excised, like Colonel Kurtz in "Apocalypse Now," (without violence, of course). Any level of coherent, legal protest is now justified against this disgusting descent into total-immersion, partisan sleaze.

There is no precedent for such corruption of the justice system in a U.S. presidential election, and the only way to discourage it is to ensure that it is a total failure. If any of this is successful, it is the end of the United States as a reliable democracy. If the country doesn't want Mr. Trump, it can vote against him; if it does want him, it should have him.

Those Republicans who bolted Mr. Trump to support Joseph Biden in 2020 should now have reached a state of almost terminal guilt and shame, not just for their role in elevating a terribly incompetent administration, but for colluding with the demon of Trump-hate, and they should not imagine that they can escape opprobrium by skulking through the back door into Governor DeSantis's campaign.

Mr. DeSantis would be a strong candidate and an excellent president, but not if he does not attack the political destroyers of his fellow Republican (and a benefactor in his political career). The authentic Republicans can choose whether it is Mr. Trump or Mr. DeSantis that they wish as a candidate (the others are running for vice president).

Whichever is nominated should have the honor of delivering this discordant Gong Show of an administration to the proverbial dustbin of history. Corrupt American prosecutors who win a totalitarian, 98 percent of their cases, 95 percent without the irritating formality of a trial, should now be taught a lesson that they and their profession will never forget. The life and death of American democracy are at stake.

First published in the [*New York Sun*](#).