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USA

Trump Faces Four Trials, Uses Charges Against Him to Fuel Campaign

- IV Online magazine - 2023 - IV584 - September 2023 -

Publication date: Sunday 3 September 2023

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Former president Donald J. Trump's presidential campaign and his coming trials are driving the United States toward an unprecedented constitutional crisis.

Trump, the first former president ever to be indicted, has been indicated in four different federal and state courts on a total of 91 charges, many of them serious felonies; if he were convicted of them all, he could face up to 712 years and six months in prison. Still, he remains the leading candidate in the Republican Party and he has used the accusations against him to rally his followers and to raise millions for his campaign and his legal defense. After his booking for his last indictment in the State of Georgia, the Trump campaign put his mug shot on t-shirts and coffee mugs and raised another \$7.1 million. He argues and his followers believe that all of the charges are a conspiracy by President Joe Biden and the Democrats to destroy Trump before the November 2024 election.

The legal issues are complicated.

The hush money case. Trump is charged in the State of New York with 34 counts of falsifying business records. These are the result of Trump paying off porn actress Stormy Daniels in 2016 to avoid a sex scandal. The trial is scheduled for March of 2024.

The documents case. Trump is charged by the U.S. Federal court in the Southern District of Florida with 40 criminal counts of removing from the White House classified government documents, obstructing justice, and defying a subpoena. The case is set for trial in May 2024.

The insurrection case. Trump is charged in U.S. Federal courts in the District of Columbia with four counts of election subversion. He is accused of attempting to defraud the government, to disfranchise voters, and obstructing official proceedings. This trial is also to take place in March 2024.

The election subversion case. Finally, in the State of Georgia, Trump and 18 others are charged with 13 criminal counts of racketeering, attempting to get a public officer to violate his oath, filing a false document, conspiring to commit impersonation of a public officer, making false statements, filing false documents and committing forgery. The trial is set for October 2023.

Trump will attempt to delay all of these trials.

Given the number and the complexity of these cases, it is not clear that any of them can take place before the Republic Convention in July 2024 when the party's presidential candidate will be nominated. He might be tried and convicted, but he could still legally run for president. If convicted of crimes but also elected president, Trump may use the presidential power to pardon himself, though that might be challenged in the Supreme Court. And a constitutional crisis thus arises.

The Fourteenth Amendment. In addition to the court cases, some liberal and conservative legal scholars are arguing that Trump could be disqualified under the Fourteenth Amendment's "insurrection clause." Adopted in 1868 after the Civil War, the clause disqualifies anyone who participated in an insurrection against the U.S. government. Cases have already been filed arguing that Trump's role in the January 2021 insurrection and his attempt to steal the election make him ineligible.

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Among Republican candidates, according to a Wall Street Journal poll, Trump leads with 59 percent and his closest challenger, Florida Governor Ron DeSantis, has only 13 percent. In a national contest the poll suggests Trump would beat Biden 40 to 39 percent with some votes going to third party candidates. Voter turnout and independent voters will be decisive.

Biden is 80 years old, the oldest presidential candidate in U.S. history and at present only 42 percent of voters approve of him. But a recent AP-NORC poll shows that two-thirds of U.S. voters would not vote for Trump in 2024. So though they wish they had a different, younger candidates, it is likely Democrats will rally to Biden who has proven he can beat Trump. In a future article we will look at the left and the election.

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