

Michael Cohen testifies in Trump ‘hush money’ fraud trial

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Former Trump attorney Michael Cohen took the stand Monday as a prosecution witness in the criminal trial of the ex-president in Manhattan. The all but certain presidential nominee of the Republican Party in this year’s presidential election faces 34 felony counts of falsifying business records in connection with the hush money payment to pornography film actress and director Stormy Daniels.

As the WSWWS has previously observed, the hush-money case is both a diversion and a triviality compared to Trump’s real crimes against the working class, particularly immigrants, and his criminal effort to overthrow the US Constitution and remain in office after his defeat in the 2020 elections. But it is the only case likely to be tried before the election, with legal maneuvers by Trump and judicial interventions by pro-Trump judges pushing off the more substantial cases until after November 2024.

Cohen is the central witness in the case, since he carried out Trump’s order to pay \$130,000 to Daniels to stop her going public during the final days of the 2016 election campaign with her story of a sexual encounter with Trump in 2006, ten years earlier. He testified in detail Monday about his longtime role as “fixer” for the real estate billionaire and reality television star, long before his run for president, launched in the summer of 2015.

It was Cohen who Trump commissioned to handle various kinds of social and business embarrassments, with a combination of bribery and bullying. This included earlier dealings with Daniels, in 2011, when her sexual liaison with Trump first became public on a gossip site. Cohen eventually prevailed on her to sign a non-disclosure agreement, which she later violated, incurring substantial damages.

In 2016, Daniels came forward again, with her

attorney Keith Davidson demanding a payment of \$130,000 in return for Daniels keeping silent. The timing of this demand was critical—a few days after the release of the Access Hollywood tape, on which Trump can be heard boasting of his ability, as “a star,” to engage in sexual assault on any woman he chose, and only two weeks before the 2016 election.

Trump has claimed that he authorized the payment to Daniels to protect his family, not to protect his election campaign, since in the latter case the payment would have to be documented as a campaign expense, or a campaign contribution by Cohen, since he initially made the payment from his own home equity account.

But Cohen’s testimony shreds the credibility of the family motivation claim—what little there was—giving a grim portrayal of Trump’s attitude to his wife Melania and human relations as a whole.

When Cohen asked Trump what Melania’s reaction would be when the facts about his encounter with Daniels came out, Trump told him crudely not to worry: “How long do you think that I’ll be on the market for? Not long.”

This testimony sheds more light on the thuggish character of the billionaire fascist, which hardly needed much illumination after seven years in the political spotlight and four years in the White House.

Cohen’s testimony, which continues Tuesday, completes the picture of the criminal milieu out of which Trump emerged, with a seediness and brutality worthy of Dashiell Hammett: first the call girl, then the fixer, and overseeing it all, the gangster boss.

After the lurid testimony of Stormy Daniels last week, Cohen’s testimony so far has been focused on documents and business arrangements. He spent much of Monday corroborating the accounts already given by other witnesses, like David Pecker of the *National*

Enquirer and Daniels' lawyer Davidson.

But Cohen is so far the only witness who had direct, face-to-face meetings with Trump both about the hush money payment to Daniels, and about how the money that Cohen laid out would be reimbursed to him by the Trump Organization, in the guise of payment for "legal services." He said that Trump was intimately involved in these discussions, and that "everything required Mr. Trump's sign-off."

The other man who could give eyewitness testimony about these arrangements is Allen Weisselberg, former CFO of the Trump Organization, who is presently serving a prison term at Rikers Island for perjury in the civil case brought over that company's financial statements. He has a \$750,000 "severance" agreement with the Trump Organization which was apparently made to ensure his future silence, and prosecutors did not call him as a witness, feeling he would likely refuse to testify.

Last Friday, Judge Juan Merchan raised the possibility of calling Weisselberg into court and asking him directly to testify. This was in response to an objection by Trump's lawyers to the prosecution introducing as evidence the severance agreement.

"What we are trying to do is to explain from our perspective why he's not here," prosecutor Christopher Conroy said. "There are a host of reasons that Mr. Weisselberg is not going to be a witness in this case," defense lawyer Emil Bove argued. "It's a very complicated situation and it's not completely explained by this document."

Merchan said he would hold the issue for further consideration.

The case against Trump brought by Manhattan District Attorney Alvin Bragg is a legal stretch, since the falsifying of business records is normally a misdemeanor, and only becomes a felony when it is done to further another crime, in this case a campaign finance violation by Trump in his successful 2016 run for the presidency. The payment was clearly campaign-related, but not reported to the Federal Election Commission by the Trump campaign, as coming either by Cohen or the Trump Organization. The FEC, however, did not choose to prosecute that violation against a victorious candidate who was by then in the White House.

As the first ever criminal case against a US ex-

president, the hush money case involves the raging political crisis within the ruling class, as factions aligned with the Democratic Party and with the increasingly fascist Republican fighting out political differences—largely revolving around foreign policy—in the arena of the courts.

The goal of both sides is to avoid any airing of the real issues in front of working people in order to forestall any independent intervention of the working class to oppose both the drive to imperialist war spearheaded by Biden and the Democrats and the preparations for a fascist seizure of power spearheaded by Trump.



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