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American Show Trial: A Modern Miscarriage of Justice

“We realize now that the public trials were only the surface indications of the mole’s tunnel, and that all the main digging lay beneath the surface.” — *Aleksandr Solzhenitsyn*

The trial and conviction of former President Donald Trump concerning alleged hush-money payments during the 2016 presidential campaign has ignited a firestorm of debate about the fairness and impartiality of the American judicial system. Legal experts and laymen from both ends of the political spectrum argue that the trial was not about justice, but was a politically motivated process designed by Democrats to punish and oppress a powerful and popular political opponent.



AP Images

There are chilling similarities between the Trump hush-money trial and the infamous Stalin-era Soviet show trials — both are stark examples of predetermined persecution of political foes, motivated exclusively by a partisan agenda, nearly devoid of due process and lacking the hallowed hallmarks of justice.

The Trump Hush-money Trial

Donald Trump was charged with and convicted of making payments to an adult film actress to prevent her from going public with her claim of having had an extramarital affair with the future president. These payments allegedly occurred during the 2016 presidential campaign, and a jury apparently was convinced that Trump knowingly made these payments with the intent to unlawfully influence the election by preventing the woman from disclosing potentially damaging information.

The contortions of criminal statutes that were required to cobble together a felony conviction in the case against Trump stretched the credulity and comfort of even some of the most passionate partisans. [As I reported in *The New American* on May 21, 2024:](#)

The case against Donald Trump in the New York hush-money scandal rests on some shaky legal ground. Here’s why:

Firstly, for the misdemeanor charge, prosecutors need to prove Trump intended to defraud. For the felony charge, they must show he *intended* to commit or cover up another, separate crime. This second crime *must* involve unlawful means and a conspiracy. So, the threshold questions are: Who was defrauded, and what unlawful act was carried out to cover up that fraud?

Next, for these acts to be felonies, the allegedly fraudulent business records must be both



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fraudulent *and* unlawful. Is paying hush money either of those things? If so, then it is the obligation of the state prosecutor to prove that, and in this case, they've brought forth not a single sheet of evidence that would meet that legal standard.

Lastly, the legal standard is that the alleged criminal act — in this case, falsifying business records — must have been done fraudulently and unlawfully, *and* for the purpose of interfering in an election. Each of those three elements of the charges must be proven beyond a reasonable doubt for a defendant facing these charges to be found guilty, even if that defendant is Donald Trump.

Regardless of how illegitimate and indefensible the verdict, the Deep State's legal apparatus was able to accomplish the goal of weaponizing the judiciary and turning those weapons on Donald Trump. Since his election in 2016, Trump has been a polarizing figure, facing relentless opposition from various political and media establishments. The hush-money verdict was considered by many to have been the successful culmination of years of concerted and conspiratorial efforts to discredit and delegitimize his presidency, raising the specter of a modern-day witch hunt.

Beyond its statutory deficiencies, several other critical aspects of the trial raised serious concerns about its fairness. First, the timing of the prosecution, coinciding with Trump's continued influence in the Republican Party and potential 2024 presidential bid, suggested a purely political motive. Second, the intense media scrutiny and pervasive bias against Trump created an environment in which a fair trial was all but impossible. The presumption of innocence, a cornerstone of the American legal system, was overshadowed by a presumption of guilt fostered by a hostile media, partisan political adversaries acting as officers of the court, and a choice of venue from which the selection of a fair and impartial jury of Trump's peers was nearly impossible.

This sort of finely orchestrated and precisely targeted lawfare waged against political enemies was a favorite tactic of the regime of Soviet dictator Joseph Stalin.

Soviet Show Trials: A Historical Parallel

The Soviet show trials of the 1930s — also known as the "Great Purge" — commanded and coordinated by Joseph Stalin were a series of highly publicized tribunals used to eliminate political opponents such as Trotskyites and Bolsheviks unhappy with Stalin's leadership, clearing the way for Stalin's complete consolidation of power. These trials were characterized by forced confessions, fabricated evidence, and predetermined verdicts. Key figures within the Central Committee of the Communist Party, the Soviet military establishment, and the civilian intelligentsia were accused of treason, espionage, and other crimes against the state.

The Soviet show trials were meticulously planned spectacles designed to demonstrate the regime's totalitarian control. Defendants were often subjected to intense psychological and physical torture to extract confessions. The trials themselves were mere formalities, with verdicts and sentences decided long before the proceedings began. The outcomes, far from being acts of justice, were meant to serve as stark and unmistakable warnings to others who posed or planned to pose any challenge to Stalin's authority, and that this authority would and could extend over the life and death of any man, depending on his willingness to submit to Stalin's autocracy.



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Tyrant: Joseph Stalin orchestrated the Soviet show trials, using them as a tool to eliminate political opponents and consolidate his power through forced confessions and executions. (Franklin D. Roosevelt Library Public Domain Photographs)



This article chronicles four of these theatrical performances masquerading as justice, beginning with the first important show trial, the Shakhty Trial of 1928.

- *The Shakhty Trial (1928)*: This trial targeted engineers and technicians accused of sabotage and industrial “wrecking,” a crime invented during the Stalin era to accuse professionals and other intelligentsia with “counter-revolutionary sabotage.” This was the beginning of the use of class warfare to persuade the population that men with more appropriate attitudes toward the revolution should replace the well-paid professionals who did not demonstrate acceptable eagerness to supplant the policies of Lenin with those of Joseph Stalin. The defendants were forced to confess under extreme duress, and the trial served as a propaganda tool to justify Stalin’s purges and consolidate his control over the industrial sector.
- *The Trial of the Sixteen (1936)*: This was the first of the Moscow trials, where prominent Bolsheviks, including Grigory Zinoviev and Lev Kamenev, were accused of conspiring with Leon Trotsky to overthrow the Soviet government. The defendants were subjected to severe torture, resulting in forced confessions. The trial was a sham, with guilty verdicts predetermined, and all were executed.
- *The Trial of the Seventeen (1938)*: Another show trial orchestrated by Stalin during the Great Purge, this one targeted prominent Bolsheviks, accusing them of treason and conspiracy. These veterans of the Russian Revolution were dissatisfied with the economic policies of Stalin’s regime and represented a threat to his hegemony. The trial was marked by forced confessions and fabricated evidence, and ended with executions or lengthy imprisonments.
- *The Trial of the Twenty-One (1938)*: This trial targeted the so-called Anti-Soviet Trotskyist Center and included prominent figures such as Nikolai Bukharin and Alexei Rykov. Once an ally of Stalin, Bukharin was accused of “capitalist deviations,” and leaked statements criticizing Stalin marked him for a fall from power and prosecution by the state. Bukharin’s attempts to reconcile with Stalin were futile, as wiretaps on his phone revealed his penitence to be pretense. Like the previous trials, it featured coerced confessions and fabricated evidence. The result of the proceedings was a foregone conclusion



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— the execution of most defendants.

The primary motivation behind the Soviet show trials was removal of political rivals, with intimidation of would-be challengers in the party and the population being a close second. Joseph Stalin placed the hammer and sickle in the hand of the judiciary, eliminating rivals and instilling fear within the populace, ensuring unquestioned loyalty to his regime. The trials were not about justice or the rule of law, but about a ruthless demonstration of irresistible power and the silencing of political dissent.

Ultimately, none of the defendants could have been treated fairly or permitted even the most perfunctory level of judicial due process without it being interpreted as tolerance of an impermissible ideology.

Comparing the Trump Trial and Soviet Show Trials

One of the most striking similarities between the Trump hush-money trial and the Soviet show trials is the perception of predetermined outcomes. In both cases, the trials served political ends rather than the pursuit of justice. For Trump, the relentless pursuit by political adversaries and the media's portrayal of guilt suggest a predetermined effort to tarnish his legacy and prevent his political resurgence. The Soviet show trials were blatant in their predetermined nature, with the outcomes decided long before the trials commenced.

Both the Trump trial and the Soviet show trials are rooted in political persecution. In the Soviet Union, Stalin used show trials to eliminate his enemies and secure his dictatorship. In the United States, the prosecution of Trump is seen by many as an attempt by the Deep State to neutralize a formidable political opponent. The use of the legal system as a tool for political persecution undermines the fundamental principles of justice and rule of law. The parallels are clear: Both serve as instruments of political power, crushing opposition under the guise of legality.

The role of the media in shaping public perception is another common thread. Soviet show trials were heavily publicized, with state-controlled media portraying the defendants as enemies of the state and threats to the peace, safety, and progress of the Soviet Union. Similarly, the media's coverage of the Trump trial has been overwhelmingly negative toward Trump, contributing to a public perception of guilt. The media's influence in both cases created a hostile environment where a fair trial became impossible. In the case of Trump, the media often acted as judge and jury, amplifying accusations and ignoring exculpatory evidence, mimicking the propaganda tactics of Soviet-era news outlets.

The impact of these trials on society is profound. The Soviet show trials created an atmosphere of fear and mistrust, eroding public confidence in the legal system. In the United States, the legal harassment of Donald Trump has widened political divisions, and fostered among his supporters a perception of injustice. When the legal system is perceived as an appropriate weapon for political attacks, it undermines the rule of law and threatens the fabric of freedom. The societal consequences of such miscarriages of justice are long-lasting, breeding cynicism and distrust in institutions meant to uphold fairness and integrity.

As Americans reflect on the Trump trial, it is essential to remember the lessons of history. The Soviet show trials stand as a stark reminder of the consequences of allowing partisan politics to dictate the definition of justice. Upholding the rule of law and ensuring that all individuals receive a fair trial, regardless of political affiliation, is paramount to preserving the integrity of the legal system and the



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republican ideals upon which the United States was founded. The Trump trial should serve as a wake-up call, prompting a recommitment to impartial justice and the rule of law, lest America repeat the dark history of political persecution masked as legal proceedings.



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