

Opinion **Donald Trump**

## Trump's guilty verdict puts America's political system on trial

The Republican candidate's court of appeal will be the US electorate

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Donald Trump arrives back at Trump Tower after being convicted in his criminal trial © Timothy A Clary/AFP/Getty Images

**Edward Luce** YESTERDAY

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“I’m a very innocent man,” said Donald Trump moments after a jury of his peers unanimously pronounced him guilty on all counts. There, in a nutshell, is the reality facing America. One of its two main White House contenders is a felon whose campaign is based on claiming the system is rigged.

The Republican party’s nominee now joins his [former campaign manager](#), [senior political adviser](#), [chief White House strategist](#), and [national security adviser](#) as a convicted criminal. The jury’s speed and unanimity leave little doubt about the watertightness of the verdict. No matter what his lawyers advise, Trump’s court of appeal will be the US electorate.

To say that American society is a hung jury would be an understatement. Within minutes of the verdict, [senior Republicans rushed](#) to condemn the trial as a politically motivated sham and a travesty of justice. Democrats were commensurately jubilant that justice had been served and that no man is above the law.

These polarised reactions were both unsurprising and ominous. They seal this [presidential election’s](#) fate as a contest over the rule of law. Other factors — notably the economy, immigration, Joe Biden’s age and women’s bodily autonomy — will heavily influence the outcome. But the stakes in November are about the legitimacy of the system

the system.

“They’re not after me, they’re after you, and I’m in the way,” Trump has said. He has also vowed to be “your retribution”. Expect that theme to dominate everything he does from now on. The fact that his sentencing hearing will take place just four days before the Republican National Convention in Milwaukee in mid-July seals the script.

Given the strength of [Thursday’s verdict](#), a Trump prison sentence cannot be ruled out. Even the maximum four-year term would not debar him from running for America’s highest office.

The big question is whether the verdict will sway the relatively small number of US voters who neither hate nor love him. Polls suggest that a large share of swing voters would view Trump differently if he were a convicted felon. But what people tell pollsters in the abstract has little bearing on how they will respond to the onslaught of contradictory propaganda they will now face.

Yet it is hard to imagine there could be an upside to Trump’s conviction. Even after his chief rival for the nomination, Nikki Haley, had dropped out of the race earlier this year roughly a fifth of Republican voters still voted “uncommitted” in the ensuing primaries. Were even a small share of those either not to vote, or go for Biden, it could tip the outcome in a close election.

Democrats should nevertheless be wary of pocketing a legal verdict as a political win. It is hard to forget the blanket of relief that spread among Democrats shortly before the 2016 election when Trump was revealed on tape to have boasted about grabbing women by “their pussies”. The phrase “game over” kept recurring. We know what happened next.

Moreover, only part of the US legal system showed it was working on Thursday. Of the four sets of indictments against Trump, the New York hush money case was considered to be the toughest [legally, but politically the least salient](#). The fact that Alvin Bragg, New York’s much-maligned public prosecutor, convincingly won his case, is a measure of why Trump has gone to such lengths to ensure the other trials do not happen before November.

## Have your say



The conservative-majority Supreme Court has been openly sympathetic to Trump’s claims of immunity from prosecution for acts he committed as president, including the allegation that he tried to overthrow an



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election. The court's delay on the immunity ruling has all but guaranteed Trump will not be tried before the election. That is a colossal failing of the US legal system.

On Thursday, a New York jury showed that no man is above the law. Their fellow Americans could over-rule that in November.

A majority of the country's highest court are siding with Trump. But the only court that matters now is the polling booth. Until then, it is premature to say the US system is working.

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