

The Delray Democrat

Weaponizing Government¹

Michael K. Cantwell

“He was always telling me that we need to use the F.B.I. and I.R.S. to go after people — it was constant and obsessive and is just what he’s claiming is being done to him now.”

Former chief of staff John F. Kelly

The claim that Biden’s Department of Justice is targeting Donald Trump and other Republicans is not just ludicrous. It stands truth on its head.

While president, Donald Trump used – or attempted to use – the powers of his office against those who had incurred his wrath, including Joe Biden, Hillary Clinton, John Kerry, James Comey, Andrew McCabe, Adam Schiff, and Eric Swalwell. Sometimes he succeeded, sometimes he was dissuaded by his appointees, and sometimes a merit-based, non-partisan civil service interfered with his efforts.

If elected in November, he has promised to use his powers to punish anyone he deems an “enemy” and to reclassify, fire, and replace tens of thousands of non-partisan civil servants with apparatchiks who will blindly do his bidding.

That’s more than weaponizing government. That’s full-bore fascism.

Prosecuting crime is an essential governmental function. Unless it is applied selectively or in the absence of any evidence of wrongdoing, it’s the way government protects the populace from predators.

No one possessed of the facts and capable of reason can argue Trump was singled out or that the charges lacked merit.

President Biden’s Department of Justice (“DOJ”) has prosecuted numerous Democrats, including his own son, Hunter Biden, Senator Robert Menendez, New York City Mayor Eric Adams, Former Tallahassee Mayor Andrew Gillum, Representative Henry Cuellar, and Former Representative Terrance John ‘TJ’ Cox, to name just a few.

And after Biden announced that classified documents had been found in his garage, Attorney General Merrick Garland appointed a Republican to investigate.

And there is ample evidence to support the two federal indictments of Trump.

¹ [The Delray Democrat](#), October 2024, page 1.

As to the indictments brought under New York and Georgia law, a New York jury found the evidence sufficient to convict Trump of 34 felonies. Trump's involvement in the "fake electors" scheme in Georgia alone is sufficient evidence to support an indictment, even without his threats on a recorded line that the Georgia secretary of state would face criminal consequences if he didn't "find" Trump enough votes to win the state.

The Classified Documents Case

Had Trump transferred the documents he and his staff created to the National Archives, as required by law and as requested by the Archives, he would not have been prosecuted. His behavior almost suggests he *wanted* to be indicted, and it's clear that he rode his phony victimization straight to the Republican nomination.

As set forth in more detail on page 14, Trump ignored repeated requests from the Archives, and it took 18 months, a grand jury subpoena, and a search warrant before the Archives received more than 300 classified documents, over 100 of which were marked "secret" and another 47 marked "top secret."

The January 6 Insurrection

Trump knew that he lost the 2020 election, and so he attempted to steal it, first by filing frivolous lawsuits claiming that there was fraud and then by pressuring his Justice Department to state that it has found evidence of fraud.

That was a bridge too far for the otherwise odious Attorney General, Bill Barr, who announced his resignation as Trump's Attorney General on the day the Electoral College certified Biden's victory. Barr later stated that Trump knew he lost and called his attempts to overthrow the election "nauseating" and "despicable."

Trump's administration did not lack for scoundrels willing to help subvert an election, but some members put country before party, blocking an attempt to install Jeffrey Clark as Attorney General. Unlike Barr and his replacement, Acting Attorney General Jeffrey Rosen, Clark offered to open an investigation into alleged voter fraud in Georgia and told Rosen that Trump intended to appoint him .

The leadership of the Justice Department threatened to resign en masse if Trump appointed Clark, and he pulled back. For his efforts to help Trump, Clark was later indicted in Georgia for racketeering in connection with the "fake electors" scheme. In October 2023, a panel of the D.C. bar recommended his law license be suspended for two years.

And then Mike Pence refused to go ahead with Trump's request to reject the electors from the battleground states and throw the election to the House.

All that was left to Trump was a violent putsch, so he summoned a mob to Washington: "Be there. will be wild," he [tweeted](#). He reportedly delighted in the violence, something that should not surprise anyone.

On the day of the attempted insurrection, Trump was told that many of those who answered his

call were being denied access to the area where he would be speaking because they were carrying weapons. Furious, he [directed](#) an aide to let them through the metal detectors: “*I don’t effing care that they have weapons, they’re not here to hurt me.*”

He endangered the life of his Vice President, telling the crowd, “Mike Pence didn’t have the courage to do what should have been done.” Knowing they were armed, he directed a mob to march on the Capitol, warning them, “if you don’t fight like hell, you’re not going to have a country anymore.”

The mob ran wild through the halls of Congress for more than 3 hours, hunting for a vice-president to hang and members of Congress to maim. According to testimony at the January 6 hearing, Trump not only refused to call off his mad dogs but was reportedly enjoying the violence and mayhem.

When told that Pence was being hustled to safety, Trump said, “[So what](#)”?

Notwithstanding the Supreme Court’s attempt to hand Trump a get-out-of-jail card by immunizing “official acts,” even this Court—a serious contender for the most reviled in United States history—would be hard pressed to call inciting a mob to commit mayhem an “official act.”

Nor would it be protected by the First Amendment. In *Brandenburg v. Ohio* (1969), the Supreme Court held that “mere advocacy” of violence falls within the rubric of the First Amendment, but that “incitement to imminent lawless action that is likely to result in such action” does not. The lawlessness he incited was not merely “likely” but in fact occurred.

Trump Weaponized and Tried to Weaponize Government When He Was President

Not only has Trump told us that, if elected, he will use government to punish his enemies, but he *did or tried to do* exactly that when he was president.

At the beginning of his term, Trump appointed Republican attorney Geoffrey Berman as U.S. Attorney for the Southern District of New York. Here’s how Berman [summarized](#) his tenure:

Trump’s Justice Department kept demanding that I use my office to aid them politically, and I kept declining — in ways just tactful enough to keep me from being fired.

Eventually Berman’s luck ran out, and he was fired by Bill Barr, perhaps the worst Attorney General since John Mitchell shilled for Richard Nixon. Here are some highlights from a [book](#) Berman published after he rejected Barr’s invitation to resign and was fired. By forcing Barr to fire him, Berman ensured that his deputy would succeed him, blocking Barr from appointing his replacement.

After Berman’s office investigated several Trump allies and secured a guilty plea from Michael Cohen, the deputy was approached by a high-ranking official in Trump’s DOJ. He was pressed to file charges against Gregory B. Craig, former counsel to Barack Obama, “before the 2018 midterms,” then only 2 months away. The deputy was told: “**It’s time for you guys to even things out.**”

Berman refused and the case ended up being shopped to the U.S. Attorney in Washington, where Craig was indicted but later found innocent by a jury that deliberated for less than 5 hours. One of Craig's lawyers complained that his client had been "*hounded . . . without any evidence and without any purpose.*" That's a good definition of "weaponizing government," one of the few things Trump does well.

The Trump DOJ also tried to force Berman to indict John Kerry, the former Secretary of State and principal architect of the six-nation Iran nuclear agreement that Trump later blew up. Trump was peeved about reports Kerry had engaged in conversations with Iranian and other officials and tweeted, "Big violation of Logan Act?"

Given Trump's monumental ignorance, it's likely someone had told him about the Logan Act without adding, as [The Times](#) did, that it was "a rarely invoked 1799 statute barring private citizens from unauthorized negotiations with foreign governments, which has been criticized as unconstitutionally vague." If Joe Biden wanted to weaponize government, he could have ordered his DOJ to charge Trump for having seven phone conversations with Putin after leaving office.

White House Counsel Donald McGahn advised Trump against proceeding and had White House lawyers prepare a memo advising Trump of the consequences were he to order to Justice Department to proceed. In a Project 2025 dystopia, there will be no one to rein him in.

Weaponization on Steroids: People Get Ready

Courtesy of [Citizens for Responsibility and Ethics in Washington \(CREW\)](#), here are some of the people Trump has already threatened to jail if he is elected to another term:

- President Biden tops the list. "Trump has threatened him with FBI raids, investigations, indictments and even jail time." On three occasions, Trump vowed to prosecute President Obama for "capital murder" in connection with two American civilian casualties during a drone strike..
- Then there are those he deems responsible for his legal woes: Alvin Bragg should be "[put in jail](#)," and Letitia James and Arthur Engoron should be "[PLACED UNDER CITIZENS ARREST](#)." Trump reposted a tweet suggesting that Jack Smith, Fani Willis, Alvin Bragg, Merrick Garland, and Joe Biden be charged with [conspiracy and racketeering](#) for their involvement in Trump's indictments.
- Trump's claims that the 2020 election was stolen were rejected by more than 60 courts, but if he wins this election, anyone this pathological liar deems to have "cheated" will face prosecution:
- WHEN I WIN, those people that CHEATED will be prosecuted to the fullest extent of the Law, which will include long term prison sentences" Please beware that this legal exposure extends to Lawyers, Political Operatives, Donors, Illegal Voters, & Corrupt Election Officials."

Trump has also [threatened](#) to jail Mark Zuckerberg in connection with the 2024 election:

“We are watching him closely, and if he does anything illegal this time he will spend the rest of his life in prison.”

Think Zuckerberg isn't intimidated? *The Times* recently reported that [Mark Zuckerberg Is Done With Politics](#). Actually it's even worse than that. *Mother Jones* [reported](#) that the weaselly billionaire:

Twice talked to Donald Trump by phone this summer, while his new Republican political attaché has sought to reassure the ex-president that Zuckerberg has no plans to spend money shoring up election infrastructure this year. It does not really get more political than a pleasant phone call with a man who tried a coup.

And just this week, craven fellow billionaires Jeff Bezos and Patrick Soon-Shiong ordered their respective papers—*The Washington Post* and *The Los Angeles Times*—not to publish the endorsement of Kamala Harris the editors had already prepared.

Marty Baron, the former editor of *The Washington Post*, [tweeted](#):

This is cowardice, with democracy as its casualty. @realdonaldtrump will see this as an invitation to further intimidate owner @jeffbezos (and others). Disturbing spinelessness at an institution famed for courage.

This kind of cowardice is what allowed Hitler to solidify control at a time when he could have been stopped easily.

I'll close where I began, quoting from former Chief of Staff John Kelly's [interview](#) with *The New York Times*.

By contrast with the foregoing craven billionaires, it was brave to apply the f-word to Trump, but Kelly was very careful about how he arrived at that conclusion. He began by defining “fascism”:

It's a far-right authoritarian, ultranationalist political ideology and movement characterized by a dictatorial leader, centralized autocracy, militarism, forcible suppression of opposition, belief in a natural social hierarchy.”

Then—almost as if the choice between a Republic and a fascist state were simply a matter of taste, like whether one prefers Pepsi to Coke — he noted that fascism encompasses “the kinds of things that [Trump] thinks would work better in terms of running America.”

Summing up, he concluded, “certainly the former president is in the far-right area, he's certainly an authoritarian, admires people who are dictators — he has said that. So he certainly falls into the general definition of fascist, for sure.”

But what best defines Trump—and why he is the greatest internal threat we have faced — is Kelly's further observation that Trump “never accepted the fact that he wasn't the most powerful man in the world — and by power, I mean an ability to do anything he wanted, anytime he wanted.”

That's not Hitler's theory of government—it's Caligula's.