Opinion
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Then-President Donald Trump gives Laura Ingraham a kiss after inviting her on stage during the Turning Point USA Student Action Summit at the Palm Beach County Convention Center, on Dec. 21, 2019, in West Palm Beach, Fla. After Trump was indicted on four charges Aug. 1, Ingraham, on Fox News, invoked his right to free speech. (AP/Luis M. Alvarez, file)



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I want to play poker with Laura Ingraham. She isn't a very good liar. The Fox News host was having trouble Aug. 1 when news broke that former President Donald Trump had been indicted on charges relating to his efforts to overturn the election. The indictment is damning, and those whose job it is to provide cover for Trump had their work cut out for them.

Ingraham invoked President Trump's right to free speech, arguing he had every right to challenge the election results, just as Al Gore had done in the weeks after the 2000 election. The analogy is ridiculous on its face. Gore's efforts were supported by the Florida Supreme Court. Trump lost every legal challenge he mounted. And Gore never incited a mob, never asked about removing the metal detectors from a venue and when his legal attempts had run their course, he conceded.

The First Amendment argument was just as ridiculous. Ingraham always reminds us she is a lawyer so she understands this indictment poses no threat to anyone's First Amendment right to free speech. The third paragraph of the indictment makes this clear:

> The Defendant had a right, like every American, to speak publicly about the election and even to claim, falsely, that there had been outcome-determinative fraud during the election and that he had won. He was also entitled to formally challenge the results of the election through lawful and appropriate means, such as by seeking recounts or audits of the popular vote in states or filing lawsuits challenging ballots and procedures. Indeed, in many cases, the Defendant did pursue these methods of contesting the election results. His efforts to change the outcome in any state through recounts, audits, or legal challenges were uniformly unsuccessful.

Trump's words were not mere political speech but orders to subordinates aimed at subverting a legitimate election result. "Shortly after election day, the Defendant

also pursued unlawful means of discounting legitimate votes and subverting the election results," the indictment continues, and it spells out the four counts being charged.

To borrow an historical example, if I were to write an article about, say, Bishop Joseph Strickland, and I posed the question, "Will no one rid us of this troublesome priest?" my words would be protected by the First Amendment's guarantees of freedom of speech and freedom of the press. But when Henry II, frustrated with Archbishop of Canterbury Thomas Becket's refusal to bow to the royal will, famously asked, "Will no one rid me of this troublesome priest?" to a group of armed knights, four of those knights went to Canterbury and murdered Becket. Henry was forced to do public penance at Becket's tomb because his words were understood to be an order.

> The lessons in basic morality we all learned as children — do not lie, be considerate of others, don't steal — Trump sees these as hindrances and so he ignores them.
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Ingraham is no fool. She had to know that her argument was exceedingly unpersuasive. One of her guests, former Trump lawyer Tim Parlatore, raised a related question: Trump's state of mind. "He [Trump] received advice from some people and then he received advice from other people that contradicted that, so he should have followed the advice of people we agree with. … It really is all about what his state of mind is."

Parlatore added that he thought the indictment was "underwhelming on that point." Ingraham replied, "I think it’s beyond underwhelming."

Ingraham and Parlatore overlooked paragraph 90 of the indictment, which relates a conversation in which Trump tried to convince former Vice President Mike Pence to reject the electoral college votes of states that Trump lost narrowly. "The Vice President responded that he thought there was no constitutional basis for such authority and that it was improper," the indictment states. "In response, the Defendant told the Vice President, 'You're too honest.' "

Trump knew.

Then-President Donald Trump and Attorney General William Barr are seen at Joint Base Andre

Then-President Donald Trump and Attorney General William Barr are seen at Joint Base Andrews, Md., Sept. 1, 2020. (CNS/Reuters/Leah Millis)

In David Frost's famous interview with disgraced former President Richard Nixon, the moment everyone's jaws dropped came when Nixon said, "Well, when the president does it, that means it is not illegal." It was possible to believe that Trump, like Nixon, had become such a narcissist, and he believed his own propaganda. Telling Pence "You're too honest" dispels that analogy. He is worse than Nixon. And the crimes alleged are worse than Nixon's.

And, of course, before the hour was up, Ingraham had to have a chat with Rep. James Comer of Kentucky about the evil doings of Hunter Biden. I expect that before this election cycle is over, a Fox News host or GOP congressional representative will make the case that it was not, in fact, the serpent who got Eve to eat the apple. It was Hunter Biden.

EWTN star Raymond Arroyo, who is a frequent guest on Ingraham's show, did not make an appearance the night the indictment was handed down. But on Aug. 2, Arroyo joined Ingraham to complain the White House was keeping Biden "out of sight" while the indictments captured the headlines. They showed footage of the Bidens dining at a restaurant near their Delaware vacation home, going to a movie and then strolling along the beach.

That's right, the Bidens are on vacation. The horror. Arroyo then attacked Biden's sister, Valerie, and Ingraham piped in to say the president's sister looks "like a combination of Jane Fonda and Judge Judy." At Fox and EWTN, this passes for cultural criticism.



Former U.S. President Donald Trump arrives at the Manhattan Criminal Courthouse in New York City April 4, 2023, after his indictment by a Manhattan grand jury following a probe into hush money accusations. He was arraigned Aug. 3 on four felony charges related to his efforts to overturn the 2020 election. (OSV News/Reuters/Brendan McDermid)

On EWTN's News Nightly, I was heartened to see them including a comment from former Arkansas Gov. Asa Hutchinson, who has been one of Trump's fiercest GOP critics. Alas, the quote was perfectly ambivalent: "Well, it's another sad day for America when a former president is indicted, particularly dealing with the lawful transfer of power from one administration to another administration." EWTN did post a quote from Pence's statement: "… anyone who puts himself above the Constitution should never be President of the United States."

Trump's former attorney general, William Barr, was interviewed by CNN's Kaitlan Collins, he did not mince words. "You read through the indictment and his behavior and it's nauseating. It's despicable behavior," Barr said. "Whether it's criminal or not, someone who engaged in that kind of bullying about a process fundamental to our

system and self-government shouldn't be anywhere near the Oval Office."

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Barr also dismissed the First Amendment argument and said that he was convinced Trump "knew well he lost the election."

I suspect Barr is correct, that Trump certainly knew the election had not been stolen. For me, however, what makes Trump most dangerous is not that he ignored the counsel of his own attorney general and that of the White House counsel. I do not expect any president to know the particulars of certain laws, such as those pertaining to the official records act at the center of the indictment in Florida. The point is not just what Trump did and did not know. It is that he didn't care. The lessons in basic morality we all learned as children — do not lie, be considerate of others, don't steal — Trump sees these as hindrances and so he ignores them.

The real danger Trump and his sycophants pose is not that they are immoral, but that they are amoral. That he and his followers often wrap their Nietzschean will to power in the cloak of religion is a form of idolatry, a violation of the First Commandment, not the First Amendment. That this imposture is given credence by one of the nation's most prominent Catholic media personalities, Ms. Ingraham, and on the nation's largest Catholic channel, EWTN, is appalling.