

# [***Judge Merchan Powerless to Stop Republicans Doing Trump's 'Dirty Work'***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6C1D-XH71-DY68-1009-00000-00&context=1516831)

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**Highlight:** The former president has brought elected Republicans with him to attend his Manhattan criminal trial.

**Body**

New York [*Supreme Court*](https://www.newsweek.com/topic/supreme-court?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) Judge Juan Merchan may be powerless to prevent [*Republicans*](https://www.newsweek.com/topic/republicans?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) from criticizing witnesses in former President [*Donald Trump*](https://www.newsweek.com/topic/donald-trump?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships)'s criminal trial, political scientists told *Newsweek.*

The former president is prevented from commenting publicly on witnesses, jurors or other people involved in the case [*due to a gag order*](https://www.newsweek.com/alina-habba-says-donald-trump-trials-have-hit-new-low-1900268?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) imposed on him by Merchan. However, on Monday, two [*Republican*](https://www.newsweek.com/topic/republican?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) senators attended the Manhattan trial and offered their views to the media.

Trump [*has been standing trial*](https://www.newsweek.com/donald-trumps-been-using-same-legal-strategy-almost-decade-cohen-1900140?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) for the past four weeks accused of 34 felony charges tied to hush money paid ahead of the 2016 presidential election. Trump has pleaded not guilty and repeatedly said that the case is part of a political witch hunt against him. *Newsweek* has reached out to Trump's team via email for comment.

**Republicans Attend the Trial**

Though Trump is able to criticize the judge, and took aim at Merchan in [*comments outside the court*](https://www.newsweek.com/donald-trump-angry-speech-outside-court-mocked-unhinged-1900166?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships)on Monday, social-media users said that Republican surrogates are being used to get around the gag order.

Entrepreneur and former Republican presidential candidate [*Vivek Ramaswamy*](https://www.newsweek.com/topic/vivek-ramaswamy?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) is due to attend court with Trump on Tuesday. Speaker of the House [*Mike Johnson*](https://www.newsweek.com/topic/mike-johnson?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) will also be there.

Early on Tuesday morning, Ramaswamy [*wrote a long post*](https://twitter.com/VivekGRamaswamy/status/1790351485219348666) on X, formerly [*Twitter*](https://www.newsweek.com/topic/twitter?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships). He called the trial a "sham" and a "a politically motivated assault on the leading candidate for U.S. President, green lit by his political opponent, [*Joe Biden*](https://www.newsweek.com/topic/joe-biden?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships), and carried out at the highest levels of the White House and [*Department of Justice*](https://www.newsweek.com/topic/department-justice?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships)."

Ramaswamy added that the trial was "an insult to American democracy. No one has a clue what the alleged crime even is."

On Monday, Senators [*J.D. Vance*](https://www.newsweek.com/topic/j-d-vance?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) of Ohio and [*Tommy Tuberville*](https://www.newsweek.com/topic/tommy-tuberville?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) of Alabama were among a number of Republicans who attended the trial, with Vance criticizing former Trump lawyer [*Michael Cohen*](https://www.newsweek.com/topic/michael-cohen?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships).

"This guy is a convicted felon who admitted in his testimony that he secretly recorded his former employer, that he only did it once allegedly, and that this was supposed to help Donald Trump," Vance said.

"Does any reasonable, sensible person believe anything that Michael Cohen says?" he added.

Cohen, who is [*considered a key witness*](https://www.newsweek.com/michael-cohen-testimony-appears-credible-legal-analyst-1900108?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) for the Manhattan District Attorney's Office, [*took to the stand*](https://www.newsweek.com/michael-cohen-testimony-appears-credible-legal-analyst-1900108?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) on Monday.

Tuberville called the courtroom the "most depressing thing I've ever been in."

"Mental anguish is trying to be pushed on the Republican candidate for the president of the United States," the senator said.

Representative Nicole Malliotakis, Iowa Attorney General Brenna Bird and Alabama Attorney General Steve Marshall were also at the courthouse on Monday.

Writing on X, Ron Filipkowski, editor-in-chief of MeidasTouch, said: "So basically Trump's game plan is to have rotating Members of [*Congress*](https://www.newsweek.com/topic/congress?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) show up, sit through 45 minutes of the trial, then have them come out and violate the gag order for him in front of the cameras."

MeidasTouch describes itself as "a pro-democracy news network." It was founded by the same people responsible for the MeidasTouch political action committee (PAC) that opposed Trump's reelection in 2020.

**Trump's 'Dirty Work'**

Thomas Gift, founding director of the Center on U.S. ***Politics*** at University College London, U.K., told *Newsweek* on Tuesday that it was "remarkable" how many Republicans were willing to act as the former president's surrogates.

"Whether it's carrying out shady business deals or trying to contaminate a jury pool, Trump always relies on his surrogates to do the dirty work for him," Gift said.

"The remarkable thing is just how many GOP underlings he has lined up eager and willing to do his bidding. For some Republican politicians, there seems to be no limit in how far they're willing to go in defending the leader of their party who's consistently scorned the very idea of the rule of law," Gift added*.*

**The Gag Order**

There is little that Judge Merchan can do about Republicans' public comments on the trial, according to Mark Shanahan. He is an associate professor in ***politics*** at the University of Surrey in the United Kingdom and co-editor of *The Trump Presidency: From Campaign Trail to World Stage.*

"In bringing MAGA-loyal members of Congress to the New York courtroom, the Trump team have found an effective, if possibly short-term, means to subvert the gag order on the ex-president," Shanahan told *Newsweek.*

"As defendant, the former president is bound by judicial rules, but his surrogate commentators are not; at least as long as they stay on the right side of the judge's tolerance," he said.

Shanahan added that "as long as they are not seen to be directed by Trump in the comments they make, their words sit outside Justice Juan Merchan's gag order, and they can make the kinds of attack on all aspects of the trial that the defendant can't.

"We're used to surrogates speaking on behalf of political candidate," Shanahan went on.

"Using lawmakers to skirt the laws during a legal action is quite the twist," he said. "The judge is undoubtedly wise to what's going on but is very limited in what he can do to make such surrogacy go away unless he finds a legal means to expand the gag order. That's not likely to be easy and would undoubtedly be contested."

[*Link to Image*](https://d.newsweek.com/en/full/2392628/donald-trump-appears-court.jpg)

**Graphic**

Donald Trump Appears in Court

Mark Peterson-Pool/Getty Images

Former U.S. President Donald Trump appears in court during his trial for allegedly covering up hush money payments at Manhattan Criminal Court on May 13, 2024 in New York City. Republicans have been attending Trump's trial.

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