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POLITICS

## ANALYSIS: The Tale of Two Legal Fates: Hunter Biden's Plea Deal and Trump's Indictment



Hunter Biden, son of President Joe Biden, looks on during a state dinner at the White House in Washington on June 22, 2023. (Anna MoneyMaker/Getty Images)

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## *News analysis*

Lots of presidents have had troublesome family members.

Billy Carter, the beer-drinking, public urinating brother of Jimmy Carter, got himself registered as an agent of the Lybian government, sparking a Senate inquiry.

Roger Clinton, the ex-convict half-brother of Bill Clinton, earned the Secret Service codename “Headache,” possibly due to antics like reportedly accepting a \$50,000 Rolex to lobby for the pardon of crime boss Rosario Gambino.

Then there’s Neil Bush, who was investigated, though not charged, for his role in the collapse of a \$1 billion savings and loan during the presidency of his father, George H. W. Bush.

When George W. Bush was president, his brother Neil entered a consulting agreement with a semiconductor company managed, in part, by the son of Jiang Zemin, then general secretary of the Chinese Communist Party and paramount leader of China.

A significant difference in the Hunter Biden case is that it lands side-by-side with federal charges against former President Donald Trump.



Former President Donald Trump appears in court at the Manhattan Criminal Court in New York on April 4, 2023. (Steven Hirsch/AFP via Getty Images)

Hunter Biden's alleged crimes will be settled by a guilty plea to two misdemeanor counts of tax evasion resulting in probation, plus a weapons charge that could be dismissed through a diversion program.

Meanwhile, Trump—Joe Biden's 2020 political opponent and possible presidential nominee in 2024—faces 37 felony counts related to the handling of classified documents.

The fact that the younger Biden's plea deal was announced barely a week after Trump was indicted in federal court only sharpens the contrast.

Critics see these cases as clear evidence of a double standard in the American justice system. For those in power, misdeeds and even criminal offenses are glossed over by the authorities. At the same time, the system is wielded like a club to embarrass, harass, or even imprison those who oppose the powerful.

Biden's defenders point out that the facts in each case and the seriousness of the alleged offenses are wildly different, and that the prosecutor offering the plea deal was appointed by Trump and retained in office by Biden to avoid even a hint of interference.

No matter. The perception of a double standard could impact the 2024 presidential election and, experts say, will almost certainly spark further distrust in and possibly changes to the Department of Justice (DOJ) in the future.

## Republicans Fired Up

Republican leaders responded immediately after the Hunter Biden plea agreement was announced on June 20 with the assertion that the deal proves the existence of a "two-tiered system of justice" in America, the kind usually seen only in notoriously corrupt countries.

“I, like tens of millions of Americans, am concerned ... about a two-tiered system of justice, like one set of rules for Republicans and one set of rules for Democrats,” former Vice President Mike Pence said in a televised interview on June 20.

“A ‘sweetheart’ deal for Hunter [and Joe], as they continue their quest to ‘get’ Trump, Joe’s political opponent. We are now a third-world country!” Trump wrote in a June 20 social media post.

Tulsi Gabbard, the former congresswoman from Hawaii who left the Democratic party in 2022, went further.

“Every banana republic or dictatorship has a two-tiered justice system. The ‘in-crowd,’ like Hunter Biden, get a slap on the wrist while dictators use federal law enforcement and government institutions as their own personal goon squad to go after political opponents,” Gabbard wrote on Twitter on June 21.

That idea, accurate or not, is likely to animate Republican rhetoric for some time, analysts say.

“The Republican candidates will likely have a field day with this development,” government analyst and former Navy intelligence officer Matt Shoemaker told The Epoch Times.

“It’s likely that Republican candidates around the country will bring this up on the campaign trail.”





Former Vice President Mike Pence gestures as he speaks in Las Vegas, Nev., on Nov. 19, 2022. (Wade Vandervort/AFP via Getty Images)

Despite the sermonizing, the most likely impact of the Biden deal on the election is a fundraising windfall for Republicans, some experts say.

Asked whether the Hunter Biden plea deal would hurt the president's chances of re-election, House Minority Leader Hakeem Jeffries (D-N.Y.) was matter of fact: "No," he told The Epoch Times.

Jeffries turned the narrative around, saying that the Republican attempt to impeach Biden would likely backfire. “All it will do is highlight that they have no plan, no vision, no agenda,” he said.

Rep. Diana Harshbarger (R-Tenn.), who is convinced the plea deal demonstrates a dual system of justice, is less certain that it will change minds. “Well, you know, that’s to be seen. I can’t predict the future,” she told The Epoch Times.

“There are absolutely no implications from the Hunter Biden plea deal on the 2024 presidential campaign because only MAGA Republicans actually care about Hunter or his crimes in the first place,” political analyst Andrew Lieb told The Epoch Times.

Democrats and independents are indifferent on the matter, he added. The real value of the plea deal is in fundraising.

“Only Republicans care about the plea deal, and it can therefore only be utilized as a talking point to rile their base and raise money,” Lieb said.

Indeed, Trump raised more than \$6.6 million following his indictment on federal charges according to a June 14 campaign email to supporters.

## Suspicious Confirmed

The more immediate effect of the plea agreement, juxtaposed with the Trump indictment, is that it tends to confirm the widely held belief that there really are two standards of justice in America.



That perception exists across the political spectrum, according to Marie Eisenstein, a professor of political science at Indiana University specializing in social trust and its impact on elections.



A woman stands with a sign that reads “No Justice No Peace” during a demonstration in St. Paul, Minn., on June 24, 2020. (Brandon Bell/Getty Images)

“There is a perception in this country that we actually have a two-tiered justice system, and that the accepted orthodoxy—no matter what the topic may be—happens to be more left of center than right of center,” Eisenstein told The Epoch Times.

“And then if you go against that, you’re far more likely to be dealt with harshly politically, in the media, and possibly legally,” Eisenstein said.

“The level of trust in this country is at an all-time low ... We are less trusting of each other, we are less trusting of our government than we’ve practically ever been. And I think the part of it is that we do not think that we have equal weights on the scales of justice,” Eisenstein said.

That perception crosses political and social boundaries, according to Eisenstein. She points out that many black Americans, who have tended to be politically liberal, see inequality in the justice system, and many white conservative Christians do too.

“They all apply it to different issues, but that’s the perception,” Eisenstein said.

## Fixing the System

The longer-term effect of the Biden plea deal and Trump indictment may be felt more in the DOJ and FBI than at the ballot box.

Based on those cases, and the general lack of trust in the American system of justice, some candidates have vowed to take corrective action if elected.

“If I have the privilege of serving back at that White House ... I promise you, we’re going to clean house across all the senior levels of the Department of Justice and the FBI,” former Pence said in a June 20 television interview.

“And we’re going to assemble a group of men and women of integrity that are respected on both sides of the aisle for their dedication to equal treatment under the law.”

Florida Governor Ron DeSantis made a similar pledge just after announcing his 2024 presidential bid.

“I would not keep Chris Wray as director of the FBI. There’d be a new one on day one,” DeSantis said in a May 24 television interview.

“I think the DOJ and FBI have lost their way. I think that they’ve been weaponized against Americans who think like me and you, and I think they’ve become very partisan. Part of the reason that’s happened ... is because Republican presidents have accepted the canard that the DOJ and FBI are independent,” said DeSantis.



The Federal Bureau of Investigation (FBI) headquarters in Washington on July 11, 2018. (Samira Bouaou/The Epoch Times)

“They are not independent agencies. They are part of the executive branch. They answer to the elected president of the United States.”

Special Counsel John Durham, who recently released a report on his review of the FBI’s handling of the 2016 Trump-Russia investigation, has said there should be rule changes at the FBI so agents are fired when they lie to misuse the government’s spying powers in investigations.

Yet all of this may be easier said than done.

## Up to the People

“The real difficulty, in my view, is trying to figure out how to hold people accountable for their conduct. It’s not a simple problem to solve,” Durham told the House Judiciary Committee on June 21.

Previous attempts to exert direct control over the DOJ and the FBI have often had the opposite effect, making them appear more partisan rather than less.

In 1973, at the height of the investigation into the Watergate break-in and coverup, President Richard Nixon ordered the firing of Special Prosecutor Archibald Cox, who had issued a subpoena for tapes of Oval Office conversations.

Trump himself was accused of political interference in the FBI by firing Director James Comey in 2017, apparently over his handling of the investigation into Russia’s suspected interference in the 2016 election and collusion with the Trump campaign.

Ultimately, ensuring equal justice is up to the American people, according to Harshbarger. Pointing to the Biden plea deal, she said, “They wouldn’t do that for you and your family. They wouldn’t do that for me and my family.”

“The American people have to look at their choices and options and say, Is this going to benefit my future down the road?”

*Petr Svab and Reuters contributed to this report.*

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