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King Comey Is Rigging The Election



By Marty Kaplan



JONATHAN ERNST / REUTERS

I was afraid that the October surprise was going to be an act of terrorism on U.S. soil. I thought that ISIS, like Putin, calculated that hothead Trump would better serve its interests than cucumber Clinton. I imagined that her response to an attack would be more like George W. Bush's bullhorn words ("I can hear you! ...And the people who knocked these buildings down will hear all of us soon!"), and Trump's more like General Curtis LeMay's ("We're going to bomb them back to the Stone Age"). At a moment like that, fury can trump steely; rage, I feared, would carry him to the White House.

What I didn't expect was that the bombshell would be dropped by the Director of the F.B.I. Nor did I appreciate how helpless that would make me feel.

Shockingly close to Election Day, James Comey's intervention upends Justice Department policy and precedent. It weaponizes Trump's propaganda. It blurs the separation of powers. It defeats due process. It puts us in Wonderland, casting Comey as consort to the Red Queen: "Sentence first, verdict afterward." It also demonstrates how little sway any of us outside the power elite has over this race, and how disconcertingly random history can turn out to be.

It's an illusion, a necessary patriotic fiction, that ordinary citizens shape the course of a campaign, that regular people drive the outcomes of elections.

Sure, small-dollar donors and huge crowds made Bernie Sanders' run a national phenom, and it pulled the Democratic platform toward the progressive wing of the party, but that didn't change the delegate math for the nomination, and there's scant evidence that the swing voters in swing states who'll decide this election will be motivated by left vs. right positions on the issues.

Trump claims the mantle of a populist movement, but what fueled that fire wasn't the civic energy of forgotten Americans; it was the billions of dollars' worth of free airtime afforded to his racism, misogyny, xenophobia and character assassination, a noxious brew whose entertainment value big media corporations shamelessly monetized by maximizing the dopamine squirting in their audience's lizard brains. This cliffhanger is a bonanza for a media industry doing everything it can to stoke the ratings its business model demands. But it's a total disaster — Trumpian hyperbole, I know, but in this case warranted — for democracy.

Phone-banking and precinct-walking will no doubt add volunteer muscle to Clinton's get-out-the-vote efforts, but I worry that the shade that Comey has thrown at her will have a greater impact on late-breaking deciders than the people power of her ground game on November 8th. No one knows whether this turmoil will prove toxic to Clinton's lead. Maybe she'll win anyway, despite Comey, as Electoral College projections still show, and maybe months from now, as I think likely, the F.B.I. will announce that they've found no new classified material on Anthony Weiner's laptop, thus changing nothing about the conclusion Comey announced in July: "No reasonable prosecutor" would bring a case against Clinton. On the other hand, maybe she'll lose, and the nation will hand its future to a morally vacuous narcissist because the F.B.I. Director threw sand in the electorate's eyes. Either outcome, we're the effect, not the agents.

It's sobering how much of this is determined by chance. Imagine if therapy had put Weiner on the road to mental health, and there had been no sexting with a 15-year-old girl, no reason for law enforcement to seize his laptop. Or imagine if Beau Biden's brain cancer had not recurred, and his father had won the Democratic nomination, which would have taken unsecured servers and \$153 million in paid speeches off the table. Imagine if the cast and crew of *The Apprentice* hadn't told an AP reporter that Trump was lewd and sexist on the set, or if an Access Hollywood producer hadn't been prompted by that story to turn up a revolting 11-year old outtake reel of Trump and Billy Bush — tape which might well have been tossed long ago. All those counterfactuals are plausible, but they didn't turn out that way, and American history is now hanging in the balance.

Good luck and bad luck are more important to the course of human events than it's comfortable to acknowledge. To be sure, this presidential campaign hasn't been propelled solely by chance. Trump's sliming of Khizr and Ghazala Khan wasn't just a lucky break for Clinton. It was inevitable that his real nature would have been disclosed. If it hadn't been the Khans, there would still have been his slander of John McCain, his mocking of a disabled reporter, his smear of Judge Gonzalo Curiel, his refusal to say he'll accept the vote if he loses the election. These weren't fortuitous flukes. They are part of a pattern; they reveal a contemptible flaw in his character.

Comey's original sin was promising to turn over the F.B.I.'s investigative materials to Congress, despite Congress's having no oversight role in individual criminal investigations. His gobsmacking announcement gave Trump the finale of his "Lock her up!" narrative, and he's riding it to tightening polls.

Whether he means to or not, King Comey is rigging the election. Apparently the Attorney General told him it was a terrible idea. Why did he do it anyway? Pure partisanship? I don't think so. My guess is that Comey knew leaks were coming from some Clinton antagonists in the Bureau who were pissed at his decision not to prosecute, and whose revenge might be his post-election impeachment on trumped up charges.

Maybe Comey jumped the shark because, trapped between his inexplicable commitment to Republican committee chairmen and his own rebellious agents, he felt, well, helpless. If that's true, all I can say is, Welcome to the club, Mr. Director.

This is a crosspost of my column in the Jewish Journal, where you can reach me if you'd like at martyk@jewishjournal.com.

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