Trump Justice Department indicts former FBI director James Comey

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The indictment of former FBI director James Comey on Thursday is a significant step in the establishment of a personalist presidential dictatorship under Donald Trump. By moving to jail his opponents within the political establishment, Trump is seeking to consolidate his power to smash the democratic rights of the working class.

"This is what prosecutors do in dictatorships," said Richard W. Painter, a law professor at the University of Minnesota who served as the chief ethics lawyer for President George W. Bush, in a social media post.

"Other prosecutors will feel even more pressure now to bring charges against whomever displeases the president," said Brendan Nyhan, a professor of government at Dartmouth College. "And you don't want to live in a country where displeasing the president can put you in jail."

Trump's newly appointed US attorney for the Eastern District of Virginia, Lindsey Halligan, secured a two-count indictment against Comey from a grand jury on charges of making false statements to Congress and obstructing Congress. The charges carry a maximum jail sentence of five years. The grand jury refused to endorse a third count requested by Halligan. Comey is scheduled to appear for arraignment on October 9.

Comey served as FBI director from 2013 to 2017, when he was fired by Trump. He oversaw the "Crossfire Hurricane" investigation into alleged ties between Russia and the Trump election campaign that was begun under the Obama administration. This was a propaganda exercise organized by the Democratic Party in pursuit of its plans for war against Russia and concerns that Trump was not sufficiently on board. During the 2016 election campaign, the *New York Times*, the main mouthpiece of the Democrats, published a column by Paul Krugman headlined, "Donald Trump, the Siberian Candidate," accusing Trump of being a stooge of Russian President Vladimir Putin.

Trump and Comey became bitter enemies, and during his first term Trump repeatedly called for the prosecution of Comey as well as Hillary Clinton and other opponents within the US political establishment. Trump pledged to use his second term to carry through retribution in the name of the MAGA movement against those who played roles in his two impeachments and numerous criminal and civil prosecutions, including for the attempted coup of January 6, 2021.

Trump's direct hand in the indictment of Comey was brazen and blatant. Last Saturday, September 20, Trump posted a statement on his social media platform, Truth Social, lambasting Attorney General Pam Bondi for failing to indict Comey as well as New York Attorney General Letitia James and Democratic Senator Adam Schiff. James headed up a lawsuit against Trump's business empire that led to a massive civil judgment against him. Schiff, as a member of the House of Representatives, led the first impeachment of Trump on charges of interfering in the dispatch of US arms to Ukraine. The Department of Justice is investigating James and Schiff for mortgage fraud.

"We can't delay any longer," Trump wrote. "JUSTICE MUST BE SERVED, NOW!!!" The previous day he forced out Erik Siebert, the US attorney for the Eastern District of Virginia, whom he had appointed, because Siebert opposed indicting Comey for lack of evidence to sustain a prosecution. In this, Siebert was backed by the Justice Department career prosecutors in the district.

On Monday, Trump appointed Halligan to succeed Siebert. Halligan was one of Trump's personal lawyers

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and a White House aide involved in the attack on the Smithsonian Institution. She is an insurance lawyer who has no prosecutorial experience. Nonetheless, despite the reservations of career prosecutors, she made a decision to go ahead with the prosecution of Comey within hours of taking office.

Trump's hysteria on the Comey case was fueled by the fact that the charges being brought dated from September 30, 2020 and had a five-year statute of limitations. Comey is being prosecuted for allegedly lying to a Senate committee during testimony about the leak of information to the media by his subordinate, Deputy FBI Director Andrew McCabe. Comey denied that he had authorized the leak. In any event, the leak dated from 2017 and concerned an investigation into Hillary Clinton's email use, not the supposed collusion between Russia and the Trump election campaign.

The trumped-up character of the case is indicated by the highly unusual fact that Halligan herself, rather than lower-level prosecutors, brought it before the grand jury. The two-page indictment, moreover, is signed only by Halligan.

On Thursday night, following the indictment, Trump hailed the move in a post on Truth Social, writing:

> JUSTICE IN AMERICA! One of the worst human beings this Country has ever been exposed to is James Comey, the former Corrupt Head of the FBI…
>
> Today he was indicted by a Grand Jury on two felony counts for various illegal and unlawful acts… He has been so bad for our Country, for so long, and is now at the beginning of being held responsible for his crimes against our Nation.

Trump also attacked the judge in the Comey case, US District Judge Michael Nachmanoff, because he was appointed by Joe Biden. Trump's role in the indictment of Comey increases the chances that a motion to dismiss, on the basis of selective or vindictive prosecution, could succeed.

That, however, would not halt the use of the Justice Department as a political weapon in the drive to dictatorship. Friday morning, as he left the White House, Trump said more indictments would be coming. "Frankly, I hope there are others because you can't let this happen to a country," he said.

In addition to James and Schiff, Trump and members of his administration have called for criminal investigations of former CIA Director John Brennan, Hillary Clinton and Barack Obama. After issuing a presidential memorandum Thursday calling for a crackdown against "radical left terrorism," Trump explicitly named billionaire Democratic donors George Soros and Reid Hoffman as likely targets.

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