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November 11, 2012

A Petraeus Puzzle: Were Politics Involved?

Posted by *Jane Mayer*



The director of the C.I.A. has resigned over an extra-marital affair two days after a Presidential election in which the Agency's role in Libya was of burning concern—what is really going on here? There seem to be some potentially fascinating political aspects of this story that have yet to be explored. Why, for instance, did this news explode publicly when it did? Both the *New York Times* and the *Washington Post* report that the F.B.I. had found, after months of investigation, that neither retired General David Petraeus, now the former director of the C.I.A., nor the woman with whom he was evidently involved, his biographer Paula Broadwell, had broken any laws. Congressional intelligence officials reportedly want to know why they were not informed earlier that the F.B.I. was investigating Petraeus. But what I am wondering is why, if the F.B.I. had indeed concluded that they had no criminal case, this matter was brought to anyone's attention at all.

The investigation apparently began when another woman Petraeus knew—the A.P. identified her as Jill Kelley, a Florida woman with connections to the military—complained about harassing e-mails, which turned out to have been from Broadwell. It's not yet clear how directly the e-mails involved Petraeus. As an official told the *Wall Street Journal*, "This investigation wasn't about the C.I.A. director, it was about what looked like a cyber crime." In this case, like any other, the official went on, "There are strict rules, there is a wall, about sharing information on ongoing criminal investigations." According to the *Times*, approximately two weeks ago, F.B.I. investigators confronted Petraeus personally about the matter. After talking to him, they were satisfied that there were no breaches of national security or other crimes involved. It was then, the *Times* reports, that Petraeus certainly became aware of the investigation, if he had not known of it before. Interestingly, he did not offer his resignation at once, raising the question of whether he would have resigned at all if he hadn't been asked to when the issue was about to become public. With the election two weeks away, and the C.I.A.'s potential intelligence failures in the fatal ambush of American's diplomats in Libya a campaign issue, Petraeus surely recognized that if he resigned, the scandal would shake the Obama Administration, perhaps giving more fodder to its Republican critics in what appeared to be an extremely close election.

The *Times* uses the word "murky" to describe what happened next, and there are many puzzling aspects. But according to the *Times*, at the end of October, a week or so after the F.B.I. investigators confronted Petraeus, an unidentified F.B.I. employee took the matter into his own hands. Evidently without authorization, he went to the Republicans in Congress. First he informed a Republican

congressman, Dave Reichert of Washington state. According to the *Times*, Reichert advised this F.B.I. employee to go to the Republican leadership in the House. The F.B.I. employee then told what he knew about the investigation to Eric Cantor, the House Majority Leader. Cantor released a statement to the *Times* confirming that he had spoken to the F.B.I. informant, whom his staff described as a “whistleblower.” Cantor said, “I was contacted by an F.B.I. employee who was concerned that sensitive, classified information might have been compromised.” But what, exactly, was this F.B.I. employee trying to expose? Was he blowing the whistle on his bosses? If so, why? Was he dissatisfied with their apparent exoneration of Petraeus? Given that this drama was playing out in the final days of a very heated Presidential campaign, and he was taking a potentially scandalous story to the Republican leadership in Congress, was there a political motive?

According to the *Times*, Cantor said he took the information, and “made certain that director Mueller”—that is Robert Mueller III, the director of the F.B.I.—“was aware of these serious allegations, and the potential risk to our national security.” This is a strange way to explain his contact with the F.B.I. on this matter, because it is almost inconceivable that director Mueller was not already aware that the bureau he runs had examined the e-mail account of the director of the C.I.A., and, further, confronted him in person. Such a meeting between the bureau and head of the C.I.A. would have been extraordinary, and it is fairly unthinkable that Mueller wouldn’t have been consulted. So what information was Cantor conveying when he got in touch with Mueller?

One obvious point of the call would have been to inform the F.B.I. director that Republicans on the Hill knew about Petraeus’s vulnerability, and also about the investigation. If the F.B.I. had ever entertained hopes of keeping it secret, the odds of doing so were fast diminishing. The same message would have become clear to Petraeus, who was due to testify in front of a House panel next week. If Cantor spoke with Mueller on Halloween, as the *Times* chronology suggests, what happened between then and November 6th, which is when the F.B.I. reportedly informed James Clapper Jr., the Director of National Intelligence, about Petraeus’s extra-marital affair? The internal pressure must have been enormous on Petraeus during this period. Perhaps he tried to outlast the election in order to shelter Obama from the fallout of his own personal foibles. Perhaps the F.B.I. director, Mueller, who has a reputation for integrity, tried to keep the scandal from political exploitation by keeping it under wraps until Election Day. Cantor, too, appears to have kept quiet, despite the political advantage his party might have gained from going public. Why? It is possible that, because the investigation had national-security implications, those in the know needed to tread carefully for legal reasons.

A final question, at least from my standpoint, is whether Petraeus had to resign at all. It appears that Clapper, who like Petraeus is a military man, saw it as a no-brainer. Within the military, there are rules about adultery. But within civilian life, should there be? The line of the day on the morning talk shows in Washington seemed to be that Petraeus did the “honorable” thing, or “he had to resign.” The old saw that, if he wasn’t squeaky clean, he could be subject to blackmail by his enemies, thus endangering national security, was mentioned again and again. To me, the whole Victorian shame game seems seriously outdated. Something like half the marriages in the country now end in divorce, and you can bet a great many of those involved extra-marital affairs. Is it desirable to bar such a large number of public servants from top jobs? It certainly seems fair to question Petraeus’s judgement, ethics, and moral fibre in this matter. But if infidelity wasn’t treated as career-threatening, its value to black-mailers would be much reduced (the fear of a spouse is another matter). In this instance, evidently, there were no crimes. So why again did this blow up as it has? Fans of thrillers, like me, are waiting for more answers.

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