# Justice Department considering felony charges against Petraeus

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US Attorney General Eric Holder confirmed Sunday that the Justice Department was considering bringing charges against retired General David Petraeus for sharing classified information with his girlfriend and biographer while he was director of the CIA.

Holder refused to answer any substantive questions about the investigation, which was made public Friday night in an article posted on the web site of the *New York Times*. The newspaper cited FBI and Justice Department prosecutors as the source of its report, noting that the investigation has dragged on since Petraeus resigned from the CIA three days after the November 2012 presidential election.

"The delay has frustrated some Justice Department and FBI officials and investigators who have questioned whether Mr. Petraeus has received special treatment at a time Mr. Holder has led a crackdown on government officials who reveal secrets to journalists," the newspaper wrote.

One of those journalists is a *New York Times* reporter, James Risen, who last week was permitted to testify at the trial of former State Department official Jeffrey Sterling without revealing the source of his reporting on US cyberwarfare efforts against Iran.

The *Times* report is itself a shot fired in a murky struggle between factions within the military-intelligence apparatus, where there are deep divisions provoked by the long-term failure of US efforts to conquer and dominate the oil-rich territories of the Middle East and Central Asia.

Petraeus played a leading role in both areas, commanding all US military forces in Iraq in 2006-2007 during the Bush administration "surge" which temporarily consolidated the US-backed puppet regime in Baghdad, under Premier Nouri al-Maliki. That regime collapsed last summer after the offensive by Islamic State of Iraq and Syria (ISIS), which overran Mosul, Iraq's second-largest city, and took control of nearly all the Sunni-populated areas of the country. Maliki was forced out under US pressure, replaced by Haider al-Abadi.

In 2010, Petraeus was brought in to replace General Stanley McChrystal as US commander in Afghanistan, who had openly criticized White House policy in that country in an interview with the magazine *Rolling Stone*. A year later, Petraeus retired from the military upon his appointment as director of the CIA, a position he retained for barely a year.

According to the *Times* account, the FBI investigation into Petraeus for leaking classified information began when FBI agents found classified documents on the computer of Paula Broadwell, who was writing a biography of the general and had become his lover. The *Times* said that Petraeus had denied ever providing classified information to Broadwell and had rejected a plea deal.

The investigation has long been known in high-level political, military and media circles in official Washington. However, it went unreported while a subterranean struggle went on over whether to bring felony charges against the most highly publicized military officer of recent decades. Petraeus was hailed by Bush as the savior in Iraq and played a similar role for Obama in Afghanistan.

There was widespread discussion of Petraeus as a possible Republican challenger to Obama in 2012, and his appointment as CIA director in 2011 was at least in part an effort by the Obama White House to forestall such a possibility.

According to a report on Politico.com after the *Times* article, "Petraeus has retained his security clearance and even has served as an unofficial adviser to the

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White House on Iraq and Syria while the FBI's investigation remained open." The publication also noted that it was an everyday practice to share classified documents with authors selected for their willingness to write favorably of those in power.

"This arrangement is common in Washington for established authors," Politico wrote. "Sources for Bob Woodward, whose books often disclose classified information that is provided to him through semi-official leaks, are not investigated for betraying state secrets."

The *Times* report was followed by bitter ripostes from congressional leaders close to Petraeus. Senator John McCain, chairman of the Armed Services Committee, and his frequent ally Lindsey Graham of South Carolina, issued a joint statement denouncing the leaking of information about the inquiry into Petraeus. They stopped short of defending him against any charges, claiming they did not know what case might be brought against him.

"At this critical moment in our nation's security," they wrote, "Congress and the American people cannot afford to have his voice silenced or curtailed by the shadow of a long-running, unresolved investigation marked by leaks from anonymous sources."

Senator Dianne Feinstein, former head of the Senate Intelligence Committee, opposed bringing any charges against Petraeus during an appearance on the CNN Sunday interview program "State of the Union." She described Petraeus as "a very brilliant man" who was "the four-star general of our generation," adding that after losing his position as CIA director "the man has suffered enough."

Republican Senator Richard Burr of North Carolina, who has replaced Feinstein as chairman of the Intelligence Committee, told ABC News that there was no basis for prosecuting Petraeus, citing President Obama's statement when Petraeus resigned in 2012 that the matter was purely personal and that no damage had been done to US national security.

"The statute of the law says it has to reach that for there to be a prosecution," Burr claimed. Actually, the Obama administration has brought more prosecutions under the Espionage Act than all previous US administrations combined, without ever seeking to prove damage to national security.

On the contrary, individuals like Edward Snowden and Chelsea Manning are barred from raising that issue—as, for instance, by arguing that they exposed crimes by the US government, and therefore did a service to the American people. Prosecutions under the Espionage Act are narrowly focused on whether classified information was disclosed without authorization, regardless of the motive.

There are ample reasons to bring criminal charges against Petraeus, who is responsible for the deaths of hundreds of thousands in Iraq and Afghanistan, as well as overseeing the CIA, America's specialist in murder and provocation, for more than a year. But the current case hardly qualifies as a genuine investigation into his actions—especially as it is being conducted by the administration that commissioned many of his bloodiest crimes.

At the time of Petraeus's abrupt departure from the CIA in an alleged sex scandal, the WSWS commented, "Petraeus is a deeply reactionary figure, but he has not been brought down because of war crimes in Iraq, Afghanistan or elsewhere. Rather, he has been declared unfit because of perhaps the first reported act that indicates he is human."

Subsequent commentaries took note of the deep-going conflicts within the security apparatus and the political establishment that had led to his purge, including a reported dispute between Petraeus and White House counterterrorism director John Brennan over control of the drone-missile assassination program. Soon after Petraeus left the CIA, Obama named Brennan to replace him.

The latest stirring of the pot in the Petraeus affair comes only one month after the release of the Senate Intelligence Committee report on CIA torture, an investigation that Petraeus apparently cooperated with during his tenure at the agency (2011-2012), but which was vehemently opposed by Brennan.

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