

Trump's Need for Scapegoats

President Trump's use of Deputy Attorney General Rosenstein's credibility to cover for the clumsy firing of FBI Director Comey has echoes of President Bush's bogus WMD claims about Iraq, says ex-CIA analyst Paul R. Pillar.

By Paul R. Pillar

Deputy Attorney General Rod Rosenstein came into his present job with bipartisan support and a positive reputation as an apolitical prosecutor who had served ably as a U.S. attorney under both the previous two administrations. Now many are asking how someone like that could allow himself to become a tool of Donald Trump in one of the messiest and most controversial firings ever of a senior official.

Much of the dysfunction, ruthlessness, and ineptitude associated with the sacking of James Comey as FBI director is specific to Trump and his presidency, but we have seen before the exploitation for blame-shifting purposes of the work of honest and earnest public servants.

We don't know exactly what transpired in conversation among the President, Attorney General, and Deputy Attorney General about the FBI directorship. Maybe there is a recording that someday will tell us that. But given what we know from the characteristics of the personages involved and other indications, it is easy to reconstruct a plausible way such a conversation went.

The President summons the Justice Department officials to discuss problems involving the FBI director. The conversation addresses some of Comey's missteps in handling the investigation into Hillary Clinton's emails. Rosenstein, an experienced prosecutor attuned to the details of correct relations between prosecutors and investigators, had already developed thoughts on this subject, some of which he conveys to the President in the conversation.

The President instructs Rosenstein to put down on paper a more thorough rendering of ways in which Comey did not properly observe roles and rules regarding the FBI and the Justice Department. The conversation ends, and Rosenstein goes away with his writing assignment.

The White House then uses the resulting memorandum as supposed justification in announcing the firing of Comey, with the initial White House version being that the President was acting on the recommendation of the Justice Department leadership – which primarily meant Rosenstein, given that his memo was the main piece of paper released as justification, and given that the President and

whoever else in the White House may have been influencing him on this were eager to exploit Rosenstein's reputation as an upstanding and nonpartisan player with pure motivations.

Rosenstein's Surprise

But Rosenstein did not recommend that Comey be fired. His memo does not say so, and given that it doesn't, it is unlikely that he made any such recommendation orally either. It thus is not surprising to read reports that Rosenstein was so upset about the White House portraying him as responsible for firing Comey that Rosenstein was on the verge of resigning. He has a right to be upset.

Possibly the prospect of a Rosenstein resignation over this issue was part of what led Trump then to offer a much different explanation, in which Trump admitted that he had already decided to fire Comey no matter what the Justice Department leaders said and that what was on his mind in doing so was the FBI's Russia investigation.

Set aside for the moment all the other inconsistencies and falsehoods that define the Trump presidency, and there are two important takeaways from this episode and specifically Rosenstein's role in it. One is that it is erroneous to treat confirmation that a problem exists, or has existed, as if such confirmation constitutes a case for taking a specific drastic action in the name of correcting that problem – especially if the action involved is apt to have other untoward and costly consequences.

Certifying that James Comey exceeded his role or made other mistakes in handling a case last year does not constitute a case for firing him this year. There is nothing inconsistent in being sharply critical of some of Comey's earlier actions and also being opposed to cutting short what is supposed to be a ten-year term for FBI directors, a term established by law partly to try to insulate the bureau from the vicissitudes of politics. (The only other FBI director to be fired short of term, William Sessions, was dismissed for specific ethical violations involving use of public resources for private purposes.)

The other takeaway is that an honest public servant, doing his best to respect rules and assigned roles, and trying to perform his own role with objective judgment and insight, has been used by his political masters as a scapegoat for their own controversial actions. The temptation for political masters to do this sort of thing can be great, and not just for a Donald Trump.

The nonpolitical bureaucracy, or a nonpolitical individual who rises as high as Rosenstein has risen, offers a stamp of nonpartisanship, objectivity, and often expert authority that can deflect attention from less commendable motives or

methods that the political masters used in arriving at their decision.

The WMD Precedent

Now roll the tape back a decade and a half, as the George W. Bush administration was mounting its big sales campaign for launching a war in Iraq. The war was something neocons had long sought, and the sudden change in public mood after 9/11 finally brought their ambition politically within reach. But remaking the politics and economics of the Middle East according to the neocon dream would not work as the basis for selling to the American public a step as drastic as initiating the first major offensive war the United States had begun in over a century.

So the war-makers came up with a sales pitch about the horror of dictators giving weapons of mass destruction (WMD) to terrorists. Because dictators, unconventional weapons, and terrorism were all things that the U.S. intelligence community routinely follows, there was an opportunity to pick out portions of what the community says and to use that output to get the sought-after stamp of nonpartisanship, objectivity, and expert authority. That's what was done with the topic of weapons of mass destruction.

The WMD issue was not the reason the Bush administration launched the Iraq War. I have discussed at length elsewhere the whole story of why and how it was not the reason.

Some of the key facts include the longstanding prior neoconservative ambition to start exactly this war, the orders by the President to prepare war plans well before the intelligence community had even begun work on the estimate that would become pointed to most often as a rationale for the war decision, the disinterest of the administration in the intelligence except for the tidbits that could be used publicly as part of the sales campaign, and the fact that even the notorious intelligence estimate included the judgment that Saddam Hussein was unlikely to use weapons of mass destruction against U.S. interests or to give them to terrorists except in the extreme situation of an invasion of his country with the intention of overthrowing his regime by force.

As avid war promoter Paul Wolfowitz later admitted in an unguarded comment in an interview, the WMD issue was just a convenient topic on which people could agree, not the reason the war was fought.

Perhaps most important, the presumed existence of unconventional weapons in the hands of a nasty regime does not imply that it is wise to launch an offensive war to topple that regime. If it were, we should have invaded North Korea years ago. The Iraq War was another case of erroneously treating presumed confirmation

of a problem as a case for taking a specific drastic action in the name of addressing that problem.

Making Scapegoats

The Iraq War also was another instance of public servants – in this case those working in the intelligence community – being used by their political masters as scapegoats for the masters' own controversial decisions. The intelligence agencies certainly did not advocate launching the war, and it would not have been their role to opine on that. With no policy process leading to Bush's decision, there was no opportunity for them to offer any such opinion even if they wanted to.

The intelligence judgments on the other major part of the sales pitch – the supposed alliance between Saddam's regime and al-Qaeda – were contrary to the assertions in the pitch. And as for what turned out to be far more important than any of the themes in the sales campaign, pre-war intelligence community analysis correctly anticipated most of the costly political and security mess and internal strife to which Iraq succumbed, and with which U.S. forces had to deal, after the invasion.

When the output of public servants is used – or rather, misused – in the way it was in these two cases, the use is not predicated on that output being accurate. Whether Rosenstein was correct, as a matter of either fact or judgment, in what he said in his memorandum about Comey had no bearing on the Trump White House's decision to use him and his memo as a public rationale for firing the FBI director. Whether the intelligence community was correct or not about the various aspects of Iraqi weapons programs did not determine how the Bush administration used the intelligence output on the subject as a public rationale for launching the war.

There also usually is not much relevance to costs and outcomes. Whatever happens in investigating connections between Trump and Russia, the investigation will not depend, with or without Comey, on how Comey handled the question of Hillary Clinton's emails. And even if every word that the intelligence agencies issued about Iraqi unconventional weapons had been correct, post-invasion Iraq still would have been just as much of a bloody mess and the U.S. occupation would have been just as much of a costly quagmire. If anything, the existence of WMD would have made the war even more bloody and costly than it actually was.

Distrust of Trump

One difference between these two cases is that the fallacy associated with the blame-shifting has endured in one case but already been shot down in the

other. One still hears, especially but not only from the war promoters in the Bush administration, that the United States went to war because of faulty intelligence about weapons of mass destruction. But the notion that James Comey was fired because of something Rod Rosenstein said didn't last a week.

It probably would not have lasted even if Trump himself had not soon contradicted that rationale. The political milieu, in the partisan sense, has much to do, of course, with which beliefs endure and which do not. In the case of the invasion of Iraq, Democrats who supported going to war have been just as happy as their Republican colleagues to shift blame for their own mistake to an unpopular bureaucracy.

Supporters of Trump's move regarding the FBI director tried to generate a similar dynamic by reminding people of how unhappy many Democrats have been about Comey's handling of the Clinton email matter, but this attempt to win Democratic support did not stick.

Probably the main reason for the difference is that the themes in the Bush administration's war-selling campaign were relentlessly sustained for more than a year. The impact of this sheer repetition was reflected in how even where a theme was *not* supported by the intelligence community's judgments, as was the case regarding terrorist connections, the administration won many believers, including ones led to believe that Saddam Hussein was personally involved in 9/11. The Trump White House, by contrast, has shown that it has difficulty sustaining a theme for a week, never mind a year.

These comparisons raise a larger question of how Trump's presidency is in a league by itself regarding lack of credibility. Less than four months into this administration, much of the media and other observers already have learned not to trust anything this President and his surrogates say. This explains much of why version 1.0 of the White House's explanation for why Comey was fired was immediately met with widespread incredulity.

But it's not as if all the outrageous things this President does are wholly without precedent. It is individual statements and actions, not any one person, that can be extreme and beyond the pale. The Bush administration did an extreme thing by starting a major offensive war under false pretenses and then not owning up to the responsibility and instead shifting blame for the calamitous result. But in most other respects that administration was more of an ordinary presidency and not Trump-like. So it was better able than Trump to hoodwink people when it did do an extreme thing.

The cascade of falsehoods and other excesses that characterize Trump's presidency still has the major cost of being a self-lowering bar as far as

standards of conduct are concerned, with the country's sense of propriety being dulled and with many things that would cause outrage or scandal in another presidency instead eliciting a ho-hum "that's Trump being Trump" reaction. But at least in some instances, the incredulity and suspicion that Trump has understandably generated enable the country to smell a rat more quickly than it otherwise would.

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