Opinion
News



Rep. Devin Nunes, R-Calif., exits the offices of the House Intelligence Committee at the Capitol in Washington, D.C., March 22, 2017. (Newscom/CQ Roll Call/Bill Clark)



by Michael Sean Winters

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The news was dominated all last week by interest in California Republican Rep. Devin Nunes' memo about the issuing of warrants under the Foreign Intelligence Surveillance Act to investigate the campaign of Donald Trump. Or at least that is what we thought the memo was about. No one knew for sure. It was top secret. Finally, on Friday, "the memo" was released.

Except it wasn't "top secret" really. When we think of those words, especially in the context of an investigation, we think of the Pentagon Papers or the tapes of Richard Nixon discussing the Watergate cover-up. More distantly, we might think of Zimmerman Telegram, which precipitated U.S. entry into World War I. In these instances, investigators uncovered a document that revealed a truth that had previously been the subject of debate and resulted in a unanimous understanding of where guilt lay.

The Nunes memo, by contrast, though it was based on highly classified information, was written by his staff. Nunes admitted he did not even read the classified material upon which the memo drew. When we are told, as we have been told endlessly by our friends at FOX News, that "the memo proves ..." or "this explosive memo will demonstrate that it was Hillary Clinton, and not Donald Trump ...", that is not exactly accurate. The underlying intelligence might prove or disprove something, but this memo culls the underlying intelligence to prove a point, not to paint the entire, truthful picture. Indeed, the drumbeat for the release of this memo can now be seen as one great exercise in propaganda. It is to facticity what a historical novel is to history: a good read perhaps, but not reliable data.

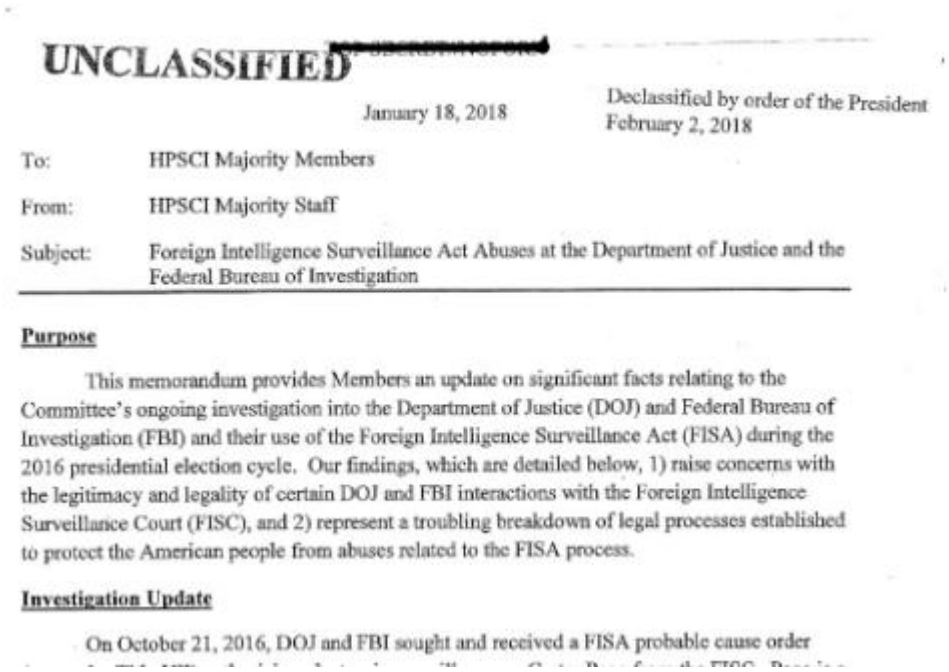
This whole episode puts me in mind of the story last December about Erik Prince, founder of Blackwater, proposing that President Trump form a personal intelligence agency that would answer directly to him, a kind of Praetorian Guard by which he could resist the machinations of the "deep state."

I wrote at the time:

> That this particular idea is deeply insidious does not in any way diminish its kookiness. Nor does its kookiness diminish its importance. Yes, according to the CNN report, the administration shot down this idea pretty

quickly. There are some grown-ups in the West Wing, people who know something about history and, in this case, the spectacularly ugly history of personal police forces.

That strange combination of kookiness that cannot be dismissed for being kooky has emerged again in this case of "the memo."



UNCLASSIFIED

January 18, 2018

Declassified by order of the President
February 2, 2018

To: HPSCI Majority Members

From: HPSCI Majority Staff

Subject: Foreign Intelligence Surveillance Act Abuses at the Department of Justice and the Federal Bureau of Investigation

Purpose

This memorandum provides Members an update on significant facts relating to the Committee's ongoing investigation into the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) and their use of the Foreign Intelligence Surveillance Act (FISA) during the 2016 presidential election cycle. Our findings, which are detailed below, 1) raise concerns with the legitimacy and legality of certain DOJ and FBI interactions with the Foreign Intelligence Surveillance Court (FISC), and 2) represent a troubling breakdown of legal processes established to protect the American people from abuses related to the FISA process.

Investigation Update

On October 21, 2016, DOJ and FBI sought and received a FISA probable cause order

A detail from the first page of the Nunes memo, written by the staff of Rep. Devin Nunes, R-Calif., chairman of the House Intelligence Committee

There is a key difference, however, between this episode and the Praetorian Guard story, and that is the role of FOX News and other right-wing media outlets. Sean Hannity led his talk show with this "breaking news" story for over a week. The length of the opening segment focusing on "the memo" seemed determined mostly by the degree to which there was other breaking news that day that was damaging to the president: The more we learned about Trump's links to Russia, the more Hannity dwelt on "the memo."

Whenever someone like Christopher Wray, the man whom Trump himself appointed to lead the Federal Bureau of Investigation after firing James Comey, raised questions about the memo, their integrity was questioned by Hannity and friends.

Whenever Democrats or members of the press corps questioned whether this drumbeat surrounding "the memo" was not simply a diversionary tactic, Hannity would replay video of interviews last spring in which Democratic legislators said they had not found any hard evidence of Trump's collusion with the Russians. Those video clips were all from before the Mueller investigation began and we learned anything about, say, the now-famous meeting between Russian officials and members of the Trump campaign, including Donald Trump Jr., in Trump Tower, during the summer of 2016.

Hannity fumes: "There it is. Even the Democrats say there is no evidence of collusion!"

Funny, Hannity never shows video of Democrats speaking about the issue *after* we learned about that Trump Tower meeting. And he never speculates on camera about why, say, Michael Flynn cut a deal with prosecutors and what that might portend. I nominate Hannity for the Leni Riefenstahl Award for Political Propaganda in 2018.

Not to be outdone in his willingness to serve as a lapdog to, and cheerleader for, the political right, Raymond Arroyo interviewed Mercedes Schlapp, White House director of strategic communications, about "the memo" last Thursday night on EWTN's "The World Over." Let's just say it was not what you would call a tough interview. I will offer a prediction now: By the end of 2018, Arroyo will depart from EWTN and start working at FOX News.

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The danger in all this hoo-ha is that important institutions that keep our democracy stable are being undermined. Our intelligence services, praised by Trump when they investigated his political enemies, are having their veracity and integrity challenged at a time when they continue to be at the forefront of our nation's efforts to combat terrorism. Our press corps, always a principal means of holding the power accountable in a free society, are demeaned by the president or co-opted into becoming propaganda agents.

Where are our conservative Catholic voices who so recently and so frequently have been denouncing relativism as the great threat to Western society? Does this relativism, which equates truth with Trump's political convenience, not offend them?

Trump is a master at manipulation. "The memo" raises only two questions for me: What were they trying to distract us from these past few weeks? And now that it has been spent, what will they use next to distract us?

When there is this much effort to distract, you know that the thing they do not want us to see is pretty damning. I hope it brings this whole stinking, lying crew of Trump crooks and sycophants down.

[Michael Sean Winters covers the nexus of religion and politics for NCR.]

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