

# The right-wing campaign over the Stanford University sexual assault case

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11 June 2016

A reactionary media and political campaign is unfolding in America around the sentencing of Stanford University freshman Brock Allen Turner for the sexual assault of a young woman following a fraternity party on campus.

The campaign reached new heights this week after California Superior Court Judge Aaron Persky sentenced the young man to six months in prison, which the media labeled excessively “lenient,” and an example of “white male privilege” and “rape culture.” Judge Persky is now the subject of a recall campaign initiated by Stanford University law professor Michele Dauber. His office has been inundated with threatening and abusive phone calls. “A lot of them are extremely rude and are just horrible and horrific,” deputy public defender Gary Goodman told reporters: “I hope you die and your family gets raped, things of that nature.”

One of Turner’s childhood friends, 20-year-old Leslie Rasmussen, a drummer in the indie rock band Good English, wrote what she believed was a confidential letter to the judge defending Turner, praising his character and calling the incident a “misunderstanding.” This letter resulted in Rasmussen being labeled a “rape apologist,” and the band’s next four performances have been canceled by the respective venues.

The extraordinary intervention of Vice President Joe Biden on Thursday reveals the political interests that are motivating the media-orchestrated campaign. In an open letter to the victim, Biden solidarized the Obama administration with the campaign against the judge’s sentence. Biden proclaimed his “furious anger” at what had happened, praising the woman in the case as a “warrior—with a solid steel spine.”

Biden’s intervention is bound up with the political calculations of the Democratic Party and the Hillary Clinton campaign, which see it as an opportunity to refocus the national political discourse on gender politics—the better to bury popular issues such as social inequality, which generated an unexpected level of support for Clinton’s rival Bernie Sanders and nearly cost her the nomination.

What facts are available about the Stanford case are hazy and disputed, as they often are in such cases. On the night in question, two students discovered 20-year-old freshman Brock Allen Turner with the 22-year-old woman on the ground near a trash bin on campus. The woman was partially undressed and unconscious, with Turner on top of her.

The woman, whose name has been withheld from the public, says she does not remember the encounter at all. In Turner’s version of events, the two met at a fraternity party earlier that evening, danced, kissed, and held hands. The subsequent sexual encounter, Turner claimed, was consensual. Both were extremely drunk. Certain social and cultural factors—immaturity, alcoholism on college campuses, the phenomenon of fraternity parties—played, as they usually do in such cases, a destructive role.

Turner was convicted by a jury of three felony offenses. One may assume that the jury made a conscientious effort to follow the law and arrive at the appropriate verdict. Judge Persky, who heard all the evidence and presided over the entire case through trial, sentenced Turner to six months in prison.

In addition to the prison term, Turner will have to register as a sex offender. The combination of three felony convictions, a prison term, and registration as a sex offender has forever and catastrophically altered the life of this 20-year-old youth. His academic career has been ended. Apparently a gifted swimmer, he has no future as an athlete. Moreover, he has been the subject of an unrestrained nationwide hate campaign—with his name, face and home address plastered all over the news and social media for days on end—and he has been denounced as a monster by the vice-president of the United States. Contrary to the claims of the media, Turner has not gotten off lightly.

When it comes to determining an appropriate sentence, it is the traditional responsibility of the judge to give consideration to a host of factors, of which the circumstances and severity of the crime are part of the equation. The judge may also consider the rehabilitation of the convicted individual and whether he or she will be a

danger to society in the future. In Turner's case, a number of letters were submitted defending the youth and praising his character. The probation officer's recommendation was a sentence of a year or less. Apparently, before the case gathered its current momentum, the victim herself told a probation officer, "I don't want him to rot away in jail; he doesn't need to be behind bars."

Judge Persky cited the defendant's age and absence of any criminal record, saying that from the standpoint of rehabilitation, a long prison sentence would be counterproductive. The judge wrote, "I think he will not be a danger to others."

The mountain of denunciations that have been heaped on Persky for this decision have centered on the 12-page inflammatory "victim impact" letter read during sentencing, which the media has unanimously declared to be "wrenching" and "powerful."

There is ample room for doubt as to whether "victim impact" statements are even appropriate in a criminal prosecution at all. It is the state, not the individual, that brings charges against the accused. Jurors are continuously reminded in the course of a trial that their focus must be on the facts, and that their judgments should not be clouded by emotions.

In a 2004 scholarly article in the journal *Psychology, Public Policy, and Law*, Bryan Myers of the University of North Carolina at Wilmington and Edith Greene of the University of Colorado at Colorado Springs considered whether such letters are "both irrelevant and so emotionally moving as to be considered prejudicial."

The campaign around the sentencing of Turner, it should be stated directly, is lacking entirely in anything that might remotely be described as politically and socially progressive. The feminist professors at Stanford University who have whipped up the campaign against Persky and who are screaming for a harsher sentence for Turner have not bothered to work out the implications of their positions and actions. The focus on "victims' rights"—the notion that criminal proceedings are intended to facilitate convictions and satisfy the victim's desire for revenge rather than ensure a fair trial for the accused—has been a trademark of right-wing legal theorists for decades.

The American political and media establishment has, through long practice, made a science out of turning tragedies into profitable sensations and political opportunities. The participation of self-described "left" and "feminist" and "progressive" figures in these right-wing campaigns, side-by-side with state prosecutors and the gutter press, only testifies to the disoriented moods that prevail in these circles.

The intervention of Biden, a leading representative of

American imperialism, is deserving of special contempt. This corrupt and long-time bagman for tax-dodging corporate interests in the State of DuPont-Delaware, Biden now pretends to be deeply horrified by the incident that took place at Stanford. Where was his outrage when it emerged that American soldiers—both men and women—were sodomizing and murdering Iraqi prisoners in Abu Ghraib and elsewhere, acting out their sadistic and bloody fantasies? Biden, Congress and the Obama administration have done everything they can to conceal these crimes. No one was reading "impact letters" from tortured men and their families when a Senate Intelligence Committee report documented widespread torture in CIA "black sites"—least of all Mr. Biden.

As for Hillary Clinton, now the Democratic Party's presumptive nominee for the presidential election, she has devoted special attention to the campaign to abolish the presumption of innocence for men accused of rape. "To every survivor of sexual assault," she wrote on Twitter, "You have the right to be heard. You have the right to be believed. We're with you." She later more explicitly rejected the presumption of innocence: "Well, I would say that everybody should be believed at first until they are disbelieved based on evidence."

Clinton should know something about how allegations of sexual misconduct can be used for political purposes. In 1998, Republican legislators organized the impeachment campaign on the grounds that Hillary Clinton's husband was a sexual predator. Did Bill Clinton's accusers—such as Paula Jones and Jennifer Flowers—have an absolute "right to be believed?" Hillary Clinton then defended her husband against his accusers.

At the time, the Socialist Equality Party opposed the impeachment campaign—not because we believed in Clinton's innocence or approved of his behavior. Rather, we understood very well the reactionary political function of the sex scandal in the context of the Republican Party's attempt to destroy his administration.

Hysterical "sexual violence" campaigns, such as the one now underway with respect to the Stanford case, are designed to pollute the political atmosphere, prevent an objective and rational discussion of the most pressing issues of war and inequality, and obscure the basic class divisions in society.



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