

Assault allegation puts question mark over Kavanaugh nomination to Supreme Court

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The Trump administration and congressional Republican leaders were thrown into turmoil Sunday after the woman who charged Supreme Court nominee Brett Kavanaugh with sexually assaulting her when the two were high school students came forward publicly. Christine Blasey Ford, a clinical psychologist and PhD who has taught at Palo Alto University for two decades, allowed her name to be made public in an interview with the *Washington Post* arranged by her lawyer, Debra Katz.

Senate Judiciary Chairman Charles Grassley said yesterday that he will call Kavanaugh and Ford to testify Monday, and will delay a confirmation vote originally set for this Thursday.

Ford at first insisted on anonymity when she contacted the *Post* and her local Democratic representative in July with her account of an assault in 1982. She followed this up with a letter to Senator Dianne Feinstein of California, the senior Democrat on the Senate Judiciary Committee, which is scheduled to vote on Kavanaugh's nomination Thursday afternoon. In August, at the urging of her lawyer, who anticipated a ferocious pushback by the Republican Party and the Trump White House, she took and passed a lie detector test about the attack.

Her lawyer told the press that she changed her mind about demanding anonymity only when details of the charges began to circulate in Washington and she was contacted by numerous reporters, including Ronan Farrow of the *New Yorker*, who has spearheaded the use of anonymous or unverified claims of sexual misconduct to target prominent individuals in Hollywood and Washington.

Ford has a well-established academic career as a clinical psychologist and biostatistician, with more than 50 published scientific works.

A liberal Democrat who made a small contribution to Bernie Sanders in 2016, Ford signed a letter of protest earlier this year (under her professional name, Blasey), along with 5,000 other experts on child psychology and health, condemning the Trump policy of forcibly separating immigrant parents and children.

Ford first discussed the attack during a family therapy session in 2012 with her husband Russell, without naming Kavanaugh specifically, describing him only as someone now high up in the Washington political establishment. Kavanaugh was then a judge of the DC Circuit Court of Appeals, second highest to the Supreme Court.

Kavanaugh has denied the incident, claiming that he had never acted in the fashion described by Ford. His account was supported by the third person in the room at the time, Mark Judge, now a right-wing author. But according to Ford, Judge played a lesser role in the attack, helping Kavanaugh hold her down. Both youths—then 17 years old—were heavily intoxicated.

Kavanaugh has asserted that he was not present at the party at which the alleged attack is claimed to have occurred. This may prove to be the central issue of fact in determining the credibility of Ford's allegations and Kavanaugh's denials.

The *Wall Street Journal* published a vicious editorial questioning Ford's motives and comparing her to Anita Hill, whose accusations of sexual harassment were largely dismissed in the Senate vote to confirm ultra-right Justice Clarence Thomas in 1991. The comparison, however, cuts across the campaign to push through the nomination of Kavanaugh, since Hill's accusations are now widely accepted as true.

The timetable at least, and possibly the Kavanaugh nomination itself, are now in question. In informal comments to reporters at the White House, President

Trump suggested a short delay in the process might be required. “If it takes a little delay, it’ll take a little delay,” he said. “It shouldn’t certainly be very much.”

Judiciary Committee Chairman Chuck Grassley issued a statement Monday afternoon saying that since the accuser had come forward publicly she should be heard. “Anyone who comes forward as Dr. Ford has deserves to be heard, so I will continue working on a way to hear her out in an appropriate, precedented and respectful manner,” Grassley said.

But he sought to limit the process to conference calls with Ford and then with Kavanaugh, in which both could address the members of the committee. Grassley was under pressure from Republican senators both on and off the committee not to dismiss Ford’s charges.

Senator Jeff Flake, a committee member who is not seeking reelection, said he would oppose moving forward with Kavanaugh’s nomination until the sexual assault allegation is discussed. At least three other members of the Republican caucus, which holds only a narrow 51-49 margin, adopted the same position.

There are, no doubt, crass political considerations on all sides of this conflict. As is so often the case, political differences are being fought out under the camouflage of sexual scandals.

Nevertheless, allegations of so serious a character cannot be suppressed without a public presentation of evidence and testimony under oath. Whether this process leads to a reliable finding of facts is highly problematic.

In the end—barring sensational revelations—the outcome will be determined by political calculations. Senate Republicans are concerned that dismissing Ford’s allegations in the fashion of Anita Hill could lead to a debacle in the congressional midterm elections November 6. At the same time, they want to push through the nomination before the election in order to appease ultra-right evangelicals and avoid a complete collapse if the Democrats, against expectation, win control of the Senate.



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