

The political issues in the Senate hearing on Supreme Court nominee Brett Kavanaugh

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After nearly nine hours of Senate testimony by Supreme Court nominee Brett Kavanaugh and his accuser, Christine Blasey Ford, the public is no closer to knowing what did or did not happen over thirty years ago, when Ford alleges Kavanaugh sexually assaulted her. Kavanaugh's future as the nominee now depends on the outcome of an FBI investigation to which Senate Republicans agreed on Friday.

The allegations of sexual assault have become the sole issue in Kavanaugh's confirmation, and the Democratic Party and the media have presented Kavanaugh's guilt on this matter as a foregone conclusion. The focus of the proceedings reflects the political priorities of the Democratic Party and the interests of the affluent social layers to which it is appealing.

There are some who, though uncomfortable with the abrogation of the presumption of innocence that is characteristic of the Democrats' treatment of the sexual assault allegations, are eager to seize on any opportunity to keep Kavanaugh off the court. The ends, as the saying goes, supposedly justify the means. They should be warned: This is bad politics, bad strategy and even worse tactics. There are political consequences to such efforts to confuse and cover up the real issues confronting the working class.

A central aim of the Democrats' strategy in the Kavanaugh hearings has been to obscure the most important class issues. They adopt the tone of phony moral outrage over the three-decade-old allegation while expressing no similar anger or even concern over the crimes committed by the American ruling class throughout the world.

Not a day goes by where the US military is not dropping bombs or launching drone strikes, with the death toll from the "war on terror" well over one

million. Thirteen thousand immigrant children are currently locked up in internment camps. Thousands of workers in the US die each year from industrial accidents and work-related illnesses. When Democratic Senator Cory Booker complains about the "patriarchy," he looks past the fact that the fall in life expectancy in the working class is largely driven by alcoholism, drug abuse and depression among men.

Kavanaugh is himself complicit in these crimes, from which the relentless focus on allegations of sexual misconduct is intended as a diversion. There is documentary evidence Kavanaugh helped author Alberto Gonzales' "torture memos" during the Bush administration. He is on the record praising the constitutionality of mass surveillance by the National Security Agency. Email exchanges prove he advocates repealing the right to abortion for millions of women across the country.

The Democratic Party's refusal to address such issues is a deliberate decision. They are themselves guilty of involvement in these crimes—and intend for them to continue, whether Kavanaugh or some other reactionary is on the court.

The Democrats are not even capable of addressing the fact that twenty years ago Kavanaugh was a central player in the Republicans' anti-democratic use of sex scandals to attempt to bring down the administration of Democratic President Bill Clinton. To raise this issue would expose the fact that the Democrats are engaged in the same methods today.

As part of their effort to center opposition to Kavanaugh on allegations of sexual misconduct, the Democrats are utilizing the methods of #MeToo, which have consisted of treating allegations as fact and the presumption of innocence as an unnecessary burden that must be dispensed with.

The WSWWS takes no position on whether or not Kavanaugh is guilty of the allegations against him. However, as a legal matter, all that has been presented are the uncorroborated assertions of one individual. At Thursday's hearing, Democratic senators carried out a degrading spectacle, poring over Kavanaugh's high school yearbook and his puerile, 16-year-old references to drinking, flatulence and vomiting as though they prove he is guilty of sexual assault.

The media has followed suit. In an editorial board statement published Thursday night, the *New York Times* presented Kavanaugh's testimony as "volatile and belligerent." The statement makes no reference to Kavanaugh's political views, but concludes that he was "hard to believe," "condescending," "clumsy," "coy," "misleading" and likely a "heavy drinker." The reader is led to conclude that he must be guilty of the alleged crime.

Speaking on CNN last week, Hawaii Democratic Senator Mazie Hirono said the presumption of innocence "is what makes it really difficult for victims and survivors of these traumatic events to come forward." New York Democratic Senator Charles Schumer told reporters that there is "no presumption of innocence" in Kavanaugh's case because "it's not a legal proceeding, it's a fact-finding proceeding."

The character of the Democrats' operation in relation to the Kavanaugh hearing allowed this arch-reactionary to present himself as the victim of what he referred to in his opening statement as a "left-wing" conspiracy. The Democrats are, in fact, engaged in a highly staged political operation. However, there is nothing left-wing about it. On the contrary, the Democrats have adopted the political methods of the far-right.

The presumption of innocence is no small matter and dispensing with it has the most far-reaching consequences. Socialists have always stood against efforts by representatives of the bourgeoisie to obscure the class issues and undercut democratic consciousness. The causes with which the left has been historically associated involve a defense of the democratic and egalitarian principles established by the bourgeois revolutions of the late 18th century, including the presumption of innocence and due process.

The use of emotion and prejudice to weaken popular support for these rights, divide the working class, and facilitate state repression, militarism and corporate

exploitation is the historical tradition of right-wing politics. Basic democratic principles are always most vulnerable when the ruling class is able to play on moods of mass retribution against alleged perpetrators of crimes, particularly sexual violence, due to its inherent emotional appeal.

The Democrats' strategy in the Kavanaugh hearings has much in common with these traditions. Appeals to moods of vengeance and encouragement of visceral hatred of the accused are the methods of medieval justice. They are being employed to advance the Democratic Party's efforts to consolidate a political constituency among the affluent upper-middle class.

Socialists hold no brief for Brett Kavanaugh. But the tactics used against him will be employed with a thousand times more force and power against the oppressed and those opposed to the policies of the ruling elite. The case of WikiLeaks editor Julian Assange, persecuted for years on the basis of trumped-up sexual allegations, is one such example.

The operation of the Democrats in the Kavanaugh hearing cannot be separated from the character of its entire opposition to the Trump administration. It has sought to suppress and divert popular opposition to Trump behind the reactionary militarist and anti-democratic agenda of dominant sections of the military-intelligence apparatus. In this conflict within the ruling class, there is no progressive or democratic faction.

Kavanaugh is a political reactionary and an enemy of the working class. However, in waging its opposition to this right-wing Republican and the Trump administration, the working class must not allow itself to be subordinated to the agenda of the Democrats. To do so would only disarm the working class, undermine democratic rights and facilitate the ever more right-wing trajectory of American politics.



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