

Democrats, media press Kavanaugh sexual assault campaign

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An expanded FBI background check of Supreme Court nominee Brett Kavanaugh has begun under terms laid down by the Trump White House and the Senate Republican leadership, who agreed on Friday to a one-week probe in order to secure a party-line vote by the Senate Judiciary Committee to approve his nomination. The Republicans plan to bring the matter to the Senate floor for a vote some time next week.

After Republican Senator Jeff Flake of Arizona threatened to block the nomination, a bipartisan deal was negotiated in which Senate Democrats agreed to support a limited FBI investigation into 36-year-old allegations of sexual misconduct against Kavanaugh, now an Appeals Court judge.

The Judiciary Committee then approved Kavanaugh's nomination by an 11-10 vote, with Flake voting in favor. The FBI will report its findings to the White House, which will forward them to the Senate.

There were objections from the Democratic side to the limits set on the probe, apparently by Senate Majority Leader Mitch McConnell and other leading Republicans. The FBI will interview Christine Blasey Ford, who testified before the Judiciary Committee Thursday during the all-day hearing on her claims that Kavanaugh assaulted her at a party in suburban Maryland when she was 15 years old and he was 17.

The FBI will also interview several others identified as possible witnesses to the assault or to the party, including Mark Judge, the friend of Kavanaugh whom Ford identified as an accomplice in the assault. The FBI will also interview Deborah Ramirez, who claimed Kavanaugh engaged in improper sexual conduct while a student at Yale University in the mid-1980s, but not Julie Swetnick, who made the most sweeping allegations of sexual misconduct, including that Kavanaugh and Judge were at least passive bystanders

to her "gang rape" by a group of teenage boys during the early 1980s.

None of these allegations surfaced during previous background checks of Kavanaugh, including when he joined the staff of Independent Counsel Kenneth Starr in 1993, when he joined the Bush White House staff in 2001, and when he was nominated and confirmed to the US Court of Appeals in 2006 after a three-year conflict in Congress, where Democrats initially blocked his appointment.

A Trump administration official told the *Wall Street Journal* that the reopening of the FBI investigation into Kavanaugh was being handled "as any update to a background investigation would be handled if new, derogatory information is introduced." The FBI will not convene a grand jury or be able to compel witness statements, meaning that those who do not wish to speak to the agency can simply decline to do so.

Even without any results from this investigation, the Democratic Party has already begun cashing in politically on the day-long hearing for Kavanaugh and Ford. Leading Democrats calculated that the allegations against Kavanaugh could be used to boost their campaign for the November 6 midterm elections.

Four Senate Democrats who had been publicly "undecided" on whether to confirm Kavanaugh announced after Thursday's hearing that they would vote against the nomination. These include Joe Donnelly of Indiana, one of three Democrats who voted to confirm Neil Gorsuch as President Donald Trump's first nominee to the Supreme Court. Donnelly faces re-election next month.

The group also includes Jon Tester of Montana and Bill Nelson of Florida, also in tight re-election contests, and Doug Jones of Alabama, who narrowly won his seat in a special election last December and does not

face re-election until 2020.

That leaves only two Senate Democrats, Joe Manchin of West Virginia and Heidi Heitkamp of North Dakota, yet to announce positions on the nomination. Both voted to confirm Gorsuch last year and both face significant re-election challenges next month. They have been the targets of on-the-ground campaigning by President Trump.

Several Democratic candidates for Republican-held seats in the House of Representatives have begun to raise the allegations against Kavanaugh in an effort to undermine their Republican opponents, either in campaign advertising or in public statements asking whether the Republicans “believe” Ford.

Democratic Party calculations about using the sexual misconduct allegations, rather than Kavanaugh’s ultra-right political record, as the basis for their campaign against his nomination were bolstered by polls showing a plurality finding Ford more credible than Kavanaugh (41 percent to 35 percent) and that 51 percent of those polled were less likely to re-elect a senator who voted to confirm Kavanaugh.

Even more significant, however, was the finding that 73 percent of those polled had watched some or all of the Senate Judiciary Committee hearing, which was televised all day by three broadcast and three cable networks. That indicates some success for the Democratic Party effort to divert public attention to the Kavanaugh “sex scandal” and away from such class issues as healthcare, poverty, economic inequality and the growth of workers’ struggles.

Meanwhile, the corporate media campaign to drown out all other political and social questions in favor of issues of gender and sexual assault continues at unprecedented volume. The Kavanaugh hearing and the purported necessity to “believe the woman”—regardless of the presumption of innocence or any evidence, for or against—was virtually the sole theme on the Sunday television interview programs.

Washington Post columnist Ruth Marcus spelled out the anti-democratic implications of this position most bluntly, declaring, “The essential indicia of fair criminal process—presumptions of innocence and heavy burdens of proof—should not be imported wholesale into the sphere of a Senate confirmation.” Why the opposite standard—presumption of guilt in the absence of evidence—should be adopted, she did not say.

New York Times continues to spearhead the campaign, with a “news analysis” that inadvertently revealed the real agenda behind the reactionary #MeToo movement. The article concluded by quoting a female attorney saying: “The limits are about actual real power. ... Unless women really do take power in the legislature, in courts, in C-suites, in every aspect of life, unless we demand and take our share, nothing will ever, ever change. They are not going to give it to us. We have to take it.”

In other words, the issue is not what happened or did not happen to Christine Blasey Ford on an evening in 1982. That is of no real concern to the overwhelmingly upper-middle-class and privileged sexual assault warriors. Their concern is about 2018 and gaining access to positions of privilege and wealth within capitalist society. They are utterly hostile to a socialist perspective, which aims to wipe out all positions of privilege, regardless of race and gender, and establish genuine equality and democracy.

In that spirit, the *Times* unleashed back-to-back editorials and no fewer than eight separate commentaries by its op-ed columnists: Frank Bruni, Nicholas Kristof, Maureen Dowd, Bret Stephens, Gail Collins, Michelle Goldberg and Timothy Egan, and a guest column by *New Yorker* writer Rebecca Treaster. There is apparently no other issue in American life worthy of comment in the pages of the “newspaper of record.”



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