

Australia: Media-led hysteria in overdrive after attorney-general denies rape allegation

Oscar Grenfell
4 March 2021

A campaign against the Liberal-National Coalition government, centering on various accusations of sexual misconduct, reached a new level of intensity yesterday, with Attorney-General Christian Porter compelled to identify himself as the subject of a historical rape allegation.

Porter's press conference, at which he strenuously denied the accusation, has done nothing to dampen a media-led frenzy, which has acquired a hysterical character. The corporate press and official political discussion is now completely dominated by an allegation dating back more than three decades, that will never be tested in a court of law and that is impossible to verify.

As is always the case, such media-driven campaigns serve political agendas that cannot be openly stated, and that are concealed behind a wall of confected moral outrage, salacious gossip and feverish speculation.

In the first instance, the function of the current hysteria is to drown out discussion of the immense social crisis triggered by the pandemic and the pro-business response to it, or any other political issue, from Australia's frontline role in US-aggression against China, to an escalating, bipartisan assault on democratic norms.

Then there are the various conflicts within the political establishment and the ruling elite, which are clearly at play.

Longstanding factional divisions within the Coalition are at the centre of the crisis. Elements within the Coalition are leaking extensively to the media. Former Prime Minister Malcolm Turnbull has positioned himself as the figurehead of the campaign over sexual misconduct, targeting current incumbent Scott Morrison, who displaced him in a party-room coup in 2018.

Labor, which has marched in lockstep with the government for the past year, and the Greens that long ago dropped a posture of opposition to the major parties, are seeking to differentiate from the government solely on the question of sexual misconduct.

They are trying to shore up their support among a privileged, upper-middle class constituency, that is obsessed with issues of identity, including gender and sexual relations, and largely indifferent to the class questions of social inequality, growing poverty and war, on which Labor and the Coalition have

indistinguishable policies.

The sordid political agendas being pursued are intersecting with frustrations within the ruling class over the "paralysis" of the government, voiced by publications such as the *Australian* and the *Australian Financial Review*. Their chief complaint is that Morrison is not moving quickly enough on a wholesale restructuring of the economy and workplace relations, aimed at boosting the profits of the corporate elite at the expense of the working class.

The campaign began on February 15, when Liberal Party staffer Brittany Higgins told the media that she had been raped by a colleague in early 2019. At the time, Higgins had requested an end to a police investigation of the allegation, less than two weeks after she had filed a complaint, and then collaborated with the government to keep the story out of the press.

Almost two years after the fact, she suddenly aired the allegations through the media and connected them to vague assertions that she received insufficient support from her superiors. This was immediately presented by the media as proof of an endemic culture of sexual harassment and assault within the Coalition and parliament as a whole, which overnight became the decisive political issue of the day. Further anonymous allegations were rapidly forthcoming.

In this context, Labor foreign affairs spokeswoman Penny Wong and Greens Senator Sarah Hanson-Young reported last Friday that they had just received an anonymous letter detailing allegations of a 1988 rape by a senior cabinet minister. Turnbull, it rapidly emerged, had himself been sent the letter in late 2019.

Within days, Porter's identity as the minister in question was leaked. His name trended on Twitter, while Turnbull, Labor and the Greens demanded that he step forward and respond to the allegations.

What is publicly confirmed of the accusations is limited. In February 2020, a woman filed a report at a Sydney police station alleging that she was raped by Porter in January 1988 when both of them were at a debating tournament held at the University of Sydney. In June 2020, before she had been formally interviewed, the woman withdrew her complaint. Several days later, she passed away, reportedly as a result of

suicide.

On Tuesday, New South Wales police announced they were ending an investigation into the allegation, because the woman's death meant there was insufficient admissible evidence to proceed.

At yesterday's press conference, Porter categorically denied that he had committed any sexual offence. The attorney-general, now 50, noted that in January 1988, he was just 17 years old. Porter rejected calls that he stand down or resign, warning that if he were to do so, it would create a precedent for "trial by media," with the mere airing of untested allegations enough to end the career of any public figure. This, he said, would be a threat to the rule of law and to democratic rights, including to the presumption of innocence.

Many in the media pack, which often refrains from any critical questioning of government ministers, were clearly furious with these statements. The details of the allegations were put to Porter repeatedly, while one reporter responded to talk of the presumption of innocence by declaring that it applied in court, but not "in the court of public opinion," i.e., where careerist journalists and their billionaire employers are the arbiters.

There are growing calls from media outlets, including the *Sydney Morning Herald*, the *Age*, *Crikey* and the *Guardian*, as well as commentators at the state-funded Australian Broadcasting Corporation, for some sort of official inquiry into the allegations against Porter. This is also the line of Turnbull, Labor and the Greens.

Proponents of this course of action openly acknowledge that Porter could never be convicted of an offence based on the criminal burden of proof, i.e., guilty beyond reasonable doubt. Instead, they are calling for the allegations to be tested, outside of court, on the evidentiary standards of a civil case, in which adjudication is based on the balance of probabilities.

Given that many of those calling for such an investigation also insist that complaints of sexual assault by a female must always be believed at face value, and without critical examination, it is fairly obvious that they are angling for Porter to be officially labelled a rapist without a criminal trial or due process.

Some have gone even further. Representatives of the Australian Women Lawyers group, for instance, have called in the media for an examination of Porter's personal conduct spanning decades. This would include not only the rape accusation, but such things as media allegations last year that he had engaged in consensual extra-marital relations with adult women.

Legal experts who have not lost their heads or been cowed into silence have warned of the dangerous precedent that would be established by such an operation. Firstly, individuals could be tainted as guilty of the most serious criminal offences, without any of the standard evidentiary requirements applying; secondly, the executive branch could call such non-binding

hearings against anyone, thereby undermining the independence of the judiciary and the separation of powers.

All of this underscores that there is nothing progressive in the current campaign, which, like the #MeToo movement, is based on a rejection of core democratic rights, above all the presumption of innocence.

Labor and the Greens are seeking to confine opposition to the Morrison government within an anti-democratic and essentially right-wing framework. Under conditions of mounting social and political opposition among workers and youth, they are insisting that the primary, and perhaps sole basis of opposition to a reactionary Coalition government, is upper-middle class identity politics.

Labor and the Greens are hostile to a broader fight against the government, because they support its policies. Labor has backed the government's pro-business response to the pandemic, its massive tax cuts for the wealthy and the corporations, contained in last October's federal budget, and its escalating provocations against China. Like the Coalition, they are, above all, fearful of and hostile to any struggle by workers against inequality, war and the corporate offensive against living standards.

The promotion of the anti-democratic nostrums of #MeToo is also providing the most openly right-wing sections of the political establishment with an opportunity to posture as defenders of civil liberties. This includes Porter himself, who as attorney-general has presided over the persecution of refugees, secret trials of whistle-blowers and other moves towards authoritarianism.

For the past fortnight, the Murdoch press has fuelled the sexual misconduct frenzy, in line with its frustration over government "paralysis." Murdoch outlets have previously spearheaded nasty #MeToo "exposures" of Geoffrey Rush and John Jarratt, which ended with the acclaimed actors winning defamation cases against the publications. They also trumpeted untested accusations against actor Craig McLaughlin, which were dismissed at a criminal trial that concluded last December.

Now, fearful that the allegations against Porter could bring down the government and result in protracted political instability, the Murdoch stable has recalled a commitment to due process and hostility to trial by media.

Workers and young people should steer clear of the current sexual misconduct campaign and reject the competing factions of the political establishment. Instead they must begin a political fight for their independent class interests and democratic and social rights against the entire parliamentary set-up and the capitalist system that it defends.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact