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SADLY, KAVANAUGH FIGHT NIGHT OVER YET

by Carl Golden, October 11, 2018



In the immediate aftermath of what was arguably the ugliest two weeks in modern United States Senate history, both sides claimed victory, each insisting the venomous, toxic atmosphere that cloaked the Capitol during the confirmation hearings and vote on the nomination of Brett Kavanaugh to the Supreme Court sent a jolt through their party's bases and assured success in the mid-term elections.

Republicans made a case that Democrats carried out a coordinated smear campaign based on uncorroborated accusations of sexual assault against Kavanaugh while Democrats argued the allegations had merit, were credible and the nominee was so badly flawed and his temperament so uncontrolled that he didn't deserve to sit on the nation's highest court.

The outcome – a 50-48 vote to confirm him – energized Republican voters outraged at the treatment given Kavanaugh and, at the same time, mobilized Democrats convinced the nomination was bulldozed through to avoid a potential shift in Senate control.

The Judiciary Committee hearings brought out the worst in Senators, Republican and Democrat, and – for the television watching public – portrayed the consequences when a supposedly thoughtful and deliberative body is hijacked by ego driven individuals anxious to advance their political ambitions while tossing reasoned, insightful

inquiry onto the scrap heap.

Democratic members of the committee, for instance, relentlessly pursued a remarkably silly line of questioning determined to uncover some sinister motive in the written ramblings in a high school yearbook of a bunch of teenagers.

New Jersey Sen. Cory Booker whose 2020 presidential ambitions are apparent to all suffered another delusional moment when he compared himself to the lead character in a 58-year-old movie to demonstrate his courage and independence.

Republican Sen. Lindsay Graham of South Carolina, in an arm waving, finger-pointing tantrum, excoriated his Democratic colleagues, accusing them of all manner of contemptible behavior.

The nominee defended himself from the accusations of misbehavior by reviewing his record as an attorney and an appellate judge and talking emotionally about the impact on his family of the attacks on him.

He careened off the rails, however, when he attributed the opposition to a cabal of Democrats carrying out a vendetta because they were still upset over their 2016 defeat. He even identified Bill and Hillary Clinton as accomplices, even though there existed no credible evidence to support it.

His chief accuser, Dr. Christine Blasey Ford, calmly, yet deeply emotional, recalled what she said was an encounter with Kavanaugh at a house party in 1982 and described his effort to sexually assault her.

Kavanaugh never wavered in his denials, insisting he never committed the act Ford described and suggesting she may have mistaken him for someone else.

Despite a lack of corroboration for Ford's account and her inability to recall specific details of the evening, Democrats, with an assist from Arizona Republican Sen. Jeff Flake, forced another FBI investigation which turned up nothing beyond that already known.

In the end, Senators were left with an unresolved issue and no clear, irrefutable conclusion over whether Ford or Kavanaugh was truthful.

All of this was played out in an environment which, at times, resembled Mad Max in the Thunderdome as groups opposing Kavanaugh hurled insults, threats and warnings of political retribution in the hearing room and from the Senate gallery.

And, it's not over yet.

Some Democrats, notably New York Rep. Jerrold Nadler – who is in line to become chairman of the House Judiciary Committee should Democrats take control – promised investigations and possible impeachment proceedings against President Trump and Kavanaugh.

There is ample polling evidence to support the claims of leaders of both parties of a measurable uptick in the enthusiasm level of their base voters who now view the November election as critically important.

It is the politics of resentment writ large and practiced by both parties; Republican voters with their fill of what they believe to be an elite ruling class indifferent to their needs and concerns and Democrats convinced their opponents are narrow-minded ideologues bent on returning to government by aristocracy.

The ugliness of the Kavanaugh nomination fight will linger and, if Democrats win a House majority, will most certainly flare up again and with greater intensity unless cooler Democratic heads can tamp down talk of impeachment.

Voters, it's been argued cynically, are motivated more by a desire to express hatred rather than by making a statement of support.

It is, though, a sad commentary that the serious and sacred responsibility of selecting a justice of the Supreme Court can be distorted and used as evidence of that cynicism.

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