



The Bunkhouse Chronicle

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Columnist

You can't get there from here

I've been wondering what there is to say about the saga of Judge Kavanaugh, and the allegations made by Dr. Christine Blasey Ford. There really is no upside to joining the discussion in the present environment, largely because we seem to have regressed to the tactics of politically driven denunciation in place of evidence and fact.

But I'm going to do it anyway. Because accusations of this sort must be accompanied by evidence. And in this case, there isn't any reliable evidence. Only a 36-year-old memory-based claim with more holes in it than a country road sign.

Nevertheless, Kavanaugh has been pilloried, and the usual cast of the outraged has once again been triggered — shrieking in the Senate office buildings, rending their garments in the street, and harassing people in restaurants.

Again.

It's remarkable that so many people who decry Trump as a fascist have so

quickly and willingly tapped into their own fascist tendencies to declare a verdict in a case without any corroborating evidence.

While so many are quick to celebrate Ford as a "survivor," that whole notion is predicated on the idea that something actually happened. And maybe it did. But Ford's claims, as it stands right now, simply can't be proven, and since they can't be proven, our legal and moral obligation is clear — which is to act on the presumption of innocence.

And yet there are millions of Americans who, without any hesitation whatsoever, have taken Ford's tale as gospel. In many cases they believe it, with astonishing pride, simply because she is a woman.

Which is extremely dangerous for all of us. It's dangerous because believing someone simply because they are a woman, or because they are white, or a man, or a white man, or because they are black, or because they are gay, or straight, or because they are Hispanic, or Chinese, or Inuit, or for any reason accidental to their birth, is precisely the direction we should NOT be travelling on the path to justice.

Isn't that the whole point of Colin Kaepernick's protest? Aren't we supposed to be looking deeper than skin color and plumbing and politics in the search for truth? Aren't we supposed to presume innocence until a preponderance of evidence persuades us otherwise?

What rational adults are

meant to believe in, in both the court of opinion and the court of justice, is credible evidence legally obtained, and no one has yet come forward with any evidence whatsoever to substantiate Ford's claims — including the people she alleges were present. To believe an accusation without evidence, and to double-down on that incredibly irresponsible behavior by destroying a man's reputation and career, in the utter absence of due process, is unconscionable, cynical in the extreme, and beneath the dignity of our judicial system.

And yet here we are.

Kavanaugh's right to a presumption of innocence was destroyed the minute Senator Diane Feinstein decided to use Ford's letter, and Ford herself, as a political tool. Feinstein didn't have to do it that way, but she did, and the worst part of all is that, should Kavanaugh go on to be confirmed, Dr. Ford herself will be left by the side of the road as a cautionary tale presented as evidence to legitimate victims of crime that no one will believe them.

Which has never been true, because tens of thousands of victims get believed every day in America, which is one reason the cops are so busy and our prisons are overflowing.

It doesn't matter what side of the aisle you are on, whether you are running around in a MAGA hat with Lee Greenwood playing on an endless loop in your head, or whether

you are wearing out a Che T-shirt throwing rocks and bottles at the cops, the sort of grandstanding show-trial atmosphere enjoined by Senators like Corey Booker (an admitted groper) and Senator Blumenthal (lied about his Vietnam service) should bother you. Because that low standard of due process — demonstrated by people whose own credibility hovers at zero — doesn't lead to tyranny, it actually IS tyranny.

And before you storm off in a pique to denounce this column, try to keep in mind, unemotionally, that no one is suggesting that sexual assault is OK, or that cadish behavior is acceptable. Far from it. It isn't acceptable from anybody, ever. And given that this columnist has investigated dozens of sex crimes, and arrested more than one actual serial rapist, the bonafides here are solid.

But if you are going to accuse someone of a crime, and you are willing to

destroy their life in that process, bear in mind that every single person in America is entitled to the presumption of innocence.

Because if you get it wrong, you can't square it up later. The damage is done, and it's permanent. Which isn't good enough. Far too many people in contemporary America, driven wild by intense and emotional political hatreds, are choosing the convenience of political denunciation and meme-think narratives over actual evidence and the due process guaranteed each of us by law.

And that really isn't America. It's North Korea.

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