

3 Things You May Not Have Considered in the Kavanaugh Hearings

For the second time in three years, the Supreme Court of the United States started its annual term this week, with only eight judges. With Justice Kennedy's resignation in June, the Trump Administration drew from its published list of qualified judicial candidates and nominated Judge Brett Kavanaugh to replace Justice Kennedy, subject to the "advice and consent" of the U.S. Senate. That approval needed to first pass review of the Judicial Committee of the Senate. With an 11-10 Republican majority, that was about to happen two weeks ago.

Then, an accusation of sexual misconduct was leaked to the press and certain Senators about Judge Kavanaugh and everything ground to a halt until these accusations could be processed and evaluated by the Committee. This was done in a public hearing last week as the initial accuser, Dr. Christine Blasey Ford, made her accusation of attempted rape stemming from an incident in the summer of 1982—36 years ago—and Judge Kavanaugh responded (sometimes emotionally) to the uncorroborated accusations against his integrity. Both testimonies have been described as "compelling," "sincere" and "credible."

However, sincere people can be sincerely wrong and even credible testimony needs to be supported with clear evidence or objective witnesses. Dr. Ford's testimony was short on details. She cannot remember the date, time, place or the location of the alleged attack. Neither does she remember how she got there or home. The only physical evidence submitted was a personal calendar/diary-like reminder from 1982, submitted by Judge Kavanaugh. The testimonies were a weak "she said/ he said" debate draw.

However, the questioning by the committee members was anything but weak, cordial or bipartisan. Kavanaugh called it a “politically motivated smear campaign” and defensively suggested that minority members had replaced their role in the confirmation process of “advise and consent” with “search and destroy.”

The Democrats spent most of their five-minute allotments following Dr. Ford’s testimony speaking affirming words to her and congratulating themselves. Though no collaborative evidence was given that the accusation actually happened, the Democrats had indicated they would be voting no before the hearing was even held. They seemed to have all learned the same talking point which they individually recited to interviewers, “I believe Dr. Christine Blasey Ford and the other accusers. This man does not belong on the Supreme Court.”

While the committee’s vote the following day to approve the nomination passed on a partisan basis, it did so with a caveat that the . conduct a supplemental investigation, limited to one week, on any “credible accusation” currently before the committee. Whether the minority members of that committee or the full Senate will be satisfied with that investigation remains to be seen. If Republicans are correct that their Democrat colleagues’ plans, since the 2016 elections, are to “delay, obstruct, and resist,” it is doubtful.

As the days of this “supplemental investigation” continue this week, I would like to suggest three, significant factors in this “kerfuffle,” which may be short for “disheveled and disgusting mess!” I’ll summarize these societal factors in three words: adolescence, alcohol and abortion.

Adolescence

Adolescence typically describes the teenage-years between 13-19 and is psychologically and physically the transition

from childhood to adulthood. It is an emotionally immature period of uncertainty and experimentation.

Apparently, Brett Kavanaugh and his Georgetown Prep buddies experimented with drinking beer in their adolescences and found they liked it. His junior-year, high-school yearbook indicated he was known for drinking beer, even though admitting last week at the hearing that he had a “weak stomach” and sometimes threw up—in his friend’s car since Brett (from a well-to-do family) did not have a car.

These dicey revelations from Kavanaugh’s adolescence came up as one Democrat senator spent his “five minutes of fame” questioning the judge at the special hearing. He took his allotted time to dissect the meaning of the scribblings of some of Brett’s friends, as well as editorial comments in the yearbook and notations in Kavanaugh’s 36-year-old calendar. He questioned Judge Kavanaugh, from a reportedly devout Catholic family, why he did not list church attendance in his teen calendar. He responded that it was a “given”; he and his family always attended church on Sundays.

Kavanaugh and his friends had summer jobs, liked to work out together and prepare for fall football. On the weekends, if he was home, he listed parties he and his friends attended. None were listed for August 1982.

If the alleged assault occurred in summer 1982, Kavanaugh would have been 17 and legally a minor. Unfortunately, in those years, Maryland law considered such accusations to be misdemeanors, with a one-year statute of limitation. Since no assault allegation was reported to the Maryland authorities within one year of the alleged event, no investigation was made and no prosecution was initiated.

Alcohol

As mentioned above, Brett Kavanaugh and his adolescent friends experimented with beer and found that they liked it. In the

Senate hearing, he affirmed to one senator that "... I still like it!" His high school friend, Mark Judge, self-reportedly became an alcoholic. This might prompt questions like these:

- At what age did they begin experimenting with beer?
- Did they like the taste of beer? Or the buzz it gave them?
- Was beer stocked as a staple in their own homes?
- What level of moderation was practiced by their parents and siblings?
- Did Brett and his friends "drink excessively," as reported by some?
- Was/is he a "mean drunk," as allegedly reported?

Finally, has Judge Kavanaugh had cases where alcohol abuse and sexual misconduct were factors? Does he know the high statistics connecting alcohol consumption and sexual abuse and rape? What will he teach his own daughters about the dangers of alcohol and sexual abuse?

A wise parent observed: "What I may do in moderation, my children may do in excess!"

While parents can't control what their kids do when they are out of their sight or control, but what kind of supervision were these parents of minor children providing? In whose home(s) were these weekly parties held? Did other parents know these events were being held unsupervised and included alcohol? Did the parents provide the beer for their teen's frequent drinking episodes?

Abortion

For adolescents and adults, drinking alcohol and having sex is a dangerous combination. They often result in unintended consequences—even pregnancies.

In 1973 the Supreme Court found a new "right" for our citizens in the landmark court case *Roe v. Wade*. It was the "right" of

pregnant women to choose to abort pregnancies by killing and removing the living baby from the womb. Now, 45 years later and after some 54 million babies aborted, some even advocate for the “right” to chemically or surgically kill the living baby at any stage of the pregnancy, up to and including live birth!

Judge Kavanaugh’s Catholic background and personal pro-life positions have made him a target for the abortion advocates. Since Democrats have made it clear that their party no longer has a place of diversity in it for pro-life advocates, all present Democrats in Congress have banded together to support and protect the “right” to abortion. This issue is the most important on their list of concerns when considering any Supreme Court nominee.

His place on the SCOTUS as a conservative, constitutionalist justice may mean an eventual change of this “culture of death” factor. If President Trump or any future president is forced to submit only moderate, cultural-centrists as nominees who may get approved by Democrats, the reconsideration of Roe v. Wade will never happen in our lifetimes.

I suggest that the vile and disgusting opposition to Judge Kavanaugh is, in reality, all about abortion! Democrats know that. That is why they “delay, obstruct and resist.”

Let us pray for each of these critical factors in Judge Kavanaugh’s nomination.