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*Senate Floor Speech on Kavanaugh and Ford Judiciary Committee Testimony*

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[AUTHENTICITY CERTIFIED: Text version below transcribed directly from audio]

Madam President,

I rise today to say a few words about the two human beings who will be providing extraordinarily important testimony before the Senate Judiciary Committee tomorrow: Dr. Christine Blasey Ford and Judge Brett Kavanaugh, who will testify in that order.

Two human beings. It feels a bit odd in this political setting to specify their humanity, but we need to. And I admit it feels strange to have to do that. But we in this political culture and in this city and in this building, even in this chamber -- we seem to sometimes forget that before this woman and this man are anything else, they are human beings.

We sometimes seem intent on stripping people of their humanity so that we might more easily denigrate or defame them or put them through the grinder that our politics requires. We seem, sometimes, even to enjoy it.



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For the past two weeks we've certainly seen that happen to both of these human beings, for whatever reason -- because we think that we are right and they are wrong, because we think that our ideological struggle is more important than their humanity, because we are so practiced in dehumanizing people that we have also dehumanized ourselves.

Whatever else they are or have become to us, whatever grotesque caricature we have made of them or ourselves, before we are Democrats or Republicans, before we are even Americans, we are human beings. As President Kennedy said, "We all breathe the same air. We all cherish our children's future[s]. [And] we are all mortal."<sup>1</sup>

And so these witnesses who will testify in a very important hearing tomorrow, these unwitting combatants in an undeclared war -- these people are not props for us to make our political points, nor are they to be "demolished like Anita Hill" as was said on conservative media the other night. Nor is one of them a -- a "proven sex criminal" as has been circulating on the left side of the Internet. These are human beings, with families and children -- people who love them and people whom they love and live for -- and each is suffering through a very ugly process that we have created.

I will not review the unseemly process that brought us to this point, because that is for another time, and in any case it didn't start with this particular nomination. But here we are.

There was an earlier case, 27 years ago, from which you might have thought we would have learned something, but the past couple of weeks makes it clear that we haven't learned much at all. Consequently, there have been cries from both sides of these proceedings that each of the witnesses has fallen victim to character assassination. Both of these claims are absolutely correct. And so I will say to these witnesses, these human beings, we owe you both of you a sincere apology.



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An apology is inadequate, of course, but it's a start. We can't very well undo the damage that has been done, but we can govern our own behavior as we go through this painful hearing tomorrow, and in the days afterwards. We must do that, lest we do even more damage. Some of the public comments about both of these witnesses have been vile.

Not unrelated to these comments, each of these witnesses have reportedly been subject to death threats, and for that we should be ashamed. The toxic political culture that have -- we have created has infected everything, and we've done little to stop it. In fact, we've only indulged it, fanned the flames, taken partisan advantage at every turn, deepened the ugly divisions that exist in our country.

These past two years, we have tested the limits of how low we can go. And my colleagues, I say to you that winning at all costs is too high a cost. We cannot have a human -- rather than a political -- If we cannot have a human -- rather than a political -- response to these witnesses, if we are heedless to the capacity that we have to do real and lasting damage, then we shouldn't be here.

When Dr. Ford came forward, I felt strongly that her voice needed to be heard. That's why I informed Chairman Grassley that the Judiciary Committee could not and should not proceed to a vote until she had the opportunity to make her voice heard, until such time that her claims were fully aired and carefully considered, and her credibility gauged. This is a lifetime appointment. And this is said to be a deliberative body. In the interest of due diligence and fairness, it seemed to me to be the only thing to do.

Not everyone felt this way. One man -- One man, somewhere in the country, called my office in Arizona and left a message saying that he was tired of me "interrupting" my "President" and for that offense of allowing Dr. Ford to be heard, for this offense, me and my family would be "taken out."

I mention this with reluctance, but only to say that we have lit a match, my colleagues. The question is, do we appreciate how close the powder keg is?



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Now tomorrow, we will have a hearing. Many members of this body, from both parties, have already made up their minds, on the record, in advance of the hearing. They will presumably hear what they want to hear and disregard the rest. One is tempted to ask, why even bother having a hearing?

I do not know how I will assess the credibility of these witnesses, these human beings, on the grave matters that will be testified to, because I've not yet heard a word of their testimony, and because I am not psychic. I am not gifted with clairvoyance. Given these limitations, I'll have to listen to the test -- testimony before I make up my mind about the testimony.

What I do know is that I don't believe that Dr. Ford is part of some vast conspiracy from start to finish to smear Judge Kavanaugh, as has been alleged by some on the right.

And I do know that I do not believe that Judge Kavanaugh is some kind of serial sexual predator, as some have alleged on the left.

I must also say that separate and apart from this nomination and the facts that pertain to it, I do not believe that the claim of sexual assault is invalid because a 15-year-old girl didn't promptly report the assault to authorities, as the President of the United States said just two days ago. How uninformed and uncaring do we have to be to say things like that, much less believe them? Do we have any idea what kind of message that sends, especially to young women? How many times do we have to marginalize and ignore women before we learn that important lesson?

And now, if I must say a word or two about the -- the human beings first, on the Judiciary Committee and then in the full Senate, who will have to weigh the testimony that we will hear tomorrow, and to come to some kind of decision on this nomination.

The Judiciary Committee is scheduled to vote on Judge Kavanaugh's nomination on Friday. I hope that tomorrow's hearing gives us some guidance on how we are to vote.



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But those of us on the Committee have to be prepared for the possibility, indeed the likelihood, that there will be no definitive answers to the large questions before us. In legal terms, the outcome might not be dispositive.

While we can only vote yes or no, I hope that we, in this Body, will acknowledge that we don't have all the answers. We are imperfect humans. We will make imperfect decisions. This monumental decision will no doubt fit that description. Up or down, yes or no, however this vote goes, I am confident in saying that it will forever be steeped in doubt. This doubt is the only thing of which I am confident about this process.

I say to all of my colleagues: For this process to be a process, we have to have open minds. We must listen. We must do our best, seek the truth, in good faith. That is our only duty.

Thank you, Madam President. I yield the floor.

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<sup>1</sup> American University Address