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The jury is out, but may be fixed

By EDWARD L. MARCUS

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By this time most of us know that the House of Representatives voted to impeach the President. The U.S. Senate now must act as the jury and decide whether the President is to be acquitted or found guilty on one or both of the counts with which he is charged.

The assumption in the Constitution is very clear: The members of the U.S. Senate shall listen to evidence presented and make a decision based solely on the evidence. Their decision shall not be influenced by political party affiliation or any other outside pressure.

The Chief Justice of the U.S. Supreme Court acts as the arbiter of procedural issues and one would hope that Chief Justice Roberts will act impartially and not be guided by politics.

In a normal jury trial it is a felony to “fix” a juror or for the juror to receive anything of value for his or her vote. Serving as a juror is a community service and honesty and integrity are understood to be part of the juror’s services. If a juror violates their oath to serve independently without outside influence or receives consideration of any kind that would be a violation of his or her oath and a criminal charge would automatically be instituted against them.

Alas, evidently violating their oath of office means nothing for the bulk of the Republicans in the U.S. Senate. Mitch McConnell, the GOP Majority Leader of the U.S. Senate has already admitted he is working hand in hand with the White House to make arrangements for and work out defenses for the impeachment trial in the Senate. McConnell has called the articles of impeachment “so darn weak” and confessed to “taking my cues” from Trump and White House counsel, namely Pat A. Cipollone.

McConnell said in an interview, of course on Fox News (“Trump TV”) the following: “Everything I do during this, I’m coordinating with the White House counsel. There will be no difference between the president’s position and our position as to how to handle this to the extent that we can.”

There are 47 Democrats, including two Independents, who vote with the Democrats in the U.S. Senate and 53 Republicans. In order to convict Trump a two-thirds vote of the Senate is required — 67 guilty votes. If the jury were not rigged it certainly would be possible to get the votes depending on the evidence submitted. The Republicans, however, are a disciplined bunch and are afraid of Trump so the great likelihood is Republican support for acquittal. The Democrats will have won a substantial victory if they can get 51 Senators, or a simple majority, to vote for impeachment.

What can we, the public, do about the fixed jury? Realistically not much except publicly complain about the fix being in and, of course, hope that McConnell’s 2020 opponent Amy

McGrath knocks him out of the Senate as McConnell is up for reelection. McConnell and his gang of Republican Senators have not been good for the country.

I have my fingers crossed that four Republican Senators will show that they have a conscience and believe in their oath of office and vote with the 47 Democratic Senators to show the country and the world that the United States is a democracy and it is a democracy that works.

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