

## Republican Senators' Stubborn Refusal to Admit Evidence or Call Witnesses May Backfire and Reap the Whirlwind - *InsiderNJ*

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Well, Mitch McConnell and the Republican leadership achieved their objective: an expedited impeachment trial without calling any witnesses or permitting the introduction of subpoenaed evidence. The ultimate verdict coming in the next few days is a foregone conclusion. Their problem is that these “end justifies the means” tactics are proof positive that the proceedings were a sham. To have a fair trial you need witnesses and evidence. This McConnell was able to avoid last Friday by the narrowest of margins – a 51/49 split – when the critical Republican vote, Senator Lamar Alexander, was only able to argue that the Democrats had already proven the case so he did not need to hear from the eyewitness who was at the scene of the crime – John Bolton.

Many commentators have likened the witnessless Impeachment proceeding to the Russian show trial of the 1950's where everybody knew the script and the verdict in advance. The Trump impeachment proceedings reminds me more of the trials down south in the 60s and 70s of those who murdered civil rights workers when it was known after jury selection of an all-white jury that the verdict would be an acquittal.

No objective person with a living brain cell could view the evidence against Trump and not agree that the charges were proven. Even Senator Lamar Alexander conceded as much when he announced his vote against witnesses on the theory that the charges were already proven. One of the reasons the Republicans feared Bolton was because his powerful testimony about a “drug deal” by Trump would have diluted or negated the ultimate “fallback argument” that the

offenses proven are only “inappropriate” and do not merit impeachment.

The Democrats sought to call four witnesses, mainly Ambassador John Bolton and acting Chief of Staff Mick Mulvaney, and obtain critical documentary evidence from the White House, the State Department, the Department of Defense and the Office of Management and Budget. The evidence in question was germane to the events in Ukraine, but was not produced to the House of Representatives at the direction of the White House. This across the board stonewalling of Congressional subpoenas is virtually unprecedented.

On a cynical level, the Republicans would have been wise to let the Democrats call witnesses and obtain documents and then render a vote of acquittal after what they could claim was a full and fair hearing. (I know from bitter experience that anytime a judge is inviting me to make additional arguments or submit additional documents I am probably going to lose in Court.) But by denying the Democrats the ability to produce critical eyewitness testimony from Bolton and Mulvaney – both of whom had relevant conversations with President Trump – they are not only signaling but screaming to the public that the trial in the Senate was merely a partisan political exercise and a cover-up.

There may be a day of reckoning. The polls have indicated that over 75% percent of the American public wanted a fair trial and witnesses in the Impeachment trial. The heavy-handed tactics of Mitch McConnell to shut down the proceedings on Friday, even as news was breaking from the New York Times about additional revelations from John Bolton's book which told of the further involvement of President Trump in orchestrating this corrupt scheme, will not go unnoticed by those who are paying attention. Such a truncated proceeding without the most critical evidence and documents is offensive to anybody with a sense of fair play – regardless of their political persuasion. I believe this will further mobilize the Democratic base in November 2020 and produce a record turnout because of a belief that the fate of our country is at stake. Polls show that many people are terrified as to the havoc a second Trump term will wreak on our democracy.

We have all heard the saying to “watch out what you pray for because you just might get it.” Well the Republicans have gotten the expedited Impeachment Trial they prayed for. But there is another line from Scripture which comes to mind: “they have sown the wind, and they shall reap the whirlwind.” The whirlwind of an energized Democratic turnout may cost the Republicans the Senate.