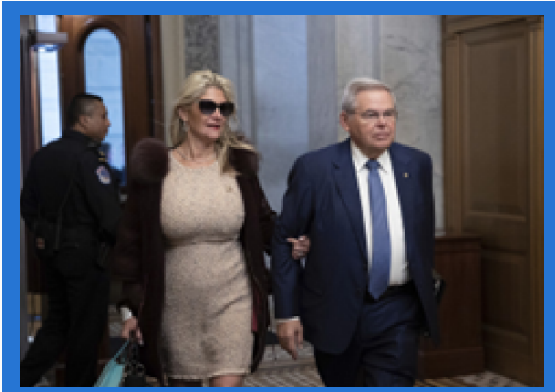


CIVICS IN REAL LIFE

Conspiracy to Commit Bribery and the Rule of Law

Civics is all around us. There is a lot to know about the government and how "We the People" interact with the government and each other. Let's help each other expand our civic literacy.



On September 22, 2023, U.S. Senator Bob Menendez (D, NJ), and his wife, Nadine, were indicted by the [U.S. Attorney's Office for the Southern District of New York](#) and [charged](#) with conspiracy to commit bribery, conspiracy to commit honest services fraud, and conspiracy to commit extortion under the color of official right. They are expected to have their first appearance in the [U.S. District Court for the Southern District of New York](#), Wednesday, September 27.

The [indictment](#) is a culmination of a months-long investigation by federal authorities. Contained as part of the indictment were images taken from an FBI search of the Senator's home, in which nearly \$500,000 in cash, \$150,000 worth of gold bars, and a 2019 Mercedes-Benz convertible were

found, suspected proceeds from Senator and Mrs. Menendez's massive bribery scheme. So, what are these charges about, what do they mean, and why do they matter?

[Conspiracy to commit bribery](#) is just what it sounds like. Senator Menendez is accused of accepting money or other incentives to pursue legislation and take actions that were intended not to benefit the United States or his constituents. Rather, these actions would benefit only the person giving him the bribe, or the country they represented. This is directly connected to the conspiracy to commit honest services fraud. Honest services fraud is most often used to describe a broad spectrum of unethical conduct on the part of public officials, which reflects the actions that Senator Menendez is accused of taking.



Perhaps the most impactful crime that the Senator is accused of is conspiracy to commit extortion under the color of official right. This is when someone "...[induced, obtained, accepted, or agreed to accept a payment to which he or she was not entitled, knowing that the payment was made in return for taking, withholding, or influencing official acts.](#)" The senator is accused of having interfered in the legal system, using the power and influence of his office to try and protect individuals charged with significant crimes, among other things.

So why does this all matter? Ultimately, it is important that we rely on our Constitution and the rule of law to ensure that all citizens, regardless of position, are held to the same standard and receive the same treatment under the law, and Senator Menendez and his wife are no exceptions. We allow the judicial process, including a jury of our peers to determine guilt, as appropriate, in our constitutional republic. By doing so, we uphold our founding principles, especially the rule of law, and the rights and liberties of all citizens.

To Think and To Do: Consider the following quote from John Locke, a thinker that greatly influenced the Founding Fathers: *"They are to govern by promulgated established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favorite at court, and the countryman at plow."*- Second Treatise of Government, 1690

What does the quote suggest about how the Founding Fathers may have viewed the importance of the rule of law? What are at least two ways that [our Constitution](#) reflects this view?

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