



Written by [Selwyn Duke](#) on January 6, 2021

Trump Has Been Laughed Out of Court Because Courts Have Become Laughable

Of what use is proof presented to judges “if the government is determined to rob and destroy a man who had displeased them, or who possesses what they want?” rhetorically asked ancient Roman jurist Scaevola of a certain destined-for-fame protégé. “Have I truly wasted all these years on such an idiot as this Marcus Tullius Cicero!” he then [exclaimed](#), addressing that man.

The young lawyer Cicero had gone to his friend and mentor, disillusioned, because his first case wasn’t going well despite his having evidence vindicating his client. This comes to mind because, not surprisingly, nothing much has changed in 2,000 years.



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“Your claims have been laughed out of court!” liberals will routinely exclaim to conservatives in reference to well substantiated vote fraud allegations. Yet this “argument is authoritarian in its reasoning,” commentator and ex-college professor Robert Oscar Lopez [wrote](#) Monday.

“It defers to a juridical priesthood and allows one guild, the attorneys, to override what average people can see in front of them,” he continues. “Such an argument should not stagger wise conservatives.”

To be clear, a civilization does need judges. But as Thomas Jefferson put it warning of our jurists’ inordinate power, “Judges are as honest as other men, not more so.” I suspect that today they’re less so, but, regardless, juridical “systems have a long and checkered history,” Lopez lamented in his piece titled “We Were Laughed Out of Court Because the Courts Have Become Ridiculous.”

“People who have been granted juridical authority can indeed err en masse by an enormous margin, for long periods of time, on matters that should be obvious,” he states, alluding to man’s nature and citing Jeremiah 17:9’s basic warning “(inside the heart is wickedness beyond measure).”

“It was bad enough that the United States courts rejected civil rights cases from the mid-nineteenth to the mid-twentieth century out of hand,” Lopez goes on to write. “By the twenty-first century, American courts were on course to affirm some of the most preposterous claims about sex and gender ever asserted in all human history.”

Lopez provides his own legitimate examples, but just consider how the Supreme Court [voted last June](#) to redefine “sex” in Title VII of the 1964 Civil Rights Act as inclusive of sexual inclination and “gender identity.” This is despite the act’s framers’ clear understanding that “sex” does, and their clear intention that it should, refer only to the biological reality of being male or female.

In fact, not having a crystal ball, there was no way for them to even conceive of today’s agenda-driven co-option of “gender,” a term that in ’64 mainly referred to word categories. Moreover, even our third-millennium sexual devolutionaries generally distinguish between “sex” and “gender.” But, no matter.



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The court ruled as it did because it could.

One could think here of Orwell's observation that only intellectuals could embrace uncommonly absurd ideas that the common man would instinctively reject. But a more relevant factor is what Jefferson followed his line I cited earlier with — that is, judges “have, with others, the same passions for party, for power, and the privilege of their corps,” he warned.

Oh, our judges often are “intellectuals” in a sense, don't get me wrong. But their relatively impressive intellects are too often directed toward “the art of proving, by words multiplied for the purpose, that white is black, and black is white,” as Anglo-Irish satirist *Jonathan Swift* put it (*Gulliver's Travels*, 1726).

Thus today did our courts know “what really mattered” regarding the vote-fraud cases, points out Lopez, but nonetheless “jumped on arcane technicalities about timing and standing to throw the cases out.”

But, really, expecting our judiciary to overturn the election was a lot to ask. Don't misunderstand this statement. The election was clearly fraudulent. But judges are, again, just people, and these creatures called people are historically notorious for acting based on party, power, and privilege — and fear.

There's an exacerbating factor, too. Lopez writes that much “of what has happened with the courts' rejection of the open-and-shut electoral fraud case[s] can be blamed on the overall decline in reason and common sense in the Judiciary.” True. But does this not merely reflect our general moral decay?

Commenting on this longstanding Western phenomenon, philosopher C.S. Lewis wrote, “We make men without chests and expect from them virtue and enterprise. We laugh at honor and are shocked to find traitors in our midst.”

We also raise people who cannot even define virtue, let alone exhibit it, as we only speak of “values,” and then are surprised that judges will value self-interest over the virtue of justice. We scoff at Truth and fancy that talk of shades of gray is sophistication, and then wonder why people weaned on relativism make everything relative to themselves.

Without the integrity born of soul-penetrating virtue, there was no prospect that our judges would stand against a Deep State that deep-sixes all opposing it. This also is nothing new.

To wit, Cicero ultimately lost his legal case. “But he did live to argue the cause of honest government and to talk with Sulla, the Dictator, about integrity and fair dealing,” [wrote](#) Florida Supreme Court Justice Millard F. Caldwell in “Cicero's Prognosis” (1965). Sulla, who had little faith in the people, said something that could be applied to our judges, and so many others, today.

Will even six of your lawyers, “disregarding personal safety, rise up from their offices and stand in the Forum, and tell the people the inevitable fate of Rome unless they return to virtue and thrift and drive from the Senate the evil men who have corrupted them for the power they have to bestow?” he asked Cicero rhetorically.

What's on the line for our judges, and others in power today, is staggering. Anyone overturning the fraudulent election would be an establishment pariah with a target on his back in the sights of Deep Staters and their millions of demoralized followers. The career and reputational destruction could be severe, if not total; death threats against, and harassment of, the individual and his children would surely follow. Armed protection would no doubt be necessary.

This isn't to say all the balking judges are consciously shirking their duties, though some are. It's rather



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that man has a great capacity for rationalization. Faced with the aforementioned consequences, it's very easy convincing yourself that "this is all nonsense. These tin-foil-hat types claim a whole election was stolen, here, in America?! Be gone!"

Anything to avoid peering into that dark Democrat closet of deceit. For if you look, really look, but don't act, you must live knowing you let the patient die for want of the courage to administer the remedy.

As for Cicero's time, "Rome continued to decay. The ambitious were fattening upon its bones," wrote Justice Caldwell. "The liberties of the people were lifted one by one in the name of emergencies or traded in on benefits."

If this sounds familiar, it should. History repeats itself because phenomena such as citizen moral decay do.

Though viewed positively by a large segment of the population, Cicero ended up being labeled an enemy of the state and ultimately was executed by its soldiers. Really, though, what killed him was a society-wide lack of virtue, one creating such darkness that people of the light seemed anomalous, and radical, and dangerous.

And there's only one way to not repeat this history: Make sure that virtue is prevalent enough so that light is the norm, not the exception.



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