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Book Review of *Judicial Tyranny* by Mark Sutherland



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Abstract



The given book review concerns the book *Judicial Tyranny* by Mark Sutherland and other contributors to the compilation represented by the well-known professionals in the domain of jurisprudence and religious matters. The central argument of the book, which demonstrates the unlawful behavior of the federal judges, is discussed. The review consists of a general summary of the book and personal evaluation of the most important points, purpose and argumentation used in the book. The given book review also contains a number of textual evidence and specifically selected details to support the overview of the ideas of the book.

Keywords: federal judges, jurisprudence, tyranny, Constitutional interposition, usurpations



Book Review of *Judicial Tyranny* by Mark Sutherland

The title of the book of Mark Sutherland and those who contributed to the compilation *Judicial Tyranny (The New Kings of America)* is eloquent enough to reveal the purpose behind its publication to the reader. Two major lexemes in a two-part title imply the antithesis that is discussed in the body of the book. The adjective “judicial” explicitly points to the judicial system of the country, while the word “kings” is an indirect and implicit reference to the Bible and to that One who is supposed to be the King, except for the fact that the plural form of “kings” refers to the different “ones” from what the reader might expect.

The major theme of the book consists in demonstrating the reader the tyranny practiced by the Federal Court Judges in the United States, their misuse of power and exceeding of authority, their unlawful and subjective interpretation of the U.S. Constitution, their disrespect towards the principles of the Founding Father that should have been cast in stone and respected by the forthcoming generations, and most importantly – their refusal to acknowledge that Almighty God is the only sovereign above people and religion is a sole undergird for the legislation and lawful underpinning of the American society. The authors claim that one’s perception of the Constitution cannot be as much dependent on the culture and era, as well as the whim of the society. The principles given to people by God should lay the foundation



for the moral interpretation of the law. This argument is successfully supported by a myriad of real-life examples with court rulings and decisions of the judges. Each of the authors in the book contributes tremendously to the conversation, or to be more specific to an agitated and heated discussion concerning this quite controversial issue in the U.S. these days. The U.S. Attorney General Edwin Meese opens his share with going back to the times of creating the Constitution, and the way everything has changed with the courts “warping legislative functions” (p.12) and turning the former state of affairs into a real constitutional crisis (Sutherland, 2005). Benjamin D. DuPré, Esq. refers to one of the most unprecedented cases in terms of jurisprudence and religion – the case of Alabama Supreme Court’s Chief Justice Roy Moore who courageously demonstrated his understanding of Constitutional law and the limited role of the judiciary in the face of natural law. Benjamin D. DuPré, Esq., as well as the others, unanimously blamed the federal judge Myron Thompson for not tolerating “a competitor for sovereign power” (p.16), meaning One of a Divine Nature (Sutherland, 2005). Almost all authors mention this case in their arguments, saying that by ordering to take the monument with Ten Commandments down, Myron Thompson violated the First and Tenth Amendments, and most importantly, his oath to the Alabama and United States constitutions.

There are some key mentions in the book that should be dwelled upon. One such example is the work of William Blackstone “*Commentaries on the Laws of England*” that outlined the Biblical precepts that underpinned the law. One of the major questions posed in the book as well is whether federal judges are fully and sincerely aware of the



foregrounding precept that the rights of citizens are bestowed by God, and not by the State. The authors frown upon the fact that today, American jurists embark on adopting legal reasoning of Europe's Enlightenment jurisprudence, which claimed then and still do that "the rights of citizens are not bestowed by God, but the State" (Sutherland, 2005, p. 41).

The examples and ideas that were mentioned in the book cannot be dwelled upon fully and entirety in the given review. However, in general, what was constantly mentioned in the book by all its contributors were the cases of unlawful deviations from the Constitution by the federal judges, such as the case with Alabama Supreme Court's Chief Justice Roy Moore, the case of Massachusetts decision when the state's highest court found a right to same-sex marriage in the Massachusetts constitution, and many others. Overall, every author provides a solid example to prove that federal judges either overstep their rights, deviate from the principles of the Constitution, or fail to recognize God Almighty as the sovereign of men's law. Throughout the book one can notice frequent providing of word definitions, such as "tyranny", "religion", "oligarchy", "despot", etc. Moreover, these definitions are provided either by reliable reference guides, such as dictionaries (Webster's Dictionary), or given through the prism of quotations of well-known politicians, philosophers, etc. Throughout the book, all authors constantly refer to the Article 1, Section 8 of the U.S. Constitution that states that Congress shall have the power to make all laws, "with the exception of the restriction in the First Amendment that states, "Congress can make no law concerning an establishment of



religion or the free exercise thereof" (Sutherland, 2005, p.32). This particular Article is being referred to due to the fact that it has been unlawfully misinterpreted by the judges and skewed in order to guise the separation of state and religion behind the rule of law.

Apart from the articles, the book also includes separate chapters to cover The Declaration of Independence, Constitution of the United States, and Amendments to the U.S. Constitution.

The book belongs to the authorship of a number of well-known professionals, such as Mark Sutherland, James Dobson, U.S. Attorney General Ed Meese Dave Meyer, and Howard Phillips Rev. Rick Scarborough. The list can be continued; however, indicating these names will be sufficient in clearly demonstrating that the excerpts from speeches and critical articles were contributed to the book by the professionals in the spheres of jurisprudence and theology. Consequently, the authors were quite biased in their perceptions of the events, and this contributed to an argument being skewed in a way. The authors did provide a substantial amount of supportive evidence from the historical, religious, and political perspectives. They constantly quoted well-known figures and public actors; however, the religious bias and skewedness were quite obvious.

At times, the reader might be perplexed by the abundance of name-calling that consisted of metaphors and historical allusions, "gang of black-robed plantation masters" (p.137), "unlawful, unconstitutional edicts of black-robed Jacobins", "attempted usurpations of un-elected



officials – social Bolsheviks” (p.138) (Sutherland, 2005). The answer to the question whether the authors achieve their purpose, which is vividly demonstrating their argument and encouraging the reader “to utilize interposition to uphold the rule of law” (Sutherland, 2005, p. 164), depends on the type of reader. The bias of the book might scare some away, while on the other hand, it may only fuel one’s enthusiasm in protecting the principles of God that undergird the law of the United States, and oppose the tyranny of federal judges.

One of the most desired groups among the target readers of the book constitutes criminal justice students. The authors of the book mention that interpretation of the Constitution is heavily influenced by modern state of affairs in the society, changes that occur in cultures as time goes by. In general, this is just a whim of modern generation, they say; however, they do acknowledge this fact. Therefore, the aim is to demonstrate the criminal justice students, as a part of the book’s target audience, the unlawful misinterpretations of the Constitution which takes place unpunished and sometimes even unnoticed due to unawareness or pretended “blindness” of the society. The latter is vividly demonstrated in case of Champ Lyons realizing that Judge Myron Thompson’s decision was wrong, “the judicial oath carries with it the obligation, no matter how distasteful, to support the Constitution as interpreted by the United States Supreme Court under the doctrine of judicial review” (Sutherland, 2005, p. 69). By providing such vivid examples of unlawful behavior, the authors urge those who are to become judges, lawyers, and chief justices not to repeat these mistakes.



The introductory paragraph of Herbert W. Titus, Esq. in his *The Power of Each State* is quite eloquent and appealing as well, "When I was a student at Harvard I took a Constitutional Law class and we never read the Constitution - we only read the opinions of the Supreme Court about the Constitution" (Sutherland, 2005, p. 163). In fact, any reader, not only those that have some connection to criminal justice should be knowledgeable at least in basic matters of the U.S. Law. Herbert W. Titus Esq. directly encourages the citizens to utilize the above-mentioned interposition by acquiring an insight into the matters of Constitutions without blindly and obediently following the interpretations of the "black robes" (Sutherland, 2005, p.137).

The conclusions made by the authors are not explicitly stated in all parts of the book; however, one can notice that all voice their hopes that the state of affairs will change with the help of proactive and aware U.S. citizens. The undermining of such important institution as Federal Court would be an ultimate threat to the entire statehood and national values. The decisions that will be made today, tomorrow and in the nearest future concerning the work of federal judges and their unlawful deviations from the underpinning principles of the law will either enhance the freedom of people and their lawful exercise, or erode them irrevocably and place the country in the midst of a judicial system crisis.

In conclusion, Mark Sutherland's *Judicial Tyranny* represents a compilation of critical works which are all united by a common idea and purpose. All of them are quite eloquent in a vividly demonstrated criticism of the modern judicial system and the actors in the arena of



jurisprudence. According to the authors of the book, the un-elected federal judges neglect the founding ideals of law based on morals, reject the sovereignty of God Almighty, and misinterpret the precepts of morality and the rule of law. The authors claim that in modern society subjectivity and whims of society determine and negatively skew the interpretation of the Constitution.

