

Patriots V.S. Paternalists_ Censors, Cars, and Conceit

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SPEAKERS

Keith

K Keith 00:00

We are pleased to provide this text from our podcast. As you know, the spoken word is often less formal and sometimes less precise than a written piece that may be carefully edited. I have also been known to sometimes jumble my words beyond recognition! Please let us know if you have any questions or concerns -- and thank you for supporting the show! â€” Keith DeGreen

K Keith 00:07

Welcome to this edition of As I SEA It, I am Keith DeGreen. And our topic today involves one of those never ending stories, the efforts by some people to intrude on our freedom and the attempts by patriots to set things right. In fact, this particular podcast is the first in a series that we call patriots vs paternalist. And with so many examples at hand, the most difficult part of preparing this podcast first knowing where to start. Well, let's start with a quick definition of paternalist is someone who meets two qualifications. First, they must believe that they are uniquely qualified to dictate someone else's behavior. Now, of course, the classic example is a parent who instinctively knows that they must control the behavior of their child for that child's own safety and betterment. Now, the second quality of a paternalist is that they must possess the capacity to mandate someone else's behavior. And again, parents are typically able to do that, at least until their kids become teenagers. And then it's a crapshoot, whether on any given day, a parent retains the capacity to control their conduct. Now, here's the thing. Our world is filled with paternalist, especially in government. It is the natural consequence of the Woodrow Wilson progressive era, where we accepted the idea that the government should employ experts to manage the nuances of government administration. Well, that was fine. Initially qualified people were hired to perform specific tasks. But today, it ideologues. Not experts are hired not to manage specific tasks, but to set tasks for the entire nation in accordance with their etiology.

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These idia logs are indeed paternalistic. They believe that they are uniquely qualified to dictate our behavior, not because of their qualifications, but because of their etiology. And they possess the capacity to do so. Especially in an administration that regard statutes and Supreme Court decisions as mere suggestions and the administrative state as supreme. Now, patriots are all of us who fight to limit the reach of paternalist Americans who believe above all, in the right of each individual to control their own conduct. And just so you know, I'm not blind to the need for lawful regulation. But what we see today is just off the hook, I'm going to tell you three stories today, one is centered on sensors, the other on cars, and the third on conceit. Now, our first story is something the corporate media barely covered. Now, you probably remember that during COVID, certain paternalist in our government, colluded with cajoled and threatened Twitter and other social media platforms to suppress free speech and to exclude dissenting voices from their platforms. Well, on September 8, the Fifth Circuit, the Fifth Circuit Court of Appeals sided with patriots who had sued those paternal lists, the decision in Missouri versus Biden defines the constitutional limits to coordination between government and private actors, it is a major decision. Now the case may be headed to the Supreme Court. If it winds up there, I really do believe that the Fifth Circuit's very thoughtful decision is going to be sustained. Here's a summary according to the Wall Street Journal, the states of Missouri and Louisiana with some individuals whose online posts were removed from social media sued government officials for colluding with cajoling and intimidating social media sites into removing views on social media that oppose the government's views. On COVID. They sued these various federal officials for violating their First Amendment rights. Now first, a lower federal court ruled against the government on nearly all points. Predictably, the government appealed. But a three judge fifth circuit panel largely upheld the lower court's findings of fact and law, although they did narrow the lower court's injunction just a little bit. Now the Fifth Circuit issued a very thoughtful 74 Page opinion The decision began with a detailed description of the unprecedented coordination during the pandemic between government agencies and social media platforms, tech employees, according to the opinion, and this was a finding of fact attended regular meetings with government officials, and seemingly stepped up their efforts to remove content to appease those officials. Now social media platforms, the code court set gave and I quote, gave the officials access to an expedited reporting system downgraded or removed flagged posts and deep platformed users. And they and I quote, the court changed their internal policies to capture more flagged content, and sent steady reports on their moderation activities to the government officials. Incredibly, the Biden administration argued that the tech platforms acted independently, and that communications by federal officials are protected free government speech. But the Fifth Circuit disagreed, holding that officials crossed the First Amendment line by coercing platforms with threats of antitrust action and legal liability for user content under something called Section 230. While the Court acknowledged that a private party is not ordinarily constrained by the First Amendment, that changes, the court said when a private party is coerced, or significantly encouraged by the government, to such a degree that if its choice, if made by the government, would be unconstitutional. And that's exactly what happened here. If the government did some of this stuff straight out to be clearly unconstitutional, but they work through private intermediaries. Now, the court called this the close Nexus test, and it's a it's a Bible test, the close Nexus test, and it makes all the sense in the world. The decision presented an in depth analysis of how the government's actions violated the First Amendment. Under this test. The Court cited precedent to conclude that significant encouragement involves something more than uninvolved oversight from the government. The nuanced opinion, dismisses complaints against Anthony Fauci and other national institute of health officials, however, because they had merely according to the court promoted the government's scientific and policy views, and attempted to discredit opposing

ones, what the court called quintessential examples of government speech that do not run afoul of the First Amendment. Now the court did spell out how government officials can communicate with platforms without violating the First Amendment. For example, they could ask social media companies to be quote on the lookout for certain posts, provided there's no intimidation. Now, I'm sorry, the Court made that distinction, frankly, because in Biden land, it's probably enough to drive a truck through as the administrators and bureaucrats look for ways to navigate around a court decision, we'll see. Nevertheless, the ruling is a landmark that protects free speech from the government's current method of laundering its censorship through private platforms. We'll see if the Biden administration is dumb enough to appeal the decision. Hats off to the Patriots in Missouri and Louisiana, and to the Patriot individuals who joined them to fight the paternalist who suppressed free speech. Now our next story of patriots vs. paternalist involves cars and California. Here, it's the Republican House of Representatives the Patriots and yes, I know Republicans in Congress are not all and not always patriots versus the California Legislature, Governor Gavin Newsom, and of course, the Biden EPA, the paternalist. Here's the story. By the time you see or hear this podcast, the US House of Representatives will have voted on a bill to stop California and other states from banning internal combustion engines, and making Americans in the rest of the country pay for their climate Follies. Let's hope it passes. Now the Clean Air Act let's the Environmental Protection Agency grant California a waiver to impose more stringent standards for tailpipe pollutants for vehicles sold within its borders. Now this was because of California's historically smoggy air, which has greatly improved over the past few decades. Now the law allow As other states to piggyback on California standards, and because California has such a large economy, any requirement that it enacts

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is almost always universally followed by car and truck makers across the country and apply to all the others other states because it's just not practical to make certain cars and trucks for California and other cars and trucks for the rest of the country. But Congress never intended to give California authority to regulate vehicle greenhouse gas emissions. Greenhouse gas emissions might be bothersome, but they don't contribute to smog and aren't hazardous to human health. Federal law specifically prohibits states from imposing fuel economy mandates, regulating greenhouse gas emissions does the same thing by the back door. Yet the Obama and Biden EPA is have granted California waivers to set stricter greenhouse gas emission standards and mandate electric vehicles and get this. California is now asking the EPA for a new waiver. To require that EVs electric vehicles make up an increasing share of cars sold in the state of a car dealer hits its quota of internal combustion cars, I guess they're supposed to just stop. They want to increase that percentage from 35% and 2026 to 100% and 2035. Meaning you won't be able to buy an internal combustion car in the state of California 15 states incredibly have adopted California's zero emission vehicle regime. Now in March. The Biden EPA already approved a waiver allowing California to require that most heavy duty trucks sold in the state be electric by 2035. Regardless of the added expense to shipping. TRANSLATION I might add, regardless of how much more it cost consumers to get their goods to market. Whether or not California's intermittent electric grid can support them seems to be irrelevant to the state. Now eight other states have adopted California's truck rules. Both California Evie mandates constitute de facto bans on internal combustion engines. Enter the Patriots House Republicans who seek to override these EPA waivers and to prohibit California and other states. And I quote directly or indirectly limit the sale or use of new motor vehicles with internal combustion engines, it would limit that the bill would not interfere California's authority to regulate actual tailpipe pollutants and protect local air quality, but paternalist how that the bill interferes with

state sovereignty. What a sudden and ironic concern for federalism. The problem is that California's mandates have national economic implications. vehicle manufacturers can meet mandates on every sales, only by raising prices on internal combustion engine vehicles. And guess who gets to pay more? We do. You know, and this is just one example. In the first quarter of 2023, Ford lost nearly \$60,000 on each and every electric vehicle that it's sold, they have to make up that difference somewhere. And they do by charging you more for the other vehicles that you buy. So paternalist in California are increasingly using their state size to dictate policy for the rest of the country. Unfortunately, the current Supreme Court majority, including justices Clarence Thomas, and Neil Gorsuch, won't enforce the Constitution's so called Dormant Commerce Clause against state regulation that harms other states, it's a shame. Now they demonstrated this in a recent case where they refuse to strike down a California law pertaining to the production of pork sold in the state. Since Pork Producers can't differentiate where their pork will go to market. California's pork mandates impacted the entire country. Because the court won't enforce what's called the Dormant Commerce Clause. Basically, the rule that a state cannot pass laws that impact commerce in other states, it's up to Congress to stop this madness. Congress has the authority under the Commerce and supremacy clauses. Now, of course, Senate Democrats won't pass the House bill in this Congress. but a ban on gas powered vehicles is unpopular. Fighting the high cost of California's climate imperialism will not only be a good election issue, but may serve as a blueprint for legislation. Once the paternalists are removed from the Senate, that's all that happens. Our final story today involves conceit, specifically parental rights. In Virginia. The Patriots in this story are parents, Virginia Governor Glenn Youngkin. And the Republicans in Virginia who are running for the Senate. The paternalists in this story are some school administrators in Virginia, the education lobby in that state and the state Democrats, the education lobby owns. The conceit of the left is that these paternalists believe themselves better at raising our children than we are. Here's a classic story that illustrates the point that provides at least some small measure of justice, but that has a bittersweet ending. Here's the story. The clearest example of patriots versus paternalist I can imagine. On September 8, Governor Youngkin, pardoned, allowed new county father, who had protested against the sexual assault of his daughter and her public schools attempt to cover up the incident. Youngkin recently made the announcement on Fox News. The pardon is for a dad by the name of Scott Smith. Mr. Smith was convicted of disorderly conduct in August 2021, after he ruptured it at a school board members meeting over the handling of an investigation or not investigation into his daughter's attack. On Fox, Governor Youngkin consented, I spoke with Mr. Smith, and I had the privilege of telling Mr. Smith that I will pardon him. Youngkin continued and I quote, we write it wrong. We should have never, he should have never been prosecuted here. This was a dad standing up for his daughter. Now I'm going to explain that Mr. Smith's daughter had been sexually assaulted in the bathroom of a school and that the school did nothing about it. He also accused the school superintendent of covering up the incident. Specifically, Smith's daughter was sexually assaulted in a girls restroom at Stonebridge high school by a biological male said to have been wearing a skirt. According to Governor Youngkin and I again I quote, Mr. Smith did what any father would do what any parent would do, which is stand up for their child. This was a gross miscarriage of justice he said. Now the governor went on to emphasize the importance of ensuring that parents have the final say over their children's safety and education. Youngkin's administration is also cracking down on Virginia Public Schools that refused to adequately enforce requirements that parents be informed if their child expresses any gender confusion at school. I say that this patriots vs. paternalist story has a bittersweet ending. Yes, the father was pardoned, but his daughter was still sexually assaulted, and has had to live with the utter non support of the very school officials charged with her safety. And make no mistake. The boy wearing the skirt was able to attack her because school policy allowed him to enter the girls restroom. Sure, you can argue that he could that boy could have just as well attacked her somewhere else. But he didn't

attack her somewhere else. He attacked her in what should have been a safe space for girls. Meanwhile, leading up to the November 2023 Virginia elections, Governor Youngkin is campaigning hard on behalf of parents and children to elect a Republican or a Republican legislature. Currently, the Republicans control the lower house and the Democrats Democrats control the State Senate. All 40 seats the Virginia Senate and 100 seats in the Virginia House of Delegates will be up for election, as are many local offices.

 Keith 19:38

State Senators served terms of for years and delegates to the house serve two year terms. Now the lower house is currently controlled by Republicans. The Democrats currently control the State Senate. If young can can turn the legislature read. He and his Republican colleagues plan to enact several reforms, notably those in favor of parental rights and school choice. In opposition to various woke policies at schools. Predictably, Democrats in the state are siding with the teachers unions, and the Biden White House is allocated money to support the Virginia Democratic Party in the November election. For Virginia Republicans, it's all about education, or as they appropriately call it, parental rights, along with a variety of other anti woke measures. Now I urge you to support the Patriots in Virginia and other patriots across our great nation. If we value freedom, we must turn back the paternalist. Remember our definition. A paternalist is someone who meets two qualifications. First, they must believe they are uniquely qualified to dictate someone else's behavior. And second, they must possess the capacity to mandate someone else's behavior, is ideological paternalist. Those who use their authority to force their etiology on others, undermine the very fabric of our nation, and present an ever expanding threat to our freedom. The sad fact is that many such paternalist don't regard themselves as ideologues. They think of themselves as enlightened.

 Keith 21:20

Well, let's help light the way for them right out the door. Thanks for joining me today. I am Keith DeGreen. And this is As I SEA It!

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We are pleased to provide this text from our podcast. As you know, the spoken word is often less formal and sometimes less precise than a written piece that may be carefully edited. I have also been known to sometimes jumble my words beyond recognition! Please let us know if you have any questions or concerns -- and thank you for supporting the show! â€” Keith DeGreen