



BREAKING: Federal Court ENDS FACEBOOK CENSORSHIP As We Know It! Zuck It FaceB*TCH!

Description

Syndicated with permission via Valiant News| Staff Writer| The U.S. Court of Appeals for the 5th Circuit has upheld a Texas social media law that bars companies from removing posts or banning users based on a user's viewpoints – especially based on political ideology – which overturns a lower court's decision to block the law.

The opinion was written by Judge Andrew Stephen Oldham, a judge nominated to the 5th Circuit Court by President Donald Trump. Judge Oldham was joined by Judge Edith Jones, a President Ronald Reagan appointee. Judge Leslie H. Southwick, a President George W. Bush appointee, concurred in part and dissented in part.

In Judge Oldham's opening statement, [he wrote](#):

In urging such sweeping relief, the platforms offer a rather odd inversion of the First Amendment. That Amendment, of course, protects every person's right to 'the freedom of speech.' But the platforms argue that buried somewhere in the person's enumerated right to free speech lies a corporation's *unenumerated* right to *muzzle* speech.

...

Today we reject the idea that corporations have a freewheeling First Amendment right to censor what people say. Because the district court held otherwise, we reverse its injunction and remand for further proceedings.

BREAKING: I just secured a MASSIVE VICTORY for the Constitution & Free Speech in fed court: [#BigTech](#) CANNOT censor the political voices of ANY Texan! The 5th Circuit "reject[s] the idea that corporations have a freewheeling First Amendment right to censor what people say. pic.twitter.com/UijlzYcv7r

— Attorney General Ken Paxton (@KenPaxtonTX) [September 16, 2022](#)

The court ultimately concluded:

We reject the Platforms' attempt to extract a freewheeling censorship right from the Constitution's free speech guarantee. The Platforms are not newspapers. Their censorship is not speech. They're not entitled to enforcement facial relief. And HB 20 is constitutional because it neither compels nor obstructs the Platforms' own speech in any way. The district court erred in concluding otherwise and abused its discretion by issuing the preliminary injunction. The preliminary injunction is **VACATED**, and the case is **REMANDED** for further proceedings consistent with this opinion.

Seth Dillon of the Babylon Bee, a Christian and conservative satire website that was censored by Twitter for mocking transgender Admiral Rachel Levine.

"March 2022: Twitter locks out the Babylon Bee," wrote Dillon, adding that in September the 5th Circuit determined "the law is constitutional because it chills censorship, not speech."

March 2022: Twitter locks out the Babylon Bee for making a joke they didn't like.

Sept 2022: The 5th Circuit Court of Appeals overturns the earlier decision on HB 20, saying the law is constitutional because it chills censorship, not speech.

— Seth Dillon (@SethDillon) [September 20, 2022](#)

The decision made by the 5th Circuit Court "broke" many left-leaning users of social media.

Shoshana Weissmann, Digital Director & Fellow at [R Street Institute](#) tweeted that she was had "a box of tissues and ice cream" to dive into the 5th Circuit ruling. Claims that the Court rewrote the First Amendment started circling the web.

Alejandra Caraballo tweeted "If you want examples of unchecked social media driven by algorithmic amplification, look at Myanmar and the Rohingya or northern India and Muslims."

5th Circuit broke BlueAnon pic.twitter.com/FeOmEuNxoy

— Jack Posobiec ?? (@JackPosobiec) [September 20, 2022](#)

People need to realize that without content moderation, all social media will turn into hate filled cess pits that incite violence. If you want examples of unchecked social media driven by algorithmic amplification, look at Myanmar and the Rohingya or northern India and Muslims.

— Alejandra Caraballo (@Esqueer_) [September 17, 2022](#)

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— Alejandra Caraballo (@Esqueer_) [September 17, 2022](#)

The 5th Circuit has completely upended and rewritten the 1st Amendment. This is an astoundingly stupid ruling. <https://t.co/zp6tvvWamL>

— Mike Masnick (@mmasnick) [September 16, 2022](#)

Conservatives, meanwhile, celebrated the decision, with many hoping it will signal an end to the big tech censorship that began with controversial right wing figures like Milo Yiannopoulos, Gavin McInnes, and Alex Jones, and eventually saw 45th President Donald Trump banned from social media while in the White House.

Category

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