

## Minority Medical Opinion Squelched

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The Bill of Rights was originally understood as curbing the power only of the federal government.

This began to change with the Fourteenth Amendment, which prohibits states from depriving persons “of life, liberty, or property, without due process of law.” Thanks to the “incorporation doctrine” interpretation of this amendment, provisions like the First Amendment now apply

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as much to state and local governments as to the federal government.

Except that many officials, disdaining these protections, simply ignore them.

So although obliged to make no law “abridging the freedom of speech,” California’s government is abridging the freedom of speech of doctors. A new law authorizes state medical boards to penalize doctors who utter speech contradicting



“contemporary scientific consensus” about COVID-19.

Doctors are suing the Newsom administration to block the law from taking effect. According to their complaint, this anti-“misinformation” law would impede their ability to communicate with patients.

The doctors argue that the First Amendment protection of freedom of speech applies to expression of minority views as well as majority views; indeed, that minority views “particularly need protection from government censorship.”

Also that nobody can ever know “the ‘consensus’ of doctors and scientists on various matters related to prevention and treatment of COVID-19.”

Of course, free speech rights should protect even persons who say the moon is made of green cheese, let alone of those who disagree with official pronouncements about a vexing new virus and what to do about it.

This is Common Sense. I’m Paul Jacob.