Twitter Thread by T. Greg Doucette



T. Greg Doucette
@greg_doucette

No

> @greg_doucette Sedition finally? https://t.co/34vfNIPTPY
>
> — grumpy_gator (@jonb13x) January 2, 2021

No

https://t.co/9MgwobVvYS

> I know he\u2019s a blowhard, @greg_doucette, but this is inciting violence, no?
>
> The audience has been standing by with itchy fingers. https://t.co/SpZ5XTNn7M
>
> — ScubaVal #VoteGeorgiaVote (@MajikaZulJin) January 2, 2021

Incitement is speech that is:

1■■ intended to cause, and
2■■ reasonably likely to cause
3■■ imminent
4■■ lawless action

It needs all 4 elements

If any of those 4 are missing, it's First-Amendment protected speech

And constitutionally protected speech is never sedition

No https://t.co/yPM5xh4JsB

> Um, this doesn\u2019t satisfy all four elements?
>
> — Alex (@arg11) January 2, 2021

Immediate is imminent
4 minutes from now is imminent
4 hours from now might be imminent but probably is not
4 days from now definitely is not https://t.co/l0MwTYLCtu

> Overturning the election would be a lawless action, wouldn't it?
> And what Trump is trying to get Pence and Congressional Republicans to do on January 6 is imminent, isn't it?
> I would think this qualifies. But you're the expert.
>
> — Harley Quinn (@HarleyVicQuinn) January 2, 2021

The kidnapping plot was different, because there you had actual criminal conduct taking place vs just speech https://t.co/QYU8mOyYfd

> It has to look like the group that planned to kidnap the governor of MI? They had the four elements?
>
> — Marquis Lafayette: "Constitutional" "Lawyer" (@RenegadeSci) January 2, 2021

The fact it's been hours since Gohmert's comments and there hasn't been violence from it conclusively proves that 2■■ and 3■■ don't exist

It's likely 1■■ doesn't exist either https://t.co/c0sU4sVL2f

> Which part doesn't it meet? My layman's understanding would suggest it does, so I'm wondering where the disconnect is
>
> — Max FKA LastGeeksDying (@Titanmatrix) January 2, 2021

The zeal with which "progressives" want to prosecute speech is a smidge terrifying tbh

No wonder y'all get caricatured https://t.co/KUpByOufiU

> This needs to be prosecuted. In any reasonable estimation, statements intended to cause this kind of action any time in the near future should be considered "imminent." I consider the next 3 weeks to be in the "imminent" timeframe.
>
> — GrahamIsThisCat (@GrahamThis) January 2, 2021

We call this "addition by subtraction"

Bye now ■ https://t.co/2RqfdWJzei

> I think I'm done following apologists for terrorism.
>
> — GrahamIsThisCat (@GrahamThis) January 2, 2021

Gohmert's comments aren't even in the same ZIP code as incitement https://t.co/eI2DYK0FO8

> Can we at least say Gohmert is \u201cflirting\u201d with incitement? We saw how the Proud Boys pounced on Trump saying \u201cstand back and stand by\u201d. I worry Gohmert\u2019s words will lead to violence on the streets. If that happens and they sing his praises will that qualify as incitement? THX!
>
> — Rebel Pony (@Corri_Girl) January 2, 2021

Correct

If someone has time to think and reflect on what was said, instead of instantly reacting, it's not incitement https://t.co/TfgJ8GPEs5

> ...wait, really? So if I said something that's otherwise incitement, but staple "in 30 days" onto the end, it's no longer incitement because it's not imminent?
>
> — Fen-nic Hartley \U0001f51e (@nichartley) January 2, 2021

I'm heading to bed, but I'd encourage y'all to give some thought to the people a President Josh Hawley DOJ would lock up if the First Amendment worked the way y'all want it work with Gohmert here ■