



Written by [Selwyn Duke](#) on May 31, 2012

Trampling Freedom of Speech: State Tries Censoring Online Advice Column

As far as diet goes, I believe you should adhere to the old adage “everything in moderation” and avoid extreme regimens of all kinds. I don’t know what you think of this counsel, but North Carolina’s position seems to be the following: I just broke the law.

Blogger Steven Cooksey found this out the hard way — when the North Carolina Board of Dietetics/Nutrition ordered him to take down part of his diet-advice website.



The 51-year-old resident of Stanley, North Carolina, became passionate about nutrition after a 2009 hospitalization during which he learned he had Type II diabetes and was told he’d probably be insulin-dependent for life. Inspired to finally get serious about his health, Cooksey became a student of nutrition and, after considering many opinions, settled on a high fat/low carbohydrate “caveman” diet, which involves limiting oneself to only unprocessed or minimally processed foods. He also chronicled his personal health evolution on a blog he created in early 2010.

And what an evolution it was. Cooksey’s weight dropped from 240 lbs to 163, and his blood sugar normalized. And, as his waistline contracted, his website expanded: He was inspired to help others.

After initially mentoring friends, Cooksey started offering life-coaching services and then, in December 2010, instituted a Dear Abby-type column in which he answered readers’ questions. This was when he found that he had traded health problems for legal ones. Writes [CBS Charlotte](#), “A month later, he received a notice from the state asking him to stop ‘providing advice to readers, friends and family in private emails and conversations; and offering a paid life-coaching service.’”

And what was the state’s justification? CBS reports, “The [North Carolina] Board of Dietetics/Nutrition said it was illegal for anyone without a government-issued dietician’s license to offer diet advice.”

Anyone? Really? Now, I’ll get to the paid life-coaching service in a moment. But let’s get this straight: It’s illegal to give advice to *friends and family in private e-mails and conversations* in North Carolina? Okay, mom, you better stop telling junior those vegetables are good for him. And don’t inform Maureen about that new diet you’re taken with that may help her shed unwanted pounds. The government can ban trans-fats, Happy Meal toys, and large sodas ([billionaire Bloomberg’s handiwork](#)), but you, citizen, mayn’t even make suggestions.

Of course, perhaps Cooksey never would’ve gotten on the government’s radar screen if he hadn’t offered paid life-coaching services. But note that he never misrepresented himself. As CBS also writes, “Cooksey says he never described himself as a doctor, dietician or nutritionist. His website has a disclaimer informing readers he has no special dietary qualifications.” And, as long as fraud isn’t committed, what’s wrong with two people freely choosing to enter into a life-help contract?

Wherever you come down on that matter, however, the point is that the state didn’t limit itself to Cooksey’s monetizing of his diet-advice endeavors. Instead, it applied a standard that makes a criminal



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of virtually every single North Carolina resident. After all, who doesn't at one point or another offer diet advice to "friends and family"?

Some will now say that such law applications only come into play in extreme cases, but this is no justification for extreme measures that cause extreme criminality. An Ayn Rand passage explains my meaning:

There's no way to rule innocent men. The only power any government has is the power to crack down on criminals. Well, when there aren't enough criminals, one makes them. One declares so many things to be a crime that it becomes impossible for men to live without breaking laws.... Just pass the kind of laws that can neither be observed nor enforced nor objectively interpreted and you create a nation of law-breakers.

And that's what we've become, as it's almost impossible today to turn around without violating some law, regulation, or mandate.

Of course, it's unlikely that North Carolina actually has legislation prohibiting the rendering of nutrition advice to family and friends; the case in question here is probably just another example of a bureaucracy being unable — or unwilling — to objectively interpret a law.

As for Cooksey, he's not taking this lying down. With the help of civil-rights group Institute for Justice, he has filed a federal lawsuit on the basis that the state is violating his free-speech rights.

Regardless of how the suit shakes out, this incident is yet another reason why bureaucracies, as well as laws, should be kept to a minimum. And, with this in mind and at risk of incurring Tar Heel State wrath, I'll offer a parting piece of advice applicable to family, friends, and even enemies: Worse for your health than trans-fats, fat soda sizes, or Happy Meals is drinking deeply from the well of big-government Kool-Aid.

Arrest me.



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