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CONTENTS

Editor's Introduction.....i

Contribution.....ii

Land Price Determination in Vietnam:
The Situation and Recommendations

Phan Trung Hien and
Dr. Chau Hoang Than.....1

Canada's Immigration Health Inadmissibility
and the Case for Disability Discrimination

Angela Tu.....48

Legal Regulation of Providing Psychiatric Care
in Ukraine: Problems and Prospects

Mykhailo A. Anishchenko,
Leonid S. Hamburh,
Oleksandr V. Krasnokutskyi,
Volodymyr V. Glazunov, and
Pavel G. Davidov77

The Driest Title on Earth: An Educational
Study Proving That Crime in the West
Affected the Greenland Shark

Carmen M. Cusack.....120

Editor's Introduction

Welcome to the Twenty-Third Volume of *Journal of Law and Social Deviance (LSD Journal)*, an independent, peer-reviewed journal. *LSD Journal* encourages submissions from a wide range of professionals, researchers, and scholars in a variety of fields. Within our broader interest in social deviance and the law, we are particularly interested in how law creates, inhibits, or challenges deviant behavior, especially as it evolves from, responds to, or inspires the animal kingdom, art, design, structure, pop culture, hate, religion, sex, illness, work, drugs, terrorism, and youth. Volume 23 is about international poise and common good. Covenants with soul, spirit, and society dominate past transgressions and excessively eager adventurism. Those who understand a nation's spirit are rewarded; those who dance in ignorance are failures. The benchmarks of success are money, wellness, and progress. To build on this work, one should be educated in law, science, families, courts, and other advanced material, however, it appeals to a general audience. *LSD Journal* remains committed to publishing articles, essays, and book reviews that strongly represent the journal's niche and offer readers important, substantive, and useful literature.

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LAND PRICE DETERMINATION IN VIETNAM: THE SITUATION AND RECOMMENDATIONS

Phan Trung Hien,
Dr. Chau Hoang Than *

I. INTRODUCTION TO LAND PRICE, LAND PRICE DETERMINATION, AND FACTORS AFFECTING LAND PRICE DETERMINATION

Land is an excellent means of production. It is a decisive factor in the development of industries and agriculture.¹ The economic value of land is quantified using land price.

A. Land Price

Land prices have the following essential characteristics. First, land price is the amount of money paid for a particular commodity or service.

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¹ HERNANDO DESOTO, *THE MYSTERY OF CAPITAL: WHY CAPITALISM TRIUMPHS IN THE WEST AND FAILS EVERYWHERE ELSE* (2000) at 88.

Land price is the market price for a means of production, which affects the cost of goods or the production process of social materials and fortunes. This is expressed by land price fluctuations on the market and economic management. It also is the leading cause of financial crises, both regional and global.

Second, land prices are formed and influenced by the natural factors of the land plot and surrounding elements. Studies show this on factors creating and affecting land prices such as area, floor-area ratio, the shape of the land plot, contiguous road surface, buyers, land use planning, the decision on construction conditions, and construction permits.² The unique characteristics of each land plot make the difference in land prices even though the land plots are in the same area and are affected by the same factors. The natural characteristics of the land plot are difficult to change, so land price fluctuations are

² Michal Gluszak & Robert Zygmunt, *Development Density, Administrative Decisions, and Land Value: An Empirical Investigation*, 70 LAND USE POL'Y 153 (2017).

often influenced by surrounding elements such as economic management policies, markets, legal factors, social psychology, and environments.

Third, land prices tend to increase, which is a phenomenon that is difficult to reverse. Because the total supply of land is limited, the supply curve is less volatile while the socio-economic development and population growth increase the demand for land. Therefore, land prices always tend to grow, even creating a sudden surge in land prices in a short time. This phenomenon frequently happens in developing countries, where the real estate market is one principal investment channel. For example, in Vietnam in the first quarter of 2021, land prices in many places increased by two to three times over the same period in 2020; the average price in localities increased by about five percent to 10% compared to the fourth quarter of 2020.³ The State must consider the appreciating characteristics of land prices when

³ Nguyễn Mạnh, *Revealing a Series of Shocking Places Due to Double Increase in Land Price*, Dan Tri (Sep. 5, 2021), <https://dantri.com.vn/bat-dong-san/tiet-lo-loat-noi-gay-choang-vang-vi-gia-dat-tang-gap-doi-20210509091600437.htm>.

determining land prices. They must fully comply with market laws such as the law of supply and demand, value, and competition.

B. Land Price Determination

The State's role in intervening and regulating land prices and its competence to determine land prices are fundamental. Land price determination is an activity of a State administrative agency tasked with setting a specific land price for each land plot/land area or each location or a particular type of land based on the market forces through a legal process. Meanwhile, the State intervention and regulation of land prices in other countries is mainly indirect through economic measures, state management measures, and the influence of land prices movement on the market. However, studies of State intervention have shown that governmental control of land prices in the market has not been entirely satisfactory. Typically, some research has demonstrated that the State regulates market land prices mainly through supply, demand, and cost.

Land price regulation through land supply decisions are presented in some studies. The outstanding experience of dealing with land price fluctuations in Japan in the 1980s is the subject of some studies.⁴ A study in Japan outlined solutions that the Japanese State has deployed to overcome and prevent land price fluctuations. These include tax policy, monitoring, handling real estate freezing, the monetary policy with the Bank, information disclosure, agricultural land conversion, and urban development planning. In addition, there are published studies related to the Government's right to land price determination.⁵

C. Factors Affecting Land Price Determination

The studies above show that the State is the most appropriate intermediary to execute land price determination to harmonize the relationship between

⁴ Stephen J. Sussna, *An Analysis of Japanese Land—Use Regulation and Land Price Problems*, 25 THE URBAN L. 309 (1993).

⁵ Ling Hin Li & Anthon Walker, *Benchmark Pricing Behavior of Land in China's Reforms*, 13 J. P. RES. 183 (1996).

the State administration in the public interest and the market nature of land prices in the exploitation process of land resources. The following are factors affecting land price.

1. First, Land Ownership Is the Foundation That Governs the State's Land Price Determination Right.

Land cannot be treated as a common commodity. Private land ownership can be a significant impediment to the planning and implementation of development programs. Therefore, State administration in land use is inevitable.⁶ The practice of land administration in different countries has proven that despite the differences in socio-political regimes and land ownership, the role of State administration is critical. If the State owns the land, then the State has more say in land management and land price determination. However, in the countries where land is privately owned, the State's role is to

⁶ Dinh T., *Private Ownership of Land or Land Use Rights: International Experience and Some Connections to Vietnam*, 7 REV. FIN. 49 (2002).

recognize the actual land price as determined by market forces. In contracts, in the countries where land is publicly owned and belongs to the people, the State tends to be a significant power in deciding land prices. For example, Article 53 of the Constitution of Vietnam 2013 stipulates: Land is owned by the people and is administered by the State on behalf of the owner and unified administration. This regulation affirms that the State executes the rights of landowners, basically the right to decide the value of the property owned. That is the right to determine the land price. However, it is difficult to ensure the State's extent of intervention and control in determining land prices based on market forces and property. At some point, the stringent state management could break the nature of the land price market.

2. Second, The Purpose of Exploiting Profits from Land Affects the State's Land Price Determination Right.

The direct profit from land brought to the state budget is tax revenue from the land. Early land tax

theorists developed the concept of land tax. Two essential factors that the State determines in collecting taxes related to land are the tax rate and the taxable land unit price in each type of tax. When tax rates aim to ensure fairness and market stability, the differences in land prices determined by the State will strongly affect tax revenue from land.⁷ Profits from public investment in land can be increased by exploiting public land's importance and mobilizing finance from land transactions. The earnings from using public land and the revenues from land transactions depend on the land price determined by the State. Thus, the State's strategies in exploiting land profits will directly affect the State's land price determination right.

3. Third, Sustainable Development and Social Justice Goals Govern the State's Land Price Determination Right.

⁷ George E. Peterson, *Unlocking Land Value to Finance Urban Infrastructure*, The World Bank (2008), <https://openknowledge.worldbank.org/handle/10986/6552>.

Because of the importance of land, land prices directly affect the interests of land users and people who need to access land, including vulnerable groups that need to be protected. If land prices are determined according to the market price of land, the poor will face many difficulties accessing land and fulfilling financial obligations related to land ownership. Therefore, the interests of the disadvantaged group in society and community service goals will directly affect the State's land price determination right. In addition, land price decisions influence the implementation of the purposes of the United Nations Sustainable Development Program,⁸ specifically to eliminate poverty, end hunger, achieve food security, improve nutrition, and promote sustainable agriculture. Depending on each case and subject, the State flexibly decides the land price in the hope of creating equity, accommodation conditions, and land accessibility for cultivation and production. Therefore, the State determines the land

⁸ United Nations, *Envision 2030: 17 Goals to Transform the World for Persons with Disabilities* (2015), <https://www.un.org/development/desa/disabilities/envision2030.html>.

price not merely as an intermediary to reflect the land price in the market. It must be a compromise between related interest groups and the market foundation of land prices to optimize land resources for sustainable development.

II. THEORIES TO IMPLEMENT IN LAND PRICE DETERMINATION

A. Balancing Interest in Land Price Determination

Land price is the fundamental factor determining the economic benefits of the land. Therefore, land price determination needs to adequately address the question: who benefits from that land price determination? With the popularity and widespread adoption of land prices in land management and land use, the problem of balancing the benefits of the result of land price determination is the essential requirement to eliminate the conflicts and disagreements when the State determines land prices. The issue of interest in land price determination is approached based on the following ideologies: 1)

private ownership; 2) public (or collective) interests; and 3) keeping the balance between private ownership and public interests.⁹ Private ownership recognizes a natural and absolute right as John Locke claimed: “The great and chief end, therefore, of men uniting into Commonwealths, and putting themselves under government, is the preservation of their property; to which in the state of Nature many things are wanting.”¹⁰ In addition, Sir William Blackstone saw the right to property as a natural right: “So great moreover is the regard of the law for private property, that it will not authorize the least violation of it; no, not even for the general good of the whole community.”¹¹ Thus, based on the basic theory of private interests, land prices must prioritize the benefits of landowners (land users), which most obviously is the economic benefits of landowners (land users).

⁹ Hien Trung Phan, *THE LAW OF COMPULSORY ACQUISITION OF LAND—PUBLIC & PRIVATE INTERESTS* (2009) at 21.

¹⁰ John Locke, *THE SECOND TREATISE ON GOVERNMENT* (1986) at 70.

¹¹ William Blackstone, “Commentaries on the Laws of England,” *THE RIGHT OF PERSONS* (1765) at 135.

People's sufferings originate from establishing private ownership of land and property. In addition, the community's interest is one of the most general expressions that can occur in the phraseology of morals: no wonder that its meaning is often lost. The community is a representative body composed of the persons considered its members. "Then what is the interest of the community?...The sum of the interests of the several members who compose it."¹² Although Karl Marx and Jeremy Bentham express different perspectives, one could see their view: public interests are indispensable in a communist society. Thus, following the philosophy of shared interests, determining land prices must ensure the benefits of landowners (land users) and the public interest, mainly as the land exists naturally, not created by the people. Hence, it must serve the mutual benefits of all people.

It is meaningless if the personal interests can harm the public interest and vice versa; it is senseless

¹² Jeremy Bentham, AN INTRODUCTION TO THE PRINCIPLE OF MORALS AND LEGISLATION (1948) at 3.

if the public good can negatively affect the welfare of landowners (land users) in the determination of land price. Therefore, the decision on land prices must balance private and public interests. This secures democracy, creates consensus in society, and avoids conflict of interest. Specifically, in the context of land price determination, the interest groups need to be balanced according to private and public interest theory.

1.Socio-economic Benefits

The State needs to ensure the optimal promotion of the economic value of the land without affecting aspects of social life. Therefore, contained in the land price is not merely the economic value of the land. It should not cause a profound divide between the rich and the poor; affect the right to access land, especially for marginalized groups to prevent environmental degradation.

2. Interests between Opposing Groups

The State's rights on land prices determination directly affect the interests of three primary groups of entities: 1) The State—directly affecting state budget revenues; 2) Landowner (land user)—affecting the ability to fulfill financial obligations during land use and affecting the value of the land to be compensated when the State recovers the land; and 3) Investors—involving the land rates that investors have to pay for being allocated the land use rights. When the land price is determined, two opposing groups' interests often arise but will partly affect the third group. For example, if the State decides the land price for compensation calculation when the State recovers the land, the interests of the State and the people whose land is recovered need to be secured. However, that land price will affect the later stage, determined when the State allocates/ leases the land area after land recovery to the new investor. Therefore, in the overall context of determining land price, the State needs to consider

harmonizing the interests of the State-Landowner (land user)-Investor.

3. Current Benefits and Future Benefits

During land prices determination, the current financial income gained from the land plot/area and the future strategic goals need to be considered. In addition, because land value tends to appreciate continuously and is hard to depreciate, the land price determination must effectively quantify and modify the added value in the future.

Applying the theory of balancing the interests in determining the land price to guarantee consensus eliminates conflicts and contradictions when the State decides on land price to ensure the optimal promotion of land resources parallel with the sustainable development goals. As the inherent nature of land prices influences the decision on the interest of stakeholders, balancing interest is an indispensable requirement for land price determination.

B. Good Governance in Land Price Determination

The State is a stakeholder in the issues of benefits of land price. It needs a rigorous and scientific process to help it maintain a fair and independent role in harmonizing interest groups in land price-determination. So, why should good governance theory be applied in land price determination? This can be explained by the role and development trend of good governance in land management innovation. It is necessary to use the “good governance” theory, considered the best method to balance interests in land price decisions.

“Good governance is fundamental to achieving the benefits of protecting property rights and developing efficient and effective land and property markets.”¹³ The relationship between good

¹³ Keith C. Bell, “Good Governance in Land Administration,” Plenary Session III—Responding to the Global Agenda—Policies and Technical Aspects, Hong Kong, China SAR, May 13-17, 2007, https://www.fig.net/resources/proceedings/fig_proceedings/fig2007/papers/ps_03/ps03_01_bell_2219.pdf.

governance and land administration to improve the land administration system requires accountability and performance indicators of administration activities.¹⁴ Also, practical studies in some countries showed that: “in many countries, land administration systems have failed due to poor management and lack of good governance.”¹⁵

Therefore, it is necessary and appropriate to study and apply the “good governance” theory to ensure the balance of interests and effectiveness in determining land prices of the State. There are different opinions on the concept of good governance. According to the Office of the High Commissioner of United Nations Human Rights, the term “good governance” is used to address the following issues such as

¹⁴ Ian Williamson & Don Grant, *The Evolving Role of Land Administration in Support of Sustainable Development: A Review of the United Nations–International Federation of Surveyors Bathurst Declaration for Sustainable Development*, 44 AUSTRALIAN SURV., 126 (1999).

¹⁵ Mahashe Chaka, Ntseb Putsoa, and Mankuebe Mohafa, “Good Land Governance Is Essential to Effective Administration of Land,” 2018 World Bank Conference on Land and Poverty (2018) at 6.

full respect of human rights, the rule of law, effective participation, multi-actor partnerships, political pluralism, transparent and accountable processes, and institutions, efficient and effective public sector, legitimacy, access to knowledge, information and education, political empowerment of people, equity, sustainability, attitudes and values that foster responsibility, solidarity, and tolerance.¹⁶

Meanwhile, The United Nations Development Program states:

Good governance is, among other things, participatory, transparent and accountable. It is also effective and equitable. And it promotes the rule of law. Good governance ensures that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and the most vulnerable are heard in decision-making over the allocation of development resources.¹⁷

World Bank considered: “Good Governance has eight major characteristics. It is participatory,

¹⁶ UN Commission on Human Rights, Resolution 2000/64 (2000).

¹⁷ United Nations Development Program (UNDP) Report Governance for Sustainable Development (1997).

consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable, and inclusive. It follows the rule of law.”¹⁸ Also, a study by Organization for Economic Cooperation and Development shows that the principal elements of good governance refer to accountability, transparency, efficiency, effectiveness, responsiveness and the rule of law. Several studies show the ability of “good governance” theory to revamp the management role of the State in modern society; it can be seen that those studies focus on publicity, transparency, accountability, expanding the participation of non-state subjects, effectiveness, efficiency, and the rule of law in discussing “good governance.” The State must apply the tenets of the “good governance” theory to balance interests in determining land prices.

To meet the requirements for “good governance,” the Authors opine that the law and practice of determining land price must meet the

¹⁸ Meetika Srivastava, *Good Governance—Concept, Meaning and Features: A Detailed Study* (2009).

following essential needs: first, the land price determination process is to be public, transparent, and subject to tight supervision by the people—this is the basis for people to participate in and supervise the land price determination process; second, accountability in land price decisions—elimination of conflict of interests and irresponsibility in land price determination; third, expand the participation of independent parties in the land price determination process—assurance of independence, objectivity, and professionalism in land price determination; fourth, ensure the accuracy and completeness of information in land price determination—guarantee efficiency and timeliness in land price determination, comprehensively evaluate data to ensure harmony between groups' benefits; and fifth, accuracy and science of the land price determination method—this is a tool to quantify interest groups in determining land prices. Scientific and modern methods are prerequisites to eliminate conflict of interests and subjectivity in land price determination. Lastly, the dispute settlement

procedures in determining land prices are independent and practical—a process that ensures opposing groups' interests and promotes democracy and the rule of law in land price determination.

Based on the nature of land prices and the management role of the State, the Authors interpret the need for a right to interrogate land prices by the State to ensure that the State's decision on land prices is necessary and consistent with objective requirements in land management and use. At the same time, based on the land price based on the economic value of land, the Authors analyze and apply the theory of balance of benefits as a requirement for the land price determination process; it can be said that balancing interests in land price determination is a prerequisite for eliminating disagreements and conflicts over land prices in land management, ensuring equity and optimization of land resources. The influences and development trend of “good governance” theory show that applying the tenets of good governance theory to complete the land price decision process is an

essential and inevitable basis in securing the requirements of balancing interests when the State determines land prices.

Accordingly, within the scope of this Article, the Authors focus on solving the following principal contents: 1) the theoretical issues of the State's land price determination rights; 2) the application of “good governance” theory to promote specific requirements to ensure the balance of interests in the land price determination process; and 3) conduct an empirical study to establish the requirements for land price determination in Vietnam—a country that has recognized the State's right to determine land prices since the land law began to recognize land prices and the land market.

III. HOW IS LAND PRICE DETERMINED IN VIETNAM?

Vietnam has established a regime of land ownership by the entire people. The State is the sole representative to exercise the rights of the public

owner,¹⁹ including the right to determine land prices when land changes hands among lawful users of the land. In Vietnam, the State's land price determination right has been controlled since the 1993 Land Law and has developed over three periods of the law revision with many changes in regulations.

According to Vietnamese law, land price is the value of land use rights calculated per unit area of land. The value of land use right is the monetary value of the land use right over a defined land area within a definite land use term. In Vietnam, the State holds the right to determine land prices.²⁰ According to Article 112 of the 2013 Land Law, the land valuation must ensure the following principles: 1) according to the lawful land use purpose at the time of valuation; 2) according to the land use term; and 3) in line with the standard land price on the market²¹

¹⁹ Article 13, Vietnamese Land Law 2013.

²⁰ Clause 5, Article 13 of Vietnamese Land Law 2013.

²¹ According to Clause 3, Article 3 of Decree No. 44/2014/ND-CP dated May 15, 2014 of the Government on amendments and supplements to land prices, the common land price in the market is the price that appears with frequency, the highest rate in the transferred transactions on the market, winning the auction of land use rights, the land price is determined from the cost and income of

of the transferred land with the same use purpose, the winning price at the auction of land use rights for places where there is an auction of land use rights or income from the use of land; simultaneously, adjacent land plots with the same use purpose, profitability, and income from similar land use will have the same price.

Based on these principles, land price determination is carried out through five methods of land price determination.²² According to the law's provisions, the choice of one or more valuation methods is decided by a person competent to determine the price.²³

There are three types of land prices in Vietnam. First, the Government's land price bracket every five years is issued based on the advice of the Ministry of

the land plots with the same use purpose in an area and within a certain period of time. certain time.

²² Article 4 of Decree No. 44/2014/ND-CP amending and supplementing stipulates five methods of land valuation such as: direct comparison method, deduction method, income method, surplus method and method of land valuation. land price adjustment coefficient method.

²³ Clause 1, Article 5 of Decree No. 44/2014/ND-CP amending and supplementing land price determination and Article 8 of Circular No. 36/2014/TT-BTNMT amending and supplementing Decree No. 44/2014/ND-CP on land price determination.

Natural Resources and Environment. Second, based on the price bracket, the People's Committees of the provinces and centrally-run cities issue the land price list valid for five years. Third, land price is calculated for statutory deductions when people make transactions related to land. However, when the State recovers land, the land price for compensation calculation is a specific land price. Specific land price is the land price determined upon the land acquisition decision.²⁴

According to Clauses Three and Four in Article 114 of the 2013 Land Law, the People's Committees of provinces shall decide on specific land prices. Provincial-level land management agencies are responsible for assisting the provincial-level People's Committees in determining the exact land prices. During the implementation process, the provincial land management agency may hire an organization to consult on land price determination to advise on the choice of specific land prices.

²⁴ Article 74, Vietnamese Land Law 2013.

The determination of the specific land price must be based on the investigation and collection of information on the land parcel, the market land price, information on the land price in the land database, and the application of the appropriate land valuation method. Based on the results of land price determination, the provincial-level land management agency shall submit it to the Land Price Appraisal Council for consideration before submitting it to the People's Committee of the same level for a decision.

According to Clause Three, Article 16 of Decree No. 44/2014/CP-ND amending and supplementing, the appraisal of the land price plan is carried out by the Land Price Appraisal Council, the provincial People's Committee decides to establish the Land Price Appraisal Council. The Land price appraisal council has the following members: 1) Chairman of the Provincial People's Committee as Chairman of the Council; 2) The representative of leaders of the Department of Finance as a permanent member of the Council; 3) leaders of the Department of Natural Resources and Environment and the People's

Committee of the district where the land is located; and 4) organizations with the function of consulting and determining land prices or experts on land prices and other members decided by the People's Committee of the province.

Thus, in Vietnam, the promulgation of the land price bracket and the land price list, and the decision on specific land prices are made by officials in the state administrative agencies. Vietnamese law considers this the independent authority of state administrative agencies and related agencies and organizations. Although the law stipulates that the land price determination organization is involved in the land valuation component, the land valuation certificate from this land valuation organization is not binding. Specifically, according to Clause Four, Article 115 of the 2013 Land Law, the land price determined by the consultant is one of the bases for the competent state agency to stipulate and decide on the land price. It should also be added that, in the regulations on the order of land valuation, there is no regulation on the participation of land users; there is

no regulation that the land price determination must be public and transparent.

IV. ACTUAL SITUATION OF LAND PRICE DETERMINATION WITH REQUIREMENTS TO ENSURE THE BALANCE OF INTERESTS IN VIETNAM

In Vietnam, disagreement over land prices is still a source of conflict in land administration; indeed, land prices present one of the most pressing issues in society.²⁵ Land price calculations for compensating users when the State recovers land account for a high rate of complaints.²⁶ As mentioned earlier, the Authors raise the question of whether these disagreements could result from ineffective State provision on the balance of interests in determining land prices.²⁷ Based on good governance theory, the

²⁵ Hà Hồng Hà, Quốc Vinh, & Quang Dũng, *Timely Settlement of People's Grievances*, PEOPLE'S NEWSPAPER (June 14, 2017), <https://nhandan.com.vn/tin-tuc-su-kien/giai-quyet-kip-thoi-nhung-buc-xuc-cua-nhan-dan-tiep-theo-va-het-295422/>.

²⁶ N. Pham, *Dispute Settlement in Agricultural Land Acquisition*, 14 J. LEGIS. STUD. 270 (2014).

²⁷ Hương Diệp, *Determining Land Prices in Accordance with Market Principles and Consulting with the People*, Vietnam Fatherland Front (Aug. 10, 2021), <http://mattran.org.vn/hoat-dong/xac-dinh-gia-dat->

Authors will evaluate the current status of the law on land price determination in Vietnam. Each requirement is analyzed to demonstrate the limitations in meeting the needs, which affect the efficiency of the balance of interests when the State determines land prices. This is the leading cause of disagreements and conflicts over land prices.

A. The Land Price Decision Process Lacks Publicity, Transparency, and Tight Supervision of the People.

The 2013 Land Law details the responsibility of information disclosure of management entities. The term “publicity” is used 28 times in that law. In addition, Article 207 of the 2013 Land Law has established a mechanism to ensure information disclosure through regulations that specify penalties for violations of information disclosure. Information on the State's land price determination results is published, publicized, and easily accessible; especially, the local land price list must be

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announced on January 1 of the first year of five years. However, at present, the published information contains only a draft of the results of the land price determination. The information on the implementation process and the basis for the land price decision is rarely fully disclosed. This is mainly based on the conclusion of the land price for compensation when the State recovers land. The person whose land is repossessed can only access the approved determination of the land price. Current regulations do not specify what information should be made public during the land price determination and what additional information is disclosed only upon request. Oversight rights of citizens in land administration and use are stipulated in Article 199 of the 2013 Land Law.²⁸ Citizen oversight rights are in two forms: directly by giving feedback through petitions to competent administrative agencies or persons; or indirectly by sending applications to legally recognized representative organizations charged with agency oversight. However, the

²⁸ Article 199, Vietnamese Land Law 2013.

mechanism to ensure leadership effectiveness has not yet been established by regulation, so there is a legal gap in handling complaints and petitions of citizens and handling violations of accountability of the management subject. One of the barriers to executing the public's right of oversight in land price determination is the limitation on publicity, transparency, and the mechanism of access to information and the basis of land price determination. "People's participation in land management is provided for in legislation but limited in practical implementation, undermining the effective control of corruption."²⁹ Limitations on publicity and transparency affect the people's right to participate in the land price determination process, lead to a conflict of interests, and negatively affect the land price determination process. Specific regulations on the level of information disclosure in the land price determination and strict sanctions violations of publicity, transparency, and obstructing

²⁹ C. Inthavong, et al., *State of Land in the Mekong Region*, Centre for Development of Environment (CDE) (2018) at 168.

peoples' right to access information are prerequisites for openness in land price determination.

B. Accountability in Land Price Decisions Has Not Been Fully Promulgated and Implemented.

Accountability is the ability to hold public officials accountable for their actions and make them answer and take responsibility for the consequences.³⁰ Accountability is a tool to control power and is the constraint and transparency in land price decisions. In Vietnamese law, the responsibility for replying to the land users in the process of land price determination is regulated through the content of the explanatory report for the land price determination.³¹ According to the Law, the Government, advised by the Ministry of Natural Resources and Environment, decides the “Framework of Land Price” for 58 provinces and five cities (Hanoi, Ho Chi Minh, Haiphong, Danang, and

³⁰ SALVATORE SCHIAVO-CAMPO & PACHAMPET A. SUNDARAM, TO SERVE AND TO PRESERVE: IMPROVING PUBLIC ADMINISTRATION IN A COMPETITIVE WORLD (2003) at 12-13.

³¹ Article 7, Article 12, Article 16 of Decree No. 44/2014/NĐ-CP.

Cantho). Meanwhile, the Provincial Committee, advised by the Department of Natural Resources and Environment, decides the land price table for their provinces or cities after approval from the Provincial Council.³² There are also specific regulations on accountability in each item of land price determination. The Department of Natural Resources and Environment is responsible for reporting to the Ministry of Natural Resources and Environment the results of formulating the land price list before January 15 of the first year to summarize and report to the Prime Minister.³³

In case of adjustment of the land price list, the Department of Natural Resources and Environment is responsible for reporting to the Ministry of Natural Resources and Environment on the adjustment results. Suppose the local regulations on the land price list exceed the maximum level of the land price bracket of the same type in Clause Three. As per Article 11 of Decree No. 44/2014/ND-CP, the

³² Article 113 and 114 Vietnamese Land Law 2013.

³³ Article 21 of Circular No. 36/2014/TT-BTNMT.

provincial People's Committee must report to the Ministry of Natural Resources and Environment. There are many limitations to social accountability due to regulations and the practice of publicity and transparency of information on the determination of land prices in Vietnam. Regarding this content, the current rules only generalize the accountability of the management entity when the subjects in the society have made complaints and requests. Specifically, Article 199 of the 2013 Land Law stipulates the responsibility to reply competently using a written statement upon receiving opinions from citizens and representative organizations on land administration, including the content of land price determination. These regulations partly reflect the limitation of social responsibility in the rules and practice of determining land prices in Vietnam. Therefore, the land price determination process needs to specify the content to be explained, obligations, and methods of explanation; even this is considered a condition through which the land price determination is passed. Because the Chairman of the Provincial People's

Committee is still the Chairman of the Valuation Council a conflict of interest situation is created.

Regarding the ability to take responsibility for land price determination, Article 206 of the Land Law 2013 stipulates that the handling of the person committing acts violating the land law, depending on the nature and seriousness of their violations, would be prosecuted for penal liability following the law. People performing official land administration duties can be prosecuted for penal liability depending on the nature and severity of their offenses. The commonly prosecuted violations in land price determination are violations or decisions that cause losses to the State budget. Thus, if a competent authority decides that the land price is too high, it is not a basis for land price determination even though it affects the investor's ability to access land and the land user. How should the mentioned violations be handled? The decision of a high land price when determining the starting price in the auction of public land use rights while distributing land, the decision of a high land price can be said to take advantage of Article

118 of the 2013 Land Law. According to the manager's will, the unsuccessful auction will be transferred to the land distribution as designated to a certain subject when the land price is too high. This issue has not been addressed in handling violations on land price determination. In general, the provisions on handling violations in land price determination in Vietnam's land law mainly only protect the interests of the State but are still not comprehensive.

C. The Participation of Non-State Parties in the Land Price Determination Process Is Still in Form.

The State's right to decide on land prices in Vietnam's land law is stipulated in Article 18 of the current Land Law, including regulation and land price determination rights.³⁴ The current Vietnamese land law stipulates the participation of organizations with the function of consulting on land price

³⁴ Land price determinations made by provincial-level People's Committees at a specific time, applied to specific cases, are called specific land prices. The specific land price is regulated and widely applied during the 2013 Land Law.

determination in the land price determination process, specifically in Clause Three, Article 114 of the 2013 Land Law, 11 Circular No. 36/2014/TT-BTNMT stipulating the participation of consultancy organizations on land price determination in the process of developing land price lists. However, according to regulations, the involvement of consulting organizations is not mandatory, and government offices have the right not to hire consulting organizations but instead conduct the land price appraisal process themselves. In addition, selecting a consulting organization to participate in the land price decision process is still unfair. Local authorities seek to appoint contractors without bidding to choose a consulting organization.³⁵ About the direct participation of the People in the process of land price determination, it is limited to giving opinions on the land price bracket and the land price list through the publicized drafts on the website. The collection of specific comments from land users has

³⁵ TRUNG HIEN PHAN, THINGS TO KNOW ABOUT COMPENSATION, SUPPORT AND RESETTLEMENT WHEN THE STATE RECOVERS LAND (2018) at 129.

not been taking place. The subjects affected by the particular land price are still left to determine one exact land price, and there is no mechanism to monitor the land price decision process.³⁶ The limitations in expanding and effectively ensuring the participation of non-State parties in the land price determination process have specific effects on the balance of interests of opposing subject groups. The result of the land price determination has not yet reflected the multi-dimensionality but mainly the manager's will. Therefore, the mandatory participation of independent consulting organizations in land valuation and the right to directly participate in the State's land price determination process is critical in determining the balance of interests.

D. The Accuracy and Completeness of the Information Used as a Basis for Land Price Determination Are Not Guaranteed.

³⁶ *Id.* at 122.

The knowledge of market land price is the input data of the land price determination process, so the accuracy and completeness of the information will determine the State's land price effectiveness. To ensure the balance of interests in land price determination, the information about the market land price of the valuation area and the related information affecting the profitability of the land plot/land area must be fully provided. However, the reality of fraud in declaring actual transaction prices in Vietnam³⁷ has seriously affected market land price information sources as a basis for determining land prices. Transaction prices collected from most publicized contracts are much lower than the actual transaction prices for tax fraud, which seriously affects the accuracy of the valuation results. At the same time, the reality of planning inflation in Vietnam³⁸ seriously affects the feasibility of

³⁷ Chau Hoang Than, *Jurisdiction of the Court in Settling Disputes over Land Prices*, 10 PEOPLE'S CT. J. 12 (2019).

³⁸ Đức Duy, *The Whole Country Has About 17,000 Plans That Were Overlapped and Have to Be Abolished*, VIETNAM LAW NEWSPAPER (2019), <https://baophapluat.vn/trong-nuoc/ca-nuoc-co-khoang-17000-quy-hoach-co-su-chong-cheo-va-phai-bai-bo-447616.html>.

planning. The selection of planning information as a basis for determining the land determination process requires State agencies to show their will in land price determination, which is a barrier to the balance of interest groups. Strictly managing the real estate market and applying modern scientific techniques in real estate transactions and management is an effective solution to ensure data sources as a basis for land price decisions.

The land valuation method is a vital component in revamping land price management in Vietnam. However, compared to the 2003 Land Law period, the 2013 Land Law did not have many changes in regulations on land valuation methods. The reality of shortcomings in the application of land valuation methods has been pointed out very specifically: Mr. Ho Duc Phuoc—The State Auditor General, said that the different ways differ by dozens of times in value; the provisions in the land valuation method contain many subjective factors, assumptions, and insufficient background for determining land prices; and the price adjustment coefficient method and the

income method are two methods that are easily exploited, and the results are unreliable.³⁹ Besides, the lack of consistency in the regulations on land valuation methods in the Vietnam Valuation Standards has led to many difficulties in applying land valuation methods.

E. The Accuracy and Science Are Not Guaranteed in Applying the Land Price Determination Method.

Limitations in land valuation methods directly affect the outcome and fairness of land pricing determination. The land valuation method must be guided by the principles and practices of the International Valuation Standards. The valuation method is not a tool to express personal will in the land price determination process.

³⁹ Vietnamese Land Law 2014.

F. Dispute Settlement Mechanisms in Land Price Determination Lack Independence Effectiveness and Are Difficult to Access.

Land conversion has primarily been based on land prices decided by relevant administrative agencies, leading to social dissatisfaction. Peoples' complaints about land account for 70 to 80% of total complaints throughout the country.⁴⁰ According to the current Vietnamese law, land price determination is expressed through administrative decisions, including legal decisions—the decision on land prices in the land price bracket and land price list; individual decision—the decision to approve the specific land price. The current mechanism for settling administrative disputes in State administration in Vietnam is through complaints, settlement of complaints according to managerial procedures, and initiating administrative cases in court. However, based on the scope of complaint settlement and the limitation on the jurisdiction to settle complaints and to adjudicate administrative

⁴⁰ *State of Land in the Mekong Region*, CDE (2018) at 168.

matters of the court, the current administrative dispute settlement mechanism in our country does not resolve disagreements on the results of the State's land price determination process.⁴¹ Although the regulations on the execution method of the right to complain and initiate administrative lawsuits are elementary and easily accessible to the public, the limitations of the jurisdiction have not been able to completely resolve the disagreement over the agreed prices determined by the competent authority. The analysis above shows that if they disagree with the land price decided by the State, they can only give feedback and propose to the competent authorities to reconsider that price. The limitations in the legal provisions on complaints and the Court's power to settle administrative cases in Vietnam cannot resolve disagreements about the State's land price determination results. Therefore, a specific mechanism is essential for dealing with complaints

⁴¹ Chau Hoang Than, *Settlement of Disputes over Land Prices for Calculation of Compensation When the State Recovers Land for the Purposes of National Defense, Security, Socio-Economic Development for National and Public Interests*, 5 J. St. & L. 373 (2019).

about decisions and organizational behavior in the land price determination process. This should be beside the extension of the Court's authority to settle disputes arising in the process of determining land prices by the State, but most importantly, the right to veto the land price results decided by the administrative agency when the court has sufficient information to prove that the land price determination process does not comply with legal regulations, affecting the legitimate.

V. CONCLUSIONS AND SUGGESTIONS

In the context of Vietnam, to ensure a balance of interests in land price determination, it is necessary to consummate regulations and provide the mechanism to implement the following requirements: 1) the land price decision process must be publicized, transparent, and closely monitored by the people; 2) accountability in land price determination is assured; 3) the principle of independence, honesty, and objectivity of non-State subjects when participating in the process of land

price determination is assured; 4) the accuracy and completeness of information as a basis for deciding land prices is assured; 5) the accuracy and science, limitation of the introduction of personal will in the process of applying the land price determination method need to be reinforced; and 6) the disputes settlement mechanism in independent, effective, and accessible land price determination needs to be consummated.

Within certain limitations, our research suggests that the combination of the theory of balance of interests and the idea of good governance is the foundation for optimally promoting the State's land price determination rights toward sustainable development. The significant findings of this Article include the following.

First, in Vietnam, the State has been determined to be the appropriate entity to execute the land price determinations because of its responsibility for managing the exploitation of the economic resources presented by the land. The State's land price determination right is not an expression of the

subjective will imposing on land prices but must be based on the market forces, respecting the characteristics of land prices and the objective laws governing land prices.

In terms of legislative revisions, priority should be given to reviewing existing good experiences in fair compensation and alternatives to land recovery that can be scaled up and incorporated into State land acquisitions and compensation processes and guidelines.⁴²

Second, the balance of interests is critical for effectively ensuring a fair and equitable State land price determination. The claims can only be balanced when the land price determination process fully demonstrates the requirements constructed by applying good governance theory. On the one hand, “the requirement to have an independent valuation agency, different from the one determining the land price, among the members of the Land Valuation Council makes the land valuation process more

⁴² *State of Land in the Mekong Region*, CDE (2018) at 173.

transparent.”⁴³ “On the other hand, citizen monitoring will only become a common practice if used effectively by communities and civil society groups.”⁴⁴

Third, the study of the current situation of land price determination in Vietnam helps to show that disagreements and conflicts over land prices are mainly caused by the limitations on the balance of interests in the State's land price determination. “Strengthening the participation of civil society organizations will thus be imperative to enable them to extend continuous support to and improve the vulnerable positions of smallholders in Vietnam.”⁴⁵ In all cases, independent valuation units in determining land prices must be required. Their detailed guidelines are needed for the independent land pricing mechanism to operate effectively.

⁴³ *Disclosure of Information on Land Management in Vietnam*, Final Report of the World Bank (2014) at 29.

⁴⁴ *State of Land in the Mekong Region*, CDE (2018) at 169.

⁴⁵ *State of Land in the Mekong Region*, CDE (2018) at 173.

CANADA'S IMMIGRATION HEALTH INADMISSIBILITY AND THE CASE FOR DISABILITY DISCRIMINATION

Angela Tu

I. INTRODUCTION

It is not unusual for countries to restrict immigrants based on their “costly” health conditions. In Canada, immigration law restricts a foreign national from getting admitted as a permanent resident if the foreigner has dangerous or excessive health conditions. This law is codified in the Immigration and Refugee Protection Act, section 38:

- (1) A foreign national is inadmissible on health grounds if their health condition
 - (a) is likely to be a danger to public health;
 - (b) is likely to be a danger to public safety; or
 - (c) might reasonably be expected to cause excessive demand on health or social services.¹

¹ Immigration and Refugee Protection Act, S.C. 27§38 (2001).

Many people have criticized this health requirement as being unethical, particularly the “excessive demand” criteria of 27§38(1)(c). One of the most important criticisms has to do with how the provision constitutes disability discrimination. Individuals who want to take legal action against section 38 or its equivalent would assert that either the state did not give equal protection of access to health services, which is needed for a non-citizen to survive, or the claimant would say that section 38 is discriminatory towards disabled individuals, whether that discrimination is direct or indirect. This paper will mainly focus on claims that section 38 is discriminatory, rather than on access to services even though both issues can be linked.

Individuals can challenge section 38 on the basis of disability discrimination by bringing a Charter challenge, or a constitutional challenge against the Canadian government’s actions. Section 15 of the Canadian Charter of Rights and Freedom (Charter) is relevant for Section 38 discussions. Section 15 states:

(1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour [sic], religion, sex, age or mental or physical disability.²

In short, Section 15 emphasizes equal rights between all individuals, including having the right to be free from disability discrimination. Section II of this Article discusses Section 38 and how the provision has changed in modern times. Section III examines Charter challenge cases as it relates to section 38's potential to discriminate against individuals with physical and mental disabilities. This Article will also explore whether those challenges have ever been successful. Given the 2018 Ministerial change to the health admissibility criteria, this Article discusses whether the new policy still has the potential to be discriminatory. After discussing the 2018 policy change, Section III will

² Canadian Charter of Rights and Freedoms, Part 1 of the Constitution Act (1982), *being* Schedule B to the Canada Act 11§15 (1982).

review limitations to winning a section 15 discrimination case. Section IV examines the international mechanism in circumventing the Charter challenge limitations. Lastly, this Article will discuss in Section V how, despite the lack of success for disabled claimants, section 38 is still discriminatory when viewed from someone who is outside of the legal field. Because outsiders to the law are the ones who are actually impacted by laws, using those insights would be beneficial for improving immigration policy for the future.

II. SECTION 38 OF THE IMMIGRATION AND REFUGEE PROTECTION ACT

When an immigrant tries to apply for permanent residency, those immigrants have to undergo a medical evaluation.³ Once evaluated, the immigration officer can reject an immigrant's application based on Section 38. Section 38 lays out three conditions under which someone could be

³ Constance MacIntosh, *Medical Inadmissibility, and Physically and Mentally Disabled Would-Be Immigrants: Canada's Story Continues*, 42 DALHOUSIE L. J. 125, 135 (2019) (hereinafter *MacIntosh*).

inadmissible for health-related issues: when the applicant is likely to be a danger to public health, when the applicant is likely to be a danger to public safety, and lastly, if there is a reasonable expectation that the applicant would cause excessive demand on health or social services.⁴ “Excessive demand” can mean either of the following:

- A demand for which the anticipated costs would likely exceed the average Canadian per capita health and social services costs over a period of five years unless the evidence points to significant costs beyond that period, in which case the period is 10 years.
- A demand that would add to existing waiting lists and would increase the rate of mortality and morbidity for permanent residents and citizens as a result of denials or delays in the provision of services.⁵

According to Section 38(2), the health requirement is exempted for a family class member who is either a spouse, common-law partner, or a

⁴ Immigration and Refugee Protection Act, S.C., 27§38 (2001).

⁵ SHARRYN AIKEN, ET AL., IMMIGRATION AND REFUGEE LAW: CASES AND COMMENTARY (2015) (hereinafter AIKEN) at 379.

child of the sponsor; someone who applied for permanent resident as a Convention refugee; or an applicant who is a protected person.⁶ If someone is found to be inadmissible, sometimes the minister may issue a temporary resident permit pursuant to section 24(1) of the Immigration and Refugee Protection Act.⁷

Additionally, when immigrants to Canada demonstrate the ability and intent to financially support themselves regarding social services, medical officers must take that fact into account when determining whether there is a reasonable probability of an excessive demand. In other words, a showing that the applicant has the financial ability and intent to pay for their own social services may help that applicant's case to be admitted. The most notable authority is the *Hilewitz v. Canada* case, involving an investor class's dependent special needs

⁶ Immigration and Refugee Protection Act, S.C., 27§38 (2001).

⁷ Immigration and Refugee Protection Act, S.C., 27§38 (2001).

A foreign national who, in the opinion of an officer, is inadmissible or does not meet the requirements of this Act becomes a temporary resident if an officer is of the opinion that it is justified in the circumstances and issues a temporary resident permit, which may be cancelled at any time. *Id.*

child.⁸ In this case, the supreme court elaborated that the legislative intent of section 38 supports individual assessments, instead of a categorical exclusion, of both medical and non-medical factors that could influence how much burden that individual might place on social services. The court concluded that a family's ability to financially support a dependent with a disability should be factored into the question of whether a person would be an excessive burden.⁹ As a result of this case's decision, applicants who are potentially medically inadmissible could show that they have the ability to support themselves when it comes to social services. If the individuals can show that they or a family member would not be a public burden to social services, then the individual or family member would not be inadmissible.¹⁰

Later court decisions deemed health services as different from social services, and as such the ability to pay for one's own health services is not always

⁸ Hilewitz v. Canada, S.C.C. 57 (2005).

⁹ AIKEN, *supra* note 5, at 383-388.

¹⁰ MacIntosh, *supra* note 3, at 138-139.

sufficient to establish admissibility. For example, in the *Lee v. MCI* case, the court differentiated between social services and health services, because no matter how much an applicant would claim to pay for his or her own health services, “it is not possible to enforce a personal undertaking to pay for health services that may be required after a person has been admitted to Canada as a permanent resident.”¹¹ This is because health services in Canada are mostly publicly funded.¹² Moreover, the court is concerned that the applicant’s medical needs would pose a burden on an already long waitlist for healthcare services. Because of those reasons, the *Lee* court and other subsequent decisions, like *Deol v. Canada*,¹³ concluded that claims of being able to financially support one’s own health services would not be sufficient for admission. However, there have been some exceptions such as considering applicants who

¹¹ *Lee v. Canada* (Minister of Citizenship and Immigration), F.C. 1461, 10 (2006).

¹² *Id.* at 10-12.

¹³ *Deol v. Canada* (Minister of Citizenship and Immigration), 1 F.C. 301 (2003).

can pay for out-patient medications that are dependent on a private health insurance.¹⁴

Despite this pushback, there have been ministerial changes in 2018, which relaxed the prior harsh criteria for people who needed health services. According to the new policy, there would be an exemption for temporary and permanent resident applicants if the cost of health and social services does not exceed “\$19,812 per year” “over [five] years.”¹⁵ The new policy would also narrow the social services that would have been included in the cost calculation.¹⁶

Due to this laxing of the existing health condition requirement, there is a question of whether the new policy changes would still constitute disability discrimination. According to scholar Constance MacIntosh, the new policy, while an improvement from the previous immigration policy, still

¹⁴ *Companiononi v. Canada (Minister of Citizenship and Immigration)*, F.C. 1315 (2009).

¹⁵ “Excessive Demand: Calculation of the Cost Threshold, 2018,” Government of Canada (2018), <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/excessive-demand.html>.

¹⁶ MacIntosh, *supra* note 3, at 127-128.

discriminates against a smaller group of certain disabled individuals.¹⁷ In an article by the HIV and AIDS Legal Clinic, the author stated that the new policy, while giving some HIV positive immigrants the opportunity to be admissible, will still deem some other individuals with disabilities to be inadmissible. As such, to eliminate discrimination, the author believes that the federal government should get rid of the excessive demand criteria.¹⁸ The next section will delve into case law that discusses whether section 38 constitutes disability discrimination. Because most, if not all of these cases, occurred before the 2018 policy change, those case decisions can be helpful when evaluating how likely the 2018 policy will be considered to be discriminatory towards disabled individuals.

¹⁷ *Id.* at 147.

¹⁸ *Many people living with HIV are no longer medically inadmissible to Canada*, HIV and AIDS Legal Clinic Ontario (HALCO) (July 4, 2018), <https://www.halco.org/2018/news/excessive-demand-update>.

III. LEGAL ANALYSIS OF DISABILITY DISCRIMINATION

The most famous definition of discrimination, when applied within Charter challenges, came from the *Andrews v. Law Society of British Columbia* case (*Andrews*).¹⁹ The *Andrews* court defined “discrimination” as “a distinction, whether intentional or not but based on grounds relating to personal characteristics of the individual or group, which has the effect of imposing burdens, obligations, or disadvantages on such individual or group not imposed upon others, or which withholds or limits access to opportunities, benefits, and advantages available to other members of society.”²⁰

Overtime, many subsequent discrimination cases have restricted this definition. One of those cases is *Law v. Canada*, which sets out three criteria used to determine whether section 15 discrimination has occurred. The first step is to ask whether the offending law will draw a “formal distinction

¹⁹ *Andrews v. Law Society of British Columbia*, 1 SCR 143 (1989).

²⁰ AIKEN, *supra* note 5, at 250.

between the claimant and others on the basis of one or more personal characteristics or fail to take into account the claimant's already disadvantaged position within Canadian society resulting in substantively differential treatment between the claimant and others on the basis of one or more personal characteristics."²¹ The second step is to ask whether the claimant was subject to "differential treatment on the basis of one or more of the enumerated and analogous grounds."²² Enumerated grounds are the grounds that are listed in section 15(1) of the Charter, such as "race, national or ethnic origin, colour [*sic*], religion, sex, age or mental or physical disability."²³ Lastly, courts need to ask whether differential treatment will "discriminate in a substantive sense, bringing into play the *purpose* of s. 15(1) of the *Charter* in remedying such ills as

²¹ *Law v. Canada (Minister of Employment and Immigration)*, 1 S.C.R. 497, 39 (1999).

²² *Id.*

²³ Canadian Charter of Rights and Freedoms, Part 1 of the Constitution Act, *being* Schedule B to the Canada Act 11§15(1) (1982).

prejudice, stereotyping, and historical disadvantage.”²⁴

The *Withler v. Canada* case further refined the *Law* criteria to evaluating the discriminatory act on the basis of a two-part test: one, “whether the law creates a distinction that is based on the enumerated or analogous ground” and two, “whether the distinction creates a disadvantage by perpetuating prejudice or stereotyping.”²⁵ The *Withler* case refined the *Law* test because the nature of the *Law* test is problematic due to the test’s requirement of comparing one group’s treatment with another similarly situated group. According to the court in the *Withler* case, comparing one group with another does not take into account the complexity of “overlapping grounds of discrimination,” nor is the test helpful if there is no comparative group with similar experiences to that of the applicant’s group.²⁶

These interpretations of discrimination have been applied to claims of disability discrimination within

²⁴ See *Law*, at 1 S.C.R. at 39.

²⁵ AIKEN, *supra* note 5, at 250.

²⁶ AIKEN, *supra* note 5, at 254.

the context of section 38. The *Chesters v. Canada* case is the most influential case dealing with section 15 Charter challenge and the health inadmissibility provision. In the *Chesters* case, the claimant alleged that section 38 of the Immigration and Refugee Protection Act is discriminatory towards disabled individuals. Chesters, the claimant who has multiple sclerosis and was thus found medically inadmissible, submitted that section 19, which was the equivalent of section 38 at that time, is discriminatory because the provision “identified a class of people who are to be singled out and subjected to closer scrutiny on the basis of a disease, disorder or disability.”²⁷ Unlike the modern section 38, section 19 during the early 2000s worded health inadmissibility as:

- (1) No person shall be granted admission who is a member of any of the following classes:
 - (a) persons, who are suffering from any disease, disorder, disability or other health impairment as a result of the nature, severity or probable duration of which, in the opinion of a medical officer

²⁷ *Chesters v. Canada* (Minister of Citizenship and Immigration), 1 F.C. 361, 61 (2003).

concurrent in by at least one other medical officer,
(ii) their admission would cause or might reasonably be expected to cause excessive demands on health or social services.²⁸

Chesters pointed out that the older version of section 38 identifies a specific group of people, and thus the provision has an adverse discriminatory effect since it impacts a group of people “who are already vulnerable to discrimination.”²⁹ Moreover, the claimant further submitted that the medical examination process “improperly relied on stereotyped reasoning concerning persons with disabilities” without taking into account the “particular circumstances of an individual, including an individual’s employment history, education, career plans and life status.”³⁰ This assertion touched upon an important assumption that has been prevalent within the history of disability discrimination, particularly the stereotyped

²⁸ *Id.* at 98.

²⁹ *Id.* at 62.

³⁰ *Id.* at 57.

assumption that disabled individuals “will presumptively be a draw on the public purse.”³¹

In response to the claimant’s arguments, the court stated that the “section in question focuses on excessive demands, not on disease, disorder or disability”³² and as such, the argument that the provision discriminated against one of section 15’s enumerated grounds should fail. Furthermore, the court stated that not every differential treatment is equated to discrimination, which is a rationale that was drawn from *Law*.³³ In the end, the court did not find that the health inadmissibility provision had an adverse discriminatory impact on Chesters nor the people within the disability class.³⁴

This decision is not too different from many other cases dealing with health inadmissibility and disability discrimination. For example, in *Deol v. Canada*, the court asserted that the provision, section 19 at that time, “does not have the purpose or effect

³¹ MacIntosh, *supra* note 3, at 135.

³² See *Chesters*, 1 F.C. at 125.

³³ *Id.* at 100.

³⁴ *Id.* at 119.

that is discriminatory within the meaning of the equality guarantee.”³⁵ In *Deol*, the claimant, who was a permanent resident at that time, tried to sponsor her parents. Deol’s father had a health condition that could allow for an elective surgery at the time of the case.³⁶ In other words, the surgery was not necessary, and the claimant could live without the surgery. However, the Appeal Division of the Immigration and Refugee Board still made calculations of the surgery and anticipated the incurred cost in the “foreseeable future” and as such, denied the father’s visa application.³⁷ According to the *Deol* court, the health inadmissibility provision does not intend to, nor purposely, discriminate because the meaning of discrimination in a “constitutional sense” would involve promoting “the view that the individual is less capable or worthy of recognition or value as a human being or as a member of Canadian society, equally deserving of concern, respect, and

³⁵ *Deol v. Canada (Minister of Citizenship and Immigration)*, 1 F.C. 301, 53 (2003).

³⁶ *Id.* at 6-9.

³⁷ *Id.* at 6.

consideration.”³⁸ Additionally, the court did not believe that the link between denying a visa and disability discrimination was strongly established by the claimant. Due to this weak linkage, the court asserted that the visa refusal did not result in a devaluation of “human worth” or “human dignity” for the claimant and her parent.³⁹ Moreover, the court pointed out that the health inadmissibility provision evaluated the claimant’s parent on an individual assessment basis, instead of picking on all individuals with disabilities, the latter which would have constituted discrimination.⁴⁰ The court concluded that since the health admissibility of the claimant’s father did not violate the claimant’s and the father’s human dignity and freedom, there was no discrimination.⁴¹

The *Deol* and *Chesters* cases revealed the difficulties in proving discrimination as it pertains to health inadmissibility. Since both the *Deol* and

³⁸ *Id.* at 53.

³⁹ *Id.* at 56.

⁴⁰ *Id.* at 60-61.

⁴¹ *Id.* at 64.

Chesters, other cases have been brought and so far, the cases for discrimination have failed. With such a high bar for claiming a ground for discrimination, it is obvious that there are limitations to section 15, disability discrimination claims, especially as it pertains to section 38 of the Immigration and Refugee Protection Act. What does that mean for the recent 2018 policy change that increases the threshold for excessive burden? Hypothetically speaking, if a disability discrimination claim has been alleged now, it would be very unlikely for a discrimination claim to succeed under the new lenient policy, given the fact that any disabled individuals who originally would have been inadmissible are now admissible.

IV. A WAY AROUND THE CHARTER CHALLENGE LIMITATIONS?

Given the *Deol* and the *Chesters* opinions, it seems that the case law focused primarily on the provision's purpose of governing excessive demand rather than on the question of whether section 38

targeted a group. In addition, court decisions have centered on the provision's individual assessment approach instead of a group assessment, thereby discrediting claims of disability discrimination. These two main rationales from *Deol* and *Chesters* added challenges for any future disability discrimination claims that alleged that section 38 is discriminatory.

Besides the challenges of showing that the provision targets a specific group of people instead of controlling for excessive demand, applicants face other hurdles towards winning inadmissibility discrimination claims. The first hurdle has to do with Charter section six limitations on non-citizens and the second hurdle has to do with section one of the Charter, which gives the Canadian government justification to limit rights when necessary. In terms of the status of non-citizenship cases, such as *Charkaoui v. Canada*, have restricted the rights of non-citizens. The *Charkaoui* case is particularly influential because the court expansively and broadly interpreted section six of the Charter as giving states

the right to deport and therefore, according to the court, section six allows for “differential treatment of citizens and non-citizens in deportation matter.”⁴² Because of that, the reasoning goes that a “deportation scheme that applies to non-citizens, but not to citizens, does not, for that reason alone, violates section 15 of the Charter.”⁴³ Although *Charkaoui* deals with deportation issues, some scholars accurately predicted that this case “signifies that...[section six] and 15 will, at least sometimes, be read together in immigration matters” and the result could be detrimental for non-citizen equality rights.⁴⁴ Indeed, even one author noticed that the recent trend of constitutional immigration cases tend to make distinctions between citizen and non-citizen rights stronger, and this could result in making non-citizens in Canada more vulnerable “to rights abuses than at any point in the previous thirty years.”⁴⁵

⁴² *Charkaoui v. Canada (Citizenship and Immigration)*, S.C.C. 9 (2007).

⁴³ AIKEN, *supra* note 5, at 243.

⁴⁴ *Id.* at 244.

⁴⁵ Catherine Dauvergne, *How the Charter Has Failed Non-Citizens in Canada: Reviewing Thirty Years of Supreme Court of Canada*

As for section one Charter limitations, section one stated the following: “The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.”⁴⁶ In other words, section one of the Charter “establishes that rights and freedoms guaranteed by the Charter are not unconditional but subject to reasonable limits.”⁴⁷ When paired with a section 15 case, not necessarily having anything to do with health inadmissibility, existing courts such as ones in *Charkaoui* and *Lavoie v. Canada*,⁴⁸ have tended to reject the Charter challenge, usually along the lines of how necessary such provisions are. Even though the court in *Chesters* had mentioned but did not discuss section

Jurisprudence, 58 MCGILL L. J. 663, 727-728 (2013) [hereinafter *Dauvergne*].

⁴⁶ Canadian Charter of Rights and Freedoms, Part 1 of the Constitution Act (1982), *being* Schedule B to the Canada Act, 11§1 (1982).

⁴⁷ VALENTINA CAPURRI, NOT GOOD ENOUGH FOR CANADA: CANADIAN PUBLIC DISCOURSE AROUND ISSUES OF INADMISSIBILITY FOR POTENTIAL IMMIGRANTS WITH DISEASES AND/OR DISABILITIES, 1902-2002 (2019) at 158.

⁴⁸ *Charkaoui v Canada (Citizenship and Immigration)*, 1 SCR 350 (2007) at 129-137; *Lavoie v Canada*, 1 SCR 769 (2002) at 53-58.

one, if future cases do discuss “excessive demand” as constituting a justified limitation on equality, then this implication would be detrimental to disabled non-citizen’s fight against section 38.

Because non-citizens have limitations when it comes to Charter claims, there have been discussions on how to best strengthen their rights in Canada, such as the right to not experience disability discrimination. One of those ways of circumventing Charter limitations includes getting international forums involved, since Canada has been a party to many international conventions, such as the Convention on the Rights of People with Disabilities (CRPD). This approach seems promising given Canada’s obligation to abide by international standards and use international human rights obligations to inform domestic laws.⁴⁹ Many experts, international forums, and instruments have interpreted international obligations as protecting the rights of non-citizen, disabled individuals as well as citizens with disabilities. For example, scholar

⁴⁹ Dauvergne, *supra* note 45, at 725.

Constance MacIntosh gives a detailed account of how a Committee on Citizenship and Immigration concluded that Canada's international obligation to disabled individuals extends to non-citizens as well.⁵⁰ Another scholar, Catherine Dauvergne, pointed out how some international forums found that Canada "breached international human rights commitments to non-citizens."⁵¹ Still, Ravi Malhotra mentioned that article 18 of the CRPD "stipulates that people with disabilities are entitled to freedom of movement and nationality."⁵²

Despite this positive outlook, it is unclear how international protection can be effectively applied on a domestic level. The case *Leobrera v. Canada* [*Leobrera*] demonstrated that international law interpretations made by domestic courts can result in devastating implications for disabled non-citizen. In *Leobrera*, the court uses the CRPD and the

⁵⁰ MacIntosh, *supra* note 3, at 144.

⁵¹ Dauvergne, *supra* note 45, at 727.

⁵² Ravi Malhotra, *The Impact of the Convention on the Rights of Persons with Disabilities on Canadian Jurisprudence: The Case of Leobrera v. Canada*, 54 ALTA. L. REV. 637, 648 (2017) [hereinafter *Malhotra*].

Convention on the Rights of the Child to “prevent adult children with disabilities from obtaining access to the more flexible ‘best interests of the child’ test.”⁵³ Even though the plaintiff’s disabled child had her Humanitarian and Compassionate application granted,⁵⁴ the author can see how the court’s interpretation can be problematic.⁵⁵

Although the *Leobrero* case has mixed results, based on one scholar’s observations, the scope of international law application may have potential in improving non-citizen’s Charter cases. To scholars like Dauvergne, disabled non-citizens would be better protected if the Charter and international human rights norms worked together.⁵⁶ The CRPD’s General Comment acknowledges the existence of attitudinal barriers, including the notion that disabled individuals are a burden to society,⁵⁷ which would hurt arguments upholding the “excessive demand”

⁵³ *Id.*

⁵⁴ *Saporsantos Leobrero v. Canada*, 2010 FC 587 (2010).

⁵⁵ Malhotra, *supra* note 52, at 648.

⁵⁶ Dauvergne, *supra* note 45, at 727-728.

⁵⁷ CRPD, *General comment No. 6 (2018) on equality and non-discrimination*, 19th Sess, adopted 26 April 2018, UN Doc CRPD/C/GC/6.

inadmissibility. Thus, it does seem that many scholars are accurate in predicting CRPD's potential in filling in the gaps of disability rights. How to enforce such international standards; however, is still unclear, since the CRPD does not have much of an enforcement mechanism besides compelling State Parties to report to a Committee every four years.⁵⁸

V. DOES SECTION 38 STILL DISCRIMINATE?

Even though the existing Canadian case law rejected claims of disability discrimination, the lived experience of disabled individuals has shown that the health inadmissibility provision can still be argued to be discriminatory outside of a legal context. While the language of “excessive demand” does not seem to be targeting any group on the surface, the fact that the new 2018 policy still negatively impacts a small number of disabled individuals, some of whom have a chronic disability, still reveals that the provision does add more social barriers to a group that has been

⁵⁸ Convention on the Rights of Persons with Disabilities art. 35, May 3, 2008, 2515 U.N.T.S. 3.

historically disadvantaged. On top of all the criteria that non-citizens have to meet, the disabled applicant has to participate in additional screening and monitoring.⁵⁹ Meanwhile, immigrants without disabilities do not have that added concern or scrutiny. The legal scholar Constance MacIntosh analogously argued that if minimalizing social and health service costs is at the core of society's value, then such standard would apply equally to immigrants who make poor lifestyle choices, applicants who have children, individuals who want to live past 65 years of age, and women who plan to have children.⁶⁰ Since this is not the case, then the heightened evaluation for certain individuals with health conditions does constitute discrimination.

Even though some disabled individuals who met the 2018 threshold would be admissible, this fact does not make the health inadmissibility provision

⁵⁹ Excessive Demand on Health Services and on Social Services, GOV'T OF CAN. (2022), <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/standard-requirements/medical-requirements/refusals-inadmissibility/excessive-demand-on-health-social-services.html#application>.

⁶⁰ MacIntosh, *supra* note 3, at 148.

any less discriminatory. The excess demand criterion enforces the common stereotype that paints disabled individuals as a burden to society, unless they individually prove otherwise. Scholar MacIntosh has critiqued how section 38 started with the presumption that “a disabled person is a problem,”⁶¹ while scholar Malhotra mentioned how disabled immigrants are seen as a “financial burden to the state.”⁶² Sunny Taylor, a disability activist, also justifiably argued that society should not value disabled individuals based on their contributions or ability to work.⁶³ While the courts in *Chesters* and *Deol* have either ignored or minimized this prejudicial view, the health inadmissibility provision is tied to the assumption that a disabled individual might be a financial burden. This prejudicial assumption about disabled individuals should have met the prejudicial view standard as expressed in the *Withler* case. Unfortunately, a thorough discussion

⁶¹ MacIntosh, *supra* note 3, at 148.

⁶² Malhotra, *supra* note 52, at 637.

⁶³ Ravi Malhotra, *Disability Rights and Immigration*, NEW SOCIALIST (2006), at 7.

of the historical, prejudicial assumption of a burdensome, disabled immigrant was left out of those cases.

Sadly, even with all of these scholarly discussions about disability discrimination within the Canadian immigration policy, the high legal threshold to prove disability discrimination might continue to prevent disabled immigrants from winning their cases or even pursuing a case to-begin-with. This discrepancy between case law and actual lived experiences of disabled immigrants reveals that the law has cognitive dissonance when it comes to protecting historically marginalized groups from discrimination and as such, the work of disability activists and the legal system still has a long way to go.

LEGAL REGULATION OF PROVIDING PSYCHIATRIC CARE IN UKRAINE: PROBLEMS AND PROSPECTS

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I. INTRODUCTION

The concept of “man” expresses the biosocial nature of the individual, who, as a result of evolution,

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Anishchenko, Hamburh, Krasnokutskyi, Glazunov,
Davidov

united animal-biological and social principles, which determined his features in the biological form of the movement of matter and provided access to the highest social level of such movement. At the same time, the social principles of a person are his essence, manifested through a personality that is formed only in a social environment and characterizes a person as the bearer of the entire totality of social relations. The main tool for the formation of personality is the ability of the human brain and the entire nervous system to reflect objective reality in social practice in the form of subjective images, which leads to the formation and development of abstract thinking. The latter, together with articulate speech and the ability to work to transform objects of primary nature into a secondary one, constitutes the substantive basis of the personality, forming an individual consciousness. Therefore, one of the determining factors of social wellbeing and progress is the state of consciousness of individuals, which underlies the consciousness of social classes, groups and strata, as well as the mass consciousness of the people. Legal regulation of

social relations determines the formation of legal consciousness as an essential component of the legal culture of society. Consequently, the interconnected state of the individual, group and general psyche affects public order and legal order, the stability of the social system and the effectiveness of state power. The features of the conscious-volitional mental response of social groups in certain socio-economic and political situations indicate the prospects for the development of society and the state.

This explains the importance of mental health protection as one of the priority directions of state functioning in the field of health care.⁶ The effectiveness of such protection requires an appropriate mechanism of legal regulation of the mental health care system. The peculiarities of the actual social status of psychiatric patients and the special place of psychiatric science and practice in

⁶ European Declaration on Mental Health, "Problems and Ways to Solve Them," WHO European Conference of Ministers of Health. Helsinki, Finland, January 12-15, 2005, https://www.euro.who.int/data/assets/pdf_file/0011/88598/E85445R.pdf.

the system of medical sciences and the entire health sector make it necessary to provide detailed legal regulation for the provision of psychiatric care and the subsequent rehabilitation of mental health, providing the corresponding guaranteed rights and freedoms to people suffering from mental disorders. The particular importance of mental health requires not only consideration of its problems at the national level, but also international coordination based on the principles and norms of international law. In the resolutions of the Council of the European Union, the recommendations of the Council of Europe and the resolutions of the World Health Organization (WHO), since 1975, the importance of mental health promotion is determined, the interdependence of mental health problems and social marginalization, unemployment, and homelessness is indicated.⁷ Effective mental health care begins with a well-

⁷ Melnik Alina Vasylivna, "On the Problem of Legal Regulation of Psychiatric Care," *Medical Law of Ukraine: The Legal Status of Patients in Ukraine and Its Legislative Support (Genesis, Development, Problems and Prospects for Improvement)*, II All-Ukrainian Scientific-Practical Conference, April 17-18, 2008, http://medicallaw.org.ua/uploads/media/02_172_01.pdf, at 72.

defined regulatory framework for law enforcement practice in this segment of health care. The Law of Ukraine “On Psychiatric Care” dated February 22, 2000 Number (No.) 1489-III, according to the Preamble,

defines the legal and organizational basis for providing citizens with psychiatric care based on the priority of human and civil rights and freedoms, establishes the responsibilities of executive authorities and local governments in organization of the provision of mental health care and legal and social protection, training of persons suffering from mental disorders, regulates the rights and obligations of specialists and other workers involved in the provision of mental health care, social protection and training of persons suffering from mental disorders.⁸

Therefore, the purpose of the Article is to study the mechanism of legal regulation of Ukraine for the provision of psychiatric care and rehabilitation of persons suffering from mental illness, to identify the problems of such regulation in connection with

⁸ On Psychiatric Care: Law of Ukraine, No. 1489-III, February 22, 2000. Vedomosti of the Verkhovna Rada of Ukraine, No. 19. art. 143 (2000), <https://zakon.rada.gov.ua/laws/show/1489-14#Text>.

overcoming their social alienation (stigmatization) and self-alienation (self-stigmatization) in the process of reforming the mental health care system as an integral part of the reform the system of Ukrainian health care, as well as ensuring the safety of people from possible socially dangerous acts of persons in a condition of mental disorders—in the context of the implementation of the constitutional right of a person and citizen to health protection.

II. THE METHODOLOGICAL BASIS.

The methodology of the Article is based on the dialectical method, which made it possible to identify the relationship of public order, legal order, well-being, and progress with the state of public consciousness, legal consciousness, and the entire legal culture of society, which is largely due to the implementation of the legal right to mental health protection and mental health care, since mental health, a person, and a citizen are in the public domain. With the help of systemic-structural and structural-functional methods, the mechanism of

Anishchenko, Hamburh, Krasnokutskyi, Glazunov,
Davidov

legal regulation for the provision of psychiatric care in the health care system of Ukraine has been investigated, the possibilities of expanding the range of subjects of its provision have been identified. The system-analytical method made it possible to identify the problems of the legal status of psychiatric patients suffering from temporary mental disorders in cases of socially dangerous acts committed by them, and the hermeneutic method was used to clarify the legislative terminology for determining the legal status of such patients. The instrumental legal method was used to clarify the legislative and departmental legal regulation of various legal procedures for the organization and provision of psychiatric care and rehabilitation.

III. THE INFORMATION AND EMPIRICAL BASE.

The information and empirical base of the study includes the norms-prescriptions contained in legislation and bylaws governing the legal relationship for the provision of psychiatric medical

Anishchenko, Hamburh, Krasnokutskyi, Glazunov,
Davidov

care and the implementation of rehabilitation in the field of mental health, clarification of the legal status of persons suffering from mental illness; provisions of interpretative legal acts in the form of decisions of the Constitutional Court of Ukraine; and statistical information from the World Health Organization.

Such legislative acts are the following: Constitution of Ukraine, Article 49; Civil Code of Ukraine dated January 16, 2003; Civil Procedure Code of Ukraine dated March 18, 2004 (No.) 1618-IV; Family Code of Ukraine dated January 10, 2002 No. 2947-III; Housing Code of the Ukrainian Socialist Soviet Republic (SSR) dated June 30, 1983 No. 5464-X; Criminal Code of Ukraine dated April 5, 2001 No. 2341-III; Criminal Procedure Code of Ukraine dated April 13, 2012 No. 4651-VI; Law of Ukraine “Fundamentals of Ukrainian legislation on health care” dated November 19, 1992 No. 2801-XII; Law of Ukraine “On Psychiatric Care” dated February 22, 2000 No. 1489-III; Law of Ukraine “On Information” dated October 2, 1992 No. 2657-XII; Decisions of the Constitutional Court of Ukraine in

the case of the official interpretation of Articles Three, 23, 31, 47, 48 of the Law of Ukraine “On Information” and Article 12 of the Law of Ukraine “On the Prosecutor’s Office” (the case of K. Ustimenko) of October 30, 1997 (Official Herald of Ukraine 1997. No. 46. page 126); Order of the Ministry of Health of Ukraine “On approval of the Instruction on the conduct of mandatory preliminary and periodic psychiatric examinations” dated February 1, 2002; Order of the Ministry of Health of Ukraine “On Approval of the Procedure for Conducting a Forensic Psychiatric Expertise” dated October 8, 2001; Order of the Ministry of Health of Ukraine “On approval of the Procedure for the application of compulsory medical measures to persons who suffer from mental disorders and have committed socially dangerous acts in a psychiatric hospital with strict supervision” dated October 8, 2001; Order of the Ministry of Internal Affairs of Ukraine and the Ministry of Health of Ukraine “On Approval of the Instruction on the Procedure for Organizing the Protection of Premises and

Anishchenko, Hamburh, Krasnokutskyi, Glazunov,
Davidov

Territories of Departments of Forensic Psychiatric Examination and the Regime of Detention of Persons in Custody and Referred for Forensic Psychiatric Examination” dated November 4, 1996. Empirical data on the prevalence of mental illness and extreme states of the psyche in the modern world and, in particular, in Ukraine, are obtained from the statistical information of the World Health Organization; court practice on the problems of applying compulsory medical measures in connection with compulsory hospitalization and compulsory psychiatric examination are considered on the examples of the materials of decisions of the Moscow District Court of Kharkov and the Shevchenko District Court of Zaporozhye.

IV. DISCUSSION AND RESULTS.

Statistics from the World Health Organization put the number of people suffering from mental illness in the world today at approximately 450

million. More than 282,000 of them are in Ukraine.⁹ According to statistics, this is four to five percent of the total population of the country. The prevalence of extreme conditions of the psyche reaches a level of about 20%.¹⁰

People with mental disorders tend to be separated from society and are either in hospitals or at home due to inadequate behavior and increased aggressiveness. At the same time, they are actually isolated not only from the public with limited contacts and rights, but often from their own family, which seeks to isolate a person with mental disorders, avoiding psychological discomfort. Such rejection leads such people to ignorance of their rights and inability to use and defend them, and the state of mental disorder complicates the proper

⁹ R. I. Sibirnaya & A. V. Sibirny, *Protection of the Rights of Persons with Mental Disorders in Ukraine*, 1 SCI. BULL. LVIV ST. UNIV. INTERNAL AFR. 57 (2016) at 57, available at http://dspace.lvduvs.edu.ua/bitstream/1234567890/609/1/%D0%9F%D1%81%D0%B8%D1%85%D0%BE%D0%BB%D0%BE%D0%B3%D1%96%D1%87%D0%BD%D0%B8%D0%B9_%D0%B2%D1%96%D1%81%D0%BD%D0%B8%D0%BA_1_2016.pdf.

¹⁰ A. Korotenko, *Specificity of Legal Protection of the Mentally Ill*, Utah Psychiatric Association (UPA), <http://upa-psychiatry.org.ua/articles/ZahystPsychichHvoryh.pdf>.

assessment of situations. Persons with mental illness are endowed with the same rights and responsibilities as all citizens, but the course of such diseases requires the establishment of certain legal restrictions or legal benefits.

All legal aspects of establishing guardianship and custody of persons with mental disorders and guarantees for the protection of their property rights are regulated by the Civil,¹¹ Family,¹² Housing,¹³ and Civil Procedure¹⁴ Codes of Ukraine. The main document regulating the provision of psychiatric care in Ukraine is the Law of Ukraine “On Psychiatric Care.” It defines the legal and organizational basis for providing citizens with psychiatric care based on the priority of human and

¹¹ Civil Code of Ukraine, No. 435-IV, Vedomosti of the Verkhovna Rada of Ukraine Nos. 40-44, art. 356, January 16, 2003, <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

¹² Family Code of Ukraine, No. 2947-III, January 10, 2002, Vedomosti of the Verkhovna Rada of Ukraine (2002), Nos. 21-22, art. 135, <https://zakon.rada.gov.ua/laws/show/2947-14#Text>.

¹³ Housing Code of the Ukrainian SSR, No. 5464-X, June 30, 1983, Vedomosti of the Verkhovna Rada of Ukraine (1983). Supplement to No. 28, art. 57, <https://zakon.rada.gov.ua/laws/show/5464-10#Text>.

¹⁴ Civil Procedure Code of Ukraine, No. 1618-IV, March 18, 2004, Vedomosti of the Verkhovna Rada of Ukraine, No. 40-41, 42 (2004), art. 492, <https://zakon.rada.gov.ua/laws/show/5464-10#Text>.

civil rights and freedoms, establishes the responsibilities of executive authorities, and local governments in organizing the provision of psychiatric care and legal and social protection of persons suffering from mental disorders, regulates the rights and obligations of specialists, and other workers involved in the provision of mental health care.¹⁵.

According to Article 13 of the Law, a person is hospitalized in a psychiatric institution voluntarily—at his request or with his informed consent, with the exception of the circumstances provided for in Article 14: committing or revealing a real intention to commit actions that are directly dangerous for him or those around him; and inability independently to satisfy his basic vital needs at a level that ensures his life. In such cases, a person suffering from a mental disorder may be hospitalized in a psychiatric institution without his consent or without the consent of his legal representative pending a court decision,

¹⁵ On Psychiatric Care: Law of Ukraine, No. 1489-III, February 22, 2000. Vedomosti of the Verkhovna Rada of Ukraine, No. 19. art. 143 (2000), <https://zakon.rada.gov.ua/laws/show/1489-14#Text>.

if his examination or treatment is possible only in a hospital setting, and the mental disorder is severe.¹⁶

According to the Law, the diagnosis of a mental disorder is established in accordance with generally recognized international diagnostic standards and the International Statistical Classification of Diseases, Injuries and Causes of Death, adopted by the Ministry of Health of Ukraine for use in Ukraine. The diagnosis of a mental disorder cannot be based on a person's disagreement with the political, moral, legal, religious, or cultural values existing in society, or on any other grounds not directly related to his state of mental health. Diagnostic and treatment methods and medicines authorized by the Ministry of Health of Ukraine are used only for diagnostic and therapeutic purposes in accordance with the nature of mental disorders, and they cannot be prescribed to punish a person suffering from a mental disorder, or in the interests of other persons.¹⁷ Organizational and

¹⁶ Articles 14 and 16 of the Law Ukraine "On Psychiatric Care."

¹⁷ SEMEN G. STETSENKO, *MEDICAL LAW OF UKRAINE* (2008) at 400, 507, *available at* <https://medcoledg.ucoz.ru/Likspr/pravo/medpravoua2008.pdf>.

legal state guarantees of psychiatric treatment, in accordance with Article Five of the Law of Ukraine “On Psychiatric Care” include: financing the provision of mental health care in the amount necessary to ensure its guaranteed level and appropriate quality; gratuitous provision of medical care to persons suffering from mental disorders in state and communal health care institutions and provision of medicines and medical products to them gratuitously or on preferential terms in accordance with the procedure established by the Cabinet of Ministers of Ukraine; monetary assistance in the manner prescribed by the Cabinet of Ministers of Ukraine to a low-income person living with a disabled person of group I or II due to a mental disorder, who, according to the conclusion of the medical commission of a medical institution, needs constant outside care, for caring for him in the amount of ten percent of the subsistence minimum established by law for an able-bodied person; provision of free diagnostic, consultative, medical, rehabilitation assistance in outpatient and inpatient

conditions in state and communal psychiatric institutions; implementation of all types of examination of the mental state of the individual; protection of the rights, freedoms and legitimate interests of persons suffering from mental disorders; decision in the manner prescribed by law of issues of guardianship and trusteeship in relation to such persons; social welfare of disabled and elderly people suffering from mental disorders, as well as caring for them; receiving free of charge appropriate education for persons suffering from mental disorders in state and communal educational institutions; and the establishment of mandatory quotas for jobs at enterprises, institutions and organizations for the employment of persons with disabilities due to mental disorder in the manner prescribed by law.

The legislative provision of the rights of persons suffering from a mental disorder and receiving psychiatric care is detailed in Article 25 of the Law of Ukraine “On Psychiatric Care.” They have the rights and freedoms of citizens provided for by the

Constitution of Ukraine and the laws of Ukraine, and the corresponding restrictions are strictly regulated by law. These persons can take care of the protection of their rights and freedoms personally or through their representatives in the manner established by the Civil Code of Ukraine,¹⁸ the Civil Procedure Code of Ukraine and other laws of Ukraine.¹⁹

The regulations clearly define the rights of persons receiving mental health care, including their stay in a mental health facility. The decision to restrict the patient's rights in the provision of psychiatric care is recorded in the medical documentation indicating the period of its validity, and it can be appealed in court. Along with concern for mental health, society needs to provide adequate protection against aggressive, illegal, socially dangerous behavior of mentally ill people.

¹⁸ Civil Code of Ukraine, No. 435-IV, Vedomosti of the Verkhovna Rada of Ukraine Nos. 40-44, art. 356, January 16, 2003, <https://zakon.rada.gov.ua/laws/show/435-15#Text>.

¹⁹ Civil Procedure Code of Ukraine, No. 1618-IV, March 18, 2004, Vedomosti of the Verkhovna Rada of Ukraine, No. 40–41, 42 (2004), art. 492, <https://zakon.rada.gov.ua/laws/show/5464-10#Text>.

Prevention of socially dangerous actions of mentally ill patients is one of the most pressing and socially important problems of forensic psychiatry.²⁰ According to forensic psychiatrists, most of the socially dangerous actions the mentally ill commit are against the background of chronic mental disorders, and most serious (murder, grievous bodily harm)—during short-term psychotic disorders of mental activity. Practice and scientific works on forensic psychiatry indicate that most often among the short-term psychotic disorders of mental activity, during which persons commit socially dangerous acts and in respect of which they are recognized as

²⁰ V.I. Melnik, *On the Issue of Termination of Compulsory Medical Measures in a Psychiatric Hospital with Strict Supervision*, 7 VINNITSA ST. MED. UNIV. BULL. 70, 70–72 (2003); V.I. Melnik, *About the Application of Compulsory Medical Measures in a Psychiatric Hospital with Strict Supervision to Persons Who Have Committed Socially Dangerous Acts During the Period of Temporary Mental Disorders*, 2 BULL. PSYCHIATRY & PSYCHOPHARMACOLOGY 54, 54–59 (2003); V.I. MELNIK, FORENSIC PSYCHIATRIC ASPECTS: CLINIC, FORENSIC PSYCHIATRIC ASSESSMENT, PREVENTION (2005) at 343; S.I. TABACHNIKOV, V.I. MELNIK, & A.M. KUSHNIR, TERMINATION AND CHANGE OF COMPULSORY MEDICAL MEASURES IN RELATION TO MENTALLY ILL WHO HAVE COMMITTED SOCIALLY DANGEROUS ACTS AND ARE IN A PSYCHIATRIC HOSPITAL WITH STRICT SUPERVISION: METHOD. RECOMMEND (2003) at 20.

insane, there are twilight clouding of consciousness of organic genesis and acute alcoholic psychoses.

In general psychiatry, a temporary disorder of mental activity is not singled out as an independent nosological unit in the tenth revision of the International Classification of Diseases (ICD-10).²¹ Such allocation is not scheduled in the 11th revision (ICD-11), approved by the WHO General Assembly in May 2019 for use by WHO members for statistical purposes from January 1, 2022—it is assumed that from January 1, 2022, WHO member countries will begin to use ICD-11 for statistical purposes.²² At the same time, in forensic psychiatric practice and in criminal law, it is used in drawing up a formula for insanity in accordance with Article 19 of the Criminal Code of Ukraine.²³ In fact, this concept is

²¹ INTERNATIONAL CLASSIFICATION OF DISEASES OF THE 10TH REVISION (ICD-10), MENTAL AND BEHAVIORAL DISORDERS (F00-F99), <https://mkb-10.com/index.php?pid=4001>.

²² *ICD-11 for Mortality and Morbidity Statistics* (May 2021), <https://icd.who.int/browse11/lm/en#/http%3a%2f%2fid.who.int%2fid%2fentify%2f334423054>.

²³ The Criminal Code of Ukraine, No. 2341-III (Apr. 5, 2001). *Vedomosti of the Verkhovna Rada of Ukraine*, No. 25-26, art. 131 (2001), <https://zakon.rada.gov.ua/laws/show/2341-14#Text>; V. Ya. Tatsia, V. P. Pshonka, V. I. Borisov & V. I. Tyutyugin, et al., *Vol. 1:*

based on a chronological parameter and is more legal than medical, since the time factor is of decisive importance in a specific legal situation.

According to Part Two of Article 19 of the Criminal Code of Ukraine (CC of Ukraine), not subject to criminal liability is a person who at the time of the commission of a socially dangerous act was in a condition of insanity, that is, could not realize his act or control it due to a chronic mental illness, temporary mental disorder, dementia, or another painful state of mind. Compulsory medical measures may be applied to such a person by a court decision.²⁴

The criminal legislation of Ukraine determines that a person who has committed a socially dangerous act in a state of insanity is not a subject of a crime and therefore does not bear criminal

General Part, CRIMINAL CODE, SCIENTIFIC AND PRACTICAL COMMENTARY (5TH ED.) (2013), at 376, *available at* https://shron1.chtyvo.org.ua/Tatsii_Vasyl/Kryyminalnyi_kodeks_Ukrainy_Naukovo-praktychnyi_komentar_u_dvokh_tomakh_Tom_1_Zahalna_chastyna.pdf.

²⁴ V.Ya. Tatsia, et al., *CRIMINAL CODE, SCIENTIFIC AND PRACTICAL COMMENTARY* (2013).

responsibility. The fact of establishing the insanity of a person is only within the competence of the court and concerns only specific socially dangerous acts. There is no insanity, in general, as a stable or permanent condition inherent in a person.

Set out in Part Two of Article 19 of the CC of Ukraine, the criteria for insanity constitute a formula for insanity and consist of a medical (biological) and legal (psychological) component. One of the signs of the medical criterion is that a person has a temporary disorder of mental activity, by which the legislator understands a wide range of mental disorders with varying duration and ending in recovery. Taking into account the clinical content, these include: a) exceptional conditions (pathological intoxication, pathological affect, pathological subsleep state, short-circuit reaction, and twilight states); b) intoxication and symptomatic psychoses (delirium, acute hallucinosis, acute paranoid, etc.); c) reactive psychoses (post-traumatic, psychogenically caused temporary disorders of mental activity); d) decompensation, exacerbation of the underlying

disease with the inclusion of short-term psychotic states (organic brain damage, epilepsy, etc.); and e) independent temporary disorders of mental activity that have arisen within the framework of other nosological forms (reactive psychoses in patients with schizophrenia, etc.). The main symptom of temporary disorders of mental activity is a temporary nature and complete recurrence of clinical manifestations.

The legal criterion of the formula for insanity includes two features: intellectual—inability of a person to be aware of his actions or inaction; and volitional—inability to control them. For the existence of a legal criterion, one of these signs is sufficient. In addition, the Criminal Code of Ukraine determines that in order for a court to establish a state of insanity in a person who has committed a socially dangerous act during a temporary mental disorder, it is necessary in a procedural order to prove the presence of a set of conditions: to establish the fact of the commission of an act containing signs of a crime, provided for in Article 11 of the CC of

Ukraine; establishment of the fact of its implementation by this particular person; and the establishment of a mental disorder in a person when committing a socially dangerous act, including a temporary disorder of mental activity.

At the same time, the legislation of Ukraine protects persons who have committed socially dangerous acts in a morbid state from the illegal application of corrective labor to them. If it is established that such an action was committed in a state of insanity, then the person is not criminally liable, and compulsory measures of a medical nature may be applied to him under Articles 19, 92–95 of the CC of Ukraine and Articles 416–424 of the Criminal Procedure Code of Ukraine (CPC Ukraine).²⁵ They are not a criminal record, they cannot be regarded as punishment, since they are fundamentally different from the latter in their

²⁵ V.Ya. Tatsia, et al., CRIMINAL CODE, SCIENTIFIC AND PRACTICAL COMMENTARY (2013); S.V. KIVALOV, S.M. MISHCHENKO, & V.YU. ZAKHARCHENKO, CRIMINAL PROCEDURE CODE OF UKRAINE: SCIENTIFIC AND PRACTICAL COMMENTARY (2013), at 1104, *available at* <http://kizman-tehn.com.ua/wp-content/uploads/2017/09/KPK-komentar.pdf>.

purpose and methods. Accordingly, Article 92 of the CC of Ukraine, clause two of the commentary to Article 92 of the CC of Ukraine, in essence, compulsory measures of a medical nature are a measure of state coercion in the form of various medical and rehabilitation measures prescribed by the court in the framework of the criminal process for dual purposes. On the one hand, these are exclusively medical measures aimed at treatment, psychological correction of the personality, rehabilitation, and, accordingly, the reduction and elimination of the social danger of the mentally ill. On the other hand, compulsory measures of a medical nature pursue the goal of protecting society from socially dangerous acts committed by persons for painful reasons. Therefore, compulsory measures of a medical nature are one of the defining components of the system of preventive measures in relation to the socially dangerous mentally ill, and they should be attributed to measures of public protection.

Paragraph three of the Commentary on Article 92 of the CC of Ukraine indicated that the application of

compulsory measures of a medical nature is not mandatory, is the right of the court, and is possible only if the person is in such a state that poses a danger to himself or others under clauses one and two of the commentary of Article 416 of the CPC of Ukraine.²⁶ Thus, in each specific case, when choosing the type of compulsory measures of a medical nature, the court must assess the social danger of the patient, determined by the risk of the patient committing a repeated socially dangerous action. At the same time, clause ten of the Resolution of the Plenum of the Supreme Court of Ukraine “On the practice of using by courts compulsory medical measures” No. two dated March 19, 1982, it is clarified that compulsory medical measures cannot be applied to a person who has committed a socially dangerous act in a state of insanity or to a person who fell ill with a mental illness after committing a crime, before a court ruled whether the person has recovered or whether his mental state has changed so much that it ceased to be

²⁶ S.V. KIVALOV, ET AL., CRIMINAL PROCEDURE CODE OF UKRAINE (2013).

dangerous for himself or others. This provision was further reflected in paragraph three of the Resolution of the Plenum of the Supreme Court of Ukraine dated June 4, 1993 and in paragraph 16 of the Resolution of the Plenum of the Supreme Court of Ukraine No. seven dated June 3, 2005, as well as in paragraph three of the commentary to Article 92 of the CC of Ukraine, clause nine of the commentary to Article 416 of the CPC of Ukraine.²⁷ That is, over the past 39 years, the provision on medical measures in relation to persons with temporary mental disorders was revised at least three times, but did not undergo any significant changes. The application of compulsory medical measures to persons with

²⁷ Resolution of the Plenum of the Supreme Court of Ukraine “On the Practice of Applying by Courts of Compulsory Measures of a Medical Nature” No. 2 (March 19, 1982), http://search.ligazakon.ua/l_doc2.nsf/link1/VS82001.html; Resolution of the Plenum of the Supreme Court of Ukraine “On the Practice of Applying Compulsory Measures of a Medical Nature by Courts” No. 3 (June 4, 1993), http://search.ligazakon.ua/l_doc2.nsf/link1/VS93001.html; Resolution of the Plenum of the Supreme Court of Ukraine “On the Practice of Applying by Courts of Compulsory Medical Measures and Compulsory Treatment” No. 7 (June 3, 2005), http://search.ligazakon.ua/l_doc2.nsf/link1/VS05050.html.

temporary mental disorders is illegal in accordance with the current legislation.

The amendments to the Law of Ukraine “On Psychiatric Care,” introduced in 2017, revised the procedure for hospitalizing incapacitated persons. According to the decision of the Constitutional Court of Ukraine, the procedure for hospitalizing an incapacitated person with the consent of the guardian was declared unconstitutional. Now hospitalization of an incapacitated person is carried out on the basis of a court decision.²⁸ According to the amendments to Article 13 of the Law of Ukraine “On Psychiatric Care,” entered into force on June 10, 2018, an incapacitated person may be hospitalized with his consent, or if it is impossible to obtain such consent, by decision of the *guardianship and trusteeship* authority, which is accepted no later than 24 hours from the moment of appeals to this body of the legal

²⁸ Decision of the Constitutional Court of Ukraine on Case No. 1-1 / 2016 (June 1, 2016), <http://zakon3.rada.gov.ua/laws/show/v002p710-16>; Decision of July 30, 2021, No. 643/13937/21, Moscow District Court of Kharkov, <https://verdictum.ligazakon.net/document/98767211>.

representative of the specified person and can be appealed to the court.²⁹

From a clinical point of view, forensic psychiatrists include the spontaneity of occurrence, the severity of development, the presence of psychotic inclusions (delusions, hallucinations, etc.), the intensity of affect, psychomotor agitation with unmotivated, generalized aggression toward others, the severity committed socially dangerous act and mental illness.³⁰ In clinical practice, as a rule, with recovery from a temporary disorder of mental activity, either practical recovery is observed, for example, reactive psychoses, exceptional conditions, or a return to the soil on which the mental disorder arose, for example, twilight clouding of consciousness in patients with organic brain damage, in patients with epilepsy etc. Taking into account the

²⁹ On Psychiatric Care: Law of Ukraine, No. 1489-III, February 22, 2000. *Vedomosti of the Verkhovna Rada of Ukraine*, No. 19. art. 143 (2000), <https://zakon.rada.gov.ua/laws/show/1489-14#Text>.

³⁰ Melnik Alina Vasylivna, "On the Problem of Legal Regulation of Psychiatric Care," *Medical Law of Ukraine: The Legal Status of Patients in Ukraine and Its Legislative Support (Genesis, Development, Problems and Prospects for Improvement)*, II All-Ukrainian Scientific-Practical Conference, April 17-18, 2008, http://medicallaw.org.ua/uploads/media/02_172_01.pdf, at 74.

basis for the occurrence of a mental disorder determines the prognosis, the choice, or not, of the type of compulsory medical measures with subsequent medical and rehabilitation measures.³¹ Therefore, the attribution of such short-term psychotic disorders as twilight clouding of consciousness in epilepsy or in organic brain damage seems to be rather arbitrary and does not fully meet the criteria of the law on recovery. Moreover, the criteria of potential social danger must necessarily include the personality traits and micro-/macrosocial factors that contributed to the commission of a socially dangerous action.

As noted above, for the courts to apply compulsory medical measures, it is necessary to establish that the person who has committed a socially dangerous act is in a mental state that poses a danger to himself and others. Currently, people who have suffered temporary disorders of mental activity, such as exceptional conditions, symptomatic psychosis, reactive states, and

³¹ *Id.*

psychotic symptoms when these persons are admitted to an expert institution are completely absent. During the period of forensic psychiatric examination, regardless of the nature of the act committed during the period of psychosis, in terms of their mental state, these persons do not pose a public danger either to themselves or to those around them. Moreover, according to the literature, this contingent of persons has almost no tendency to repeat psychotic states, which became the cause of a socially dangerous act. Therefore, it is quite expedient and reasonable not to recommend the court to prescribe compulsory medical measures in these cases, and the cases of their appointment in practice are illegal.

For example, by the decision of the Moscow District Court of Kharkov in case No. 643/13937/21 proceedings No. 2-o / 643/622/21 dated July 30, 2021 in connection with the statement of the representative of the communal non-profit enterprise of the Kharkov Regional Council “Regional Clinical Psychiatric Hospital No. 3” it was denied the

Anishchenko, Hamburh, Krasnokutskyi, Glazunov,
Davidov

application of compulsory hospitalization in a psychiatric hospital,

since the hospital's representative did not prove the criteria that can serve for compulsory treatment of a person: it must be reliably proved that the person is mentally ill; the mental disorder must be of the type or degree that serves as the basis for compulsory confinement in a mental hospital; the validity of long-term confinement in a psychiatric hospital depends on the persistence of the respective disease. Also, the representative of the hospital has not proven the existence of such a criterion for involuntary hospitalization in accordance with Article 14 of the Law of Ukraine 'On Psychiatric Care' as committing or revealing real intentions to commit actions that are helplessness and the inability to independently satisfy basic vital needs, since it was on this basis that the hospital referred in its statement as the basis for involuntary hospitalization.³²

³² Decision of the Constitutional Court of Ukraine on Case No. 1-1 / 2016 (June 1, 2016), <http://zakon3.rada.gov.ua/laws/show/v002p710-16>; Decision of July 30, 2021, No. 643/13937/21, Moscow District Court of Kharkov, <https://verdictum.ligazakon.net/document/98767211>.

The legal grounds for such a court decision, along with national legislation and judicial practice of the Supreme Court of Ukraine, were also international legal sources. One, Subparagraph (e) of clause one of Article Five of the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms,

everyone is guaranteed the right to liberty and security of person. No one may be deprived of his liberty, except for the lawful detention of persons, inter alia, for the lawful detention of the mentally ill, in accordance with a procedure established by law.³³

According to the practice of the European Court of Human Rights (ECHR) on the application of subparagraph (e) of paragraph 1 of Article Five of the Convention, a person cannot be deprived of liberty as “mentally ill” if three minimum conditions are not met: first, it must be reliably proved that the person is mentally ill; secondly, the mental disorder must be

³³ Decision of July 30, 2021, No. 643/13937/21, Moscow District Court of Kharkov,
<https://verdictum.ligazakon.net/document/98767211>.

of the type or degree that serves as the basis for compulsory confinement in a mental hospital; and thirdly, the validity of long-term confinement in a psychiatric hospital depends on the persistence of the corresponding disease. Two, in paragraph 39 of the *Winterwerp v. The Netherlands* judgment of October 24, 1979, the ECtHR notes that, unless absolutely necessary, a person should not be deprived of liberty until it has been conclusively proven that he is indeed mentally ill.³⁴ The very essence of what must be convinced of the competent state authorities—the presence of a mental disorder—requires an objective medical examination.³⁵

By the ruling of February 26, 2021 No. 336/1217/21 of the Shevchenkivskyi District Court of Zaporozhye, statement of a separate proceeding of

³⁴ *Winterwerp v. The Netherlands*: Judgment of the European Court of Human Rights of October 24, 1979 (application no. 6301/73) (extract), available at <https://europeancourt.ru/resheniya-evropejskogo-suda-na-russkom-yazyke/vinterverp-protiv-niderlandov-postanovlenie-evropejskogo-suda/>.

³⁵ European Convention on Human Rights, as amended and supplemented by Protocols No. 11 and No. 14, which entered into force on June 1, 2010. Convention for the Protection of Human Rights and Fundamental Freedoms. Rome, November 4, 1950, available at <https://www.coe.int/ru/web/compass/the-european-convention-on-human-rights-and-its-protocols>.

a psychiatrist of the municipal non-profit enterprise “Regional Clinical Institution for the Provision of Psychiatric Care” of the Zaporozhye Regional Council on a compulsory psychiatric examination of a person was left without movement due to inconsistency with the requirements of Article 339 and h.(1), (2) of Article 340 of the Civil Procedure Code of Ukraine and Article 11 of the Law of Ukraine “On Psychiatric Care.”³⁶ The court found the ambiguity in the definition of the diagnosis, indicated only by the disease code, the absence of any previous requests from this person regarding mental illness for medical assistance, as well as the uncertainty of other information taken only from the words of an unknown person who did not confirm family ties with the alleged mentally ill. The statement and the attached documents did not indicate the grounds for conducting a psychiatric examination of a person precisely in a compulsory manner, since his deliberate refusal to examine him

³⁶ Determination, No. 336/1217/21 (Shevchenko Dist. Ct. Zaporozhye, Feb. 26, 2021), *available at* <https://verdictum.ligazakon.net/document/95188398>.

was not confirmed. The court granted the applicant a five-day period from the date of receipt of a copy of the ruling to eliminate the above deficiencies, otherwise the application should be considered not submitted and returned to the applicant.³⁷

At the same time, the practice of using compulsory medical measures against persons who have suffered temporary mental disorders as a result of alcohol intoxication testifies to their being carried out in a psychiatric hospital with strict supervision. One of the reasons for the recommendation of compulsory medical measures by forensic psychiatrists-experts are the residual effects of past psychosis, as well as psychopathic disorders characteristic of chronic alcohol intoxication. However, even with the admission of such persons to an expert institution, a sufficiently long period of time passes for leveling the phenomena of the transferred psychosis. The psychopathic disorders

³⁷ Winterwerp v. The Netherlands: Judgment of the European Court of Human Rights of October 24, 1979 (application no. 6301/73) (extract), available at <https://europeancourt.ru/resheniya-evropejskogo-suda-na-russkom-yazyke/vinterverp-protiv-niderlandov-postanovlenie-evropejskogo-suda/>.

that many of these persons have, as a manifestation of chronic alcoholism, are not a sign of mental illness and are not subject to Article 19 of the CC of Ukraine. Therefore, if we are guided exclusively by the sources of criminal law and procedure in the current edition, Articles 19, 92-95 of the CC of Ukraine, Articles 416-424 of the CPC of Ukraine, clause three of the commentary of Article 92 of the CC of Ukraine, pages one, two, and nine of the commentary to Article 416 of the CPC of Ukraine, Resolution of the Plenum of the Supreme Court of Ukraine No. seven of June 3, 2005, etc., then the appointment of compulsory measures of a medical nature to such persons is illegal and legally unjustified.

However, the recommendations of forensic psychiatrists on the practice of using compulsory medical measures are logical and justified from a medical point of view, because the likelihood of a recurrence of a temporary mental disorder as a result of alcohol intoxication is quite high, since it directly depends on chronic alcohol intoxication. Thus,

Anishchenko, Hamburh, Krasnokutskyi, Glazunov,
Davidov

according to the legal (chronometric) parameter, alcoholic psychoses belong to the category of temporary disorders of mental activity, at the same time, their recurrence, by its nature, directly depends on chronic alcoholism. With further abuse of alcoholic beverages by this person, there is a high probability of repeated recurrence of psychosis, in which a new, serious crime will be committed. A complex legal conflict arises here, due to the fact that, on the one hand, a person who has committed a socially dangerous act in a state of alcoholic psychosis is insane, that is, he does not bear legal responsibility for his actions, and on the other hand, according to the current legislation, compulsory medical measures cannot be applied to him, and on the third, according to the clinical patterns of the course of chronic alcoholism, this person is potentially socially dangerous—high risk of re-committing a socially dangerous act.

A similar situation arises with regard to the twilight darkening of consciousness. In the criminal legislation of Ukraine, it is noted that temporary

mental disorders also include twilight clouding of consciousness, during which a person committed a socially dangerous act, but by the period of forensic psychiatric examination, he completely left this state. On this basis, compulsory medical measures cannot be applied to him.

Apparently, twilight stupefaction is only one of the clinical manifestations of a long-term painful process. Therefore, such a state is natural for the phenomenon of this pathology, and getting out of it does not mean recovery from the disease, for example, epilepsy, organic brain damage, which does not exclude its recurrence if adequate treatment is not applied. This contingent of patients poses a potential public danger and requires individual rehabilitation and treatment programs in medical institutions of a special type. The same applies to persons who have undergone alcoholic psychoses if they have a pathological craving for alcohol.

By order of the Ministry of Health of Ukraine dated August 31, 2017 No. 992, new Rules for the application of compulsory medical measures in a

special institution for the provision of psychiatric care were approved. This order defines the rights and obligations of persons to whom coercive measures of a medical nature have been applied, provides for the development of individual plans for the social and psychological rehabilitation of patients, and regulates the social conditions of patients' stay in institutions for the provision of psychiatric care.³⁸

The prospects for improving the legal status of persons with mental illness and the legal regulation of the provision of psychiatric medical care to them are defined in the Concept for the Development of Mental Health Care for the Period up to 2030 approved by the Cabinet of Ministers of Ukraine, which proposes to reduce discrimination and violations of the rights of people with mental health problems by bringing national legislation in accordance with the provisions of international legal acts on human rights, the implementation of

³⁸ Order of the Ministry of Health of Ukraine, No. 992, August 31, 2017, "On Approval of the Rules for the Application of Compulsory Medical Measures in a Special Institution for the Provision of Psychiatric Care," <http://zakon2.rada.gov.ua/laws/show/z1408-17>.

programs to support the employment of persons with mental and intellectual disabilities, social integration, education, involvement of patients and their families, as well as public associations that protect patients' rights in planning and implementation of programs in the field of mental health, the introduction of an effective mechanism for monitoring the observance of human rights in the provision of assistance to people with mental health problems and mechanisms, and of holding accountable for actions that have signs of discrimination on the basis of mental health. Counteracting stigmatization, overcoming the social isolation of persons with mental and intellectual disabilities will be carried out by including them in social societies, providing support for their residence at the level of the territorial community, social support during employment, and improving the system of providing rehabilitation and social services.³⁹

³⁹ Concept for the Development of Mental Health Care in Ukraine for the Period up to 2030, Approved by the Order of the Cabinet of

Since many corruption risks arise in the process of providing psychiatric care, psychiatric medical institutions should widely use both the already known tools of anti-corruption management in health care institutions and work on the creation and implementation of their own special mechanisms.⁴⁰ The issue of regulating the provision of psychiatric care is also a philosophical issue, since philosophers were interested in psychiatric disorders even before the word “psychiatry” itself appeared, and before psychiatry as a discipline appeared.⁴¹

V. CONCLUSION.

Normative support in the field of mental health care is quite developed in Ukraine. At the same time, the mechanisms for the implementation of some laws and other normative legal acts concerning the

Ministers of Ukraine (Dec. 27, 2017) No. 1018-r,
<http://zakon2.rada.gov.ua/laws/show/1018-2017-%D1%80>.

⁴⁰ Mykhailo A. Anishchenko, *Anti-corruption Management in the Health Care System: The Legal Aspect*, 12 CURRENT ISSUES IN PHARMACY & MED.: SCI. & PRAC. 209 (2019).

⁴¹ S. Bardina, PHILOSOPHY OF PSYCHIATRY, available at <https://postnauka.ru/video/74837>.

protection of the rights of persons with mental disorders remain imperfect. This is what complicates the process of legal regulation of the sphere of psychiatric care.

Equally important, society excludes people with mental health problems from their daily routine. Accordingly, this limits their ability to get a job, have a safe place to live, have medical care, family, and friends, and be a full part of society or any social group. Because of social exclusion as a consequence of stigma and discrimination, people with mental health problems are even more oppressed. Their self-esteem decreases, self-stigma increases, and they become even more limited in their actions and rights, because they do not know them or, knowing them, stop using or fight for them—as the public ignores the interests of people with mental disorders.

The application of compulsory medical measures to persons who committed socially dangerous acts during a temporary mental disorder requires taking into account not only the mental state of the individual and the severity of the act committed, but

also social factors and personal attitudes in each case. Consequently, the current criminal and criminal procedural legislation of Ukraine does not provide for the possibility of eliminating at the proper level the public danger of persons with temporary mental disabilities by observing the requirements of the laws. Therefore, it is necessary to revise the regulatory legal acts with the participation of doctors, including forensic psychiatrists-experts, and to introduce appropriate additions and amendments to the current criminal and criminal procedural legislation. The considered issues of state regulation of psychiatric care are also philosophical problems, since they consider existential questions of human existence, which is also part of the subject of philosophy as a science.

**THE DRIEST TITLE ON EARTH:
AN EDUCATIONAL STUDY PROVING
THAT CRIME IN THE WEST
AFFECTED THE GREENLAND
SHARK**

Carmen M. Cusack[©]

I. INTRODUCTION

A. Synopsis

Recently, several bones, synthetic skin, glasses, human skin, and pieces of houses were discovered on a beach near a gulf.¹ The discoveries demonstrate that tyrants and victims who affiliated their images with cruelty, including experimentation for vaccines, hunting, ranching, encroachment, farming, and domestic violence, have died or been killed and reintegrated into the environment.² Dictatorial, infirmed, and conflicted persons operating or

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¹ *Infra* Sections II-V.

² *Id.*

supporting a political coup, including but not limited to those using names such as Don, Joe, Marla, Caroline, and Marie, have be reduced to crud.³ Forced into a private collection alongside treasures, money, personal possessions, natural wonders, and garbage, they no longer pose a threat and are peacefully at rest.⁴ Sadly, their images strike fear and they are being used to neglect, harm, and breed animals.⁵ The smallest possibility is that somehow they persist, however, they are necrotized and not cogent; either way, the law is in place to end this problem.⁶ One problem addressed by this work is how the Greenland shark was affected by but overcame the coup.⁷

B. Map

Research proposes that the Greenland shark is affected by a country in the Western Hemisphere.⁸

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ Section I.

⁸ CARMEN M. CUSACK, FISH, JUSTICE, AND SOCIETY (2018).

Relationships between their procreative abstinence and offensive behavior in that nation can be proven.⁹ The Greenland shark has left clues.¹⁰ Revealed, abstinence from procreation is one result of erratic behavior, animal torture, and misconduct in the Western nation intentionally left unnamed.¹¹ Though it may be clear to some, the negative press would not help.¹² The searchability of negative portrayals has been limited.¹³

Research relies on mixed methods.¹⁴ The law is available to build an educational mold and the field research prepares students for the material to be learned and made available.¹⁵ The issue present here

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ CARMEN M. CUSACK, *HAIR AND JUSTICE: SOCIOLEGAL SIGNIFICANCE OF HAIR IN CRIMINAL JUSTICE, CONSTITUTIONAL LAW, AND PUBLIC POLICY* (2015); CARMEN M. CUSACK, *ILLCIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY* (2017).

¹⁴ CARMEN M. CUSACK, *LAWS RELATING TO SEX, PREGNANCY, AND INFANCY: ISSUES IN CRIMINAL JUSTICE* (2015); CARMEN M. CUSACK, *MUTATED SYMBOLS IN LAW AND POP CULTURE* (2018); CARMEN M. CUSACK, *PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM* (2014); CARMEN M. CUSACK, *SEX CASE LAW* (2019); CARMEN M. CUSACK, *TWINS AND DEVIANCE: LAW, CRIME, SEX, SOCIETY, AND FAMILY* (2016).

¹⁵ *FISH, JUSTICE, AND SOCIETY* (2018).

is not only whether, going forward from a coup across the country, educational modules may be developed from the loss experienced by this nation, but also whether the Greenland shark can be saved from negative attention and undue memorialization.¹⁶

Goals for students presenting authentic research would be to shape-up the educational community and provide prospective graduates with well-established barriers.¹⁷ A law abiding citizenry exhibits authenticity.¹⁸ To remain authentic and burgeon a future, students should obey traditional rules.¹⁹ The rules are that students may not disrupt the educational environment and must tell the truth to the class when given an opportunity to present, normally.²⁰ Media shared cannot inform them about schemes and frauds or depict the suffering of animals

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

¹⁹ FISH, JUSTICE, AND SOCIETY (2018).

²⁰ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

as if those moments fictionalized the bond between animals and humans.²¹

Students may not exhibit or host cruel material that disrupts the learning environment.²² Inclusion and reinforcement of false ideologies is suspicious and unsuitable in school.²³ Research shows that a loss was experienced and remedied when members of a coup died.²⁴ Not all members equally participated and none are fully named here.²⁵ Some are named, but others remain unidentified in this Article.²⁶ The deceased include legitimate and corrupt congressional employees, mayors, commissioners, athletes, former presidents, their families, political affiliates, entertainers (e.g., musician, programmer, and mogul), and religious members (e.g., Buddhists, Jews, Christians, and Taoists).²⁷

²¹ PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM (2014).

²² *Id.*

²³ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

²⁴ *Id.*

²⁵ PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM (2014).

²⁶ *Id.*

²⁷ Sections II and III.

Students may retrieve information from this Article and present it in school because it is reliable.²⁸ The information may be absorbed by faculty, who have been reticent to teach anti-coup topics to the extent required by conscience, ethics, and law.²⁹ Strong caution precedes education.³⁰ The authority to use this work accompanies the prerequisite that students delete animals suffering, many in the same manner that the coup tortured them.³¹

In this research, the Introduction presents the issue.³² Section Two outlines rules.³³ Section Three presents scientific findings in a mixed method format adopted to suit *Journal of Law and Social Deviance*.³⁴ It presents field research, observations

²⁸ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017). Cascades High School Cell Phone Policy (2015), cascadeshs.org/cell-phone-policy/.

²⁹ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

³⁰ SEX CASE LAW (2019); TWINS AND DEVIANCE: LAW, CRIME, SEX, SOCIETY, AND FAMILY (2016).

³¹ Cascades High School Cell Phone Policy.

³² Section I.

³³ Section II.

³⁴ Section II-III.

about constructs and narratives hinging on counter-social drug communication, and explanations about the War on Drugs and War on Terror.³⁵ Section Four explains how students can present this information using dialogue and other forms of expression.³⁶ Section Five concludes.³⁷ It answers questions about why inauthenticity was allowed to prevail leading to restrictions being placed on Greenland sharks and how poor actors can be replaced to sustain the economy.³⁸

II. LITERATURE AND LAW REVIEW

A. Coup and Deceased Individuals

This Section lays out the legal principles for several issues.³⁹ First, addressed is the use of dead

³⁵ Section III.

³⁶ Section IV.

³⁷ Section V.

³⁸ FISH, JUSTICE, AND SOCIETY (2018). *ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY* (2017).

³⁹ HELENA SILVERSTEIN, *UNLEASHING RIGHTS: LAW, MEANING, AND THE ANIMAL RIGHTS MOVEMENT* (2009); VIRGINIA DEJOHN ANDERSON, *CREATURES OF EMPIRE: HOW DOMESTIC ANIMALS TRANSFORMED EARLY* (2004).

people's images.⁴⁰ Next, explained and cited is cruelty to animals relating to worthless products.⁴¹ Finally, presentation of unwanted material is discussed under the First and Fourth Amendments of the Constitution, other documents of law, and policies.⁴²

Deceased individuals may be protected or discovered as having participated in crime.⁴³ Those who are protected, their survivors, and their estates may be required by law to report their deaths.⁴⁴ When they do not report, suspicion naturally may be

⁴⁰ CYNTHIA WILLETT & JULIE WILLETT, *UPROARIOUS: HOW FEMINISTS AND OTHER SUBVERSIVE COMICS SPEAK* (2019); PETER BALDWIN, *COMMAND AND PERSUADE: CRIME, LAW, AND THE STATE ACROSS HISTORY* (2021); STEVEN M. WISE, *RATTLING THE CAGE: TOWARD LEGAL RIGHTS FOR ANIMALS* (2014).

⁴¹ PETER F. CANNAVO & JOSEPH H. LANE, *ENGAGING NATURE: ENVIRONMENTALISM AND THE POLITICAL THEORY CANON* (2014); ALEXANDRA LEWIS, *THE BRONTËS AND THE IDEA OF THE HUMAN: SCIENCE, ETHICS, AND THE VICTORIAN IMAGINATION* (2019); GRANT TAVINOR, *THE ART OF VIDEOGAMES* (2009); DAVID A. H. WILSON, *THE WELFARE OF PERFORMING ANIMALS: A HISTORICAL PERSPECTIVE* (2015); ANTHONY J. NOCELLA II, RICHARD J. WHITE, & ERIKA CUDWORTH, *ANARCHISM AND ANIMAL LIBERATION: ESSAYS ON COMPLEMENTARY* (2015); ANDREW LINZEY, *ANIMAL GOSPEL* (2000).

⁴² U.S. Const. I amend. U.S. Const. IV amend. ANDREW LEAR & EVA CANTARELLA, *IMAGES OF ANCIENT GREEK PEDERASTY: BOYS WERE THEIR GODS* (2009).

⁴³ CARMEN M. CUSACK, *MUTATED SYMBOLS IN LAW AND POP CULTURE* (2018).

⁴⁴ *Id. Costanza v. Seinfeld*, 279 A.D.2d 255, 255-56 (1st Dep't 2001).

raised.⁴⁵ Private reasons for not reporting death abound, yet it is customary.⁴⁶ Religious rites, hospital visits, community outreach and treatment, and the need to resolve financial issues dictate, like other reasons, that death will be disclosed.⁴⁷ Public figures disclose their deaths so that people do not erroneously rely on their popularity and persuasion.⁴⁸ Not disclosing death may lead to legal battles, such as those raised through tort and contract law.⁴⁹

Authentic individuals do not want to confuse the public.⁵⁰ They would not agree to hire emulators to deceive the public.⁵¹ Those seeking to control their images have a right to be free from the infiltration of emulators and impersonators.⁵² Those who committed crimes are still required to disclose their

⁴⁵ MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

⁴⁶ PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM (2014).

⁴⁷ *Id.*

⁴⁸ *Id.* ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

⁴⁹ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

⁵⁰ *Id.*

⁵¹ *Supra note 42.*

⁵² TWINS AND DEVIANCE: LAW, CRIME, SEX, SOCIETY, AND FAMILY (2016).

deaths.⁵³ This is because those people who broke the law will be revealed once the crime has ended (e.g., toxicology report).⁵⁴ Protestors and individuals not participating in war are entitled to control their own images after death.⁵⁵

Damages may arise when harm is caused as a result of a dead person being confused with a living person.⁵⁶ Though much ado has been made about the copyright attached to deceased performers' images, liability arises when an unreported death causes the public to suspect that a double has been authorized by the performer.⁵⁷ The same is true for politicians.⁵⁸ When an incumbent dies in office a report or public

⁵³ *Id.* (discussing William Shakespeare, *ROMEO AND JULIET*).

⁵⁴ La. Stat. §5713 (2022). *ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY* (2017).

⁵⁵ *MUTATED SYMBOLS IN LAW AND POP CULTURE* (2018) (discussing chips).

⁵⁶ Davis Wright Tremaine, "Dead Celebrities and Digital Doppelgangers: New York Expands Its Right of Publicity Statute and Tackles Sexually Explicit Deepfakes," *JDSUPRA* (Dec. 7, 2020), <https://www.jdsupra.com/legalnews/dead-celebrities-and-digital-78534/>. N.Y. Civil Rights §§ 50-51 (2020).

⁵⁷ *TWINS AND DEVIANCE: LAW, CRIME, SEX, SOCIETY, AND FAMILY* (2016).

⁵⁸ Ar. Rev. Stat. 16-222 (2022). *ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY* (2017).

notice must be given.⁵⁹ Though politicians and their families may claim that they have a right to privacy, which overcomes customary notice of death, their relatives will be required to report their deaths to the Internal Revenue Service, Social Security Administration, governor, or another similar office.⁶⁰ Thus, a total right to privacy has no traditional basis in this context.⁶¹ In some cases, the politician must make clear that any doubles, such as secret police assigned during his or her lifetime, are no longer able to operate after the politician's death.⁶² Death finalizes lawful use of a double during the deceased's lifetime.⁶³

Use of a double may harm the environment.⁶⁴ It causes people to rely on certain actions.⁶⁵ The fulfilment of duties is absent when authenticity is

⁵⁹ Ar. Rev. Stat. § 16-222 (2022).

⁶⁰ *Id.*

⁶¹ *Id.* U.S. Const. V amend.

⁶² Ar. Rev. Stat. § 16-222 (2022).

⁶³ *Id.*

⁶⁴ Ar. Rev. Stat. § 16-222 (2022). 18 U.S. Code § 1038 (2022).

⁶⁵ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017). TWINS AND DEVIANCE: LAW, CRIME, SEX, SOCIETY, AND FAMILY (2016).

inevident.⁶⁶ Liability arises.⁶⁷ The avoidance of the other's harms and detriments is missing.⁶⁸ The result is chaos and potentially cruelty.⁶⁹ Not only can the public not rely on the living person, who is not a public figure, to inform the press of his or her whereabouts as a double, but also, the deceased's double may operate differently causing a halo of mistrust.⁷⁰

This cascade topples oceanographic and geographic links causing trophic collapse.⁷¹ Insipid viral mentalities infect like serums.⁷² In the federal code, section 151 is an example of how worthless viruses are banned: "Preparation and sale of worthless or harmful products for domestic animals

⁶⁶ La. Stat. §5713 (2022).

⁶⁷ TWINS AND DEVIANCE: LAW, CRIME, SEX, SOCIETY, AND FAMILY (2016).

⁶⁸ Red Lion Broadcasting v. FCC, 395 U.S. 367 (1969); Miami Herald Publishing v. Tornillo, 418 U.S. 241 (1974); Corporation for Public Broadcasting (FCC) v. League of Women Voters of California, 468 U.S. 364 (1984).

⁶⁹ *Id.*

⁷⁰ E. Donald Elliott & Allison Perlman, *Should the FCC's Fairness Doctrine be Reinstated? Divided We Fall* (Mar. 31, 2022) <https://dividedwefall.org/fcc-fairness-doctrine/>. La. Stat. § 5713 (2022).

⁷¹ 18 U.S.C. § 2331 (2022).

⁷² *Infra* note.

prohibited; preparation to be in compliance with rules at licensed establishments.”⁷³ Animals have a right to be free from the dissemination of worthless viruses.⁷⁴ Popular culture holds that trendy videos, psychopaths, and domestic violence are like viruses.⁷⁵ The law prevents serums, but does not make an exception for the intellectual property in the formula.⁷⁶ The entire vile is banned.⁷⁷ Thus, by way of extension, animals have a right to be free from doubles schemes.⁷⁸ It harms them like harmful products.⁷⁹

⁷³ 21 U.S.C. § 151 (2022). William Gates LeDuc determined that the price of one man could not equate to the price of two men, even if one man knew more than the other. “A ‘jack of all trades’ who never found great success in one endeavor, he counted former presidents, governors, generals, and supreme court justices among his friends by the time of his death.” Samuel Meshbesh, *The Many Failed Businesses of Early Minnesotan William Gates LeDuc*, MINNPOST (Mar. 29, 2021), <https://www.minnpost.com/mnopedia/2021/03/the-many-failed-businesses-of-early-minnesotan-william-gates-leduc/#:~:text=1848.,of%20his%20death%20in%201917>. See Firelands Scientific, <https://firelandsscientific.com/firelands-scientific-makes-first-sale-of-medical-cannabis-in-ohio/>.

⁷⁴ 21 U.S.C. § 151 (2022).

⁷⁵ MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

⁷⁶ 21 U.S.C. § 151 (2022).

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *Id.*

To hedge their bets, animals allied with humans may reduce their numbers in order to cope.⁸⁰ To maintain biodiversity and prevent collapse, students may increase their devotion by disaffiliating with loss of human integrity, pollution, and other forced conditions systemically leading to planetary poverty.⁸¹ Human pestilence must be eliminated in favor of enlightenment and cleanliness.⁸²

Use of unwanted materials is a problem.⁸³ The law states in *New Jersey v. T.L.O.* that school administrators may not randomly search students, however students believed to be in possession of evidence of a crime or material that disrupts the school environment do not have Fourth Amendment protection from unreasonable searches because those searches are reasonable.⁸⁴ Police and warrants are not

⁸⁰ TWINS AND DEVIANCE: LAW, CRIME, SEX, SOCIETY, AND FAMILY (2016).

⁸¹ Geoffrey Nathan, Esq, "Terrorism Laws, Charges & Statute of Limitations," Federal Charges, <https://www.federalcharges.com/terrorism-laws-charges/> citing Section 809 of the U.S. Patriot Act (2001), Pub. L. 107-56 (Oct. 26, 2001).

⁸² TWINS AND DEVIANCE: LAW, CRIME, SEX, SOCIETY, AND FAMILY (2016).

⁸³ *Id.*

⁸⁴ *New Jersey v. T.L.O.*, 469 U.S. 325 (1985). U.S. Const. IV amend.

required when students are searched.⁸⁵ When students possess material incriminating another (e.g., hunting videos) they are not privy to Fourth Amendment protection, particularly if they intend to disrupt the environment by displaying the videos to other students.⁸⁶ The videos and phones storing the videos may be seized and permanently banned from school.⁸⁷ Going forward, to present this research and help, it is noted that students are not allowed to support the coup or cruelty when entering the building.⁸⁸ All evidence of a crime, particularly when not used to follow, uphold, and defend the laws of the federal government, state law, local ordinances, county policies, school rules, and so forth is subject to search and seizure leading to discipline, deportation, delinquency, loss of due process, and criminal charges.⁸⁹

⁸⁵ *New Jersey v. T.L.O.*, 469 U.S. 325 (1985). U.S. Const. IV amend.

⁸⁶ *New Jersey v. T.L.O.*, 469 U.S. 325 (1985). U.S. Const. IV amend.

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ *Id.* *Hamdi v. Rumsfeld*, 542 U.S. 507 (2004). U.S. Const. V amend.

A schoolwide policy is that they may not present material from their technological devices that breaks school rules and may not have access to materials that are not allowed.⁹⁰ When they do that, they disrupt and can be forced into detention.⁹¹ Any images and media on their devices must be conducive to learning, generally.⁹² They may not promote falsehoods.⁹³ Falsehoods and breaches of safety standards are prohibited.⁹⁴ Lies about the subordinated and facilitated roles of animals compromise human safety and survival.⁹⁵ Navy Seals exemplify cell phone policies that support survival. The Navy does not want outsiders to know the location of weapons. Cell phone use is prohibited. Navy radar technicians follow cell phone restrictions. Radars are used to locate and protect animals, weapons, submarines, planes, and so on.

⁹⁰ Cascades High School Cell Phone Policy.

⁹¹ *Id.*

⁹² *Id.*

⁹³ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

⁹⁴ *Id.*

⁹⁵ *Id.*

Literature on the topic of student manipulation is supported by anecdotal evidence.⁹⁶ Students have no right to support the coup.⁹⁷ A coup is a demented and depraved-hearted crime spree spanning the globe.⁹⁸ It hides, retreats, and regards this nation and several states as enemies.⁹⁹ Anecdotal evidence explains. A person sought control of a city council position. The enemy placed on an electronic city board “support” for another country. After being informed by the citizenry of the law and rationale prohibiting the city from supporting another nation, the city continued to display the sign.¹⁰⁰ It contravenes the local government, the spirit of the law, property policy, federal power, and the state constitution to say that the city supports another country, but not the country in which it is incorporated by a state. The sign bears colors that are the school colors of nearby city-named

⁹⁶ OTTO DIETRICH, *THE HITLER I KNEW: MEMOIRS OF THE THIRD REICH'S PRESS CHIEF* (2010); LISA ANNE SURRIDGE, *BLEAK HOUSES: MARITAL VIOLENCE IN VICTORIAN FICTION* (2005); FYODOR DOSTOEVSKY, *THE BROTHERS KARAMAZOV* (2020).

⁹⁷ *THE BROTHERS KARAMAZOV* (2020).

⁹⁸ FYODOR DOSTOEVSKY, *CRIME AND PUNISHMENT* (1866).

⁹⁹ JOSEPH HELLER, *CATCH-22* (1961).

¹⁰⁰ *ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY* (2017).

schools represented by the dolphin mascot. To the coup they signify another nation's flag's colors. The schools' students feel pride because the colors are attached to the Navy and a local squadron of performing pilots. The coup attempted to sully the colors, limit the students, prevent pride, and redirect students and pilots toward treason, sedition, and secession.

Cell phones are a tool used by students that cannot be seized by the coup.¹⁰¹ When given unlimited use in school, even the most constant and patriotic message may be manipulated and repurposed by the coup.¹⁰² "Like the Wizard of Oz" the reckless, negligent, or criminal actor "never steps from behind the curtain to appear in a video himself."¹⁰³ Acknowledging how boundaries protect students from indoctrination, and shown below, gendercide and sexism, strong policy implementation will "offer teachers crucial new

¹⁰¹ Section IV.

¹⁰² *Id.*

¹⁰³ DAVE GROSSMAN & GLORIA DEGAETANO, STOP TEACHING OUR KIDS TO KILL (2014) at 2.

insight into how students learn.”¹⁰⁴ “All kids are likely to be affected by a cumulative exposure to media violence in some way—some kids will take on a mean attitude; others may become meaner *and* tend to get into fights more often; some will become fearful, others more callous.”¹⁰⁵ Callousness is a gateway to a crime spree.¹⁰⁶

Educational material may be derived “from an authentic disgust at animal cruelty, and that, having abandoned the practice publicly to avoid imperial suspicion,” the student body “must” not “have continued it in private. Equally provocatively” “early Greek vegetarianism was the moral cement of the community.”¹⁰⁷ Learning has “provided the connective unity to vegetarianism” and “eschewers of flesh.”¹⁰⁸

¹⁰⁴ *Id.* at 4.

¹⁰⁵ *Id.* at 15. CLINT BOLICK & KATE J. HARDIMAN, UNSHACKLED (2021).

¹⁰⁶ IRWIN A. HYMAN, THE CASE AGAINST SPANKING: HOW TO DISCIPLINE YOUR CHILD (1997); JOAN E. GRUSEC & LEON KUCZYNSKI, PARENTING AND CHILDREN'S INTERNALIZATION OF VALUES (1997); *See e.g.*, ELIZABETH LENNOX, HER TENDER TYRANT (2014).

¹⁰⁷ ROD PREECE, AWE FOR THE TIGER LOVE FOR THE LAMB: A CHRONICLE OF SENSIBILITY TO ANIMALS (2002) at 341.

¹⁰⁸ *Id.*

In conclusion, all students, whether resistant, pliable, genuine, or borrowing time are to behave while in the schoolhouse.¹⁰⁹ Students at universities are not authorized to display or reap cruelty.¹¹⁰ Independent to some extent, many are

at the same time bankrolling animal cruelty, demonstrating if not intentional hypocrisy, then accidental hypocrisy that comes from the blinding effects of artificial constructs and the typically unacknowledged human faith in their status not as imagined communities but as bedrocks of not just morality, but of life itself, and the consequences that come from such fallacious thinking....

Morality can exist as an idea-constant-fact and an idea-variable-fact...within the broader social construct, and thus a social construct itself and as phenomena outside the broader social construct.¹¹¹

They are granted an opportunity to learn, demonstrate, and present modules.¹¹² Therefore, they

¹⁰⁹ *Infra* note.

¹¹⁰ *Id.*

¹¹¹ THOMAS AIELLO, THE TYRANNY OF ARCHITECTURE: A VEGAN APOLOGETIC (2017) at 66.

¹¹² *Infra* Section.

need not concern themselves with the depiction of cruelty.¹¹³

B. Drafting Animals into a Social War against Females

1. Culture War on Women

Patriarchy is a cause of war.¹¹⁴ Patriarchy leads to official and unofficial wars.¹¹⁵ Official wars differ from unofficial social wars.¹¹⁶ Patriarchy demands hierarchy.¹¹⁷ Hierarchy impacts sociality and perception of sanity.¹¹⁸ In the recent wars, official and unofficial, men were attacked and women suffered.¹¹⁹ When the established coup attacked fathers, businessmen, and male entrepreneurs, they promoted subordination of women.¹²⁰ Women were

¹¹³ *Id.*

¹¹⁴ Carmen M. Cusack, *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!*, 22 J. L. & SOC. DEVIANCE 4 (2021).

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ *Id.*

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!* (2021).

demoted in unprofessional environments and their status as heads of their homes was impinged.¹²¹ That led to animal cruelty, which correlated with abuse of the environment (e.g., trees, the shore, air quality, etc.).¹²² The environment exercised self-defense and continues naturally to dominate yet leaving a pocket of animals, women, and displaced men and children.¹²³ Because wild and domesticated animals are forced to fend for themselves women are even more marginalized.¹²⁴

The war on women is a social war loosely described as a culture war.¹²⁵ It is smaller but the same as a social war involving animals.¹²⁶ A culture war occurs when tradition is violated, for better or worse, and the value of the status quo is threatened.¹²⁷ When a culture war is favorable, patriarchy, matriarchy, communist apartheid, fascist

¹²¹ *Id.*

¹²² *Id.*

¹²³ *Id.*

¹²⁴ *Id.*

¹²⁵ PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM (2014).

¹²⁶ *Infra* note.

¹²⁷ *Illicit Sex within the Justice System Using Weak Power to Legislate, Regulate and Enforce Morality* (2017).

domination, indentured servitude, abuse of rights, incest, and other undesirable strongholds, blacklists, and glass ceilings disappear.¹²⁸ People oppose errant systems using the community and government.¹²⁹ They communicate, work, destroy, and invigorate.¹³⁰ When a culture war is not favorable, those without rights, roots, or investments disrupt.¹³¹ Business, friendships, and families end, and unlawful mistreatment of superiors, equals, and those under their care ensues.¹³²

A culture war fails when men and women work in concert.¹³³ Voluntarily assigned to different realms, most men and women will not work together.¹³⁴ Coups perpetrating culture wars suppress the rights exercised by women (e.g., suffrage), their value (e.g., parental authority), and their work (e.g., household chores).¹³⁵ The recent coup, associable

¹²⁸ *Id.*

¹²⁹ *Id.*

¹³⁰ *Id.*

¹³¹ *Id.*

¹³² *Id.*

¹³³ *Illicit Sex within the Justice System Using Weak Power to Legislate, Regulate and Enforce Morality* (2017).

¹³⁴ *Id.*

¹³⁵ *Id.*

with the official longstanding War on Drugs and the more recent official War on Terror, which started with the attack on the Twin Towers on September 11, 2001, suppressed women to provide additional ideas, services, and comforts because they wanted to control female bodies so that they could eat, rape, violate, harm, and assault animals.¹³⁶ They were poisoned by animals, who continue to regain prominence.¹³⁷

Women, and men, frequently face sexual harassment and aggressive work environments.¹³⁸ Women who are not assigned to or do not assume certain jobs fill them anyway.¹³⁹ They are forced to act in concert with men who work on behalf of their wives and children.¹⁴⁰ The result is a hostile workplace environment and rampant

¹³⁶ *Illicit Sex within the Justice System Using Weak Power to Legislate, Regulate and Enforce Morality* (2017).

¹³⁷ *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!* (2021).

¹³⁸ *Id.*

¹³⁹ *Illicit Sex within the Justice System Using Weak Power to Legislate, Regulate and Enforce Morality* (2017).

¹⁴⁰ *Id.*

volunteerism.¹⁴¹ The victims are women who wish to behave well (e.g., virtue and goodness).¹⁴² They work to the best of their abilities, become proficient, consult experts, and maintain their morality.¹⁴³ They are robbed of dignity, silence, small pleasures, and country.¹⁴⁴

Animals suffer from hierarchical disruption.¹⁴⁵ Passing down problems, patriarchy fosters greed, deception, and abuse.¹⁴⁶ Animals become objects.¹⁴⁷ Mistreated animals like objects accumulate.¹⁴⁸ Waste is glorified.¹⁴⁹ People are sickened while animals suffer.¹⁵⁰ Animals are forced to enter the culture war by deceiving women into believing that they love

¹⁴¹ *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!* (2021).

¹⁴² *Id.*

¹⁴³ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

¹⁴⁴ *See e.g.*, Emmet Cahill, “An Irish Lullaby” (2017), <https://youtu.be/uMWSMGidJ7g?t=211>. George Washington University to Drop ‘Colonials’ Moniker, Yahoo! (June 15, 2022), <https://www.yahoo.com/news/george-washington-university-drop-colonials-171437549.html>.

¹⁴⁵ MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

¹⁴⁶ *Id.*

¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

¹⁴⁹ *Id.*

¹⁵⁰ *Id.*

them or respect them, when they would have done so anyway, at the discretion of the patriarchy.¹⁵¹ Despite complaints by women, dogs are wrangled, cats are abandoned, birds are transformed into look-outs, crabs are corralled, etc.¹⁵² Women may be connected to them spiritually.¹⁵³ Perpetrators may connect, cause aggravation, humiliate, and sequester.¹⁵⁴ Animals' allies (e.g., trees) produce victory, but geopolitical entities drag them into an expanding war.¹⁵⁵

A social war is different from a declared war.¹⁵⁶ Several declared wars have affected these living and inanimate clusters.¹⁵⁷ These wars threatened them in devastating ways.¹⁵⁸ Globalized wars on terror and drugs resemble escalated unofficial wars, including flanges of official wars, involving wildlife trafficking, animals in entertainment, animal pelts,

¹⁵¹ *Infra* note.

¹⁵² MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

¹⁵³ *Id.*

¹⁵⁴ *Id.*

¹⁵⁵ *Id.*

¹⁵⁶ *Id.*

¹⁵⁷ *Id.*

¹⁵⁸ MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

wildland desecration, and plant enslavement, etc.¹⁵⁹ Unofficial wars shore-up with culture wars making social wars comparing good women to animals, objects, men, the military, and the home (e.g., fungible and disposable).¹⁶⁰ Freedom from war is essential in this country.¹⁶¹ However, the wars represent and continue conversely to fight against unlawful control.¹⁶²

Women traditionally guided children and schools.¹⁶³ Due to the wars, men on each side have taken control.¹⁶⁴ The result has been disorder.¹⁶⁵ Hierarchical thinking has further impaired the situation.¹⁶⁶ Although men represent the highest authorities in business, their loss of sympathy for

¹⁵⁹ *Id.*

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

¹⁶² *Id.*

¹⁶³ Carmen M. Cusack, *Right to Food Not Arms: Beefing to Update Second Amendment Interpretation*, 17 J. L. & SOC. DEVIANCE 47 (2019); Carmen M. Cusack, *The Theory of Equality: Patriarchy Disguised as Feminism*, 20 J. L. & SOC. DEVIANCE 83 (2020).

¹⁶⁴ Carmen M. Cusack & Grace Telesco, *Nonconsensual Insemination: Intimate Partner Violence, Patriarchy, Police Education and Policy*, 4 J. L. & SOC. DEVIANCE 171 (2012).

¹⁶⁵ *The Theory of Equality: Patriarchy Disguised as Feminism* (2020).

¹⁶⁶ *Id.*

women trickled down and now children do not healthily fear women.¹⁶⁷ On university campuses, corporate offices fail to defend women from children and young adults posing as students.¹⁶⁸ The alumni are educated and educating, and continue to resist the new crop.¹⁶⁹

Fair and just instructions from women and men at school are missing.¹⁷⁰ Schools errantly teach men equality and only they go onto hold traditional posts, like pilots, doctors, garbagemen, and generals.¹⁷¹ Women entering accommodating fields, including caregiving, nurturing, instruction and tutelage, household arrangement, secretarial management, entertainment, etc. are suppressed.¹⁷² Education, decoration, theater, and assisted living are enlivening, but treated like crafts for no money.¹⁷³

¹⁶⁷ *Id.*

¹⁶⁸ *Id.*

¹⁶⁹ *The Theory of Equality: Patriarchy Disguised as Feminism*, 20 J. L. & SOC. DEVIANCE 83 (2020).

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² *Id.*

¹⁷³ *Nonconsensual Insemination: Intimate Partner Violence, Patriarchy, Police Education and Policy*, 4 J. L. & SOC. DEVIANCE 171 (2012).

Doctors and professionals cannot receive occupational remuneration and are isolated by those in their fields facing threats and razed love-lives.¹⁷⁴

Loss of agency plagues the nation.¹⁷⁵ Humans are robbed and animals are marginalized.¹⁷⁶ Scholastic congress exposes mundane reasoning based on networks of abuse.¹⁷⁷ Political, publishable, and personal acts performed in broad daylight appear to place good and bad actors side-by-side.¹⁷⁸ Regaining footing is difficult and is met with domestic violence by men influenced by and sympathetic to some of the coup's attacks.¹⁷⁹ Women pushed into the shadows fear.¹⁸⁰

The rules for reacquiring a functional attitude are disestablished, but the people rally.¹⁸¹ Occasionally

¹⁷⁴ Carmen M. Cusack, *A Feminist Inquiry into Intimate Partner Violence Law, Policy, Policing, and Possible Prejudices in Alaska*, 5 J. L. & CONFLICT RES. 24 (2013).

¹⁷⁵ *Id.*

¹⁷⁶ *Id.*

¹⁷⁷ *A Feminist Inquiry into Intimate Partner Violence Law, Policy, Policing, and Possible Prejudices in Alaska*, 5 J. L. & CONFLICT RES. 24 (2013).

¹⁷⁸ *Id.*

¹⁷⁹ *Id.*

¹⁸⁰ *Id.*

¹⁸¹ *Id.*

rising, those who were lawfully elected guard their posts.¹⁸² An undesirable result is interacting with the coup and disappointing constituents who want swift results.¹⁸³ An interim association, government, acts as a democracy as their republic falls and rises.¹⁸⁴ Ideally, a waiting female president (i.e., teacher) and her masculine vice president (i.e., wealth owner) toggle duties, as he should act as president sometimes. In an uncorrupted vision he has all-but been guaranteed the first elected term, and they should desire to switch after two terms for two terms. During an unexciting period of rebuilding Homeland Security and Defense departments hold firmly to the anchors attached to industries. While working to restore order, unemployed people play football and video games and fortify law enforcement by acting

¹⁸² Carmen M. Cusack, *Best Interest Fact-or-Fiction: Considering Deception and Danger Facing Children Whose Parents Work Undercover*, 9 J. L. & SOC. DEVIANCE 303 (2015).

¹⁸³ Carmen M. Cusack, *Differences in Skin Tone among Hispanic Inmates in Florida's Prisons*, 5 ETHNICITY & RACE IN A CHANGING WORLD 37 (2014); Carmen M. Cusack, *Does Size Matter in the Field?: Female Police Bodies in Online Television*, 19 THE QUALITATIVE REPORT 1 (2014).

¹⁸⁴ See e.g., Lindsey Graham, U.S. Senator South Carolina, <https://www.lgraham.senate.gov/>.

in self-defense against the coup which trespasses against the home.¹⁸⁵ The nation is with them, and secretly communicates.¹⁸⁶ The press fell but imbeds communications about those who have been robbed and lack future means. Within the schoolhouses, including home school, children are forced from education into ignorance.¹⁸⁷ Obedience is a demise unbearable to the parents who may die from shame and hurt.¹⁸⁸ Rather than lose their lives, they withdraw them from school and are chased by those denying to them their moral or ethical high ground.¹⁸⁹ The war rages, but the resolutions thin.¹⁹⁰

¹⁸⁵ *The Theory of Equality: Patriarchy Disguised as Feminism*, 20 J. L. & SOC. DEVIANCE 83 (2020).

¹⁸⁶ *Nonconsensual Insemination: Intimate Partner Violence, Patriarchy, Police Education and Policy*, 4 J. L. & SOC. DEVIANCE 171 (2012).

¹⁸⁷ *Id.*

¹⁸⁸ Carmen M. Cusack, *Spectacles: Sight and Education*, 6 JOJ OPHTHALMOLOGY (2018).

¹⁸⁹ *See e.g.*, Lindsey Graham, U.S. Senator South Carolina, <https://www.lgraham.senate.gov/public/index.cfm?p=contact-form>.

¹⁹⁰ Carmen M. Cusack, *A Right Not to Parent One's Children*, 18 J. L. & SOC. DEVIANCE 103 (2019).

2. War on Animals

a. Film

This subsection is about animals' role in the wars on drugs and terror.¹⁹¹ Animals are drafted because they are helpless victims.¹⁹² When this research is studied and presented by students they should not include videos depicting cruelty or harm to animals, such as those who died defending and demonstrating.¹⁹³ They should not bring cruelty into the schoolhouse where learning occurs.¹⁹⁴

A mixed metaphor is appropriate.¹⁹⁵ It compares two different fears about video use and file sharing in classrooms.¹⁹⁶ The first is about crush films banned around the world and in this country.¹⁹⁷ The synthetic and occasionally rumored-to-be real reels depict harm to animals for sexual gratification and

¹⁹¹ *Supra* Section II.

¹⁹² Carmen M. Cusack, ANIMALS, DEVIANCE, AND SEX (2015).

¹⁹³ *Id.*

¹⁹⁴ *Id.*

¹⁹⁵ ANIMALS, DEVIANCE, AND SEX (2015).

¹⁹⁶ *Id.*

¹⁹⁷ PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM (2014).

entertainment.¹⁹⁸ Unlike other forms of recorded entertainment, they document crime.¹⁹⁹ It is not political, but is obscene.

Crime is unprotected.²⁰⁰ This is evidence of it.²⁰¹ The underlying act is not speech.²⁰² Cruelty is not fiction.²⁰³ Fictional material proposing to harm animals and disobey the government is not comparable with an evidentiary video, but may still be banned.²⁰⁴ Films exaggerating reality may seem to encourage violent behavior even when they are perceived to be fiction.²⁰⁵ Films may or may not graphically depict harm appealing to prurient interest in a patently offensive manner, but animals are too emotionally permeating to display in a grotesque fashion when the artistic, scientific, literary, or political message is not more than *de minimis* and rather unobvious.²⁰⁶ By way of contract, sometimes,

¹⁹⁸ *Id.*

¹⁹⁹ *Id.* ANIMALS, DEVIANCE, AND SEX (2015).

²⁰⁰ *Id.*

²⁰¹ *Id.*

²⁰² *Id.*

²⁰³ *Id.*

²⁰⁴ PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM (2014).

²⁰⁵ *Id.*

²⁰⁶ *Id.*

when humans are displayed, good may come from it, such as when stabbings on the news lead to capture and crime suppression.²⁰⁷

The first fear is cruelty. The metaphor is Cassandra LaPeste commits murder—an animal called Fuxxy Bunmy is killed. He evokes sympathy and is humanlike. In the video, Cassandra LaPeste entered through the room adjacent to the crime scene. She disturbs her warm body and proceeds toward Constable Frank Fooley. He shouts “no!” Cassandra interprets attempted rape. Inexpensive pain arouses Cassandra. She seeks “no” and resistance. Cassandra then tells him “yes” to eliminate the possibility that he would believe that she is a victim. However, she confesses to the constable, “I did it,” and is understood. He arrests her. She attempts to rape him. Cassandra is on camera revolting against his security right. He overpowers her by again saying “no,” and once again she assents and agrees to be incarcerated. The critter cannot be brought back to life. No good comes from the video. An investigation is not

²⁰⁷ *Id.*

mandatory and the authorities are already in charge. He is the victim, but fails to realize it because he thinks that Cassandra is pleased with his and her choice. The constable is not only pleased with his feminist response to speciesism, but also with her mistaken foray into patriarchy. He has more evidence, and his understanding of her attempt is not required to prosecute her for attempted rape. The wrongdoer attempts to charge him with harassment. He will not investigate it; and frees himself by detaining her. He releases himself privately; and the charges against her stick. The confusing situation was recorded, but the evidence was all there. Caught in a sultry shed wearing a robe surrounded by curlers and sandwich bags, she will be charged for several crimes, like cruelty.

Recordings are a basic information pipeline.²⁰⁸ Scholars and students record and learn to record.²⁰⁹ In school, children and teachers record information presented by scholars.²¹⁰ Yearly, when children

²⁰⁸ FISH, JUSTICE, AND SOCIETY (2018).

²⁰⁹ *Id.*

²¹⁰ *Id.*

introduce recordings to the educational environment, they match the scope of schools and consortiums' purpose.²¹¹ They present recordings that are cruelty free.²¹²

Principles of free speech require individuals to remain within the law.²¹³ The law tolerates some dissent.²¹⁴ Rebellion is beyond the boundaries of free speech.²¹⁵ Speech must be preserved.²¹⁶ Students will dissent if speech is not preserved.²¹⁷ Speech is not preserved when a coup destroys integrity.²¹⁸ Superimposition destroys the facts, but free speech allows survival.²¹⁹ Students are not allowed to dissent while in class, but may openly violate any unfair law preventing free speech.²²⁰ Society upholds their right to learn by allowing the public into

²¹¹ *Id.*

²¹² *Id.*

²¹³ FISH, JUSTICE, AND SOCIETY (2018).

²¹⁴ *Id.*

²¹⁵ *Id.*

²¹⁶ *Id.*

²¹⁷ FISH, JUSTICE, AND SOCIETY (2018).

²¹⁸ *A Feminist Inquiry into Intimate Partner Violence Law, Policy, Policing, and Possible Prejudices in Alaska*, 5 J. L & CONFLICT RES. 24 (2013).

²¹⁹ CARMEN M. CUSACK, ABORTION IS THE "A" WORD (2018).

²²⁰ U.S. Const. I amend.

courtrooms, even to witness corruption.²²¹ The open courtroom demonstrates an environment that cannot be separated from natural curiosity.²²²

Some speech acts lead to suspension and must be prevented.²²³ Even when films seem educational, their content can be too harsh for the educational environment.²²⁴ Not only does the making grab attention, but the delivery seems like an attack.²²⁵ Depictions of cruelty attack the conscience.²²⁶ Among animal rights activists, it is a test of wills.²²⁷ Among nonparticipants, it is a shock.²²⁸ It cannot be calmed through callous delivery.²²⁹ Those who witness cruelty may be traumatized.²³⁰ School is no place for trauma and abuse.²³¹ Inhumane

²²¹ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

²²² *Id.*

²²³ *Id.*

²²⁴ ABORTION IS THE “A” WORD (2018).

²²⁵ *Id.*

²²⁶ *Id.*

²²⁷ *Id.*

²²⁸ *Id.*

²²⁹ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

²³⁰ ANIMALS, DEVIANCE, AND SEX (2015).

²³¹ ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

misconduct, animal cruelty, and controversial practices demonstrate an absence of accord with the majority.²³² Students do not have sufficient support in schools to present material that serrates the surface of deep and conscionable beliefs.²³³ Case law holds that while adults may view for limited purposes materials related to captured and killed animals, they cannot view any and all material.²³⁴

Children have broad freedom in school, however, they have less power to present and retain speech acts than adults when they are under the school's supervision.²³⁵ Pressure to serve outside sources soars and they must be thwarted.²³⁶ Rural students in East Asia face limited opportunities similar to those in this country.²³⁷ Cultural production is limited to Internet micro-celebrities, becoming a society brute

²³² *Id.*

²³³ *Id.*

²³⁴ ANIMALS, DEVIANCE, AND SEX (2015); FISH, JUSTICE, AND SOCIETY (2018); ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

²³⁵ *Id.*

²³⁶ *Id.*

²³⁷ Miao Li, Chris K. K. Tan, & Yuting Yang, *Shehui Ren: Cultural Production and Rural Youths' Use of the Kuaishou Video-Sharing App in Eastern China*, 23 INFO., COMM & SOC'Y 1499 (2020).

full of strength, and neo-liberated relativism.²³⁸ Similar problems demonstrate why cruelty in the Western country relates to psychopathy and conspiracy, not education.²³⁹ Even though footage depicting the desecration of animals may be fictional, the introduction of the material into schools must be regulated.²⁴⁰

Applying a common pornographic motif to some of the material, a translation of the abominable though minimally protected themes may clearly present the need for limitations.²⁴¹ A screenplay begins with Cassandra LaPeste once more. Cassandra enters the room. Soft auburn and cream, hair upon a robe, disappointment, and Precious Moments on the boudoir. A soft glow fills her lens. She is recording. Rod Dinglebarley waits. A famous actor, he plays a teen. Cassandra takes a glance at satin draped over an Anglican symbol. Without crying, she observes Rod palpably. Mecca, Eiffel

²³⁸ *Id.*

²³⁹ *Id.*

²⁴⁰ PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM (2014).

²⁴¹ *Id.*

Tower, Grand Canyon, her mind is a train headed into drama station. Cassandra is a senior citizen. Rod is a kid, 13 years old. She likes the boy's world and wants to go steady. Cassandra rides the edge and asks him to come in as she records. Mistaking real life for theater, she nearly begins to molest Rod Raider as he is called by Madame D. Onglered.

Themes here are too strong for students even when the animal abuse is not present.²⁴² Cassandra wears a faux fur coat and attempts to conspire by asking about his interest in killing animals. The pornographic nature does not cleanse the animal's demise.²⁴³ An adult portrayed Rod's character in a film that did not violate decency laws in the jurisdiction, but if the children were to describe the romantic scene, they might feel violated. An affinity for horseback riding would be destroyed in a speech about a woman riding. Rod, no stallion, cannot appear on film at the school even to a class full of adults because it graphically describes perversion by

²⁴²ILLICIT SEX WITHIN THE JUSTICE SYSTEM USING WEAK POWER TO LEGISLATE, REGULATE AND ENFORCE MORALITY (2017).

²⁴³ *Id.*

comparing the demise of a child to the demise of an animal. When no educational value can be located, the material is fruitless and disruptive. Unfriendly Cassandra is experienced in crime, but Rob is there to enchant audience members. Rape and cruelty are equated; this is not digestible and the message may be communicated without entertaining their minds with film.

Attendance may be involuntary and students should be protected from traumatic material whether presented or present in the classroom. Even if a real-life Madame were to marry a child Raider in a ceremony authorized by a judge, their ceremony and dignified offspring, Dr. Rodeena Zhe Pestbury, could not sanitize the classroom. The film is too strong. Phones in the schoolhouse cannot obliterate trauma by relying on constitutional protections intended to organize production not mar student's morality.²⁴⁴ Analogized with crush films in which creatures survive, the scenes are rehabilitated by marriage, yet nursing an animal back to health is like offering

²⁴⁴ U.S. Const. I amend. U.S. Const. V amend.

crusher to the veterinary community for training.²⁴⁵ He may hate her, but the depiction is irrelevant to the film. Still called a “film,” it haunts its viewers similarly to mainstream work, depictions, archives, live footage, and elite images. The setting is regulatable.²⁴⁶ Yet, even the quality of home videos and presence of cellphone cams in every classroom make less sense in light of their futility before the class.²⁴⁷

b. Volunteers

Volunteers and other interveners have documented their effort.²⁴⁸ Volunteers have not alleged that hunting, fishing, ranching, rescue, undercover, and fighting videos can be shown in school.²⁴⁹ They claim that some of the educational value prepares students.²⁵⁰ However, there is very little research showing that students benefit when

²⁴⁵ *Id.*

²⁴⁶ *Id.*

²⁴⁷ *Id.*

²⁴⁸ Peta.org.

²⁴⁹ *Id.*

²⁵⁰ *Id.*

inhumanity is recorded and distributed.²⁵¹ While a few will gather videographic evidence, most learners will be unable to digest the material.²⁵²

Many cruel acts are veritably owned and sponsored by illegal infiltrators looking to perpetrate crime.²⁵³ Violence against animals either incites them or it reaches into the group's mentality.²⁵⁴ Those who can feel pity will be forced to guide the wrecked children through the material.²⁵⁵ In addition to oppression, the brilliant response will be elicited from the students for free, syphoned, and replicated, but not instituted.²⁵⁶ Animals are exposed to servitude through cogs and asked to work alongside well-intended but lackluster attendees evading coup abuse.²⁵⁷

Images of harmed animals, such as crabs, birds, and snakes run-over near the gulf, may help defeat

²⁵¹ *Id.*

²⁵² *Id.*

²⁵³ THE TYRANNY OF ARCHITECTURE: A VEGAN APOLOGETIC (2017).

²⁵⁴ *Id.* SHEHUI REN, CULTURAL PRODUCTION AND RURAL YOUTHS' USE OF THE KUAISHOU VIDEO-SHARING APP IN EASTERN CHINA (2020).

²⁵⁵ Peta.org.

²⁵⁶ *Id.*

²⁵⁷ *Id.*

the coup, but the focus should be placed on liberation, conservation, and preservation not gore.²⁵⁸ A comparison to undercover videos made on farms is order.²⁵⁹ Despite recent progress, animals have been used interchangeably with breeding tools.²⁶⁰ They have been treated like farmland and plots.²⁶¹ They serve as an end goal to please fertilizers.²⁶² The creature born has no father to whom to answer.²⁶³ His maker was a tool.²⁶⁴ Showing these videos without educational discipline verifies that the undercover volunteers filled him with ideas.²⁶⁵ He is made to perform in sex films.²⁶⁶ Later, perverts and good people record his rape and death.²⁶⁷ He rebuffs them, but is monetized via birth,

²⁵⁸ USCG.mil; Navy.com; GoArmy.com.

²⁵⁹ USCG.mil; Navy.com; GoArmy.com.

²⁶⁰ FISH, JUSTICE, AND SOCIETY (2018).

²⁶¹ *Id.*

²⁶² CARMEN M. CUSACK, DEER JHONN: LETTERS DESCRIBING WHAT CAN BE SEEN (2021).

²⁶³ *Id.*

²⁶⁴ *Id.*

²⁶⁵ *Id.*

²⁶⁶ FISH, JUSTICE, AND SOCIETY (2018).

²⁶⁷ USCG.mil; Navy.com; GoArmy.com.

life, and death.²⁶⁸ The images of the animal's tender life overlap with targets, material, and verbiage.²⁶⁹

The second metaphor is in regard to fear over exposés.²⁷⁰ The undercover work has been criticized for a lack of immediate intervention and the torture of animals during filming.²⁷¹ However, without evidence the crimes would have gone on and further damaged.²⁷² At the very least, they attempt to prevent future death.²⁷³

Liam is a little boy and a Pomeranian. He dutifully attends to his daily life. He is a country boy who enjoys good homecooked food, like country pie made from scratch not a bread bowl. He keeps livestock, not for profit but for fun. He derives authority from joyrides, such as riding horses. His four wheeler is the worst thing, but it is not bad. His patriotism involves military life. Though his father

²⁶⁸ USCG.mil; Navy.com; GoArmy.com.

²⁶⁹ Crush films and hunting video laws, and public response to those kinds of images, have reduced their prevalence since the study of this material was initiated.

²⁷⁰ Peta.org.

²⁷¹ *Id.*

²⁷² *Id.*

²⁷³ *Id.*

was distant from their family, wore Arab costumes, used foreign weapons, and experienced the loss of intimacy, they were proud of him.

In the country, people document violence and folly, such as reckless slaughter of cayotes. Negativity, threat, and territoriality are recorded. A cayote was shot in the abdomen and killed when a pig who they “got” wandered onto the property. His attitude toward beloved animals under his care, such as dogs, a bull, a cow, a horse, etc., demonstrates that he does not need media to recall animals’ suffering. Yet, he kept a photo on his phone. Bothersome, he showed it to a vegan.²⁷⁴

Policies and principles should help him limit his exposure to records intended to demonstrate violence in the presence of animals.²⁷⁵ His exposure to and preservation of records documenting slaughter places the speech outside the school’s purpose.²⁷⁶ The picture was shown outside school, but the lad’s age suggests that he could have brought the image

²⁷⁴ THE TYRANNY OF ARCHITECTURE: A VEGAN APOLOGETIC (2017).

²⁷⁵ *Id.*

²⁷⁶ MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

into the school building. Images and records demonstrating why animals need care, assistance, and cruelty prevention could be an exception.²⁷⁷

Whether online or in-person materials must be constructive.²⁷⁸ Free speech is not at issue even when adults are the primary audience.²⁷⁹ The preservation of the educational environment is tantamount to the exercise of rights by the viewers at school.²⁸⁰ Children are not allowed to share or view this type of material in school.²⁸¹ They are required to fortify the conscience when the risk of harm, whether documented or undocumented, to an animal appears to be evident.²⁸²

Recording, including undercover photography, benefits pets, actors, educators, livestock, wildlife, etc. and prevents students from harming animals.²⁸³ First, they will record animals in a manner that

²⁷⁷ *Id.*

²⁷⁸ MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

²⁷⁹ *Id.*

²⁸⁰ *Id.*

²⁸¹ *Id.*

²⁸² *Id.*

²⁸³ Carmen M. Cusack, *Feminism and Husbandry: Drawing the Fine Line between Mine and Bovine*, 11 J. CRITICAL ANIMAL STUD. 24 (2013).

upholds life.²⁸⁴ Second, they will not contribute to the demise.²⁸⁵ Three, they remove power from the coup and its surreptitious agenda.²⁸⁶ Four, they will not eat meat, dairy, honey, and eggs in school.²⁸⁷ Five, they will not wear animal products or kill insects.²⁸⁸ They will reuse and not unethically harvest skins (e.g., natural death) for gear (e.g., apron, gloves, and cleats), particularly when it is not required and professional standards dictate that the participants exhibit no talent in that field.²⁸⁹

Depictions and presentation of evidence and solutions are good for the school system and should continue without calling graphic attention traumatizingly to cruelty and its effects.²⁹⁰ Showing what cannot be repeated the work incorporates sociology and psychology.²⁹¹ Links tie Greek and

²⁸⁴ *Id.*

²⁸⁵ *Id.*

²⁸⁶ *Id.*

²⁸⁷ *Id.*

²⁸⁸ *Id.*

²⁸⁹ *Id.*

²⁹⁰ *Feminism and Husbandry: Drawing the Fine Line between Mine and Bovine*, 11 J. CRITICAL ANIMAL STUD. 24 (2013).

²⁹¹ ANIMALS, DEVIANCE, AND SEX (2015).

English disciplinary systems.²⁹² These systems found scholastic and legal environments respectively in this nation.²⁹³

c. Pink Collar

School is a pink collar domain.²⁹⁴ A pink collar, like a blue collar, gold collar, and white collar, grants a status.²⁹⁵ The gold collar is a pink collar that has matured educationally.²⁹⁶ Doctors are not solely either white collar or pink collar, they are gold collar. Generally, a pink collar refers to women's work.²⁹⁷

Ladies providing education demand respect.²⁹⁸ Disrespectful and inappropriate content demeans the environment.²⁹⁹ A model rule would be the following: Students are not to harbor material that

²⁹² Merritt Clifton, "U.S. Supreme Court to Kansas: Eat Your Ag-gag!," ANIMALS 24-7 (Apr. 26, 2022), <https://www.animals24-7.org/2022/04/26/u-s-supreme-court-to-kansas-eat-your-ag-gag/>.
²⁹⁴ *Kansas v. Garcia*, 589 U.S. ____ (2020).

²⁹³ ABORTION IS THE "A" WORD (2016). PORNOGRAPHY AND THE CRIMINAL JUSTICE SYSTEM (2014).

²⁹⁴ ANIMALS, DEVIANCE, AND SEX (2015).

²⁹⁵ *Infra* note.

²⁹⁶ *Id.*

²⁹⁷ *Id.*

²⁹⁸ *Id.*

²⁹⁹ *Id.*

offends the educational environment. Only students capable of spontaneously contributing to the educational environment with the availability of the material may enter the school premises with the material available.

Tradition will prevail.³⁰⁰ Women have directed this institution for hundreds of years in this country and intended to do so.³⁰¹ Churches, politicians, parks, and other institutions support them.³⁰² While some men have augmented and contributed to their academy, women control decorum.³⁰³ As victims of harassment, deprivation, rape, and other crimes, women are assured of their safety as teachers, students, and confidants.³⁰⁴ Men are groomed to stand alone and reason better.³⁰⁵ Thusly women's goals are effected.³⁰⁶

³⁰⁰ *Id.*

³⁰¹ *Pierce v. Society of Sisters*, 268 U.S. 510 (1925).

³⁰² *Id.*

³⁰³ *Id.*

³⁰⁴ *Id.*

³⁰⁵ ANIMALS, DEVIANCE, AND SEX (2015). *Pierce v. Society of Sisters*, 268 U.S. 510 (1925).

³⁰⁶ *Pierce v. Society of Sisters*, 268 U.S. 510 (1925).

Learning modules made available through this research should include this content.³⁰⁷ Furthering this aim is facilitative and necessary for all women.³⁰⁸ Forebearers representing suffrage and equality stood for their legacies.³⁰⁹ Women treading through third wave feminism and beyond contain the right to guard pink spaces.³¹⁰ Media storage must obey women.³¹¹

School policies and standards reject suffering.³¹² The school system cannot entertain uncentered material.³¹³ Reproduction lessons are not discrete.³¹⁴ The lessons about this research will serve as a metaphor.³¹⁵ Impressions of humans held by sharks and other creatures on Earth may improve as a result of dissemination.³¹⁶ Fallacious evidence demonstrates the coup's reign, however this research

³⁰⁷ *Id.*

³⁰⁸ *Id.*

³⁰⁹ *Infra* note.

³¹⁰ *The Theory of Equality: Patriarchy Disguised as Feminism*, 20 J. L. & SOC. DEVIANCE 83 (2020).

³¹¹ *Id.*

³¹² *Id.*

³¹³ *Id.*

³¹⁴ ANIMALS, DEVIANCE, AND SEX (2015).

³¹⁵ *Id.*

³¹⁶ *Id.*

is fresh.³¹⁷ The process fails only when courts, schools, the post, and the press close.³¹⁸ However, disciplined individuals remain in control. Respect is owed.³¹⁹ Once humans lose animals' respect, humanity will own nothing of value.³²⁰ It will be a loss.³²¹

³¹⁷ Cascades High School Cell Phone Policy.

Cell Phone Rule: The respectful, non-disruptive use of cell phones is permitted in the school cafeteria during lunch period and any other school area except those listed above. As soon as the threshold of the classroom or any prohibited area is crossed, during the school day, cell phones need to be put away and made undetectable (i.e., silenced without vibration). Violation of the cell phone rule as stated above will result in the confiscation of the device according to the following ladder of disciplinary action. *Id.*

Clive Thompson, "How Khan Academy Is Changing the Rules of Education," WIRED DIGITAL (July 15, 2011), resources.rosettastone.com/CDN/us/pdfs/K-12/Wired_KhanAcademy.pdf.

³¹⁸ "How Khan Academy Is Changing the Rules of Education,"

WIRED DIGITAL.

³¹⁹ *Id.*

³²⁰ *Id.*

³²¹ Cascades High School Cell Phone Policy.

III. SCIENCE

A. Encyclopaedical

A model encyclopedic passage for this work is the following:³²²

- ✓ Because the Greenland shark was discovered to have been affected by the Western Hemisphere humans rendered change. Following national, state, and local laws, executive members implemented an oceanic and biodiverse plan to eschew costal improvement and engineered human habitation unsuitable for the sleeper shark. Evidence ranging from chunks of human flesh the size of corn flakes to wads of hair demonstrates that the Western Hemisphere relies on external forces. Progress underway demonstrates success. A cycle of proliferation is anticipated.

³²² Tori Amos, "Cornflake Girl," *Under the Pink* (1994), <https://www.youtube.com/watch?v=tfC0-pVpQWw>.

B. Research

1. “À *La Recherche du Temps Perdu.*”³²³

Research Question: The research question presented was “Has the Greenland shark been affected by crime in a country in the Western Hemisphere?”

Hypothesis: The Greenland shark has been affected.

Methodology: Collected and observed specimens were classified and catalogued. The shore research team worked together to present, identify, and reliably re-identify the specimens. The experimental variable was observing which newly introduced rocks, sand, and objects contained material identifying the coup. Indications of how the items arrived at the shore were ascertained through

³²³ “In Search of Lost Time.” MARCEL PROUST, REMEMBRANCE OF THINGS PAST (1913).

standard means, such as use of literature, concurrence, odor detection, touch, media, military movement knowledge and observation, and past research. Evidence was archived and placed into storage. Natural, artificial, and manmade items along with findings were presented visually and orally to members and heads of the Department of Defense and Department of Homeland Security. Control was established during observation of the beach for more than 12 months prior to the research. The beach, including sand and air, was observed for five years approximately every day. Information from locals, observation of construction sites and visitors, and interactions with animals were regular.

Clothing, towels, artifacts, shoes, shells, and any other items on the shore or near the beach were collected and examined when they appeared to contain evidence matching the hypothesis. The operating mode was that the coup had planned to destroy the beach, the military won, each left the items, and may have been contributing. Obediently they answered the people's public and private

demand for proof that the nation is safe. Working backward based on oceanic research and knowledge, this researcher designed the experiment. Proof of safety was determinable in part by the establishment because first, the Greenland shark was being acknowledged; or next, could be prioritized—as a key stone species and predator of humans at sea and on land drawn to the coast.

Data: Data was discoverable through human observation. The team expertly relied on skills, exposure, and opportunity presented by animals. Data included their burrows, location, the shape and size of objects, duration of time spent on the shore, and other facts. Coordinated effort involving a team of more than 1,000 deceased and living non-humans and humans helped and allowed data to be flagged and archived.

Data was destroyed, collected, or abandoned. Key pieces are in storage and have been displayed. They may enter a museum relating to the executive affairs of the nation. Some have been or may be discarded, circulated, or returned to the natural

environment. Not all data is evidence. Some stolen possessions (e.g., cash and names) recaptured from the coup (e.g., in apartments and hideaways) has been retained by and returned to owners. Much treasure, government property, and private wealth is in the possession and under the control of dead and living criminals held responsible for breakdown.

Analysis: The analysis was developed by matching photographs, websites, printed reports, radio descriptions, fashions, interviews, facial expressions, gestures, indications, tips, and other clues (e.g., images designed by military members using aircrafts) to the relics collected. When found, items, such as broken glasses, children's glasses, rash guards, toilet paper, napkins, sanitary napkins, hygienic items, shoes, socks, sex wax, and other items were identified as relevant or irrelevant to the immediate breakdown of the environment. Concurrence classified data and items so that they could be compared. Internally the military and others aware of the remedies and impacts appeared to hand over the evidence for the production of this report.

Analysis by the military underlies this reporting, yet is independent. Irrelevant to the educational community, the military progresses in its mission. The analyses reveal that the people and military responded to the constitutional demands rather than the usurpers occupying the various levels of the government.

Conclusion: It may be concluded that the Greenland shark was affected and effort to restore balance is growing. First, the end of the problem seems near because a popularly elected president is likely dead. This was the conclusion of deterioration demonstrating threat to the oceanic environment consistent with what was known by those observing the scenario. Her husband, a former president, her daughter, the daughters of another former president, that gentleman, his wife, and others are likely the people represented by the specimens collected. Next, the efforts underway will challenge the impeding and deficient criminals. Their doubles cavort about, ignoring cadavers and tidal cadence. The military and the people, hopefully the full court, press, and

schools will work together to restore order, and will hold responsible tyrannical people for a persistent crime wave known as a coup worldwide. Lastly, this research will influence the war colleges, academies, artists, sports teams, and others capable of maintaining normalcy and proliferating education until the highest, most gifted, and prominent people can return from castigation for ousting phonies.

Limitations: Limitations were few. DNA tests were not conducted on items representing stingrays, bird eggs, humans, artificial skin, etc. The behavioral patterns of those leaving, collecting, guarding, observing, and denouncing the items indicated the value of the items to this research, which were at times in plain sight of the coup. At other times they were surreptitious presences.

The shore remained mostly constant over two years. The atmosphere varied during rainy and cold conditions. Some data was in plain sight and instantaneously accessible. Items were hidden and controlled by animals, plants, waves, and other elements of the beach. For example, some items were

not accessible for weeks or months until animals authorized the collection and observation. A few suffered fake instances of presentation. Drug vestiges, fur, hair, gems, toys, chairs, cans, pipes, nails, beads, and food appeared and disappeared. Tourists pointed to some items that appeared to have no bearing on this study, but may be relevant to other aspects of the coup's activity. Items of interest majorly were used to instigate takeover by degenerates. For example, fake or decoy items, socks, crocs, rags, and bags were strewn to indicate a message, perhaps to gangs, drug users, dealers, traffickers, and dirty cops; but others, including the military, police, park rangers, volunteers, educators, tourists, officials, and athletes (e.g., bicyclists) overcame them.

2. *“Le Véritable Voyage de Découverte Ne Consiste Pas à Chercher de Nouveaux Paysages, mais à Avoir de Nouveaux Yeux.”*³²⁴

- a. The Pre-history

This subsection synthesizes. The president popularly elected probably died in conjunction with drugs, poor medical mistreatment, experimental tape, and skin problems (e.g., soars and grafts) affecting her mentally. Her peers and colleagues were dually dispatched as a result of atrophy. They were being tortured by criminals working as medical staff who took them. A small indicium of caution suggests that mummies wearing tape, trashing through bandages, replacing body parts, physically harvesting toxic globules, and undergoing terse surgery persist at some level and are like those killed, but may take the news and manipulate in conjunction with terror and trafficking to deny some of the exposure and the work of many preventing catastrophic strikes, such as the bombing of

³²⁴ MARCEL PROUST, *LA PRISONNIERE* (1923) at 69.

skyscrapers and poisonous mass murder in major cities.

In addition to comorbid causes, a major disruption to the ousted government and the ousting groups occurred in 2018 when they met. They intended to have dinner but were poisoned. It appeared through visual evidence, auditory evidence, and circumstantial evidence that the ousted incumbent president of a Western nation had participated in a clam eating, *ad hoc* ritual bonding criminals and politicians with their families.

Instead of a favorable outcome, it was villainous. As the parties suffered poison, they errantly searched for cures and feigned for help leading to catastrophe for many. Around the world people lost faith as they hoped for it to end or be televised. The attendees at various points used artificial skin, masks, and animal life to hide sexual degeneration, parties, and other strange symptoms of physical, physiological, and spiritual breakdown. Some of the attendees did worse than others, for example one lit fake skin on fire at the party. Not all appear to have suffered

through sexual rebellion, delusions, psychosis, and other symptoms. Ladies later fought to the death at one point and were hospitalized side-by-side. They are presently dead in all likelihood. Vital pieces of their heads, hearts, brains, and veins seem to be detached. Other explanations suggest extreme alterations, lab grown replicas or tissues, slow loss of mass, or half-decomposed parts.³²⁵ The exact nature of the specimens is unknown, though saddening.

Due to the nature of their breakdown, the media cannot decipher them from, oddly, doubles hired incompetently to play them for their security and for others observing them. Forensic evidence near the shore in a prominent location, undisclosed by this research, attests to the rapid decomposition of many of their skin, some of which is preserved. They were

³²⁵ *But see*, Kate Harding, *Dying to Be the Next Gisele*, SALON, (Sept. 25, 2009), https://www.salon.com/2009/09/15/crystal_renn/. Stephanie Wenger, *Gisele Bündchen Posts Video of Tom Brady in His Underwear to Promote Quarterback's New Line*, PEOPLE (June 6, 2022), people.com/sports/gisele-bundchen-posts-video-of-tom-brady-in-his-underwear-from-new-line/. Diana Falzone, "Break Time: Gisele Bündchen Gets Naked, but Did She Also Get Too Skinny?," Fox News (Apr. 13, 2016), <https://www.foxnews.com/entertainment/break-time-gisele-bundchen-gets-naked-but-did-she-also-get-too-skinny>.

dispatched by the military and others after being discovered in irreversible comas and zombielike states of autonomous manipulatable international crime sprees. Though their remains have been incinerated, some spongy samples, clear imprints, layers, exit wounds, odor, and other fresh details are archived. Not all were fully or partly incinerated. Some splattered and decomposed after jumping from windows and some were buried, in stages or in whole.

Fossil evidence shows that large marine animals were harmed by their activities. Many animals were left in nearly unsustainable circumstances by human folly. For example, evidence shows that Greenland sharks, great white sharks, mako sharks, bull sharks, lemon sharks, nurse sharks, Mediterranean swordfish, sponges, and others were affected by abandoned microwebs while the coup littered and sponsored global warming and soaring temperatures through erratic flight and coastal erosion, rising tides through deforestation, aberrant immigration, drug use and overdose in traffic, and erratic behavior such

as group jaywalking. Insects for example were forced to clean after people when they could have spent time honoring powerful species, such as green dolphin gazing and bottlenose parties. This unrecognizable pattern led to a systemic breakdown of law and order and near total collapse of major institutions (e.g., universities and banks). Education and banking are two losing relics of a great nation, though the aggressor has raged against them since the inception of the War on Drugs in 1971. Instead of strengthening animal networks to help them around the globe, a part of the space administration was damaged when two women intended unethically to commit crime in space rather than intend to repair their own planet from which they, as a group, had taken animals into space to abuse. The women and men irresponsibly on welfare caused damage to a spacecraft and were killed. The military indeed has also been infiltrated but is fighting.

The unrecognizable incumbent surrendered authority to the coup it appeared around 2020 when she permitted another candidate to run. It felt as if

though the candidate died before the election when a double took his place. The country has been in disrepair (e.g., chronic scams and price hikes levied against unemployment and unfair property seizure, invasion, and searches) since. A general consensus abounds that executive leadership is giving commands to the military based on strategy and experience. The people expect the sworn president to be elected in a fair and uncorrupted election in 2024: what was first as an interim president will then be an executive. Presuming hope, the nation waits for the president's house to be occupied, without anyone else, but the second in command; and this maneuver will give time to heal the house and allow the people to settle, for such time as the next century or so.

b. Effects on History, and So on

The creatures involved took matters into their own hands. Perhaps to avoid poison or to simplify life, some resolved to use birth control, such as diaphragms, made from bottlecaps, which is not

abnormal, to maintain their populations.³²⁶ They sustained intimacy without surrendering. However, as has been said, this may be unsustainable for humans relying on their presence and power. Spiritually and physically humans cannot survive the loss of sea life or proliferation. Even the tides need not testify to achieve just results.

Heroes consorted with coup members prior to the interim establishment of order in the nation. A shoe surviving a shark attack, towels, human flesh, clothes, flip flops, bones, and diaphragms have been observed and recovered around locations. Bearing shark tongues, teeth encased preserved sand in surf.³²⁷ The bites and clothing attest to death at sea. A member of the coup drew a pistol toward a shark. An assassin said he caught a shark with his bare hands, but let the shark get going.

Animals corresponding with the sharks demanded that humans again start having fun and stop strife. Visible on the beach are wild cats, foxes,

³²⁶ The weightiest evidence proving the hypothesis is this. Proximity matters.

³²⁷ Matthew E. Waranius, "Margaritaville" (2022).

and snakes, and understandable evidence of large cat sightings, etc.³²⁸ One day, an odor of a yellow tiger's vagina (i.e., musk) boomed. A young woman disappeared. Left behind were only four notable fur and hair fibers found in succession. The story of the ghost of a disappearing cat, a tiger, a white tiger, and a woman are instrumental for understanding how the Greenland shark has cultivated human goodness. Most of the fibers withered and reintegrated immediately. Perhaps reintegration can be timed, triggered, and controlled like decomposition. The surface keeps the secrets.

c. *À L'ombre des Jeunes Filles en Fleurs*³²⁹

Death is everywhere right now, and has been for a while. The causes are numerous. They include human drowning, conflagration, suffocation, hand-to-hand murder, alcohol poisoning, drug overdose,

³²⁸ Vanessa Carlton, "A Thousand Miles," *Be Not Nobody* (2000), <https://www.youtube.com/watch?v=Cwkej79U3ek>.

³²⁹ MARCEL PROUST, *À L'OMBRE DES JEUNES FILLES EN FLEURS* (1919).

execution, exhaustion, and bites. The coup also poisoned local folks everywhere to drive crime and cease law. These studied beach areas, bearing an illegal settlement, were populated and visited routinely by criminals. Though accompanied lovingly by loyal pets, they left debris, including nails, bolts, metal pieces, shrapnel from artillery (e.g., crane), debris from moving vans, concrete, and paint chips which twisted dogs' and cats' ankles, gouged-out their eyes, broke their backs, caused rashes, etc. Local townspeople gathered and cleaned the beach, but dogs, like turtles and seabirds, went missing and were inevitably labeled victims in the War on Drugs and War on Terror. Some were captured at veterinarian offices and sold to animal experimentation corporations testing controversial medicine for made-up diseases ranging from depression to respiratory infections, like pneumonia correlated with drug abuse. The humans worshiped their little companions but denied their natural inclination to obey the whims and will power of

specific species prevalently appearing physiologically through their motion and wills.

The traitors' power waned and they were seen slumping, driving while intoxicated, fighting, and resting in prone positions unnaturally throughout the area containing the bones of superiors in a dark and consequently armed effort to destabilize peace and quiet enjoyment. Interdiction supplied by townspeople, movers, dogs, snakes, clouds, the children of government all-stars, etc. supplied the military and keepers of the coast with vital support and numerosity tough enough to banish the myth of bulk degradation promoted by the inferiorizing race of invaders supported by sneaky miscreants.

Women were killed there and throughout the cityscape while attempting to prostitute themselves, intoxicate and attract the military, and shelter refugees for widespread failure and unseemly positioning (e.g., mating). They were tactically dispatched and left to overdose—their own device. Child nudity, group showers, displays of affection, and binding (e.g., constrictive attire) were a few of

the grotesque displays by coup ladies and their male affiliates, a scourge across the nation. Sanctioned by churches, they were closed for many months, potentially in some instances, causing grave human rights violations as death rites and other ceremonies were irreplaceably dispensed. Loss of rites, control, honor, friends, and family has been common as many decent people try to fit in. Survival tactics include hiding and tolerance. With these conditions, the coup paraded and their deaths, demise, and rejection from the normal parameters were obvious. Their remains were detectable because they matched their physical persons, objects, abuses, victims, and locations. Their thought patterns and actions embedded in their fossilized flesh became spiritual markers of authority until collected and put to death publicly through this work.

Recovery and apprehension became institutionalized with the military's efforts. A careful dance, the military released and alerted to the mixed specimens made of melted and burned parts affixed to logs, rocks, sand, and other items of natural

occurrence. Shifted around the nation, the parts reconfigured an innocent person to be forgiven in the process of truth and reconciliation carefully staged by the military through the press. Heroized lost ones stood the test of time. Grave illness was buried. Traitors were separated and punished, though exonerated from eternal blame through this work and theirs in the afterlife, of sorts.

Citizens all-but stripped of every right, driven on and off military bases where they were randomly assaulted and pummeled by waiting plants and cherished by unarmed sailors and guards, were battered by motorists who swerved and watched as unnecessary communist housing bolstering phony swingers was erected across the area and roads were blocked using garish equipment. Realtors of once-kind, specious, unfamiliar, criminal, and terrorizing inceptions pierced earth with wanted posters of themselves in the form of paraphernalia, propaganda, and prostitution. Animals lost their rights and homes. Locals were forced by plagues to sell their properties and then attacked by fraudulent employees

occupying government positions intending to deplete their structure. Silt polluted the lungs, cars, filters, and vents of local people forced to breathe construction debris spanning every inch of chaotically strewn and laid motorway across the country.

Established vendors enforced matriarchy-like-communism with profane terms of affection ill-timed to produce back aches and broken legs. The common confrontational stride elucidated polarity and a raging war perpetrated by women and men against women in a way that did not affect men. Though equally attacked, sexual diminution totally violated the remaining sanctuaries, like grocery stores and vegan restaurants, harboring women's consciousnesses, simplicity, innocence, and right to be free from battle, attacks, and defense. Defense and Homeland Security members were pinched, ogled, shared, dated without consent, slandered, and worse. Shaky ground paved recognition, retirement, and a way to future success without lackluster contractors

and government employees supporting tyranny and falling below professional standards.

Local men were not drafted by the military, but rather appalled by the claim to female identity perpetrated by actors, males, young women, poorly performing females hired through Defense and Homeland Security, and others baring no loyalty to the feminist movement in the nation. To stack safe harbors for the coup, crooked and now likely dispatched cops and other employees and relatives turned-off toilets, sealed public restrooms, turned-off water fountains, and sent lines of young men ranging from infants to grandpas to infiltrate women's restrooms in and out of costume. Drug addicts crowded and incest was suggested alongside grooming and molestation for money while men ignored and conquered, a work in progress to defeat, but some twisted symptoms of a sick society have cooled with and without laborious persistence, for example sisters sexually aggressing against brothers.

Men shared stories about having been ousted, and women who have not worked in many years now

complain that they seek restoration. Men complained that infiltrators debunked appropriate expressions of religious mentalities inside the military causing drug dealers to attack them and align with jealous superiors seeking pay. They also complained that ineptitude accompanied women's unwanted and illegal infiltration and commandeering of the military. Civilians and uniformed servicemembers alike were responsible for a turnabout against the wrongful system still evident on the Internet and television. Many females who worked in the military ended their posts, assumed satirical values, and positioned themselves against women. Their continued use of law and occupation of once functionally all-male facilities has led to prostitution and collapse on and around military bases.

Transgender criminals surfaced everywhere and were driven back. Women removed their genitals and flashed their peers in the military, performed fellatio on base for strangers like gay male prostitutes, and bragged through the press about making women happy sexually when the converse could not have

been truer. Acting like prima donnas and supermodels, ladies who cannot fit into uniform but don them, became obsessed with false camaraderie and the portrayal of contra life in the jungle and cities. They annunciated ethnic hang-ups, shortcomings, speech impediments, and malodorous vaginas; and stopped respecting maleness. Males subordinated attacked obedient males in programs like the Navy Seals stymying pronounced traditions eradicating racial stereotypes and erecting barriers needing to be reforged without cruelty through rehabilitation.

The *coup de grâce* ended their shameful rant. The errant girls signaled to civilized women threats and attempts to occupy their homes. Women fought back. To sponsor equality within the military, women hand wove a tapestry to show why those poor employees were unsuitable, not because they were female. Baked and fired, through them men reacted undercover, compassionately, in spirit, and then insinuatingly to provoke traitors. They stopped compromising no longer making comparisons to

married, respectable, accomplished, and deserving women. Specialists inside forced out regretful and persistent female pilots surviving the stroke of bad luck. The service continues to exclude them, not for the shape of their genitals or the odor of their hormones and genitals' presence, illegally, but instead because of the low caliber of character presented during crisis. Their unwillingness to defend women and men demonstrated antisocial intentions and actions amounting to crime and rebellion against the nation and their home state.

In conclusion, further study should aim to protect children and animals. Thus, the recommendation of this research is that people stop eating meat, dairy, gelatin, honey, eggs, and other animal-based products. It is also recommended that nationals visiting remain lawful. Criminals accused of violations cannot survive the immense pressure to follow the authority presented and instructions given by the lawful inhabitants and interim government. Information of an urgent nature should be revealed to authorities. Intimations indicated to sea life, at the

shore, and to non-humans may receive the force of law. Local booths should be empowered to return stolen property and money immediately to complainants and issue enforceable orders for invaders to be removed. Institutionalization of this Author's work should proceed carefully and passionately in due course.

3. Observation

Antisocial drug abuse has spiraled into a counter-social group mentality that forces environmentally detrimental changes to transpire near the ocean affecting the Greenland shark.³³⁰ The Greenland shark is iconic within the Coast Guard and other facets of the government.³³¹ The species symbolizes great heroes.³³² The spirit of the sea is at one with the

³³⁰ *Infra* Section.

³³¹ *E.g.*, Kiefer Sutherland, *A Few Good Men* (1992).

³³² *E.g.*, Blue Angels pilot Frank Weisser. Carmen M. Cusack & Matthew E. Waranius, *Flying, Lying, and Laying Low: How to Learn from Naval War College Lessons*, 20 *J. L. & SOC. DEVIANCE* 1 (2020). *See*, Kiefer Sutherland, *Flatliners* (1990).

sharks' spirit, which is readily observable influencing people using the coast.³³³

In the Western country, people follow the law. For example, they do not speed,³³⁴ they yield to pedestrians,³³⁵ and they do not litter.³³⁶ However, some people break the law routinely.³³⁷ They work without licenses,³³⁸ they pay for prostitutes,³³⁹ and they sell drugs.³⁴⁰ Each side seems equally obedient to their understanding of how the Greenland shark is to survive.³⁴¹ However, the aggressors, many of whom claim to be construction workers, clearly prevent the beach from thriving and being clean.³⁴² They are also traffickers and assailants.³⁴³ People entitled to regulate them according to conscience and duty are

³³³ People missing in action, held behind enemy lines, and unreachable are still influenced. *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

³³⁴ Fla. Stat. § 316.183 (2021).

³³⁵ Fla. Stat. § 316.130 (2021).

³³⁶ Fla. Stat. § 403.413 (2021).

³³⁷ *Infra* note.

³³⁸ Fla. Stat. § 489.127 (2021).

³³⁹ Fla. Stat. § 796.001, *et seq.* (2021).

³⁴⁰ Fla. Stat. § 775.082, *et seq.*; Fla. Stat. § 893.01, *et seq.* (2021).

³⁴¹ *Id.*

³⁴² *Id.*

³⁴³ *Id.*

sidelined and lambasted as volunteers work around the clock and paying tourists scream in horror.³⁴⁴

Constructs and narratives explain why the spirit and the job are at odds.³⁴⁵ This affects women and men, many of whom appear to be women in disguise and vice versa.³⁴⁶ The construct is created by conditions surrounding birth and life, and death, which are uncontrollable.³⁴⁷ They are pressures mounting from interactions with other animals, plants, and planetary forces.³⁴⁸ In short, it is physiological correlation with another animal.³⁴⁹ It is sometimes described as animism.³⁵⁰ Ordered, when possible, it seems to participate in totemic beliefs that organize society according to needs and values.³⁵¹ Narratives are explanations given by experts, such as neurologists, psychologists, psychiatrists, and

³⁴⁴ *Id.*

³⁴⁵ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

³⁴⁶ SEX CASE LAW (2019).

³⁴⁷ *Id.*

³⁴⁸ *Id.*

³⁴⁹ *Id.*

³⁵⁰ *Id.*

³⁵¹ *Id.*

teachers.³⁵² They define expectations for interactions.³⁵³ People are expected to conform to norms and valuable mores.³⁵⁴ They do not deviate because society will not let them.³⁵⁵ They are external, and at times, internal controls, such as medicine, a potential internal control.³⁵⁶

A person may have been prepared by his or her body throughout his or her youth to assume a position or role, but then suddenly a shift occurs—a traumatic head injury provokes restraint from those entitled to control the flow, for example pay is withheld until conformity is achieved.³⁵⁷ The experts may perceive a person who deserves a distinct narrative.³⁵⁸ The narrative previously matched the person's construct, but now is altered by experts'

³⁵² *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

³⁵³ *Id.*

³⁵⁴ *Id.*

³⁵⁵ *Id.*

³⁵⁶ *Id.*

³⁵⁷ *Id.*

³⁵⁸ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

opinion.³⁵⁹ The person loses the inherence in the job.³⁶⁰ Gender differences are vast, yet productive narratives are established and difficult to circumnavigate.³⁶¹ The constructs may or may not relate to gender dimorphism, puberty, establishment, or other gender-based instalments.³⁶²

Like the recommendations made in the next Section, this Section converts to preparatory material and lectures for experts discussing neurological disruption to reveal why spiritual beliefs and expert opinions blended together with drug use, terror, and other problems over the past 60 years.³⁶³ This Section supports the claim that the War on Drugs has been required to save schools, the beach, the presidency, and other institutions; and explains why the adverse people cannot be convinced and reconciled.³⁶⁴

³⁵⁹ *Id.*

³⁶⁰ *Id.*

³⁶¹ *Id.*

³⁶² *Id.*

³⁶³ *Flying, Lying, and Laying Low: How to Learn from Naval War College Lessons*, 20 J. L. & SOC. DEVIANCE 1 (2020). *See*, Sutherland, *Flatliners*.

³⁶⁴ *Id.*

Constructs and narratives suggest that without intervention the spirit of the beach and culture will clash.³⁶⁵ Head injury, being the most common form of neurological disruption, in comparison to overdose, psychological disease, and disorder, is likely to cause others to respond and portray one distinctly from how one perceives himself or herself.³⁶⁶ It is the source of what a person may believe is hardship, bad luck, karma, and other forces beyond his or her control.³⁶⁷ The job is assigned by one's talents and fulfills a need in a group.³⁶⁸ The spirit is assigned through physiological connection to the earth.³⁶⁹ This affects women and men differently.³⁷⁰

The construct is constructed further attracting controllers and Frankensteins.³⁷¹ Some conditions escalate, including head injuries, drug-taking, and

³⁶⁵ *Id.*

³⁶⁶ *Infra* note.

³⁶⁷ *Id.*

³⁶⁸ *Id.*

³⁶⁹ *Id.*

³⁷⁰ *Id.*

³⁷¹ *Id.*

combat.³⁷² Sportsmanlike conduct evaporates and unfair competition drives down decorum. People are left lifeless, disregarded, and out-of-touch. Behavior is a condition influenced by the spirit that ought to effect mindfulness, one's mentality, wellness, intimate associations, and employment. Yet, mutilation of the individual transpires. Spiritual pressure results in interactions.³⁷³ It is physiological correlation with another animal or several animals that is consistently dominant in a human's mentality and available to help decipher options without injury and force.³⁷⁴ Liberalized, it seems to organize society according to needs and values.³⁷⁵ Under the experts' narrative people are not called together to honor their spirits or the spirit of the Greenland shark near the beach, but instead to subject themselves to regimentation based on head injuries and perceived weaknesses (e.g. medicalization).

³⁷² *Id.*

³⁷³ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

³⁷⁴ *Id.*

³⁷⁵ *Id.*

A lesson to countervail the counter-social replies reveals itself in the primary concern about fertility. Like an ability of a shark to inseminate herself with oral application of semen, and therefore, rely on orally positioned prophylactic to prevent fertilization; humans must take precautions not to usurp spiritual endowments, but accept that which is obligated and voluntary not mistaken.³⁷⁶ Intentional erring may have transpired when one of the deceased tried to make a pearl from her body. First she took drugs, then ate shellfish, and finally was disposed in a clam bed. Her medical tape produced a pearly effect lasting throughout her reincarnation as a specimen derived through this study. Possibly knowing her demise would result in double-sided infiltration, a pinch, of the clams' community, she became disturbed, and therefore possibly too sick, originally, to deny drug-use, which ravaged her reputation locally and distanced her from the mission granted to her by her spirit.³⁷⁷ A ludicrous thought

³⁷⁶ *Id.* This noteworthy evidence was observed.

³⁷⁷ *Id.*

knowing how her daughter died, perched in combat against a ruthless dictator's ex-wife, philosophy, and only philosophy itself, reached in saving the mass destruction and rendering a viable explanation for the people, guided lightly.³⁷⁸ Unlike a shark passing culmination in a group or one who can use a cervix or throat like a penis, the condition here is aberrant and extends beyond drugs and other bodily, familial, and political abuses.³⁷⁹

The meaning is that those entitled to control and participate in a particular series of actions, like in a flow, may restrict personal choice; but humans are fragile and end-up dead.³⁸⁰ A traumatic head injury provokes constant control that is unsustainable.³⁸¹ Drug use leads to death; and when imposed by external forces, it may cause spiritually-minded people to perceive one person while the imposer imposes a distinct form of control over a person

³⁷⁸ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

³⁷⁹ This is relevant to the proven hypothesis.

³⁸⁰ *Id.*

³⁸¹ *Id.*

unperceivable to the victim, thus presenting a new narrative for the drug abuser.³⁸² The narrative imposed matches the person's spiritual experiences, but explains that the user is superior because of drug use.³⁸³ Reality is now altered by expert opinion.³⁸⁴ The person affected loses the job, and it is compared to those who abuse their posts.³⁸⁵ Objectification peaks.³⁸⁶ The constructs relate to sex, age, wealth, and instalment while the narrative rattles-on.³⁸⁷

Neurological disruption reveals to a drug abuser why spiritual belief and expert opinion differ, yet, head injury treatment creates an overdose causing psychological diseases and disorders.³⁸⁸ This causes others to respond and portray the abuser distinctly.³⁸⁹ Sensing antisociality, a socialized form of psychopathy emerges with the head injury and drug

³⁸² *Id.*

³⁸³ *Id.*

³⁸⁴ *Id.*

³⁸⁵ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

³⁸⁶ *Id.*

³⁸⁷ *Id.*

³⁸⁸ *Id.*

³⁸⁹ *Id.*

abuse is the source of more management.³⁹⁰ Forces beyond the control of sober people can be explained as greed because the experts develop reliance on control and income; and may shore-up to illegal narcotraffickers due to their persuasive appearance and negativity.³⁹¹ The treatment of misgiving individuals responsible for job loss is an explanation for inability to demand satisfaction, compliance, and enforce deterrence.³⁹² The treatment appeals to egotistical minds addled by drugs.³⁹³ They crave reform for acceptance and similarity.³⁹⁴ Doctors trust others who have done drugs and term their users experts.³⁹⁵ Thus a cycle begins that circumnavigates the law.³⁹⁶ Drug (e.g., marijuana) use openly may be condoned by abusers.³⁹⁷

³⁹⁰ MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

³⁹¹ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

³⁹² *Id.*

³⁹³ *Id.*

³⁹⁴ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

³⁹⁵ *Id.*

³⁹⁶ MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

³⁹⁷ *Id.*

More than antisociality, the process generates counter-sociality.³⁹⁸ Counter-social inhibition responds aggressively to truthfulness.³⁹⁹ Drugs are bad, result in theft, loss of prowess, and poor judgment.⁴⁰⁰ Antisocial processes bear no resemblance to the well-balanced economy required for this country to thrive; and therefore group participation is demolished.⁴⁰¹ Isolation, regret, and humiliation are capitalized and drug abuse increases.⁴⁰² The appearance of group resilience encourages them to hide, disguise death, fallaciously invoke law they are not entitled to use, untruthfully involve the authorities, and mislead more people while inflicting self-harm and harm to society.⁴⁰³

Delusions and desperation caused by drug use claim to substantiate the individuals' compliance and the group's ability to include everyone in counter-social drug communication.⁴⁰⁴ Communication is

³⁹⁸ *Id.*

³⁹⁹ *Id.*

⁴⁰⁰ *Id.*

⁴⁰¹ *Id.*

⁴⁰² MUTATED SYMBOLS IN LAW AND POP CULTURE (2018).

⁴⁰³ *Id.*

⁴⁰⁴ *Id.*

both witnessed and imagined.⁴⁰⁵ Drugs are designed and manufactured to damage clients' consciences.⁴⁰⁶ Similitude is required; and has been enforced.⁴⁰⁷ Counter-social drug use causes perceivers, such as experts and users to become attracted to symptoms, behaviors, and processes indicating that certain drugs are available.⁴⁰⁸ Sometimes, they want to steal drugs, other times regulate them; at times, they want to govern the perceived user like a slave in the War on Drugs and the War on Terror to destroy the law to create more drug use and reliance on expert opinion.⁴⁰⁹ Novices run amok while communication

⁴⁰⁵ *Id. Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

⁴⁰⁶ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

⁴⁰⁷ *Id.*

⁴⁰⁸ Carmen M. Cusack, *Irish in the Criminal Justice System*, 6 J. L. & Soc. Deviance 1 (2013); Carmen M. Cusack, *Kent Make-Up Their Minds: Juveniles, Mental Illness, and the Need for Continued Implementation of Therapeutic Justice within the Juvenile Justice and Criminal Justice Systems*, 22 AM. U. J. GENDER, SOC. POL'Y & L. 149 (2013); Carmen M. Cusack, *No Stroking in the Pokey: Promulgating Penological Policies Prohibiting Masturbation among Inmate Populations*, 7 J. L. & SOC. DEVIANCE 80 (2014).

⁴⁰⁹ *Infra* note.

inhibits over-reaction and hinders truthfulness.⁴¹⁰ Drug enthusiasts, abusers, and specialists look for signs of use to avoid interaction that deescalates negative impacts on the intended victim including user.⁴¹¹

Counter-social drug communication is unproductive by nature.⁴¹² The communication inhibits delayed reactions.⁴¹³ It causes pandemonium, shutdown, and blacklisting, like the kind suffered by many scholars near the end of the 20th Century and the beginning of the 21st Century.

Counter-social modes include:

1. thieving (job/position/life)
2. observation (judging/second guessing)
3. wanting (sluttiness/sexual addiction)
4. desire (greed/sequestration)
5. penance (bonding with animals).⁴¹⁴

⁴¹⁰ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

⁴¹¹ *Id.*

⁴¹² *Id.*

⁴¹³ *Id.*

⁴¹⁴ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

Counter-social drug use is to comply with psychological constraints imposed by industry experts.⁴¹⁵ To resolve the problem, one must probe the following:

1. hidden motive/ control non-advisement-seeking new patient
2. real motive/ control psychopath to continue office visits to avoid prison and loss of income.⁴¹⁶

Counter-social drug use does not inhibit psychopathy.⁴¹⁷ It inhibits delay.⁴¹⁸ Thus, it appears to benefit a victim and user, but not a non-advisement-seeking externally-controlling new patient, a drug-free victim.⁴¹⁹ Once developed, the person behaving as a psychopath is accepted by a peer group of criminals and non-criminals because symptoms are delayed.⁴²⁰ The entire effect is not

⁴¹⁵ *Id.*

⁴¹⁶ *Id.*

⁴¹⁷ *Id.*

⁴¹⁸ *Id.*

⁴¹⁹ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

⁴²⁰ *Id.*

visible to some.⁴²¹ Other good people wait for an opportunity to level the playing field while crime is committed; they seek to restore order and force others to make amends.⁴²²

Psychopathic adversaries bond with animals to emulate spiritual progress and empathy.⁴²³ They cannot feel.⁴²⁴ They cannot be remedied.⁴²⁵ The bond is natural because the animal needs that spirit, person, moment, mean, etc.⁴²⁶ The needs are great, greater with a psychopathic psychological parent or caregiver.⁴²⁷ The bond diminishes as psychopathology is revealed.⁴²⁸ Counter-social drug use is not tolerated.⁴²⁹ Animals seek preservation, not bonds.⁴³⁰ Though they may have given sympathy to

⁴²¹ *Id.*

⁴²² *Id.*

⁴²³ *Id.*

⁴²⁴ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

⁴²⁵ *Id.*

⁴²⁶ *Id.*

⁴²⁷ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

⁴²⁸ *Id.*

⁴²⁹ *Id.*

⁴³⁰ *Id.*

the head injury, a connection to the injury (e.g., concussion) is relieved.⁴³¹ The cause of the addict's loss of control is compounded causing a false belief in a relationship, a symptom, and the feeling of being connected to a psychopath.⁴³² The person infers totality because the user relates *qua* use and is now ready to explain the animal relationship *qua* drugs—a complete misunderstanding.⁴³³ The subsequent drug abusers will look for signs of control loss and harvest the narrative to assert a particular form of dominion and take more land from the beach, thereby killing millions of lives in the process and hampering reproduction for some far away.⁴³⁴

The loss is unmistakable and correlates with a signal to abuse counter-social drug communication.⁴³⁵ The drug abuser wants total

⁴³¹ *Kent Make-Up Their Minds: Juveniles, Mental Illness, and the Need for Continued Implementation of Therapeutic Justice within the Juvenile Justice and Criminal Justice Systems*, 22 AM. U. J. GENDER, SOC. POL'Y & L. 149 (2013).

⁴³² *Id.*

⁴³³ *Id.*

⁴³⁴ *Id.* This is key.

⁴³⁵ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

control.⁴³⁶ Life is only like a movie, not a hero's journey.⁴³⁷ The hero's journey is a cycle, and in those cases, the god will not submit control.⁴³⁸ The result is that the most adamant abusers communicate more frequently using higher quantities of drugs.⁴³⁹ They steal more money and employment opportunities, corrupt the system, rape, reproduce, and murder while defenders attack them and their antics.⁴⁴⁰ The process of reform is slow, but compensated.⁴⁴¹ Volunteers steer clear and become beacons of hope to animals and tourists searching to reconnect.⁴⁴²

Finally, people who support drugs are those who victimize.⁴⁴³ Any damaging substance, such as coffee, tobacco, alcohol, aspirin, dairy, meat, cough syrup, and prescription drugs, can communicate the intent to receive a reaction demonstrating control.⁴⁴⁴

⁴³⁶ *Id.*

⁴³⁷ *Id.*

⁴³⁸ *Id.*

⁴³⁹ *Id.*

⁴⁴⁰ *Id.*

⁴⁴¹ *Infra* note.

⁴⁴² *Id.*

⁴⁴³ *Id.*

⁴⁴⁴ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

In conclusion those seeking alliance with the government must abandon drugs.⁴⁴⁵ They have to be independent from drug abusers or they will communicate and obey psychopaths, psychologists, parents, dreamt pets, corrupted officials, common kings, backache bearers, etc.⁴⁴⁶

Similarly, to restore industry, drugs must be annihilated and sober people must be uniformly made whole.⁴⁴⁷ The market cannot sustain saturation by counter-social drug use.⁴⁴⁸ People cannot communicate their power, knowledge, activity, whereabouts, or needs.⁴⁴⁹ The counter-social drug communication epidemic demystifies the person to establish control.⁴⁵⁰ It must end because humans need spiritual fulfilment and the Greenland shark needs to reproduce.⁴⁵¹

⁴⁴⁵ *Id.*

⁴⁴⁶ *Id.*

⁴⁴⁷ *Id.*

⁴⁴⁸ *Id.*

⁴⁴⁹ *Id.*

⁴⁵⁰ *Assumed Corpus and Presumed Corpus to Save the Environment: When Urine Green Spots, on Nature Trails, and Slopping through Soil*, 21 J. L. & SOC. DEVIANCE 289 (2021).

⁴⁵¹ *Supra* Section II.

IV. MEDIA

Modalities developed should recognize the heroes whose work unilaterally represents male protectiveness.⁴⁵² The military, Central Intelligence Agency (CIA), assassins, Federal Bureau of Investigation (FBI), veterans, and others primarily engulfed in all-male, yet civilized worlds, rendered aid through aggressive tactical attacks, in all likelihood.⁴⁵³ CIA, FBI, and other employees and future employees inspected items and were consulted. Therefore, the following notes should be obtainable in the course of research presentation: 1) incinerated pieces matched shards of burnt turf lobbed for evidence collection from federally flown aircrafts and left on the beach by trained investigators; 2) an artistic *fleur de lis* was discovered near a secret location where a handmade rose was left indicating the heads of the local front had verbally agreed to takeback an illegally settled

⁴⁵² Carmen M. Cusack, *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!*, 22 J. L. & SOC. DEVIANCE 4 (2021).

⁴⁵³ *Id.*

area and acknowledge the executives' role in the mission; 3) the war against good females' agency reached animals making procreative choices as well as the female executive barred from interacting with those in service socially and unofficially; and 4) the operation involved local police, proprietors, chefs, churches, etc.⁴⁵⁴

Financial means were secured through Congress through the War on Drugs and the War on Terror.⁴⁵⁵ Females and males worked to identify, through the park service, wildlife agencies, socials, media broadcasts, etc., terrorists present throughout the locality near the beach.⁴⁵⁶ The terrorists' home nations offer rewards ranging from a few hundred dollars to a few million for the capture, return, or

⁴⁵⁴ Carmen M. Cusack, *Busting Patriarchal Booby Traps: Why Feminists Fear Minor Distinctions in Child Porn Cases, An Analysis of Social Deviance within Gender, Family, or the Home (Etudes 4)*, 39 S. U. L. REV. 43 (2011); Carmen M. Cusack, *Consensual Insemination, An Analysis of Social Deviance within Gender, Family, or the Home (Etudes 6)*, 2 J. L. & SOC. DEVIANCE 158 (2011); Carmen M. Cusack, *Context: Use of the Word "Fuck" in Pedagogy and Higher Learning*, 8 J. L. & SOC. DEVIANCE 133 (2014).

⁴⁵⁵ *Id.*

⁴⁵⁶ *Id.*

death of entire networks affiliated with a single mastermind.⁴⁵⁷

Artists portrayed lessons distributed.⁴⁵⁸ To complete art projects describing the loss of celebrities, turf, politicians, and resources, or to celebrate living and past heroes, graffiti, b-boying, breakdancing, and record spinning may suffice.⁴⁵⁹ A local club, with members and parlor customs, may draw lawyers, engineers, police, and others from around the area and out-of-town to discuss downtown functions and settlement areas.⁴⁶⁰ An engaging downtown area is where some evidence may be found and shown to authorities, like judges and police for warrants and rewards.⁴⁶¹ It serves as a memorial for victims (e.g., 9/11), heroes (Chicago's Jackson Park), and former presidents who have been

⁴⁵⁷ *Id.*

⁴⁵⁸ *Id.*

⁴⁵⁹ *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!*, 22 J. L. & SOC. DEVIANCE 4 (2021).

⁴⁶⁰ *Id.*

⁴⁶¹ *Id.*

received there, for example a site at which Andrew Jackson received Florida from Spain.⁴⁶²

Project ideas include the following: relationships between superfluous marathons, road closure, and corruption; unnecessary construction and faulty police protection of lanes; reassignment of police, including Homeland Security, to benefit survivors of domestic violence and investigation; ending homelessness in Washington D.C.; mistreatment of shore animals by tourists; speeding and death; animals' use of the shore, roadways, and roofs; beach restoration and human trafficking; and racism and water fountains.⁴⁶³ Narrower topics can be reconfigured to explain the national sentiment, pain, humiliation, and waste.⁴⁶⁴ Project topics include the following: honesty in hiring; segregating specialized

⁴⁶² *Id.* These sites are plentiful throughout the 50 states, including the commonwealths of Kentucky, Massachusetts, Pennsylvania, and Virginia.

⁴⁶³ Carmen M. Cusack, *Right to Food Not Arms: Beefing to Update Second Amendment Interpretation*, 17 J. L. & SOC. DEVIANCE 47 (2019); Carmen M. Cusack & Matthew E. Waranius, *Visual Detection of Sex Offenders and Consequential Biases among Christians*, 10 J. L. & SOC. 42 (2015).

⁴⁶⁴ *Right to Food Not Arms: Beefing to Update Second Amendment Interpretation*, 17 J. L. & SOC. DEVIANCE 47 (2019).

females working through the military; offering rest and relaxation to the military; prostitution and vaping; international breach of contract; theft of intellectual property by people outside and inside the country; hacking online schools and text messages; aesthetic sabotage in online markets; price inflation, phony insurance, and abuse by private security teams; violation of people in lines and alcoholism; female fashion correspondence to the regionalization of animal cruelty; e-currency and traffic violations; mixed ethnicity and self-harm; suicide and the Marines; spiritual and emotional plagiarism; and child victims entering the wars through voluntary activity.⁴⁶⁵

Schools under siege have been awarded to demagogues who removed caring women previously managing them together with men working with them to steal their privileges and suppress their rights.⁴⁶⁶ Presently, while a few retain employment, the academic environment suffers from deteriorated

⁴⁶⁵ *Right to Food Not Arms: Beefing to Update Second Amendment Interpretation*, 17 J. L. & SOC. DEVIANCE 47 (2019).

⁴⁶⁶ *Id.*

freedom and remuneration.⁴⁶⁷ Reasserting control, such as quality control, over the women who work at universities and hiring students will also be facilitative.⁴⁶⁸ Once students have maintained an aura of goodness they can develop authentic intellectual skills.⁴⁶⁹ Before they recognize the national tragedy being contained by justice aficionados and enthusiasts the law abiding citizenry cannot invest.⁴⁷⁰ Land due quiet enjoyment and public spaces continue to be punishing environments.⁴⁷¹

These broad project topics and the following discussion outline, for example, will bring back the greatness the nation expects from each resident, citizens, and visitors:

1. What is the state of nation?
2. Which problems are most insulting or hurtful to students and their family or friends?

⁴⁶⁷ *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!*, 22 J. L. & SOC. DEVIANCE 4 (2021).

⁴⁶⁸ *Id.*

⁴⁶⁹ *Id.*

⁴⁷⁰ *Id.*

⁴⁷¹ *Id.*

3. How many people are estimated to suffer from that problem, and how frequently?
4. What is the remedy for that offense and when can it be anticipated?
5. How can one cope with loss of remedies?
6. How can one enforce remedies, including revenge?
7. How will the people honor revenge requests and make heroes of victims when necessary?
8. When will the wars, including an unofficial war on women, end?
9. What will the future look like and what joys can be restored immediately?
10. How will animals be affected in addition to what has been described?
11. How can their web of information be improved to prevent future mistreatment?
12. When will be the anniversary of my past effort or my future effort?⁴⁷²

⁴⁷² *Right to Food Not Arms: Beefing to Update Second Amendment Interpretation*, 17 J. L. & SOC. DEVIANCE 47 (2019).

A module sample is given below:

1. Discuss geography, the Greenland shark, and the Western Hemisphere.
2. Discuss Western philosophy, democratic republic, and tyranny.
3. Discuss environmentalism and the circle of life.
4. Brainstorm about the relationships between points one through three.
5. Select factual links. Memorize.
6. Evaluate explication of memorized material and essay production.⁴⁷³

Another module sample follows:

1. Prepare a diagram or diorama of a beach and litter on the shore.
2. Prepare a diagram or diorama of the government branches and relationships to corporations and industries.

⁴⁷³ *Id.*

3. Prepare a diagram or diorama of the Greenland shark's territory in relation to the Western Hemisphere.
4. Prepare a diagram or diorama of how the government, corporations, and industries produce relationships between the Greenland shark and the Western shores.
5. Chart how those relationships could affect breeding. Make human inferences.
6. Present the diagrams, dioramas, and chart.⁴⁷⁴

The educational modules recommended are part of an expansive pie because they can be shared and developed without limit, but within reason.⁴⁷⁵ They are negotiation tools to scale back the totalitarian

⁴⁷⁴ Carmen M. Cusack, *Blind Rhyme: The Reasonable Person Standard Violates the First Amendment*, 19 J. L. & SOC. DEVIANCE 3 (2020).

⁴⁷⁵ *Spectacles: Sight and Education*, 6 JOJ OPHTHALMOLOGY (2018); *A Right Not to Parent One's Children*, 18 J. L. & SOC. DEVIANCE 103 (2019); Carmen M. Cusack, "*Cuba Nos Une*": *Ending the Cuban Adjustment Act*, 11 J. L. & SOC. DEVIANCE 1 (2016); Carmen M. Cusack, *ADR and Yama, The First Limb of Yoga Sutra*, 23 ADRJ 131 (2012); Carmen M. Cusack, *Alternative Dispute Resolution and Niyama, The Second Limb of Yoga Sutra*, 6 IN FACTIS PAX 107 (2012).

tactics of coup devotees.⁴⁷⁶ The modules attempt to reinstitute reasonability and obedience to the law.⁴⁷⁷ Discussion of the modules in class alerts Defense and Homeland Security to needs on the horizon without constitutional violations by the department members.⁴⁷⁸ It offers and instills standards.⁴⁷⁹ The lessons accept peace and generate prosperity.⁴⁸⁰ Prospective lesson plans demonstrate control and creativity and allow teachers to offer rich learning experiences.⁴⁸¹ Concluding, order is restored when humans, animals, plants, land, and property are safe,

⁴⁷⁶ *A Right Not to Parent One's Children*, 18 J. L. & SOC. DEVIANCE 103 (2019); Carmen M. Cusack, "Cuba Nos Une": *Ending the Cuban Adjustment Act*, 11 J. L. & SOC. DEVIANCE 1 (2016); Carmen M. Cusack, *ADR and Yama, The First Limb of Yoga Sutra*, 23 ADRJ 131 (2012).

⁴⁷⁷ *A Right Not to Parent One's Children*, 18 J. L. & SOC. DEVIANCE 103 (2019); *Alternative Dispute Resolution and Niyama, The Second Limb of Yoga Sutra*, 6 IN FACTIS PAX 107 (2012).

⁴⁷⁸ *A Right Not to Parent One's Children*, 18 J. L. & SOC. DEVIANCE 103 (2019); "Cuba Nos Une": *Ending the Cuban Adjustment Act*, 11 J. L. & SOC. DEVIANCE 1 (2016); *ADR and Yama, The First Limb of Yoga Sutra*, 23 ADRJ 131 (2012).

⁴⁷⁹ *A Right Not to Parent One's Children*, 18 J. L. & SOC. DEVIANCE 103 (2019).

⁴⁸⁰ "Cuba Nos Une": *Ending the Cuban Adjustment Act*, 11 J. L. & SOC. DEVIANCE 1 (2016).

⁴⁸¹ *ADR and Yama, The First Limb of Yoga Sutra*, 23 ADRJ 131 (2012).

which is guaranteed under the Constitution.⁴⁸² Lessons here finalize the win for this country against tyranny, earthlings, and the Earth against destruction.⁴⁸³

V. CONCLUSION

In Conclusion, the subject of this research is digestible because the future of education is highlighted.⁴⁸⁴ The Department of Education promises real success particularly because of the following: 1) educational modules are now available; 2) the academy will be safe due to the withdrawal of fighters in uniform, their children, their teachers, etc.; 3) the Department of Defense and Department Homeland Security require extensive funding and stand to gain when proceeds stolen by the coup through Education are recaptured and devoted; 4) proof of success by all three departments promises to

⁴⁸² Carmen M. Cusack, *Body Politics*, PHYSICAL MED. & REHABILITATION RES. (2017).

⁴⁸³ *Alternative Dispute Resolution and Niyama, The Second Limb of Yoga Sutra*, 6 IN FACTIS PAX 107 (2012).

⁴⁸⁴ *Id.*

deliver future attention to rest, improved funding, and respect from the public; and 5) after funding is secured Education will be bolstered by Defense and Homeland Security more easily to proposer and trickle down through the economy.⁴⁸⁵ Through traditional means boasting academic achievement, comradery, discipline, and authentic hierarchy, freedom, learning, and intelligence will survive.⁴⁸⁶

The first point in this research was established by demonstrating that human activity can reach other species.⁴⁸⁷ Second, the notorious misconduct in the Western country spilled into the sea.⁴⁸⁸ Third, it can be recalled under proper guidance.⁴⁸⁹ Finally, gentleman and ladies guiding children, dogs, estates, and corporations may achieve tremendous rectification.⁴⁹⁰ A greening process, veganism, and

⁴⁸⁵ *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!*, 22 J. L. & SOC. DEVIANCE 4 (2021). *Context: Use of the Word "Fuck" in Pedagogy and Higher Learning*, 8 J. L. & SOC. DEVIANCE 133 (2014).

⁴⁸⁶ *Context: Use of the Word "Fuck" in Pedagogy and Higher Learning*, 8 J. L. & SOC. DEVIANCE 133 (2014).

⁴⁸⁷ *Id.*

⁴⁸⁸ *Id.*

⁴⁸⁹ *Id.*

⁴⁹⁰ *Id.*

environmentalism will enlighten as truth and reconciliation, education and discipline, and enforcement and correction are implemented and achieved.⁴⁹¹

Not to be repeated—the War on Drugs and the War on Terror ravaged memorable victims using names such as Sasha, Louise, Bill, Warren, Mark, and Malia.⁴⁹² Some were converted to no more than slaves and servants in the name of greed and addiction, others were taken.⁴⁹³ They worked at times to support the government, but some fought against it by manufacturing videographic threats, obscenity, child pornography, narcotics, and other contraband.⁴⁹⁴ As research emerges, the status of their good will and their effort will be presented.⁴⁹⁵ Although some fought at times against the federal government and several states, and lost their lives, they were not always determined to hurt the

⁴⁹¹ *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!*, 22 J. L. & SOC. DEVIANCE 4 (2021).

⁴⁹² *Id.*

⁴⁹³ *Id.*

⁴⁹⁴ *Id.*

⁴⁹⁵ *Id.*

nation.⁴⁹⁶ The possibility looms that an international hoax was perpetrated, unlikely though, it stands to reason that other victims will be brought to light in near and distant futures—rather work stoppage, laziness, inferiorization, and other common problems took their lives piece by piece.⁴⁹⁷

As the government reestablishes control and pays for students to be part of this nation’s culture, images pleasing to the school system are valued more highly than those excluded by it.⁴⁹⁸ A system of checks and balances simulating and replicating peer review is embedded into discipline codes.⁴⁹⁹ Those images will serve as early work product and information for acquiring ideal employment and remuneration for effort and achievement by Defense, Homeland Security, Veterans’ Affairs, Energy, Transportation, Transportation Security Administration, Drug Enforcement Administration, National Organization for Women, World Health Organization, Health and

⁴⁹⁶ *Infra* note.

⁴⁹⁷ *Id.*

⁴⁹⁸ *Fair Fight and Flight Doctrine, Ending Police Violence: What Impertinence!*, 22 J. L. & SOC. DEVIANCE 4 (2021).

⁴⁹⁹ *Id.*

Human Services, Labor, Commerce, Agriculture, Interior, Justice, Treasury, Internal Revenue Service, the courts, police, FBI, CIA, the media and press, universities, Coast Guard, Marines, Air Force, Army, Navy, state capitals and governors, counties, cities, tribes, counselors, clergy and revivals, fireworks and stadiums, disease testing clinics, airlines and trains, the State Department, embassies, the Office of the President, the Office of the Vice President, Congress, parks and monuments, conservation organizations (e.g., mountains, eagles, Constitution, wolves, white tigers, whales, prairies, prairie dogs, and hippopotamuses), 501(c)(3) (e.g., TB12 Foundation and Gronk Nation Youth Foundation) and 501(c)(4) (e.g., National Football League (NFL)) organizations, assassins, weapons manufacturers, taxicabs and busses, automobile corporations, etiquette schools and debutante trainers, home economics and marital counseling, martial artists and fitness buffs, parenting courses and Planned Parenthood, touristic casinos and discotheques, Antarctic and Arctic patrols, zookeepers, beauticians

and seamstresses, stores and online stores, plumbers, coolant specialists and mechanics, firemen and repairmen, theatre troops and film studios, television and radio stations, bicyclists and bikers, adult theaters, the handicapped, heroes and heroines, pharmacies, and others who cared continuously about this work product and the animals discussed.⁵⁰⁰

⁵⁰⁰ *Id.*