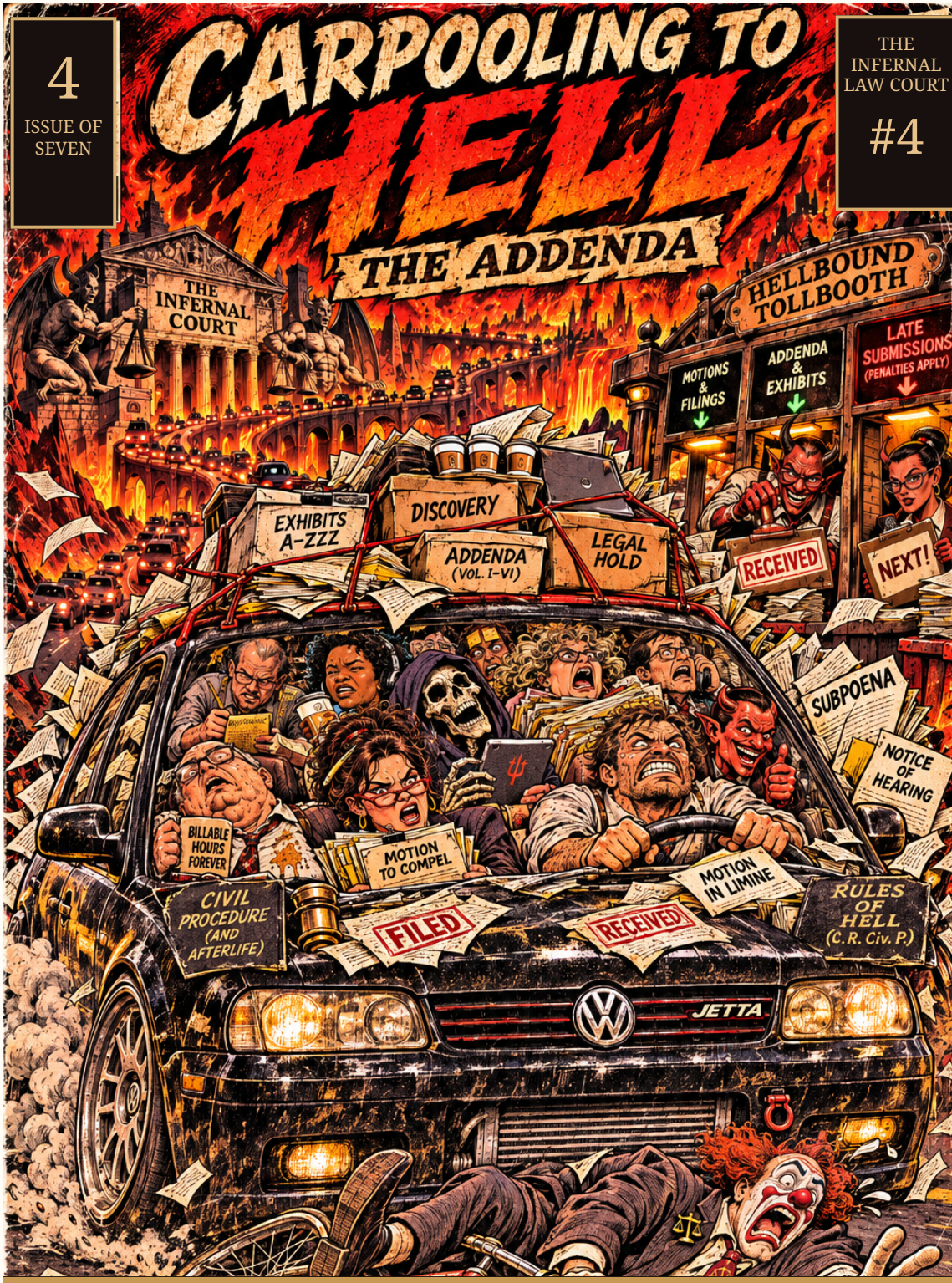



# Rick E. Lawrencious

*The Doctrine of Protective Deprivation*

THE NO “MOORE” HARM SERIES

# CARPOOLING TO HELL: THE ADDENDA

# RICK E. LAWRENCIOUS

*ISSUE IV OF VII*

*THE DOCTRINE OF PROTECTIVE DEPRIVATION*

JUSTIN A. TAHAI

# Notice of Fiction

This is one installment in a seven-part work of fiction and satire. Every Injustice, relative, tribunal, exchange, alleged doctrine, and reported event in the story is invented. The institution is the target of the caricature; no real judge's private family or personal misconduct is depicted. The invented children remain safe.

In the fictional Court of Reciprocal Jurisprudence, seven self-important officeholders are shown imaginary opportunities to spend ordinary family time. They are required to navigate the procedural doctrines they have adored. The recurring driver operates a modified black 1999.5 Volkswagen Jetta; the opposing attorney, Billmore, is a clown on a bicycle who invoices for every inconvenience.

ISSUE FOUR

# RICK E. LAWRENCIOUS

## *The Doctrine of Protective Deprivation*

*In re the Preservation of a Relationship Through the Indefinite Prohibition of Its Enjoyment*

His Eminence Rick E. Lawrencious had always regarded caution as a distinguished virtue, principally because it was a virtue that could be displayed without deciding anything. He distrusted anything that moved quickly: cars, appeals, clocks, children who outgrew shoes, and most particularly any remedy that might actually reach the person for whom it had ostensibly been designed.

Door Four opened onto a sunny public garden. On a bench, an invented teenager was packing sandwiches into a picnic basket, looking forward to an afternoon with a parent. The teenager was perfectly safe, competent to choose whether to participate, and in this infernal construction had plainly elected to do so. A sign beside the bench read **WE BOTH SAID YES**.

Lawrencious straightened his robe. "An ideal candidate for the judicious restoration of ordinary association."

At that instant, a majestic iron railing rose between them.

Miss Quill presented a decree bound with a ribbon the exact shade of sincere institutional concern.

"The Tribunal has determined that your relationship is of such extraordinary importance that it must be protected from the possibility of actually taking place."

"That is absurd."

"On the contrary, Your Injustice. The order is exceptionally thoughtful. It contains twelve references to safety, eleven to appropriate guardrails, nine to developmental sensitivity, and one reference to a visit. The reference to a visit has been placed on the final page where it cannot distract from the balance of the document."

"I would like to eat a sandwich with the child."

"An ambitious proposal. Have you submitted a plan?"

"The plan is to eat a sandwich."

"What if the sandwich is inconvenient? What if the weather changes? What if there is a disagreement over mustard? Surely your desire for contact cannot displace the child's autonomy."

"The child already agreed."

"A preliminary statement, subject to compliance verification, scheduling logistics, future comfort, the recommendations of all relevant adults, and the determination by the existing gatekeeper that those conditions have been met."

Lawrencious stared through the railings. The teenager waved and held up the basket.

"I can see the actual willingness."

"Willingness is one factor, among many factors, all of which must be considered holistically in a process that is necessarily too complex to describe in usable terms."

The garden acquired a second railing, then a third, each labeled **PROTECTIVE MEASURE**. A fourth protected the first three against removal.

Billmore arrived upon a bicycle whose brakes had been replaced with miniature gavel heads. His briefcase held three emergency injunctions, four opinions on hypothetical sandwiches, and a document titled *On the Unacceptable Risks of Contemporary Picnic Culture*.

"I appear," he said, "for the Department of Supervised Opportunities. My client recognizes the petitioner's abstract interest in luncheon association and remains firmly committed to preventing any concrete development likely to disturb that abstraction."

"They want to meet," Lawrencious repeated.

"Then there is no need to force the matter," Billmore answered. "And because there is no force, we shall do nothing. Should they cease to want to meet as a consequence of our inaction, that will establish the wisdom of our not having forced them."

"That's circular."

"A circle," said Billmore, "is the most professionally respectable shape. It has no exposed endpoints upon which responsibility might be inconveniently located."

A tiny window opened in one railing. The teenager called through it: "Could we just have lunch?"

Lawrencious reached for the latch, but a new decree arrived forbidding him to act unilaterally on the basis of a child's express preference. The teenage voice faded beneath the rustle of twenty-seven added pages explaining the importance of listening to it.

The Devil appeared in a wide-brimmed garden hat, carrying a cucumber sandwich and a stack of orders so tall that the top sheet had developed its own weather.

"A problem?" he asked.

"Your protective scheme prevents the very relationship it purports to protect."

"A grievous accusation," Satan replied. "Have you considered that it may be safer to preserve the *concept* of the relationship? Concepts do not become inconvenient, argue about curfews, demand actual transportation, or produce additional duties for the grownups."

"A relationship isn't a concept."

"A rather revolutionary idea."

"It happens when people spend time together."

"Provided they may safely do so," Satan said. "Would you extinguish that requirement?"

"No."

"Would you compel a child to attend?"

"No."

"Then you must be proposing something dangerously subtle."

Lawrencious considered the words. The imagined teenager had made an invitation. No factual safety finding had been introduced against the lunch. The adult logistics, however, were arranged as a maze which nobody was obliged to solve.

"I'm proposing that adults do their part," he said. "We can respect choice, respond to genuine safety concerns, and still be required to make a reasonable effort to organize the opportunity promised."

Miss Quill grew uneasy. "That would involve transportation."

"Yes."

"Potentially answering messages."

"Yes."

"And offering specific dates rather than repeating a general statement of goodwill."

"Yes."

The clerk rang a bell that summoned the Infernal Committee on Unreasonably Practical Expectations.

The committee was composed of three eminent specialists who spent the morning debating whether the word *available* described an obligation, an attitude, a scheduling preference,

or a kind of cheese. Their majority report concluded that the word had been carefully chosen to mean all four and therefore could not meaningfully be enforced in any of them.

The teenager finished packing the sandwiches. The bench was still there, but the afternoon light had shifted. A breeze lifted the cloth from the basket. Nothing dangerous had happened. Nothing helpful had happened either.

Lawrencious stepped up to the final railing and read the notice fixed to it:

**ACCESS MAY COMMENCE UPON SATISFACTORY COMPLIANCE WITH ALL PREREQUISITES, THE DETERMINATION OF WHICH SHALL REMAIN AT THE DISCRETION OF THE PERSON WHO HAS NOT IDENTIFIED THE PREREQUISITES.**

"Who could comply with that?"

"An admirably narrow class," said Billmore. "It minimizes the administrative risk of unauthorized success."

Lawrencious ripped the notice from its frame. It was the first time in his fictional existence that he had touched an official form without asking permission to examine its margins. Miss Quill reached for a contempt citation; Satan held up a finger.

"Let him finish."

The Injustice wrote on the reverse of the notice:

**A child is a person, not a procedural veto and not an instrument of adult litigation. The child's wishes, age, welfare, and safety must be taken seriously. Adults responsible for implementing lawful contact must nonetheless undertake the adult work of proposing schedules, arranging transportation, identifying real impediments, and facilitating appropriate opportunities, rather than converting undefined prerequisites into indefinite nonperformance.**

"And if the child says no?" asked Satan.

"We listen. We do not punish, coerce, or pretend the refusal is irrelevant. But we also do not use the child's feelings as an excuse to abandon adult responsibility for appropriate support and an honest implementation process."

The Devil nodded. "So the rule does not guarantee a sandwich."

"No," replied Lawrencious. "It guarantees that an order promising a reasonable opportunity is not rendered meaningless by the grownups entrusted with making it possible."

Miss Quill entered a fourth proposed principle.

Beyond the railings, the teenager returned the picnic basket to a kitchen. Lawrencious could see the place where two sandwiches had been made. The warm bread would not remain warm because the Tribunal had produced a compelling meditation on the sanctity of lunch.

"It would have been an ordinary afternoon," he said.

"A great many important things are," Satan answered.

Billmore tried to sell him a framed certificate recognizing his unwavering commitment to family contact. Lawrencious declined.

He had developed an entirely new distaste for certificates honoring accomplishments that had not happened.

## INTERLOCUTORY ORDER NO. IV

**IT IS DECLARED** that protection, implemented in good faith, may require caution and appropriate limits, but that an indefinite and unreviewable maze of adult prerequisites is not itself a relationship. Petitioner's request for compelled affection is **DENIED**. His proposed requirement of concrete, child-centered adult facilitation is **PRESERVED**. The Court

expressly refuses to recognize the administrative convenience of permanent deferral as a substitute for an individualized assessment.

*The sandwiches are not preserved. The principle might be.*

THE NEXT PROCEEDING

# ISSUE V

***Wayne R. Delayglas · The Doctrine of Administrative Perfection***

The Court retains the matter for further consideration. The time lost in the meanwhile shall not be presumed refundable.