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Dear Jessica White:

KYLIE THOMAS  
Contributor

I intend to be as polite as possible in responding to your incredibly discourteous email you felt the need to forward to the entire class. Rest assured I will not negate this courtesy by including the considerably ruder thoughts currently circulating in my brain, as you saw fit to do in your email.

The fact that you saw it fit to accuse the majority of our class of having eating disorders in such a casual and sarcastic way suggests to me that you have not been educated in the seriousness of these conditions. I intend to rectify this. Eating disorders are mental illnesses. In fact, they are the most deadly of all mental disorders and the second leading cause of death in adolescent and young women. For those who do not die, it is still an incredibly painful and difficult disorder for those who experience them and the associated behaviours are often compulsive and deeply shameful for those who engage in them. They are not something that someone could simply choose to opt-out of in order to prevent inconveniencing one of their classmates. If you would like more information, please feel free to contact the National Eating Disorder Information Centre. In the future, many of us would prefer if you do not use eating disorders in jest because it is in no way funny.

In addition to mental disorders, there are numerous members of the law school who suffer from physical conditions, including but not limited to, diabetes, hypoglycemia and low blood pressure which require them to eat frequently, including in class, in order to regulate important nutrients. Otherwise they actually might pass out, and the “help” you have suggested they obtain will often consist of a prescribed meal plan which may cut into class time. While I acknowledge there is a ten minute break, I’m sure you can recognize that by the time the person has been through the line in the Bistro that ten minutes will likely be up. I’m sure you can appreciate that many law students have extremely busy lives between various classes, co-curricular activities, families and other commitments and that this time during Administrative Law might be the only time they are able to squeeze in a meal.

I would also suggest that if you are to become “an actual lawyer” that you work on raising the threshold of what annoys you as you are likely to face this dilemma on a daily basis. It seems as though you could benefit from additional coping skills to deal with this annoyance without detrimentally affecting those around you. I gather you have not attended many firm events or open houses, or you would be aware by now that many meetings take place over breakfast or lunch which will require you to develop the skill of blocking out other people’s chewing in order to listen to the person who is speaking. In my experience most of the firms did serve crunchy food. The same will apply to meetings with clients, which are often conducted over

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OCI and interview prep: how to make a great first impression

The importance of making a great first impression is one of those truths about the job interview that is so renowned, it has become a cliché. There is a significant amount of pressure placed on those first critical seconds of a new encounter or interview that supposedly define your relationship going forward. A great first impression in the interview and job recruitment process is an imperative tool to have in your candidacy tool belt. While not all of us are born with the natural grace of a royal, or the type of easy, breezy smile that could feature in a toothpaste commercial; a great first impression is never out of reach. These skills, and take note, a seamless meet and greet does require skills, can be learned. For most people, a great first impression is not spontaneous, but is crafted and cultivated. By following these simple tips, you can step into OCI’s knowing that you can achieve the same.

1. Always be on time. A first impression only starts once you arrive.

William Shakespeare has provided the world with many a literary gems, but this one bodes best for the candidate looking to start off on the right foot, “Better three hours too soon than a minute too late.”

OCI’s are timed down to an exact science, and you will only have a calculated and numbered set of minutes. Don’t be the last candidate, fiddling with your schedule, trying to remember what booth you’re headed to. Get to where you need to be as soon as possible, and take advantage of the few extra seconds to introduce yourself before the formal interviewing begins.

After OCI’s, timing becomes infinitely more important in the interview process. There is nothing more off putting than a late job applicant. Life happens and coupled with Murphy’s Law, this means on the day of your interview: your bus doesn’t show up, there is a delay on the train, you spilled coffee on your shirt and had to buy a new one, the little elves hid your car keys, there was a sheep crossing on the highway, and your dog ate your homework. The folly of these examples is meant to demonstrate that even the most reasonable or unreasonable reason for tardiness sounds like an excuse. Don’t make excuses, instead, make a plan and a back-up plan to ensure, no matter what, you arrive with time to spare.

2. Take a long look in the mirror. What does your first impression look like?

Mirror, mirror on the wall, who is the most employable of them all?

The answer is: the person who looks the part. While I am sure you could wow anyone with your intelligence, diligence, and work ethic, these characteristics take time to discover and appreciate. A person’s precursory perception of you is based on what they see and hear in the first several seconds of introduction. This is not a game of vanity where the fairest of them all wins; however, it is important to look neat, put together, current, and like you belong in the environment.

During OCI’s, there is a generally understood uniform of suits that vary from grey to black, possibly with a side of navy. Keep it conservative at this stage in the game, and aim to create a look that will appeal to all sizes of firms you will be interviewing with.

As aforementioned, dress for the part during the second round of in-firm interviews. While a black, formal suit may be appropriate for a Bay Street firm, a more casual, coloured and coordinated look may be better suited for a boutique firm outside the downtown core. Take time to assess your image and its appropriateness for your interview environment.

3. Watch your non-verbal communication. What does your first impression say in its silence?

93% of all daily communication is nonverbal; actual words only take up 7%, so they say.

Studies show time and time again that non-verbal communication is as or more important than verbal communication. This means you are saying a great deal without saying anything at all. The key to a great first impression is the ability to make the other person relaxed and comfortable in your presence. By sending the right body signals, you can express an intangible ease about yourself without having to say a word. Head back to the mirror, practice saying hello, asking and answering questions, and moving through the motions of the OCI or in-firm interview you are scheduled to attend. Alternatively ask a friend to role-play the interview or event with you. After these exercises, analyze your natural body movements: do you fidget, touch your hair, tap your foot, cross your arms, or look away from eye contact? By being aware and conscious of “body bad habits,” you can actively work to exude a more calm, confident and open self through your non-verbal communication.

4. You’re already impressive

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Ditch the trash, keep the ashbin

DAN AKINBOSEDE
Contributor

By now, most of you reading this are shall I say “au courant” with the incident involving a member of the Osgoode community writing an open letter of complaint to other class members regarding an issue of classroom etiquette. This act that has since been fodder for derision not just within the Osgoode community, but externally as well. A once respectable daily publication with a geographical circulation akin to its moniker felt this incident was worthy of national, dare I say, global attention. Surely there were other stories of consequence to report. To be in the position of newspaper editor ought to entail qualifications in excess of being able to maintain a steady pulse and tying the occasional shoelace. At the very least the position ought to require an appreciation for the term “journalistic discretion”. Sadly, and under the guise of reporting a reported story, many other broadcast mediums followed suit, running with what was clearly a non-story. Televised reports featured reputable personalities projecting specious objectivity, laced with masochistic and despicable innuendo. Anyone can write anthologies sufficiently large to fill a decent-sized library on the unmistakable decline of journalistic standards and the proliferation of the industry with effete individuals.

This article is about the rapidly changing status quo of what constitutes decorum in shared public spaces. You see, while most may (and should) disagree with the medium employed by the complainant, the message is not without some salience. When it comes to public spaces, the dicta “good fences make good neighbors” and “good neighbors build good fences”, are personally resonant. The mitigation of anything that could represent an encroachment upon the enjoyment of others sharing a public space is, in effect, the construction of a good boundary. This perhaps explains why you will never find an audiophile in Gowlings Hall listening to music playing from a boom box, or anyone clipping toenails in the foyer, etc. Some boundaries such as not smoking indoors may require legislative intervention for compliance. We are all apprised of some of these standards and make a tacit agreement to adhere to most of them.

The problem with a changing status quo lies in the fact that we all lose some of its protections. To those who feel dining is perfectly acceptable whenever and wherever anyone feels the masticatory compulsion, should recognize that the status quo might not always be this tolerable. The sweet-sounding “crunchy chips”, and the redolent “fish sandwiches” which evidently comprise classroom cuisine today, can easily transition to the unmistakably pungent guumbo, the nasally agitating kimchi and the raucous shell cracking lobster meals of tomorrow.

In a time before the present, dining was reserved exclusively for spaces dedicated specifically for that purpose. Today, largely due to the ubiquity of fast food dispensaries, the status quo with respect to dining has altered slightly. It is mostly acceptable to eat and be seen eating in most places, the exception of a few locations, such as within a religious congregation during its regular proceedings.

The way we act in shared public spaces is somewhat indicative of the level of respect we afford others sharing the same spaces. Respect is something that should be earned while disrespect is that which ought to be deserved. Individual decorum in public spaces could be extrapolated to represent the level of deference afforded others sharing the space. We are not obliged to make public spaces comfortable for those who share it, but we do so for those we respect. Respect, a synonym for courtesy and politeness, can take the form of wiping down the seat next to yours, holding the door open for a trailing individual, giving up your seat on a bus, hurriedly eating a sandwich in the hallway outside the classroom, etc. Again, there is no law mandating from each of us the performance of the aforementioned when availed with the opportunity or presented with the option. Furthermore the beneficiaries of the aforementioned may very well be strangers, who have not earned our respect. However, most of us can very well concede that these are some of the pervasive behavioral characteristics within societies we would invariably describe as civilized. These simple acts of selfless consideration define a sophisticated and complex society rather than a simplistic one. They are performed by persons with attuned empathetic sensibilities, predisposed to being accessible and relatable without being perceived as patronizing or pretentious.

On the other hand, and regardless of whether it is deserved, the law can and often does preclude behavior that is disrespectful, discourteous or impolite. This is why you cannot save an empty seat while riding in a crowded bus, despite the fact that the supplicant had previously expressed an unrequited interest. No one is obliged to hold a door open for someone trailing behind, but we are precluded from deliberately slamming one in the face of another. It is not difficult to determine where to draw the line for etiquette. Behave each day...
The Happiness Project: Why Pineapplegate makes me sad

CASS DA RE
Editor-in-Chief

“Have you seen that email?” said every other law student to every other law student, last week. Iterations of these questions and comments evolved over the next 48 hours: Did you see the follow-up story? Did you hear that _____ picked up the story? [Insert one of the following: Above the Law, the Globe and Mail, the National Post, LSUC Twitter, the Osgoode Library Blog, or Legal Feeds, Huffington Post, Precedent Magazine as well as, various social media outlets as of the time of the writing of this article.] You may be wondering, what does “crunchy pine-apple” have to do with happiness? Not much at all, in fact. However, the “anonymous email” and poignant responses does provide fodder for commentary about how law students communicate (or don’t) with each other.

The original irritated author sent a very rude email to his or her entire class. Given that Administrative Law is a popular class, larger than most with its 72-student roster, chances are only a small subset of said students are snapping at any given time. Nevertheless, our irritated author felt safer in addressing the whole class and to do so anonymously.

And I think that is really sad.

Let me qualify the word “sad.” I don’t mean to use “sad” as a synonym of pathetic, inadequate, or pitiful, as has been articulated by many of the peer responses to Snack Gate. In this context “sad” is a synonym for wholly unfortunate, regretful, and sorrowful. It is sad that somehow we have collectively created an atmosphere in law school, an atmosphere that all law schools are notorious for, that is alienating and isolating. Where did we go so wrong that one student felt he or she couldn’t turn to his neighbouring student and say: “Can you cool it on the crunchy carrots?” Alternatively, are classrooms becoming so stressful, and nerves so frayed that the crunch of carrots is so audibly irritable to another, to the extent that he or she felt compelled to take action?

Law school can be very lonely. Students receive mixed messages about the articling market, the steep competition, and the importance of sticking together as a profession and the need to reduce the Shark Tank stereotype. Yet, grades still reign supreme, intra-student sabotage goes uncombated (see Angie Sheep’s article this week), and the adversarial system becomes a way of life instead of a way of work.

Studies since the eighties continually report that at least 30 to 40 percent of law students suffer from depression or show some signs of developing depression. While law student applicants experience depression and related symptoms at the same statistical rate as their peers; by the end of first year, law students consistently demonstrate exacerbated and intensified symptoms. Osgoode, like other law schools, have made attempts to address mental health issues and provide staff support to students, which is commendable. Unfortunately, the chronic depression, feelings of isolation, stress, and competition suffered by our peers and our profession is much bigger than rudimentary counseling. It speaks to a much larger issue, a secondary response was a penned attack that directly discredits the character of the original author?

I guess it says, that we must be well-trained adversaries. I am just not convinced that is such a good thing, and its definitely is not making anyone any happier.

Full Disclaimer: The Obiter Dicta does not propagate or support any formal political position on pineapple and does not wish to make any official statement on the controversy of crunch. Having protected the collective from any fruit frenzied attack; I would like to declare any official statement on the controversy of pineapple and does not wish to make an official statement on the controversy of pineapple. This anonymous author made a mistake. He/she asked for courtesy in a discourteous manner. He/she called a fleshy fruit crunchy. He/she missed a period at the end of one of the paragraphs in his/her email. And the overall tone of the email was inappropriate, as well as an abuse of the intra-Osgoode email system. However, what does it say about us as a student body when we spare no one, take advantage of every weakness, and expose every error? What does it say that our primary response was mockery and ridicule, and our secondary response was a penned attack that directly discredits the character of the original author?

I guess it says, that we must be well-trained adversaries. I am just not convinced that is such a good thing, and its definitely is not making anyone any happier.
Can we still trust the police?

CITLALLY MACIEL
News Editor

On Thursday, September 12, Constable Babak Andalib-Gootani was found guilty of assault. The victim was Adam Nobody, a protester during the G20. When questioned about the conviction, Toronto Police Chief Bill Blair said that he is “always concerned when any incident might detract from the public’s perception of their police service.” Chief Blair also reminded us that there are many courageous and dedicated police officers that work hard to protect our city. There is no doubt about it. However, that the frequency with which we hear about police misconduct is increasing has made many people question whether they can still trust the police.

The allegations of police misconduct during the G20 represent an extraordinary situation that cannot be easily compared to others. Detainees, bystanders, the police, the media, each one of them has a different version of what happened. Each one has pointed fingers at the others. I have read the affidavits of some of the detainees. If I did not know better, I would have thought that the events being described there had occurred somewhere else, in a dictatorship perhaps. If what is being claimed by these detainees is true, the way the police carried themselves can be described as deplorable.

At the same time, there are a number of factors that may have contributed to this behaviour. Toronto was chaos. There were thousands of people on the street that weekend. There were police cruisers set on fire, windows smashed, businesses burglarized. The natural reaction would have been fear. Fear that the crowds would overtake the policemen. And when fear strikes, self-preservation instincts take over. Perhaps policemen got scared (no disrespect) and fought back. Or, the evilness of one policeman was contagious and spread among the others. Have you ever heard of "conformity"? The Milgram experiments? The Asch experiments? The science of psychology can help explain a lot of what happened that weekend. But that is the topic of another conversation. The point is, it is unfair to generalize and judge the police out of what happened during this incident because of the unconventional nature of the circumstances.

And then, there are other events. The events that are becoming way too common in our society. The events that makes us perplexed, upset, even angry. These are the events that raise suspicion and cause distrust. I remember the first time I heard about Sammy Yatim’s death. It was Saturday afternoon, the day after the incident. I was getting lunch and the joint had CP24 on. I remember hearing the announcer warn the public that the content of the video could be upsetting to some. I was intrigued. Call me cynical or jaded, but I find that nothing is shocking anymore (not even Miley Cyrus’ MMVA performance. Give it up Miley, it’s all been done before). But then I saw it, the video. I was shocked. NINE (unprovoked) shots, that’s gotta be shocking, right? As the days went by, as more information came out, as I heard more and more that the officer did not follow protocol, as I saw the video again many more times, and as the people began to protest, the more absurd everything seemed. Yatim is not an isolated incident. There is Robert Dziekanski. There is Charles McGillivary. These all are cases involving avoidable deaths caused by questionable police behaviour.

In addition, there are the allegations of police corruption. This week CBC’s The Current had a segment on civil forfeitures. Although the issue is, for the most part, a problem representative of the US, Canadians are not particularly immune to it. The original purpose of civil forfeiture was to prevent individuals from profiting from criminal activities by seizing property that is believed to be the proceeds of crime. Now, allegations have surged that the American officers are using this power to obtain personal gains.

The kind of property seized ranges from electronics to cars to homes.

In 2009, the owner of a motel in Massachusetts was told that his motel was subject of forfeiture because criminal activity had been conducted in the motel even though he had never been personally involved or charged. He had to go to trial and spend thousands of dollars to save his property from being seized. This problem is apparently a more serious one in the south where policemen have been accused of stopping drivers for some minor traffic violation that will then lead to policemen to go on a fishing
Canadians briefly outraged by discriminatory Russian law before changing channel to *Breaking Bad*

**EVAN IVKOVIC**

Staff Writer

Canadians worldwide reacted in disbelief upon hearing news of Russia’s new policy regarding tolerance of homosexuals, sexual minority groups, and allegedly non-traditional sexual propaganda. They then quickly changed the channel to watch the new episode of *Breaking Bad*.

The controversial law specifically bans “propaganda of non-traditional sexual relations among minors”, which many critics of the law interpret as being vague and ambiguous enough to permit unjust treatment of homosexuals and other sexual minorities at the discretion of government officials. One Moscow man, Igor Ivlovsky, was arrested for wearing a pink shirt, a pair of capris and a pair of loafers. He told us, “I’m not even gay, I just desperately want to be stylish, so I model my fashion sense over what soccer players wear. Although to be fair to my government, my outfit was probably kind of fruity.”

We approached another Russian man, who will remain anonymous, during our stay in Moscow, asking him about his thoughts on the new Russian law that we clearly expressed as being unjust at the time of our acquaintance with him. He then proceeded to beat us up. Afterwards, with our heads down, we took a plane back to Canada.

Vladimir Putin, in a statement to the press at the final plenary meeting of the Valdai International Discussion Club, maintained that the law does not discriminate against gays, nor does it infringe on the rights of sexual minorities. “The law is designed to alleviate the problem of European population declines, as gay marriages do not produce children and we do not want to depend on immigrants for population upkeep,” said Putin, in a bizarre and illogical rant that reminds us of our racist grandfather. “Once again, I want to reiterate that sexual minorities are not being unfairly targeted as a result of this law”, Putin insisted, while giving a nearby homosexual man a painful looking purple nurple.

Olga Rasnikov, a speed skater and actual athlete, expressed her fury with the law to us, “What?  What law?  Oh, I don’t really follow the news, sorry.” We then attempted to take the 1 minute required to inform Jake about the law, but he walked away from us because he had to “meet a friend, or go to the dentist, or something like that.” Michael Dansbury, a native of Toronto and a man who proudly self-identifies as gay, said, “I have a lot to share about this new law and why it is horribly unjust. For one...”—at which point we were distracted by a *Breaking Bad* advert and completely missed everything he said.

Many others are critical of Russia’s new law, as well. As alluded to earlier, Olympic performers are protesting the event en masse. Alleged “athlete” and professional curler Kevin Martin staunchly disapproves of the law, and plans to attend protests against the law, in addition to the “many, many, and I mean many protests” he has already participated in. When asked if he would nevertheless participate in the Olympics, Kevin responded by saying, “Well... I mean, my sponsorship with Gatorade depends on my performance in the Olympics. I curl for a living, the fact that I even have a paying sponsorship is a miracle and I intend to hold onto it for dear life.” Our interview with Kevin ended with him meekly pleading, “Please still like me,” as we awkwardly inched away from him.

Kevin Martin is not the only Olympic performer that is not happy with Russia’s stance towards sexual minorities. Russian national Olga Rasnikov, a speed skater and actual athlete, expressed her fury with the law to us, saying, “The law is just awful. The worst part is that few people truly care, other than those that are directly affected by it, specifically sexual minorities themselves. Even among those might genuinely care, most of the time if their self-interest is somehow threatened, their outrage over the law ultimately takes a backseat. It’s just sad.”

We then quickly lost interest in listening to Olga or doing any more research on Russia’s new law and began binge watching *Breaking Bad* episodes in preparation for the upcoming finale.
Collateral damage: the Syrian refugee crisis
BRITT GUNN
Contributor

Since the August 21 sarin gas attack outside Damascus, international headlines on the civil war that has been raging in Syria for two and a half years have been dominated by the deal brokered by the United States and Russia to dismantle the Syrian regime’s stock of chemical weapons. President Bashar al-Assad has recently fulfilled the first requirement under the draft agreement by turning over a list detailing the types and quantities of chemical agents that his regime possesses to the Organization for the Prohibition of Chemical Weapons. The importance of taking chemical weapons off the table shouldn’t be underestimated, since the strike killed an estimated 1,429 people and constituted the world’s most devastating chemical weapons attack in the last 25 years. However, the discourse over chemical weapons and the stalemate between the United States and Russia on military intervention has also served to shift the focus towards the diplomatic wrangling taking place at the Security Council, and away from any long-term plan to respond to the most serious refugee crisis since that created by the seven-year conflict in the Democratic Republic of the Congo.

The numbers coming out of Syria are often repeated and constantly rising. An estimated 100,000 people have been killed since violence erupted in April 2011 when soldiers fired on demonstrators across the country. United Nations data indicates that more than two million Syrians have fled the country and taken refuge in the neighbouring states of Turkey, Lebanon, Jordan and Iraq. Even this astronomical number probably doesn’t reflect the extent of the humanitarian crisis, as the UN High Commission for Refugees is only accounting for people who enter those countries legally and register as refugees. In addition, another four million people within Syria have been internally displaced.

The rapid influx of refugees has put enormous pressure on the infrastructures and budgets of the host countries. Turkey, where a population of 4.2 million people is hosting over 700,000 Syrian refugees, has been coping with a 17 percent increase to its population over the past year. Jordan had been experiencing a chronic water shortage before 2000 Syrian refugees started crossing the border on a daily basis, and that problem is now being deemed a full-blown crisis. The Za’atari refugee camp in Jordan now ranks as the country’s fourth-largest city. A World Bank report estimates that Lebanon has lost $7.5 billion as a result of the strain on its resources, which is a staggering amount for a country already deeply in debt. The economic pressure on these countries has sparked existing political and sectarian tensions, a dangerous combination for nations long-plagued by social unrest.

The only thing the international community seems to be able to agree on is that there is no end in sight. Even if the war were to end today and the refugees were to return, the majority of them would have no home to go back to, as an estimated two-thirds of residences have been destroyed. Several countries have responded with plans to resettle Syrian refugees within their own borders. Recognizing that the situation in Syria has deteriorated to the point that it is now permanent, Sweden has offered permanent residency to the 14,700 Syrian asylum-seekers that have sought its protection. The United States intends to permanently resettle 2,000 Syrian refugees.

For its part, Canada has committed to resettling 1,300 refugees, however as 1,100 of those will be privately-sponsored, the government is only taking responsibility for 200 people. So far, a total of nine people have actually arrived in Canada as protected persons. This meager number is better understood by reference to Canada’s past precedents for resettling asylum-seekers. In 1956 Canada took in 37,000 Hungarians fleeing Soviet oppression. In the 1970s, 60,000 Vietnamese “Boat People” were granted asylum in Canada. During the Kosovo War, Canada resettled some 5,000 Kosovar refugees. Given the gravity of the situation in Syria, Canada should be committing to resettle at least 30,000 refugees, or 3.3 percent of the total.

Given the increasingly hostile attitude towards refugee claimants adopted by policy-makers at Citizenship and Immigration Canada, the chances of coming anywhere near this number is remote. This attitude is exemplified by documents prepared by staff at Citizenship and Immigration Canada in response to then Minister Jason Kenney’s request for suggestions on how to cut down the number of “high need” refugees and reduce strain on the health care system. One of the options suggested was a limit to the number of refugees granted protection who have health problems, such as “developmental delay, blindness, victims of trauma and torture.” It’s difficult to conceive of how any refugees could pass such a test, since trauma tends to be part of the experience of any person forced to flee their home country. While these proposals haven’t been implemented, the federal government has made recent cuts to health services provided to refugees and refugee claimants, a move that doctors have called short-sighted and certain to put the most vulnerable at risk.

If the Canadian government is going to come anywhere close to living up to its claims of having “the most generous immigration and refugee systems in the world”, as the press secretary for the Minister has stated it, it must seriously commit itself to providing asylum to victims of the Syrian war. Such a commitment requires relaxing family sponsorship provisions and allowing family members of Canadian citizens, permanent residents and accepted refugees to come to Canada on a permanent or temporary basis, and addressing the two-year processing delays that are currently major barriers to private sponsorships. Refugee resettlement programs are intended to help the most vulnerable, and in the context of Syria that means women and children at risk in camps, elderly refugees, trauma survivors and victims of torture. This means providing federal health coverage to all Syrian asylum-seekers. As a political solution to the conflict seems further and further out of reach, the Canadian government needs to drop the rhetoric and return to its humanitarian tradition of providing refuge and protection to displaced people.
Law as a house

SAM MICHAELS
Contributor

With only two weeks of law school behind me, and the recoil of this seemingly monumental career leap still reverberating, I thought now would be a good time to take a stab at the question which has so clearly dominated my time at Osgoode so far. What is law? Every speech, every presentation, and every professor’s introduction included some iteration of this question. The issue was broken down, analyzed, deliberated, and defined, with reference to every philosophy on the matter, and the full history of the debate. My understanding of the question has grown immensely, and my appreciation for the advice and instruction offered so far knows no bounds.

However, something in all these talks has left me troubled, which is why I am writing this now.

For all the depth we reached on the question “what is law,” every speaker I heard still seemed horribly afraid to offer anything close to what could be considered an answer. Why is this? Are we worried about the shame of a bad response, or the inevitable debate any ideological answer will lead to? I’m not sure. And perhaps it is this lack of surety that leaves me so troubled, which is why I am writing this now.

For all the depth we reached on the question “what is law,” every speaker I heard still seemed horribly afraid to offer anything close to what could be considered an answer. Why is this? Are we worried about the shame of a bad response, or the inevitable debate any ideological answer will lead to? I’m not sure. And perhaps it is this lack of surety that leaves me so confident to tackle the question for myself. As of now, I am on the ground floor of the legal profession. I have neither the knowledge nor experience to know how wrong my answer will be. Which is why I will put it out there now, to be torn apart by myself and others as I learn and grow through my time here. It is my hope that from reading what I have to say, minds much better than my own will find a renewed confidence in taking their own turn to say what is law.

So, what is law? Law is the rules of the house. And the house is society. Not just “our” society (or the Oz society we are all currently lost in), but all of society. We are already seeing international law growing as we formulate rules for the whole house, but if you a staunch nationalist, at least you can hopefully picture each country as its own room. Some of the rooms have more furniture, some are sturdier, some are prettier, but all are part of the same building. The rules of each room, whether it is noticeable or not, will affect all the others.

Now some of the rules are easy to know. Your house needs walls, floors, and ceilings. Society’s house needs to not kill each other, be in general agreeable in public, and not steal from each other. At this point you may stop me to mention any of the million cases where killing is acceptable, or when stealing is forgivable. I can only respond that all I said was that we need walls, but not how they should look or what material they should be. These are more detailed rules, they need to be arrived at slowly, with delicacy and dedication.

Just like with the rooms of a house, each country has its own benefits and, ideally, its own purpose. For countries, that purpose should be the well-being of its people, and as such, the law needs to be designed towards that aim. As we get into more complex situations, just as we get into the minute details of how our home should be organized, the law needs to respond with more complexity. It is easy to know that child molestation is bad for society’s house. In my house, it is easy to know that the bed shouldn’t go in front of the door. But what of an issue such as tobacco control? Here it gets complicated, and like the very tiny details of how I organize my home, whether to stack the pots on the pans or to leave the towels hanging or folded, it will take much more effort to arrive at the right answer. Whether that answer is out there, or whether I will have to use the information and evidence to arrive at the best possible rule, it doesn’t mean the effort is not worthwhile.

This is how I see all of law. It is the rules of the house that will keep things organized and running smoothly. Because society is one heck of a complicated house, it’s simply taking us a while to arrive at all the correct rules, but that doesn’t mean it’s not worth the effort! If we see society as a house, one in which the contents and rules of my room affect all the others, then we are far more likely to be careful with how we treat our sovereign space. Seeing law as the rules of the house allows us to view law as an active, organizing force in our lives. In this way we can see ourselves, as lawyers, as responsible for making good, workable rules, ones which will help not only to maintain our home, but to ensure that it is strong and beautiful for all the others.
Homeless and drunk in law school

GEOFF GOODSON
Contributor

Law school starts in three days. There are prostitutes around me-- I give them some cigarettes and ask if I can sit in their corner, which is strewn with clothing, garbage and discarded needles. They fidget and banter, fidget and banter. I hug my knees drunkenly against the barrier, watching them crush up crack and inject it into their feet. I don't know why I stopped here. One turns to me, spreads her legs and says that I should pay her for the free show. I laugh. In front there is a man who is "tweaking," yelling at her, past her muddled attention, right through her, about how her vagina smells and why he fell in love with her anyway; how romantic and how kind he must feel. He turns to me now and is telling his story of unrequited lust of their lives together, drugs he gave her and how he asked for nothing in return (except for sex, most likely). I try to look away. He paces back and forth, crouching as he yells and is now screaming that I am an undercover cop. The whole street seems to turn their gaze on me. I suddenly realize that I am lost among the lost, frozen in my fetal crouch-- alcohol syndrome. Law school starts in three days.

Toronto can be a lonely place. The unknown people come at you in such waves of conspicuous anonymity that one seeks out those who are most like themselves. So often have I wandered the streets of Regent Park, Sherbourne and Dundas, looking for those who are quintessentially as "messed up" as I; to talk to, to relate to and with hope, to reach out to as one who also feels hopelessness and resides with the powerless among us. As such, this message is to those out there who are "tweaking," yelling at her, past her muddled attention, right through her, about how her vagina smells and why he fell in love with her anyway; how romantic and how kind he must feel. He turns to me now and is telling his story of unrequited lust of their lives together, drugs he gave her and how he asked for nothing in return (except for sex, most likely). I try to look away. He paces back and forth, crouching as he yells and is now screaming that I am an undercover cop. The whole street seems to turn their gaze on me. I suddenly realize that I am lost among the lost, frozen in my fetal crouch-- alcohol syndrome. Law school starts in three days.

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Many more than would freely admit are such “double agents” of Osgoode Hall. But, inherent in that agency is an ability to take on dual perspectives and through that, to the world, confides a common humanity between classes and experience. For instance, yes, I must admit that I smelled when I entered the homeless shelter (from which I am now completing my final term). But, now I sit here in this classroom of elite higher learning and no one knows the difference. My terrible smell was not merely the abject smell of poverty, in fact, but the very natural smell of a human being; a human being with dignity. You too have dignity in your problems (whatever they may be), be it your stress, your lack of confidence, or your fear of the future. For, this vulnerability is what binds us together and enables the legal profession to ground the law in human experience and in empathy.

It often feels to some as if Osgoode members, students, faculty and professors, stand on the shoulders of the masses: I, we, have received great privileges in various lives. As such, I cannot but recognize the mistakes that have brought me to where I am today. My personal difficulties are no more meaningful than others’ and my responsibility is no less unyielding and demanding. My issues have no defence except for the contexts in which they were chosen. But, in that light, I can only hope that we can all live up to the expectations that our shared personal struggles do demand in a larger sense. If one can agree that the women whom I described above deserve the same sense of value as ourselves, surprisingly, it is the gift of our own struggles that actually endow us with an inherent sense of legal professionalism; an ability to consider the toil behind legal facts, the common toil that unites us all, even in an adversarial system and which ultimately, if respected, demands that we take our place within the circle of giving and receiving in our communities.

As our lives and memories erode, when we become vulnerable and as we experience fear and hurt, one becomes aware of the true wonder of our strange existence and meaning in our labour becomes paramount. Without a greater intelligence of unattainable intersubjectivity, without God or legal certainty, it might seem that all we have left are problematic conceptions about others, about ourselves and the ever-pressing struggles of existence. However, it is within this very difficulty that there is some recourse: the flawed journey towards unattainable transcendence through our work, the effort to still sympathize and appreciate the experience of others, especially when we accept the inevitable limitations of ourselves and the power of our profession, for me, is what life and what law is all about.
Comprehending the incomprehensible *Charte des valeurs* Québécoises

TRAVIS WEAGANT
Editor-in-Chief

Last year, I wrote an editorial after Québec’s provincial election, and claimed that there was no reason to fear Pauline Marois’ Parti Québécois government. Being a minority government taking power at a time when fiscal realities force difficult decisions about taxation and spending, the PQ was hobbled by their lack of power in the legislature and by the empty treasury. Their more controversial (read: sovereigntist) agenda was dead in the water. I maintain that these things are true: sovereignty is off the table, and there is still no money to spend.

On the other hand, I appear to have underestimated the resourcefulness of some politicians when they are backed into a corner. I don’t happen to believe that every politician on the planet is as cynical as Mme. Marois, but her party’s capacity for calculated opportunism nearly killed my optimistic outlook.

Let me begin by saying that, unlike many Canadians, I don’t reject the PQ, their counterparts the Bloc Québécois, or other sovereigntists out of hand simply because of a separatist agenda.

I find the knee-jerk talking points about “destroying this great country” and the amateur cultural psychoanalysis that points to some supposed bitterness stemming from the French army’s defeat at the Battle of the Plains of Abraham in 1759 (which occurred so long ago that France was still ruled by a man called Louis) to be disappointing and deliberately devoid of intellectual effort.

I have also been thus far unsuccessful in locating the source of the a priori assumption that a sovereign Québec would be “unable to survive on its own.” Incidentally, Québec’s largest trading partner is the United States, and the province conducts more trade with Americans than it does with other Canadians. The United Kingdom, France, and Italy each export less to the US than Québec does.

Furthermore, there is a sizable contingent of anglophone Canadians that are hostile to the very mention of our francophone province or its inhabitants purely because of their mother tongue and its perceived “infiltration” into the rest of Canadian society, or because of the political views of a certain subset of that province’s population, be they sovereigntist, socialist, or both. Is it any wonder that there are some who want out?

Let the record show that I am not a sovereigntist, though I must say I could not give fewer flying farts about the issue. My point is that such a position has an evidentiary basis, and merits to debate. The latest from the PQ, however, is distasteful, cynical, and based not upon evidence, or even ideology, but upon electoral strategy.

For those of you who have been keeping up with your readings instead of the news (can’t say I’m one of you, but I forgive you), the policy to which I refer is the “Charter of Québec Values.” The proposed legislation, which the Government has not yet tabled in the National Assembly, proposes five things:

1. Amending the Quebec Charter of Rights and Freedoms to include a declaration that public institutions are secular;
2. Establishing a duty of religious neutrality for all state personnel;
3. Limiting the wearing of “conspicuous religious symbols;”
4. Making it mandatory to uncover one’s face when giving or receiving a state service, and...
5. Establishing an implementation policy for state organizations.

It is hardly objectionable – though it is a bit unnecessary – to declare that public institutions in Québec are secular. The objectionable part of the proposed legislation is a combination of proposals 2, 3, and 4. The Charter would prohibit public servants in Québec from wearing various religious garb at work. The Government of Québec has set up a website to promote the Charter (nosvaleurs.gouv.qc.ca, for those who are curious), which helpfully provides illustrations that show which symbols are permissible and which are not. In the prohibited category we find turbans, large crucifixes, niqabs, and yarmulkes. In the permitted category, we find small cross-shaped necklaces and, hilariously, rings in the shape of the Star of David and earrings emblazoned with a crescent and star, as if the wearing of such items is some sort of acceptable substitute for observant Jews and Muslims. The illustration is not available with English captions.

I have two problems with the Charter. The first is that it is absurd in its operation. The Government has been quite clear that it prohibits the wearing of conspicuous religious clothing. There is no clue in the information currently available as to how the legislation will treat religious symbols that are not closing, such as the peyos of the Hasidim, and the beards of certain observant Muslims and Sikhs. These are religious symbols, and are certainly conspicuous. Will these state employees be ordered to “shave or seek other employment?”

Furthermore, head coverings are common religious symbols, but they also have secular applications. Cancer patients undergoing chemotherapy usually lose their hair, and no longer able to express their personal style using their hair, often choose to sport head coverings of various types. Will a woman fighting lymphoma be required to remove her tasteful but fashionable scarf because it could be mistaken for a Christian or Muslim religious symbol? Likewise, if I chose to cover a worrying (and growing) bald spot on the back of my Gentile head with a small, circular cap, would I have to take it off because it resembles a yarmulke? And besides, who enforces these rules?

Indeed, I propose that we test this. All public servants in Québec who abhor this silly legislation should arrive at work next Tuesday wearing supposedly prohibited garments belonging to a faith to which they do not: “No, I’m a devout Catholic. Don’t I look great in this turban, though?”

The second, and largest, problem with the proposed Charter is the cynicism at its core. The PQ never breathed a word of this proposal during last year’s election. Nay, this legislation is new, and only arose after PQ bigwigs spent lots of time and money on staff, gurus, and consultants, figuring out how to turn their minority government into a majority. In fact, I’m not even convinced that the Premier herself, nor any of her Ministerial minions that she trots out to stomp for the proposed Charter really care about the policy at all. The PQ is playing identity politics as a numbers game. This is a shrewd, if dastardly, move, and it just might work, because the PQ has created a scenario in which it cannot lose.

The first possibility is that a majority of the electorate actually supports the proposed Charter. According to a Léger Marketing poll conducted at the end of August, this was exactly the case. Under this scenario, there are three possible endgames. In the first, the Charter becomes law without incident, and the PQ reaps the electoral benefits. In the second and third, the opposition parties or the courts, respectively, defeat or strike down the Charter such that it never becomes law or does not survive as law. In either scenario, the PQ can claim that they tried to advance the public will, but were thwarted by the nefarious Liberals or busybody unelected judges, as the case may be. The elector cannot possibly blame the PQ for this defeat, and the only way for the public to safeguard its interests in the future is to hand the PQ a majority government.

The second possibility is that, as a more recent Léger poll indicates, public support for the Charter dwindles. If it becomes unpopular, the PQ can simply withdraw the legislation, claim it is responding effectively to public opinion, and end the saga no worse off than it was before it began. In either case, the Charter provides a convenient distraction from the fact that the PQ have had to betray their supposedly leftist economic inclinations since taking office, as fiscal imperatives and minority status force the government to attack the deficit.

Plenty of journalists more talented than I have already lampooned the Charter. It belongs in some kind of surrealist world surrounded by jabberwocks, the Cheshire Cat, and other nonsense policy like the now-defunct British ban on “insulting words and behaviour.” But you shouldn’t be angry about the Charter; you should be angry at the PQ. Certainly, any Quebecker who respects freedom of expression and religion may find the Charter insulting, but isn’t it more insulting to more Quebeckers that their government thinks they are so inattentive that it can leverage cartoonish identity politics to win a majority government?
A Little Sheep Told Me: A case against peer sabotage

ANGIE SHEEP
Arts & Culture Editor

In this issue I have decided to deviate from my usual fashion focus and speak to something that had concerned me all last year and continues to do so this semester. This article, therefore, will be more on the serious side but hopefully it’ll be more helpful and longer lasting in your brilliant minds than the usual clothing rant (though I’m sure that’s extremely important to everyone as well!). The issue or perhaps the more appropriate word, problem, at Osgoode is the occurrence of sabotage. I’m not referring to the minor jokes or friendly competition, but the deliberate attempt and intention to jeopardize a peer’s path to success in an already difficult environment (I think criminal law has had more of an effect of me than I thought). I am not, however, suggesting that the practice of sabotage is running rampant in Osgoode’s halls, but I believe it’s existent and should not be overlooked. Thus in this issue I will make a (hopefully convincing) case against sabotage and for bringing out greatness in your peers and why you may want to do so.

It Expands Your Circle

When you sabotage someone, you inevitably push people away and your peers are the last people you want to alienate. I’m sure you have heard the phrase “it’s not about what you know but who you know” uttered numerous times. No matter how skeptical you are of it, it’s true to a greater extent than you’d expect. And since you don’t know now exactly who you may need help from in the future, expand your “who’s” and behave as if you will need all of them some-

where down the road. Therefore, when you refuse a helpful hand (when it’s so easy for you to do so) or resort to sabotage, you are really holding yourself back. That person may end up losing a mark or two on this one exam, but you end up losing all your credibility and networks.

It Draws People In

If you support and enable the people around you to achieve their goals, you become a common denominator to their success. This attracts more peers who want to be a part of your life and come to you for advice. This is what a leader does. And, more immediately, do you really want to be the person who cannot find a partner when a group project is assigned?

It Strengthens Relations

To a certain extent, we all embody some Type A personality traits. We like organization; we like control. I’m challenging you to lessen the grip on that control, especially in scenarios where you have to collaborate with your peers. First of all, it becomes too chaotic when everyone tries to assert control over the rest of the group; this results in wasted time and unwanted arguments. Second, when you are so obsessed with being the “dominator”, you risk others feeling like they’re being used as instruments instead of equal partners. Too much control also stifles individuality and creativity and prevents the listening to each other that’s needed for a good mark, career, relationship, etc. And though you may hate to admit it, someone else’s idea may be actually much more brilliant than yours.

You Are Already Great

Look at the opportunities you have. You are already a lot better than most of the human population. There exists people who would give anything to go to school (let alone law school); you have that and beyond. This may sound like a guilt trip or a “be thankful for what you have” rant but there is a reason why this notion comes up again and again; it lets you consider the big picture. Sometimes we become so absorbed in our studies and immediate circumstances that we lose perspective. To combat the itch of sabotage, it can be useful to take a moment to regain that objectiveness. Looking to the world helps you remember how insignificant some things may be to risk your reputation and friendships.

Start Being A Great Leader Now

When you think about whom you consider as “great” leaders or organizations (Martin Luther King? Google?), how many can you count? The number of great leaders remains to be quite small when considered in conjunction with our entire human history. What they do seems to always run counter to the rest of their peers or the industry standard, so why don’t you? Leaders inspire us and we respect and follow them because we want to; we believe in their cause. What is your cause when you refuse a helping hand or sabotage? And do you expect people to be persuaded by it? Why not change your objective to something that the majority of your peers will praise and follow? I believe most Ozzies want to study in an encouraging and sabotage-free environment. In order to realize this objective, it’s important to enable that atmosphere and give everyone a chance for greatness.

Some of you may argue that law school is an inherently competitive environment so it is important to “get the upper hand” however you can. You may also say that the sabotaging is temporary and when you’ve “finally made it”, you will be the most supportive leader. To the first argument, I would like to ask you what kind of person and lawyer you aim to be; but perhaps this question is too ambiguous and far in the future to have a persuasive effect. I, therefore, put to you this: the success in something almost always depends on practice and if you repeatedly delay practicing the qualities of a great leader, how will you be a natural and inspiring one when the opportunity arrives? You don’t have to change your attitude and solution towards law school competition now, but do a little each day. You don’t have to go out of your way to help a peer, but when you can, give them a chance to be great. So when the real thing comes, you are ready for it.
Nuit Blanche 2013 will spice up your October

KAROLINA WISNIEWSKI
Editor-in-Chief

It’s that time again, Ozzies. The initial start-of-the-new-academic-year enthusiasm is slowly but unmistakably ebbing. The thrill of cracking open new textbooks and donning back-to-school wardrobe for the first time has given way to the disconcerting and vaguely horrifying notion that midterms and OCIs are looming in the all-too-near future, patiently waiting for their cue to wreak havoc in our lives. Our daily routines may seem a little more grinding, our readings more trying; waking up at 7 AM feels a lot more difficult now than it did a month ago, doesn’t it? When called forth during the summer, our memories of autumn months tend to omit the bone-chilling dampness, week-long grey skies and spindly, skeleton-like trees that punctuate the sidewalks, all of which rudely intrude into our daily reality, as unwelcome as they are uninvited. Perhaps it was with this astute and perceptive awareness of our collective plight that the organizers of Nuit Blanche scheduled the timing of the event on October 5th: a final hurrah, just as 6 months of cold weather, the seasonal flu and scarce daylight descend upon us.

For those unfamiliar with it, Nuit Blanche is an annual all-night art festival, held in various locations around Toronto. Exhibits number in the hundreds and encompass a variety of mediums, including sculpture, performance art, photography and film. Projects are either commissioned or independent works submitted by local and international artists. The stand-out exhibition this year will undoubtedly be the Canadian debut of Ai Weiwei’s acclaimed Forever Bicycles, but the inclusion of this artistic celebrity ought not to eclipse the bevy of other exciting pieces that will be on display.

Nuit Blanche brings out the best and weirdest of Toronto culture, creating a unique atmosphere that cannot be replicated. Since its inception in 2006, Nuit Blanche has ballooned in size and popularity, which has resulted in the development of certain weaknesses: sporadic distribution of art installations which can condemn attendees to seemingly endless trekking from piece to piece, unmanageable crowds populated with inebriated teenagers and, occasionally, over-wrought, strained and sometimes desperate pieces that inelegantly attempt to claw their way towards artistic epiphany (and which often fail). But shortcomings aside, Nuit Blanche is an exciting, interesting and refreshingly different thing to do in the city.

Although justice cannot be done to all the worthwhile art sure to be on display, the following is meant to offer a glimpse of some of the works to look forward to. Most of the artist statements are appropriately minimalist, elusive and otherwise vague, therefore, I can only surmise as to what most of the pieces will actually look like, and I may be off. But then again, that just adds to the fun.

The Big Crunch, 2013

This sounds interesting, mostly because it plays off of Marcel Duchamp’s Bicycle Wheel, which was essentially single-handedly responsible for introducing the world to the ready-made sculpture, something akin to the “Big Bang” of modern art. This work re-presents the bicycle wheel and stool used in the original work in a new and unexpected way, returning them to their “point of origin”, thus bringing about a “Big Crunch”. Witty and innovative while incorporating historical references; I’m a fan.

l’air du temps, 2013

Based on the artist statement, this installation appears to recreate the smells of a 1919 Paris street. This has the potential to be incredibly disgusting, or else, entirely boring (a room full of…air?). Either way, I’m intrigued.

1-855-IS IT ART (1-855-474-8278), 2013

Curious to see if the pile of garbage in front of you, roped off, lit up by spotlights and appearing to host a raccoon Thanksgiving really is “art”? It’s not always clear what counts as art, at least within the realm of contemporary practice. Call this toll free number during Nuit Blanche to settle any concerns you may have on that score.

Paper Orbs, 2013

It seems as though attendees are invited to dismantle a larger-than-life origami sculpture by picking off paper helmets and wearing them. I’m mostly just interested in seeing a crowd of people wearing paper bags on their heads.

The Soniferous Æther of The Land Beyond The Land Beyond, 2013

This looped film projection is a time-lapse of footage shot at the CFS ALERT Signals Intelligence Station on Ellesmere Island, Nunavut, “the northernmost settlement on earth”. Combining allusions to science fiction and surveillance, this work appears to tackle some interesting themes by incorporating real footage from one of the most remote locations on Earth.

Shrine, 2013

A stack of garbage bins meant to emulate the architecture of a Gothic Cathedral? Sounds sufficiently nonsensical; I’m in.

Burrman, 2013

This apparently terrifying performance piece features the artist covering “himself in burrs… and walking a meandering route throughout the Financial District”. The preliminary rendering may not be accurate, but it looks horrifying (or horrifyingly ridiculous?), and the inability to predict when or where visitors will encounter the artist adds to the fun.

Your Temper, My Weather

“One hundred regional beekeepers dressed in their bee-suits will participate in a massive collective meditation”. Hipster nonsense: 1, logic: 0.

Voices of Fire

In this tricked-out karaoke bar, a flame tube is connected the karaoke machine, and singers are able to control the movement of flames with their voice. Do I think this work successfully produce the intended effect? No. Is karaoke always a good time, whether one is singing or listening? Yes.

Lexicon

This work takes “the top twenty most-used words from seven volumes of our anthology of Toronto literature” and compiles them into a lexicon of words that are unique and specific to our city. It’s a charming idea, and I’m curious to see which words make the cut.

Nothing is better

“A surreal science musical documentary. An energetic, amusing and thought-provoking report on the condition of man from the other side of zero”. See my feelings on Your Temper, My Weather, above.

Nui Blanc: Knock Off Merchandise Factory

Here, the artist runs a “knock off merchandise factory” which specializes in producing Nuit Blanc souvenirs. Has the potential to be underwhelming, but sounds interesting enough to check out.
Jurisfoodence: Kinton Ramen

DAN MOWAT-ROSE & LUKE JOHNSTON
Contributors

This new column will document two 3L students’ explorations in the Toronto food scene, with an eye to student budget concerns, good eating, and a exposure to a broad range of culinary experiences. Since this is our first Obiter submission, we should probably introduce ourselves.

Luke Johnston is a mature student and a tall, stoic germaphobe who lives on the Danforth. Dan Mowat-Rose is a dog owner, retired bartender, and a sarcastic Alberta ex-pat who resides in the Junction.

We are experienced in hunting for inexpensive and generously portioned foodstuffs at unique eating spots. The only thing holding this column back was some not-altogether unexpected stomach disorders following two years of homogeneous stir-fried lunches on-campus.

The way this will work is that every two weeks one of us will choose a local restaurant, the other person will come as their guest -- provided with fresh eyes and impartial gustatory analysis. Our discussion about the food, booze, price, and overall experience will be immortalized in this fine student publication, hopefully for your curiosity and entertainment. On to food adventure #1!

Venue: Kinton Ramen - 51 Baldwin Street
Cuisine: Ramen, shockingly.

Food:

Luke: Chicken Ramen $9.80 & Kinton Nikuzara (House Pork Platter) $4.80;
Dan: Spicy Garlic Ramen $9.80 & Spicy Karaage (Like Chicken Nuggets with Barbecue Sauce) $4.80; Shared: House Kimchi $3

L.L.B.O. Licensed? Yes - Cocktails, Sake, and Sapporo on Tap

Luke: Campari Lemonade $6.50
Dan: Sapporo $2.80

The Lead Up:

Dan: Glad to have the first pick! The buzz around this place the past year has been immense, hopefully it lives up to the hype.

Luke: Typical hipster selection!

Dan: I object to your use of ageist pejoratives to describe my restaurant choice.

Luke: Fine. Where is this place?

Dan: It's an easy walk west from the Queen's Park or St. Patrick subway stations, on Baldwin Street just off of McCaul. Alternate routes include the Dundas or College streetcars.

Luke: My first stop is always the Dine Safe website. I see a pass, but also a reported violation for failure to properly clean food preparation surfaces. I have a family. I don't know if I can participate in your fast-and-loose lifestyle!

Dan: In this case ignorance is indeed bliss, and you've destroyed mine. Live a little. Your progeny will be proud.

At the Restaurant:

Dan: So, first impressions. Lots of yelling by the staff. Lots. In Japanese. Also, the J-Pop on heavy rotation really adds to the frenetic atmosphere.

Luke: When I arrived there was already a line. This gave me a few minutes to check out the Baldwin Village. Nearby is the Cheer Smoke Shop: a truly first class cigar store. Back at the restaurant I witnessed some sort of pre-game chant carried out by the staff.

Dan: Weird, sorry to have missed that. So Kinton is basically all counter seating, which is something I've grown accustomed to. Luke you seemed uncomfortable when that guy sat next to us.

Luke: You're right. I was uncomfortable with the seating arrangement. It was disconcerting to eat food -- in a manner that requires great dexterity -- while elbow to elbow with my seat neighbour. In fact, I was hit with spittle and/or soup as he worked his chopsticks!

The Food:

Dan: You truly are an adventurous sort, hopefully it was soup. Speaking of the soup, it's amazing. The noodles are filling and flavorful and the side dishes are great, and super affordable.

Luke: Agreed. The price is right and garlic-lovers will certainly rejoice, but for me the kimchi is far too garlic-B.O. inducing. The other sides, though, are a revelation! I have never tasted anything quite like the chicken karaage: it's mid-west BBQ meets Japanese salty/sweet. The pork belly (**:note: this column may reveal a meat-eater bias) was tender and flavorful. I am very impressed (other than hearing about your girlfriend lovingly stroking your hair in a post-TIFF-booze-induced-state).

The food was also well complemented by my manly drink selection, Campari lemonade. The super-sour taste cut through the rich and salty flavours.

Dan: You're right about the garlic. My ramen bowl was extreme. Can't say I wasn't warned. For those who don't appreciate this level of intensity - consider yourself on notice: there's a full scoop of minced garlic on top of the noodles. My beer went perfectly with the soup and the sides, though that this writer does not recommend his particular level of over-consumption. The noodles are cooked perfectly and the pork falls apart on contact, unlike the

» continued on next page
cardboardesque beef in similarly priced Pho. I also appreciate having the choice of light, regular, or rich broth. I went with regular, and it’s amazingly flavourful and not oily at all. First class.

Luke: I agree about the broth but my meal as a whole had flaws. They only make 100 bowls of chicken ramen per week and its easy to see why: the chicken meatballs are delicate and fresh. However, the overall dish is somehow bland and, for me at least, has too many noodles. The flavour was improved by the addition of a spicy powder and some pieces of house pork, but I would definitely have liked more kick. It may be intended as a non-spicy menu item, and I did enjoy it (especially the meatballs) but I would probably go with a different dish next time.

Amenities & Service:

Dan: Luke I noticed that you spent a lot of time in the washroom. What gives?

Luke: Going to the washroom is a pre-and post-meal ritual for me! I was hoping to find a singing toilet/sophisticated sink combination. The reality wasn’t far off. Kinton’s facilities are first rate: single-user rooms with toilet seat covers, plentiful hand towels and com-

Can we still trust the police?

» continued from page 5

expedition and nail the driver for more serious violations. For anyone found in this situation, retaining one’s freedom may entail handing over cash, or any other form of payment including the vehicle itself. The issue with this is not only that innocent people are being affected by these practices, but also that criminals are being set free as long as they are able to buy their freedom.

In Canada, forfeiture attempts can be just as ridiculous. In British Columbia, for example, the Vancouver Sun reported that a man who was caught driving his motorcycle at 200km/hr in a 60km/hr zone, had to face the possibility of having his motorcycle forfeited because it had been used for an illegal activity. Surely it was. But it seems to me that the law is being (convenien
ty) misinterpreted. As I understand it, civil forfeiture concerns property or financial gains which have resulted from engaging in illegal economic activities, not just illegal activities. Such broad interpretation of the law would result in civil forfeiture of a person’s house because he was engaging in downloading music illegally, or the forfeiture of someone’s business because his employee was smoking dope in the premises, or some other similarly crazy scenarios.

For now, Constable James Forcillo has been charged with second degree murder for the death of Sammy Yatim. Of course, Mr. Forcillo is innocent until proven guilty (duh!), but if his actions do not amount to a crime, Torontonians deserve to know what happened and be reassured that this will not happen again. This should not have occurred. Whatever Yatim’s condition was at that moment, whether he was suffering from psychosis or was under the influence of drugs, this could have been managed differently. I suspect that, had it not been for the videos taken by those bystanders, less details regarding this incident would have been made public. Time will tell whether this was a genuine attempt to vindicate Yatim’s death or just a response to the demands of Torontonians to make police accountable for their actions.

With reports from the Globe and Mail, CBC The Current, New Yorker Magazine, and the Vancouver Sun.

Where great work and great people come together
Exit sandman

DANIEL STYLER
Staff Writer

In 1996, following a loss to the New York Yankees, the long-time manager of the middling Minnesota Twins, Tom Kelly, said this about Yankees’ reliever Mariano Rivera: “We don’t need to face him anymore. He needs to pitch in a higher league, if there is one. Ban him from baseball. He should be illegal.”

The most alarming thing about the above quote is that it was said a year before Rivera acquired his most deadly weapon – the cutter. In 1995 and 1996, first as a starting pitcher and then as a set-up man for John Wetteland, Rivera threw a straight fastball. In 1997, so the story goes, Mariano – in his first year as the Yankees closer – lost his ability to throw his mid-90s fastball straight.

He hadn’t changed anything – not the grip, nor the release – and yet suddenly the ball broke with such fervour towards his glove side as it approached home plate that his catcher in the bullpen, Mike Borzello, was nervous. He was nervous, you see, because the bullpen in Detroit’s old ballpark, Tiger Stadium, was on the field and not behind the outfield wall as it is now in most parks, and he didn’t feel confident that he could catch whatever it was that Rivera was throwing: “… if you missed the ball, they would have to stop the game. And there’s nothing more embarrassing than that.”

For a month or so, Rivera worked with Borzello and his pitching coach, Mel Stottlemyre, to eliminate the cutting action. Then, they gave up. It was the right decision.

Mariano has amassed 652 saves (and counting) in his brilliant career – over 50 more than Trevor Hoffman, who is second on the list with 601 – and has the highest ERA+ in baseball history at 205. ERA+ is a metric designed to adjust a pitcher’s ERA (earned run average) according to the park in which they pitch and the ERA of the pitcher’s league. Pedro Martinez is a distant second with an ERA+ of 154. By any measure, Mariano Rivera – or Mo, as he is better known – is one of the greatest pitchers of all time.

What makes Mariano’s alarming success so inconceivable is that – aside from the occasional “straight” fastball – he exclusively throws his now patented cutter. Baseball, at its most fundamental level, is about outsmarting the competition. Pitchers bring a deep arsenal to their intellectual battle with hitters, armed with a variety of pitches and a variety of locations that these pitches can be thrown to. Mariano, on the other hand, brings none of this. He throws a cutter. And another. And another still. And yet major league hitters can very rarely make solid contact with a pitch that they know is coming.

“Enter Sandman,” Metallica’s 1991 single, plays whenever Mariano Rivera enters a game at Yankee Stadium. The lyrics are appropriate: “Exit light/Enter night/Take my hand/We’re off to never-never-land.” For years, Rivera has put his competition to sleep, ending games without much in the way of adversity.

Mariano’s regular season accomplishments are dwarfed only by his postseason achievements. The New York Yankees’ success as a team during his career has translated into many postseason opportunities: he has pitched in the playoffs in all but three seasons (including this one, as the Yankees are almost assured of missing the playoffs for only the second time since 1995). He has almost always risen to the occasion; in 141 innings, Rivera has amassed a hard-to-fathom 0.70 ERA, far lower than his career regular season ERA of 2.39. It would be disingenuous to avoid mentioning his two particularly high-profile playoff failures – the 2001 World Series and the 2004 ALCS. Rivera has responded to these failures, though, with a measure of grace and dignity not often demonstrated in the sporting world.

I would be remiss to define Rivera solely in terms of his sporting achievements. If he is a great baseball player, he is by all accounts a better person. The Mariano Rivera Foundation, founded in 1998 by Mariano and his wife, provides scholarships to underprivileged youths and sponsors youth centres and churches that implement educational programs that serve to benefit underprivileged families in their communities in both Rivera’s native Panama and the United States. In 2012, the Giving Back Fund, a non-profit organization that tracks philanthropic giving worldwide, listed Rivera as 25th most generous celebrity, having donated over $600,000 of his own money in 2010.

Sometime between the time I write this article and September 29th, Mariano Rivera will throw his last major league pitch, having decided to retire following this season. The 2013 season has been a farewell tour of sorts for Rivera, with organizations across baseball holding ceremonies and showering him with gifts and donations to his charity. The gifts have ranged from the brilliant (a chair made of broken bats – Mariano’s trademark cutter often moves in such a way so as to induce a broken bat – given to him by the Minnesota Twins) to the absurd (a sandcastle with his likeness etched in sand given to him by the Tampa Bay Rays). The affection across baseball has been genuine; despite being a dominant and feared competitor, he is universally revered and respected across the sport.

Since 1997, the Yankees have had a privilege that no other team has had. They have known that the 9th inning, a source of anguish and despair for so many other teams across baseball, has been occupied and accounted for by the greatest relief pitcher to ever play baseball. Next year, everything will change. As a Yankees fan, rather than feel a sense of despair, I am thankful that the “higher league” Tom Kelly spoke about doesn’t exist and that Mariano Rivera has been – and will always be – a New York Yankee.
Puck prognostications

ANDREW CYR
Sports Editor

Canadian hockey fans had more to cheer about than usual in the lockout-shortened 2012-13 NHL season, as four Canadian teams made the playoffs for the first time in seven years. The question going into this full-length 2013-14 edition of the NHL season is whether this newfound success will continue for Canadian franchises. The division realignment will certainly have an impact on this question, as Ottawa, Toronto, and Montreal will now have to contend with the consistently competitive Detroit Red Wings for a playoff spot in the revamped Atlantic. Similarly, Edmonton, Vancouver, and Calgary will have to pave a route to the playoffs through sunny California, as they join Los Angeles and San Jose in the new Pacific Division. Meanwhile, while the realignment was approved largely for the benefit of the Winnipeg Jets, they will be moving from a cushy Southeast Division to the fierce Central. How will it all shake out? To save you from going through the painstaking process of watching actual games and following the standings throughout the year, I have performed the analysis necessary to accurately predict the fortunes of each of Canada's NHL clubs.

Ottawa Senators

If any Canadian franchise can challenge the Boston Bruins, and ward off newcomer Detroit, in the Atlantic division it is the Ottawa Senators. The Senators lost their three most important players to injury for most of the season last year and still managed to make the playoffs. While many fans lament the departure of Daniel Alfredsson to Detroit, there is no question that newly acquired Bobby Ryan represents a upgrade on their top line. There would be no sweeter revenge for those feeling spurned by Alfredsson's departure than for the Senators to finish ahead of the Wings in the final standings. If their roster can stay healthy, they have the potential to accomplish this goal.

Biggest strengths: Balanced scoring and goaltending

Biggest weaknesses: Inexperience and health

Projected finish: 2nd in the Atlantic Division

Montreal Canadiens

The Habs may have shocked even their own fans by winning the Northeast Division and making the playoffs as the Eastern Conference's 2th seed in 2012-13. The youth movement in Montreal, fueled by super-rookies Alex Galchenyuk and Brendan Gallagher, allowed the Canadiens to overachieve last year. They will surprise no one, however, this season, and will face intense competition in the new Atlantic division. Unless goaltender Carey Price delivers a Vezina-caliber season, it is unlikely that the Canadiens will repeat as division champions. Instead, they will battle it out for one of the Eastern's final playoff spots, and will most likely come up short.

Biggest strengths: Goaltending

Biggest weaknesses: Lack of size

Projected finish: 4th in the Atlantic Division

Winnipeg Jets

While most Jets fans were simply happy to have an NHL team back in Winnipeg for the past two seasons, the franchise is growing desperate to make the playoffs for the first time since the 2006-07 season. This goal was made more difficult, however, due to divisional realignment which will place the Jets in a division with the defending champion Chicago Blackhawks, among other strong clubs. The Jets have demonstrated improvement in their time in Winnipeg, and the top line of Andrew Ladd, Bryan Little, and Blake Wheeler has evolved into an effective offensive unit. However, secondary scoring remains a major problem for the Jets, as does team defense. The team added sniper Devin Setoguchi via trade in an attempt to increase scoring, and will rely on rookies Mark Schiefele and Jacob Trouba to make an impact. However, the Jets are likely a year or two away from capturing a playoff spot in their new division.

Biggest strengths: Top line scoring

Biggest weaknesses: Secondary scoring and goaltending

Projected finish: 5th in the Central Division

Calgary Flames

The Flames commenced a long overdue rebuild in 2012-13 when they traded away face of the franchise Jarome Iginla. The team ended up finishing 13th in the Western Conference and drafted Sean Monahan to lead a group of young forwards back into the playoff picture. The forward corps is dotted with veterans, but will rely on contributions from young players like Sven Baertschi and Mikael Backlund in order to win games. The blue line features a bit more experience, but does not inspire confidence. The Flames are unlikely to be competitive in 2013-14 and anything better than a bottom four finish in the league would be considered over-achieving.

Biggest strengths: None evident

Biggest weaknesses: Offense, defense, and goaltending

Projected finish: 7th in the Pacific Division
Puck prognostications

» continued from last page

Edmonton Oilers
After three consecutive years of picking first overall in the NHL entry draft, the Edmonton Oilers finally showed some modest improvement in 2013-14. The Oilers were in the playoff conversation for much of the year, but faded badly down the stretch and ended up towards the bottom of the Western Conference. This year, the Oilers will look to build on their limited success and make the leap into the realm of true playoff contenders. Leading the charge on offense will be their youth contingent of Taylor Hall, Ryan Nugent-Hopkins, and Jordan Eberle. Defense remains an area of concern, but last year’s addition of Justin Schultz was a step in the right direction. This may be the year that the Oilers finally make the leap.

Biggest strengths: Top-end offensive talent
Biggest weaknesses: Defense and goaltending
Projected Finish: 3rd in the Pacific Division

Vancouver Canucks
After making it to the Stanley Cup Final in 2011, it appears the window of opportunity is closing for the Canucks. The Canucks have lost 8 of their past 9 playoff games, leading the franchise to fire coach Alain Vigneault and hire John Tortorella to replace him. Tortorella will bring a more hard-nosed style to the Canucks, hoping to shed their reputation as a “soft” team. Despite recent setbacks, the fact remains that the Canucks have one of the most deep and talented rosters in the NHL. Canuck fans hope the Sedin’s can return to an elite level of offensive production and that they can get a full season out of a healthy Ryan Kesler. On the back end, the Canucks boast perhaps the deepest defense corps in the NHL. After attempting to deal goaltending Roberto Luongo for months, the Canucks finally shipped goaltender Cory Schneider to the Devils instead. While many fans would have preferred to keep Schneider for the long-term, Luongo remains an elite NHL goaltender.

Biggest strengths: Defensive depth and goaltending
Biggest weaknesses: Lack of physical play
Projected finish: 2nd in the Pacific Division

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Editorial: OCIs

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You’re in law school, you were selected from hundreds on candidates to be interviewed, you made it this far, and you are already impressive. Acknowledge that you’re awesome, and take that into the interview with you. After all the tips and tricks in the world, a great first impression hinges on one fundamental hook: Confidence. Be confident in your skills, talents, resume, and general fantastic personality. The people across the table are already confident that you have the potential to be a future colleague at their firm. They are already impressed, all you have to do is smile through the meet and greet that you have arrived for on time, and in appropriate attire. It’s really that easy.

Good luck Ozzies,
Your (obviously impressive) Editors-in-Chief

JCR Trivia Night
Are you a TRIVIA TITAN? Do you have three friends who are also absurdly good at Trivia?

Wednesday October 2nd at 7:30 PM there will be a TRIVIA NIGHT in the JCR. This will be round one of up to three rounds. This isn’t law trivia, it’s general trivia. Trivia participants must form teams of four. If you can’t find three other people, we can put together teams in the upcoming Facebook group.

The winning team will receive $100 and the honour of representing Osgoode in a Trivia showdown of epic proportions against our old friends UofT at the November 14th Pub Night.

Guest Speaker: David Tsubouchi
Osgoode Distinguished Speakers Series and Asian Law Students of Osgoode (ALSO) present former Ontario Cabinet Minister and MPP, the Hon. David Tsubouchi this Monday, September 30, at 12:30 in Room 1003. Mr. Tsubouchi was the first Japanese-Canadian to be elected to office in Canada, and will be speaking about his recently-published memoirs.

Association in Defence of the Wrongly Convicted (AIDWYC) Conference
The AIDWYC will be hosting a day-long educational conference and gala dinner on Saturday, November 23 at the Hyatt Regency Toronto in recognition of the organization’s 20th anniversary.

The gala keynote speaker will be Jason Baldwin of the West Memphis Three, a group of men who were wrongly convicted in 1994, and who are now the subject of Atom Egoyan’s new film, Devil’s Knot.

Other speakers include Justice Murray Sinclair, the Chair of the Truth and Reconciliation Commission.

Student tickets for the conference are $150, and are available online at aidwyc.org.
future generations that will come to live within its walls.

Though it is feels quite fulfilling to finally pair the what is law question with an answer, I already know I am wrong. It is a question I couldn’t possibly hope to answer correctly, but that doesn’t mean I feel it was an invalid effort. Rather, all I was hoping to do was break from the tradition of non-answers, to show that you can say something concrete, whether right or wrong, and find some value in that solidity.

I feel “what is law” is a question that every one of my peers should have an answer to. Wherever you go in your legal career, the overarching power of the law will control and curb your progress. It is an inevitability we must face, and the only weapon we will have to deal with these limitations will be knowledge. Only through understanding the law can we hope to help it grow, and only through knowing what law is can we truly understand it. The task is far from complete, but hopefully, agree or not with my assessment, this text has provided at least a potential place to start.

meals, where you will need to be able to listen when other people are eating around you. If you become picky about what your clients are eating I suspect you may have trouble retaining them.

Finally, I suggest you pay particular attention to the area of “jurisdiction” in Administrative Law since you seem to have exceeded yours. As a student, not an instructor, administrator or leader in any capacity, I think many of us feel it was highly inappropriate of you to provide the class with any sort of instructional guide as to our conduct. If you have a problem, more appropriate steps such as discussing it with the professor or other administrative personnel, who have both authority and considerably more tact than you, would be advisable in the future. I am sure those sitting near you would have been happy to try to accommodate you had you approached them politely and voiced your concerns regarding their classroom behaviour. I further request you do not speak on behalf of “the rest of us” as, although I was not eating in class, I do not feel your statements adequately represent my views at all. As your email appears to have gone viral, congratulations. I particularly do not want my name associated with this view, or the rude manner in which it was expounded.

Sincerely,
Kylie Thomas

Ditch the trash

as you would around people whom you respect, whose respect you covet and persons who if you disrespected, would make for unpleasant consequences for you. This is possibly the reason why many people reflexively turn down the car stereo when pulled over by the police or why we wouldn’t, if employed by a prestigious firm, contemplate for a millisecond eating anything (let alone a bowl of gumbo) in the presence of a client, with whom a business relationship is greatly desired.

The open letter by the student was wrong for a host of reasons and the writer now certainly is aware of this. The ineloquence of the writer or the truculent nature of the medium aside, the content of the letter retains at the very least, subject matter worthy of quite contemplation and self-reflection. With good fences, we collectively can limit, nay, eliminate any encroachment upon our individual enjoyment of communal spaces. The positive ripple effect from this I like to think is infinite: as good neighbors make for great friends, and great friends coexist harmoniously in any and indeed all spaces. Eventually, you’ll inevitably realize the grass is always green, when you live on both sides of the fence.
sudoku

3 5 6 9 2
6 1 4
8 2 4 6
9 1
1 5 7 9 3 8
7 8
5 2 4 3
8 9 2
4 6 3 1 8

Puzzle by websudoku.com

The Davies summer experience?

Ask your Osgoode classmates.

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