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# Obiter ♦ Dicta

Vol 86 Issue 8

The Definitive Source for Osgoode News

January 6, 2014



**TERRI-JEAN BEDFORD MAKES THE VICTORY SIGN AFTER HEARING OF THE SUPREME COURT'S DECEMBER 20 JUDGMENT IN HER FAVOUR.**

## Many missing voices in *Bedford* commentary

**SEAN AHERNE-BIESBROEK**

*Contributor*

On December 20th the Supreme Court of Canada released the Bedford decision, striking down Canada's prostitution laws as unconstitutional, suspending the decision for one year. As an interested law student, I shadowed a member of one of the intervenors in the case, the Asian Women's Coalition Ending Prostitution ("AW"), at the media scrum on the day the decision was handed down. AW is a group from British Columbia concerned for the safety and rights of Asian women in Canada, and was compelled to intervene in the case. There is disproportionate representation of Asian women in the sex industry that is highly visible in Vancouver. AW expressed concern that Asian women are especially vulnerable to the sex industry due to factors such as trafficking, poverty, language barriers and racism. Furthermore, the group made it clear that racialization in sex industry advertising reinforces racial stereotypes of Asian women (for instance, the submissive Chi-

nese doll stereotype).

In light of these concerns, the group approached the case with a nuanced legal position. They argued the Supreme Court should consider the sex industry through the lens of gender and racial equality, given that equality is a key value of the Charter of Rights and Freedoms. They ultimately advised applying Canada's prostitution laws to johns and pimps but not prostitutes. The position was also shared by another intervenor, the Women's Coalition for Abolition (a coalition that included groups such as the Canadian Association of Elisabeth Fry Societies and the Native Women's Association of Canada). "Prostitution should not be fully legalized, nor fully criminalized because it would only exacerbate the equality issues Asian women and other women of colour face – that is why we proposed this third option," I was told by Sarah Mah, of AW.

As a Vancouverite myself, I am convinced the disproportionate representation of women of colour in the sex industry is common knowl-

edge. The racial stereotypes of Asian women in the sex trade have been the topic of jokes in my conversations with others in Vancouver. Asian Women backs their analysis of race and racial

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*"It takes four years to get there? It had better be one hell of a Bar."*

*- a t-shirt my aunt gave me*

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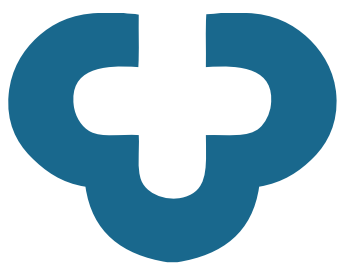
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**Submissions for the January 20 issue are due at 5PM on January 12, and should be submitted to the email address above.**

*Obiter Dicta* is the official student newspaper of Osgoode Hall Law School. The opinions expressed in the articles contained herein are not necessarily those of the *Obiter* staff. The *Obiter* reserves the right to refuse any submission that is judged to be libelous or defamatory, contains personal attacks, or is discriminatory on the basis of sex, race, religion, or sexual orientation. Submissions may be edited for length and/or content.

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## editorial

# Obiter Dicta staff: turning introspection into cheer

IT MIGHT JUST BE an after-effect of Icepocalypse 2013, those harrowing days during which we watched friends study for their last exams by candlelight and spent our own time thinking. Not obsessing-over-whether-we-analyzed-the-fact-pattern-on-our-Admin-Law-exam-correctly thinking, but like, being-alone-with-your-existential-thoughts-without-the-usual-iPhone-and-MacBook-distractions kind of thinking. The kind of thinking that is much more dangerous; the kind of thinking law students shouldn't be allowed to do very much of.

Yes. We'll chalk it up to that: to an end of term break that began in a rather morose and uncomfortable way, to a year that decided to give us a memorable, though not necessarily enjoyable, send off. Perhaps that's why we seem to be heading into 2014 a little more nostalgically than before, and a little more cautious of what lies ahead. A possible Rob Ford reelection? A Winter Olympics plagued by terrorist threats, appallingly backward-looking domestic policies and awkward (though perhaps necessary) international political shows of disapproval? These are just some of the things about 2014 that make us uneasy, in addition of course, to advancing our legal careers by another year, which though undoubtedly exciting, is vaguely (or perhaps blatantly) daunting, wherever on the law school trajectory you are.

We call it nostalgia, but perhaps a more accurate name for our trepidation is plain old pessimism. Maybe we should stop romanticizing it and partake in some of the 1L optimism Sam Michaels expounds in his thought-provoking piece this week. Maybe we should, as he does, turn our attention to the world's persistent (though not always unencumbered) march toward democracy and improved standards of living, and take stock of over-arching indicators of progress. One especially encouraging sign of such progress is the much lauded Bedford decision. We'll save close analysis of it for Sean Aherne-Biesbroek's excellent piece on the subject, but suffice it to say, this landmark decision should be rightly viewed as an encouraging and much-

needed step forward in women's rights.

Perhaps we should subscribe to some of the self-actualized optimism suggested by Angie Sheep, urging us to take charge and adopt a healthier lifestyle this year. Indeed, no matter how many different people (be they purveyors of some revolutionary weight-loss shtick on the shopping channel, or our annoyingly in-shape friend who obviously isn't in law school) alert us to the epiphany that being healthy is not only manageable but can also be totally fun, we're sold. Kudos to you Angie, now please excuse us while we finish off this tub of Nutella.

Even Krum Dochev's article, which prima facie, seems to lament the sorry state of the legal profession, ends with an incredibly empowering and uplifting message: that our academic and professional careers are only as wonderful or as awful as we choose to make them. He closes his piece with a poignant and astute commentary on how to foster an environment of support and encouragement, rather than one of competition and toxicity; on how to help build a profession which not only leaves room for, but actively facilitates, mental and emotional well-being. Who else is for putting up copies of it in the waiting area at OCIs next year?

But perhaps the most encouraging and optimism-inducing aspect of this week's paper is the submission from Osgoode alum David Lepofsky. It's not just that we love hearing from Osgoode alumni, but it's that given the illustrious and truly impressive career David has had, he is genuinely thrilled to be back at his alma mater. It is a sentiment worth remembering, especially in the dark hours of exam season, that not only do people make it out alive, but that some of them recall their days in law school fondly and warmly.

There you have it: as dispirited as your EICs are, it seems as if the *Obiter* staff and contributors drown-out our despondency with their buoyancy, cheer and energy. Thank goodness for them. Welcome back and bah humbug.

# May the curve be ever in your favour

JEFFREY HERNAEZ  
*Contributor*

THIS YEAR, the Academic Policy and Planning Committee (APPC) (a part of Faculty Council here at Osgoode), has been discussing the bell curve and its application to small classes. The scope of the discussion includes all seminars, intensive/clinical programs and classes with enrolments under thirty students. As one of your student representatives on the APPC, I would like to take the opportunity to give you an overview of the issues at hand and a chance to reach out with any of your comments or concerns.

## The History of Grading Profiles at Osgoode

Since 1970, a grading profile of some form has been used at the law school. Starting that year, the grades in first year classes were subject to a profile which “floated,” meaning that it was dependent on the average of grades in all first year classes the year prior. It was non-binding and fluctuated from year to year. In 1972, the Grades Review Committee was created and was empowered with reviewing the grades instructors awarded. The first notable change to the grading system at Osgoode came in 1976, as Faculty Council approved the use of grading profiles for all classes over the size of thirty. A floating profile continued to be used in first year classes, while upper year classes were subject to a “past-performance profile.” This meant that the grading profile in upper year courses was different for each course and was based on the grades the students in each class received in their previous year. In 1988, “plus” grades were introduced. The maximum amount that could be awarded was fixed at one third of each grade strata, and this is still current practice today. In 1991, all past performance and floating profiles were abro-

gated and grading profiles began to be applied to seminars and small classes. The fixed profiles approved in 1991 are shown in Figure 1.

### The Current Academic Rules

In 1994, the current grading profile at Osgoode was introduced. Applying to all classes, the fixed profiles are shown in Figure 2.

Additionally, except in the D+/D range, the number of “plus” grades awarded in a given range may not exceed one-third of the total number of grades awarded in that range. However, there is some flexibility in the application of the grading profile at Osgoode. First, instructors are permitted to deviate up to five percentage points from the

grading profile in each range without the authorization of the Grades Review Committee. Secondly, the academic rules state that in classes

under the size of 30, no C grades or fewer C grades can be awarded (thus increasing the amount of B grades), subject to the authorization of the Grades Review Committee.

### The Issues

As mentioned above, the discussion regarding grading profiles is focused on its application to small classes. Although a very difficult and nuanced issue, the justification for debating whether a grading profile should be applied to classes of fewer than thirty at Osgoode is that the statistical rationale for having a profile arguably no

longer applies. The Central Limit Theorem (CLT) asserts that the distribution of a certain characteristic (grades in this case) in a random sample will approximate a “bell-curve” where certain conditions are met. Most notably, the CLT does not apply to groups under thirty and when the group is not randomly selected. As such, the problem is that many seminars and clinical programs are under the size of thirty and consist of a group of students who selected to study a distinct area of law.

Some of the proposed alternatives to the current regime include adopting a different grading profile for small classes, applying past performance profiles for small classes, or simply not applying a grading profile to small classes at all. However, each of these alternatives raise new concerns. For example, in regards to past performance profiles, the assumption that students who did well in pervious years will continue to do well in future years is arguably flawed. Additionally, it may also be unsound to assume that a student who did very well in large classes in first year will do just as well in small classes in the upper years.

No matter what the chosen alternative turns out to be, my goal as your student representative is to listen to your concerns and make sure they are heard during the discussions. Please

feel free to contact any of your Student Caucus representatives at any time regarding this or any other issue. In writing this article, I would like to thank Professor Brian Slattery for all the work he has

put into the issue and for his continued openness with Student Caucus.

*Jeffrey Hernaez is the Vice-Chair of Student Caucus.*

	Year 1	Years 2 & 3	Seminars
A	10%	12%	22%
B	42%	43%	54%
C	42%	41%	23%
D or F	6%	4%	1%

FIGURE 1: GRADING PROFILES IN 1991.

	All Classes	Permissible Range
A/A+	15%	10%-20%
B/B+	60%	55%-65%
C/C+	20%	15%-25%
D/D+ or F	5%	0%-10%

FIGURE 2: GRADING PROFILES FROM 1994 TO THE PRESENT.



# Returning to Osgoode, 35 years later

DAVID LEPOFSKY

Contributor

In 1979, I left Osgoode Hall Law School, law degree in hand, excited and anxious about an uncharted career ahead. Thirty five years later, I am back at Osgoode, honoured to be selected as a Roy McMurtry Clinical Fellow.

From January 13 to February 7, I will be at Osgoode full time, eager to add to your legal education, and to learn as much as I can. I want to meet as many of you as possible, to deliver as many law lectures as time permits, and to toss around ideas on your legal education, future careers, and the law itself. Please feel free to introduce yourself and to chat, in my Osgoode office (Room 3048) or around the school.

Contrary to popular myth, we blind folks don't recognize all voices we've ever heard. I encourage you to just identify yourself. You can easily pick me out in a crowd, white cane in hand.

So why return to Osgoode? For three decades I have been a public sector litigator, at all levels of court and before diverse administrative tribunals. I have appeared some 30 times in the Supreme Court.

Since 1982, I have held three successive jobs in Ontario's Ministry of the Attorney General. From 1982 to 1987, I cut my teeth in civil and administrative law litigation in the Crown Law Office Civil. I also got my feet wet in some of the earliest Charter litigation. Then, from 1988 to 1993, I concentrated on constitutional litigation, as counsel in the Ministry's Constitutional Law Branch.

Then came the time for a big change, which our profession makes delightfully doable. I dove head-first into criminal law, joining the Ministry's Crown Law Office Criminal. For the past 20 years, I have regularly argued ugly, gritty criminal cases in the Ontario Court of Appeal.

While the courtroom's fray always entices me, so does law's academic side. For 24 years I have taught a constitutional seminar on Freedom of Expression at University of Toronto's Law Faculty. As well, I often lecture lawyers, law students and judges in a wide range of venues.

During my month with you, I especially want to draw on another facet of

cases at the Human Rights Tribunal. I secured orders requiring TTC to audibly announce all subway and bus stops, so that blind people like me can know when we've reached our stop. I've learned what it's like to have a case named after you, and to endure a long day being cross-examined.

It is an incredible honour to take a solid month out of my law practice, to spend with Osgoode's students and faculty, to teach and learn. To do so in the capacity of a fellowship named in honour of the indefatigable Roy McMurtry, for whom I have such huge respect, makes it even better.

Have you contemplated the possibility of a career in the public service at any level? I'm delighted to tell you what it's like. Thought about dedicating all or part of your professional time to social justice causes? There's lots we could discuss. If you are wrestling with an interesting problem in constitutional, criminal or administrative law, disability rights or human rights, and want to toss around ideas, that's what

I'm here for. If you just want to learn more about being a litigator (and especially in appellate forums), swing by.

*David Lepofsky, CM, O.Ont, LL.B. (Osgoode), LL.M. (Harvard), LL.D. (Hon.) (Queens, Western) is a Roy McMurtry Clinical Fellow at Osgoode. He invites you to drop by his office if you want to know what lectures he's lined up to deliver while on campus. Feel free to follow him on Twitter if you're into that: @davidleposky.*



**DAVID LEPOFSKY STANDS IN FRONT OF A TTC BUS. HE WAS RESPONSIBLE FOR AN ORDER REQUIRING ALL TTC VEHICLES TO AUDIBLY ANNOUNCE STOPS, AND IS NOW A ROY MCMURTRY VISITING FELLOW AT OSGOODE.**

my career. For over three decades, I have enjoyed many volunteer hours engaging in an activity for which law school didn't prepare me -- community organizing and community advocacy for the rights of people with disabilities. I was one of many who successfully fought, 33 years ago, to win protection for persons with disabilities in the Charter of Rights and the Ontario Human Rights Code. From 1994 to 2005, I led the non-partisan community coalition that won the enactment of the Accessibility for Ontarians with Disabilities Act, a law requiring Ontario to become fully accessible to persons with disabilities by 2025. For the past four years, I've led the community coalition campaigning to get that legislation effectively implemented.

I've also learned the joys and burdens of being a party to a law suit. In 2005 and 2007, I personally won two

# Ryerson lands new law practice program

YARA KASHLAN

*The Eyeopener (Ryerson University)*

TORONTO (CUP) — Ryerson University announced that it will be providing a new Law Practice Program (LPP) in early December, the first of its kind in Canada to start next September.

The program will be an alternative to the traditional articling program, a 10-month placement in a law firm after law school.

“The Law Practice Program opens up a whole bunch of opportunity, especially for people who don’t want to practice in a big law firm,” said Avner Levin, chair of the law and business department at the Ted Rogers School of Management.

“Articling is a familiar and established way to get into the industry,” said Levin. “Essentially we are transitioning law students into law professionals [in a new way].”

The Law Society of Upper Canada (LSUC) chose Ryerson to host the program based on its leadership in innovation and entrepreneurship.

Doug Downey, chair of the LPP committee and the Ontario Bar Association’s (OBA) Treasurer noted Ryerson was chosen as its “strong digital and media presence [will] provide a cutting-edge experience.”

The program took Ryerson about six months to put together.

“We are very excited of the technology that is going to be used. We plan on using a lot of virtual technology, not traditional lectures,” said Levin.

Technologies that will be used include interactive and web-based learning with the purpose of simulating virtual law firms. The program, part

out of law school not being able to complete their journey to be full lawyers,” said Downey.

The program will run for eight months. Four months will be inclass education, and four months will be a work placement, available across the province.

Downey said that the four month class time is a structured way to give a skill-set to new lawyers.

“The [LPP] will change how students become members of the law society.”

As part of the program, practising lawyers will serve as “coaches and mentors to [the] students,” according to Janet Minor, elected benchler of the LSUC and the chair of the professional development and competence committee.

The program will feature placements in areas such as family and criminal law practices

“I anticipate [that] we are going to find, in time, that people will prefer this route,” said Downey.

Ryerson president Sheldon Levy said that a law school could be a possibility in university’s future, although it’s not coming any time soon.

“I do think that as our city grows, there will be an interest from the community for another law school,” said Levy.



**RYERSON UNIVERSITY WAS AWARDED THE NEW LAW PRACTICE PROGRAM BY THE LAW SOCIETY OF UPPER CANADA. FROM LEFT: AVNER LEVIN, CHAIR, RYERSON LAW AND BUSINESS DEPARTMENT, ACADEMIC DIRECTOR, LAW RESEARCH CENTRE; SHELDON LEVY, RYERSON PRESIDENT; JANET MINOR, LAW SOCIETY BENCHER AND CHAIR OF THE PROFESSIONAL DEVELOPMENT COMMITTEE; THOMAS G. CONWAY, LAW SOCIETY TREASURER; AND CHRIS BENTLEY, RYERSON STRATEGIC ADVISOR.**

of a three year pilot project, will help industry hopefuls overcome the shortage of articling jobs.

“There is pressure on people coming

## duty to warn

### Law Games 2014

This week in Montreal, Osgoode faces off against other law students in a battle of determination and grit. Stay tuned to the Obiter’s Facebook and Twitter feeds for updates from Law Games.

### Ski Trip 2014

If you haven’t paid for ski trip yet, Alex Payne is never going to speak

to you again anyway, so we recommend you just try to show up anyway. For those attending, this is a reminder that the madness commences on Friday, January 17 at 10:30. Contact the Social Convener for details.

### JCR

Because we know it’s your favourite place to be, we thought we’d let you all know that your beloved JCR Bar will be

reopening in January. Keep an eye on the door for details.

### LPP Information Session

For those students interested in learning more about the new Law Practice Program, there is an information session taking place Wednesday, January 8 at 1:30PM in room 2003.



## opinions

# Training to become a member of a maimed profession

KRUM DOCHEV

Contributor

IT'S NOT JUST THE nature of practising law – the habits and beliefs which make lawyers miserable are instilled right here in law school.

3L should be a time of celebration. Most of us have completed at least 7 years of post-secondary education, sometimes a lot more. We've been assessed and prodded more thoroughly than even the finest steak. We've beaten the odds again, and again, and again, and are now on the verge of graduating with that unmistakable mark of respectability and success – the JD.

Yet, speaking to my 3L peers, the mood is not one of triumph, but of exhaustion, cynicism, and even resentment. Those of us who are taking stock of the last two years realize that, despite our own triumphs, law school exacted a very heavy toll on us, and this hasn't all been for the better. It hasn't been like a tough workout, where the pain is justified by the gain. Some parts of the experience are more like an injury.

In many ways, us law students are like the boiling frog, which doesn't realize the water it's in is getting hotter. We spend most of our time in this environment, and assume it's normal, even the parts of it that are pathological. We're surrounded by people who work into the late hours of the night, regularly consume energy drinks, and can barely remember the last time they made a meal, and we assume this is the nature of things. Workaholicism is praised as a sign of dedication, rather than being seen for the psychologically corrosive addiction that it is. Slowly but imperceptibly, we become accustomed to an environment where, in a casual conversation, people will swap tips about the different sleeping pills they're taking, where gossip about Who is Working Where is relentless, where individuals who would be considered successful by any normal criteria feel they're inadequate. Slowly but imperceptibly, natural human empathy turns into judgment, a healthy sense of competitiveness turns into envy, and outrage at injustice turns into resignation.

I don't intend to blame anyone in par-

ticular for this; if anything, I've been a part of this process as much as anyone. But let's recognize that it's fostered a culture that's corrosive to happiness, health, and basic decency. I don't need to rehearse the plentiful statistics on this issue, but law students and lawyers are a markedly miserable bunch judging by a few key metrics of well-being. Suffice it to say that you know you have a problem when you're competing for indicators of psychological distress with army veterans and cops (i.e. people who faced the risk of being shot at while doing their jobs).

Although at Osgoode Hall, there's finally a discussion about mental health and well-being, not enough is being done to train lawyers who can find joy in what they do.

A key source of so much law school misery is the prohibitive tuition, which is sustained by the illusion that law school is a ticket to opulence, when in fact only a small fraction of the profession is rich. This can price people from any but the top income brackets out of law school, and it necessitates increas-

ingly crippling debt that limits options and becomes a constant source of anxiety.

Closely related to the high tuition is the perception that Bay Street is the be-all-and-end-all of law school success. In my brief encounter with the legal profession, I've had the privilege of meeting lawyers who can dispassionately hammer away at a complex legal issue on a bare desk amidst the din of a sweltering trial office during a Toronto heat wave, where the air-conditioning isn't working and the Humidex is through the roof; lawyers who have worked in Canada's North in order to maintain the integrity of the justice system in an isolated environment; lawyers who work in a field where a typical day may involve trying to convince a tenant with severe mental illness that keeping a pet raccoon is illegal, and just not a very good idea to begin with (rabies, anyone?). None of these lawyers fit the mould of the glamorous corporate lawyer, but they nevertheless represent the very best of our profession. We

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# New Year's revolution

**SAM MICHAELS**  
*Staff Writer*

THOUGH EVERY YEAR seems to bring its own theme of revolution and social change, arguably 2014 can best be spent sewing our past hopes into our future aspirations. Perhaps it is time to put our current conception of “revolution” to rest, to build a new, more lasting, understanding of the idea.

Since crossing into the age of majority, and being an avid news follower, I have found myself repeatedly misguided by a feeling of intrigue and anticipation. In 2008, the feeling first grew as the stock market tumbled. Surely, outrage at the incompetence of the financial industry would spur shocking and sudden civil unrest. As we entered 2009, the full scope of the global recession became clear. As banks around the world clamoured for government bailouts, I became nervous that a global revolution must be imminent. But something strange happened, and the revolution didn't come. Populations worldwide had been devastated by the recession, losing pensions, forced to take pay cuts, and paying higher taxes. But though I checked diligently every day, though I felt so sure that we were on the cusp of disaster, the revolution didn't come.

In 2010 I found new reason to anticipate change, only to have the expectations dissipate as quickly as they arose. I watched in Toronto as protestors set up camp outside the G20 meetings, only to find myself disgusted by the results. Citizens and police officers alike found new ways to degrade both themselves and our city, and the meetings passed with dignitaries blissfully ignorant to the broken Starbucks windows and burning police cars outside. 2011 proved equally unsettling. By then, the Arab Spring had engulfed the Middle East, and change seemed unavoidable. By the middle of the year, Occupy Wall Street had become the much subdued Western version of the same revolution. However, for as real as both first seemed, their realities proved hollow. Syria has descended into a devastating civil war, many north African countries are engaged in regional conflicts with radical Islamic factions, and across Asia, massive economic inequality has proven the breeding ground for fanati-

cism and radicalism. In the Western world, “Occupy” is yesterday's news, as regulations have been slow to take hold and eco-



conomic inequality continues. By 2012, feeling burnt out by the disappointment of my false predictions, I could watch with only feigned interest as the protests against the Keystone pipe-

line picked up. Then a new movement took hold, the First Nations-led “Idle No More,” but though I was hopeful, I found myself unable to become attached to the series of events. Besides, both seemed small in scale compared to the last few years, and if those global attempts at revolutions had failed, these efforts seemed doomed to as well. I began to feel as if any momentum picked up in the last few years had been lost. The tide had turned, and revolution simply wasn't coming. In 2013, that feeling was only confirmed. The year was dominated by headlines about a return to economic competence and the permeation of social media and self-exposure; feel good stories to help us forget ongoing conflicts and global issues.

However, the issues were not forgotten, and movements in favour of widespread social change continue to brew. Of the more celebrity faces spurring these movements, Russell Brand seemed to frame the issues with an eloquence only a British accent can provide, in a series of interviews popularized through social media. Though his plea is passionate and endearing, it led me to what feels to be the polar opposite of his intended message. Brand spoke of tearing down our current structures, and ending the current system of power distribution. After so many cynical years, I would have thought these

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Where great work and  
great people come together

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## letters

## Letters: winter weight article not so light and playful

IN LATE NOVEMBER, the *Obiter Dicta* ran a seemingly light and playful article on how Osgoode students could hide any extra pounds gained in the winter months. The article detailed how bold colours, structured tops, and “make up enhancers” could create a slimmer look. While these recommendations may aim to help individuals gain greater self-esteem in their appearance, they also have the effect of reinforcing a broader culture of body shaming, particularly when it comes to women.

Whether the author intends it or not, the unspoken and implicit message is that weight gain is bad, unattractive, and should be hidden. Our society is saturated with these messages which dictate and define what is “healthy” and what bodies should look like.

We see this perspective supported when the author states that these fashion solutions “of course” are not a “permanent solution” to “the winter frump that involves no gyming”. The message is not only that individuals with larger bodies are necessarily unhealthy and that they do not exercise, but also that people with larger bodies want to lose weight. Both of these presumptions are untrue. Comments like these are problematic because they fail to acknowledge the diversity of bodies in our societies, and make some feel as if they should be ashamed of their bodies.

From a young age women are regu-

larly bombarded with similar messages around how their bodies should look and be presented in public. The law profession is no exception. It is not unheard of to see articles on skirt style, whether pant suits are appropriate, and the “correct” heel height for an interview. Of course, there are a variety of ways that we each choose to navigate societal expectations around appropriate dress. As we enter the legal profession, we may make individual decisions around the extent to which we want to conform to dominant ideas of professional attire and we may sometimes choose to adhere to various social norms. But this sort of personal choice is different from instructing others to do so, in a way that reinforces and supports problematic expectations regarding how women present their bodies.

A society where everyone has confidence in, and feels good about, their bodies is a desirable goal. A goal, I’m sure, the author of the article and I likely share. However, the way to achieve this goal is not by shaming women, explicitly or implicitly, who have “extra” weight. We need to combat and challenge the norm that larger bodies are undesirable, and that being thin is an ideal for which we ought to strive. We need to celebrate the diversity and beauty of the different bodies and people that make up our society.

-Danielle VanderEnde

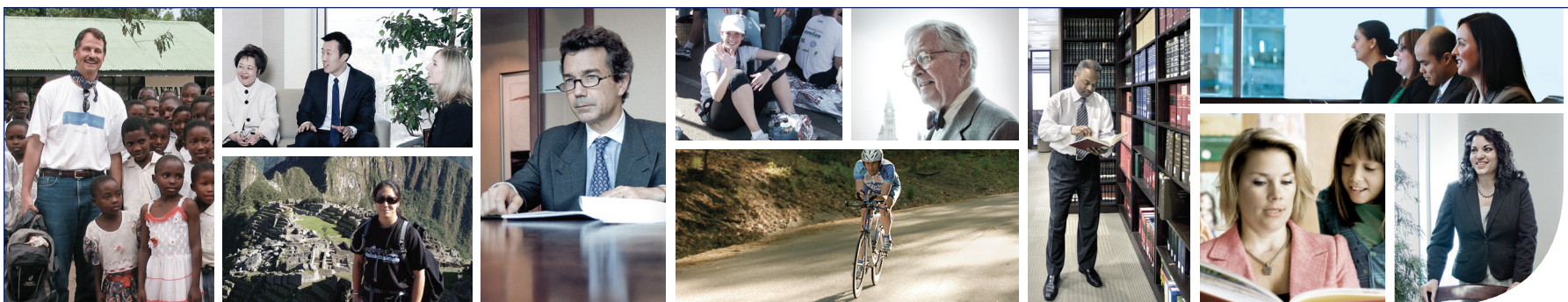
## Maimed profession

» continued from page 6

need to be introduced to more lawyers like this in law school. Their vision and integrity will show us how to redefine the meaning of success.

Lastly, we have to get a lot better at talking about vulnerability. Relationships break down; they begin anew; people change; people die; sometimes people are not well; dreams are thwarted or deferred. These aren’t signs of weakness or distractions from the end-game, they’re the very stuff of life, and they’ll take us down paths that won’t always culminate in the corner office and the cufflinks that cost more than a typical car. If we expand our vision, these winding paths don’t have to lead to “failure”, but to an invigorated legal profession.

*Krum Dochev is a 3L. His vision of success involves gulping down a cup of watered-down coffee in less than 60 seconds while running around Old City Hall with a bunch of briefs during recess.*



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## opinions

# House of crack

CITLALLY MACIEL

*News Editor*

AND SO A NEW YEAR and a new semester have begun. Hopefully everyone had a fun but relaxing break. As promised, I did some leisure reading and finished watching season one of *House of Cards* (among other shows that I had neglected because of...well you know, law school). Surely, there is no need to describe the plot. Suffice to say that *House of Cards* is, generally put, a political drama. It is a story of ruthless politicians who will do anything in order to attain and retain power.

When it comes to politics, the show implies that nothing is free, that every favour has a price, and that friendships and allies are only as good as the next unfilled favour. In *House of Cards*, an important ally is the media. Supporters can be won through positive portrayals of a given politician, but most importantly, enemies can be destroyed through damaging exposés. Consequently, while the media can be a politician's best friend, it can also be his or her worst enemy.

Even when no political contacts exist, the media searches for information because breaking the next big story is what drives it. In the show, loyalty seems to be irrelevant or nonexistent. Yet, things are different in real life. A duty of loyalty has been placed upon journalists, just like it has been placed upon many other professionals (at least in theory). Doctors owe it to their patients, lawyers to money (just kidding!), and journalists owe it to their audience. For journalists, this duty entails presenting information in an objective manner without regard to their personal opinion or that of others. Their purpose is to search for the truth without regard to any personal agendas, and to present the truth as it is without distortions, embellishments or omissions.

Watching *House of Cards* would not have given rise to this piece had I not heard in the news that Rob Ford was first in line to register for the upcom-

ing municipal elections. My first reaction was pity because his move looks a little desperate. I wonder if he knows that winning the elections is not about who registers first. But then fear struck me as no other individual has registered (at least on that first day) as a contender. Certainly, elections are not democratic when someone wins by default. And then, the reactions to the media reports followed. Ford's public



statements regarding the worthiness of his candidacy continue to be based on the assiduous premise that he has saved "taxpayers' dollars." Similarly, his brother Doug Ford (who is apparently running the campaign) continues to deflect attention away from his brother's dishonourable behaviour, focusing instead on the "saved dollars."

Unlike the politicians in *House of Cards*, no journalist seems to be on Rob Ford's list of allies. Although Ford seemed to have a good relationship with a few media outlets, such relationships came to an end after the drug scandal. Most importantly however, is Ford's feud with the *Toronto Star*. From day one, the *Star* has focused on Ford's slip-ups, almost as if the newspaper has made it its mission to cause Ford's downfall. The news uncovered by the *Toronto Star* may indeed frustrate Ford's plans of being re-elected.

Ever since Ford admitted to having used illegal drugs, one of the questions has been whether such behaviour is even relevant. While some people find

it deplorable, others feel like it is part of his personal life and instead invite people to focus on what Ford has done for Torontonians.

There is no easy answer, when a question is framed in terms of matters of personal vs. public life. It is often difficult to say where the line must be drawn. For instance, judging objectively and putting moral or religious values aside, it is hard to say whether politicians who cheat on their partners (a very common example) are unworthy of holding office. While adultery may say a lot about a person's character, it does not necessarily lead to the conclusion that the person will act dishonestly in every single aspect of his or her life.

Certainly, life is not black and white and so things should not be oversimplified. However, it is impracticable and unreasonable to say that drug use is strictly a private matter. Firstly, consumption of illegal drugs is, by definition, criminal behaviour. If a mayor's criminal activity of another nature would not be tolerated, why would we tolerate illegal drug use? Second, stating that drug use impairs or affects a person's ability to perform daily activities, including their job performance, is stating the obvious. Even if (as some say) Ford has managed to do his job as a mayor despite the drug use, now that the cat is out of the bag, Toronto has become a joke around the world. It is hard to imagine that Ford's behaviour has not had an impact in the credibility and worthiness of the city as a whole.

In *House of Cards*, journalists assist politicians in destroying the political careers of their enemies. They do it for their own good and without regard to their audience. Torontonians should certainly be grateful to those diligent journalists for doing their job, namely, uncovering information that is of great significance to all of us. However, there are those who have decided to make a circus of the situation. Attention should not be given to them. We have a very important decision to make and must not welcome meaningless distractions.



# The Happiness Project: New Year's resolutions for neophytes, sophomores, and sages

CASS DA RE

Editor-in-Chief

Welcome back kids. It's that time of year again, cue the song from *Billy Madison*: "Oh back to school, back to school, to prove to Dad that I'm not a fool..." Feel free to sing along if that makes you feel any better about the end of the winter break. Pack up the decorations, recycle the empties, and get in line at the MDC; vacation is sadly over. However, this time isn't just the end of something great, but the beginning of something better, like the use of overbearing clichés to discuss the New Year.

What would January be without of course a riveting discussion about New Year's resolutions? Many of you, in your deep rooted cynicism of failed attempts of years prior, your growing annoyance at over crowded gyms in January, or simply a desolate view that January 1st doesn't really mark anything, but the inevitable passing of time, will not make any resolutions. For the more optimistic, you may secretly or socially make promises to yourself or others, likely in the vein of self-improvement and likely borne of some unhappiness or disappointment from the year prior. A third group, and probably my personal favourite, made general sweeping proclamations, champagne or apple cider in hand, to "be better," "do good," and "make a difference." You know who you are.

Whatever camp you fall into, you have something very important in common with each other, the simple fact that you (albeit regrets, murmured curses, and secret dreams of becoming a rock star) are a law student. Like resolution makers, there are three easily divisible categories of law students. No, I don't mean the keener, the curve coaster, and the "D's get degree-ers." I'm referring to the first year neophytes, the second year sophomores, and the third year sages. In hopes of making this calendar year a little happier than the last, I recommend digging up some resolve

to make these law school year specific resolutions.

1L: The newbies, the neophytes, the "is law school over yet, because I'm done" darlings.

In 1967 Cat Stevens wrote "The First Cut is the Deepest." While the song is about the scars of a breakup, the sentiment applies to the first semester of law school. What you have just experienced is as bad as it gets, naturally this may make you apprehensive about the second semester, but it will not (and will never again) be that hard. You may feel out



EVERY YOGA STUDIO ON JANUARY 2.

of your depth, like you still haven't hit your stride (I promised clichés didn't I?), or that you really should have gone to grad school. You're not alone in those feelings. They may in fact be a prerequisite for second year, but that's not in the official handbook.

In a few weeks, your grades will be posted and you'll have to relive the memories of first semester exams all over again. For those who will be presented with possibly your first B or C, which will be the overwhelming majority of you, this is also normal, and not the end of life as you know it or your career as you imagined it.

This year, resolve to: Cut yourself some slack. You're at Osgoode, no one said it would be easy, but no one said you have to be so hard on yourself.

2L: The sophomores, the survivors, the job seekers and finders, and resume grinders.

Second semester of second year pres-

ents a trap for the unwary. You made it through first year, last semester was still challenging, but dare you say "easy?" You figured out what a summary is, and how to use it. You're involved, you signed up, showed up, and are well-adjusted law students. You went through the craziness of OCIs, and whether or not you landed a job, you weathered the storm and came out a more experienced interviewee, ready to network through the industry. The danger of the second year second semester is the false sense of security that you've made it. You haven't. Even if you have a job lined up for the summer, this is not your golden ticket to the rest of your life. Circumstances change, promises are broken, and nothing is ever guaranteed until you sign on the dotted line; and even then, there is always a loophole. Didn't you learn anything in Contracts?

This year resolve to: Stay in the game, and don't lose perspective of the bigger and long-term picture.

3L: The sages, the seniors, the "I'm full of advice" angels.

It's so close yet so far. The light of graduation is starting to peer through at the end of an arduous tunnel. Of course, then there's the bar (Part I), convocation, then the bar (Part II), then articling, and then getting called to the bar, but basically we're almost there, kind of. What then of our last few months of Osgoode? We already know the importance of grades and the importance of extracurriculars. We have been through our fair share of interviews and exams. We allocated our time and credits to appear well rounded and well-versed in a variety of practice areas. What's left? I'm not sure either. So instead of being strategic, I suggest being a little selfish.

This year resolve to: Enjoy it. This is the last time many of us will be students, take classes you want to take and spend it with people you want to spend it with. We have the rest of our lives to strategize, make alliances, and network. Instead, this year, strengthen friendships, help out the neophytes and sophomores, and relish in how far you've come.



# A Little Sheep Told Me: Make 2014 your fittest year

ANGIE SHEEP

*Arts and Culture Editor*

THE MOST COMMON phenomenon that happens at the beginning of every year is the making of New Year's resolutions. And the most widespread commitment around the planet is the ambitious goal of becoming fitter, healthier and more energetic. Gym memberships always skyrocket around this time and personal trainers have never been so high in demand. But like every fad, it withers away eventually; the centers become slower and quieter (that is, until the start of next year). This year, however, things will be different! I command it so.

2014 is the first year that I have made a fitness resolution. I usually never set foot in the gym. I hate sweating. I hate being exhausted. I hate working out. But since starting yoga a couple of years ago, I have opened up to the idea of being active and living better. Let's not kid ourselves though; a healthy lifestyle is not the driving force behind my resolve. I eat and drink too much delicious "junk" to commit to that. I just must have that solid, toned beach body! Because you never know when you will be hitting the sun and sand (reading week, anyone?). So in this article, I am sharing a few exercises and tips that I have gathered and will be applying myself. Hopefully these will get me through the lazy, frigid winter!

## Why this resolution?

A commitment to exercise has been circling my brain for the past few months. I've repeatedly weighed the pros and cons of moving my limbs and to be honest, there are no real disadvantages, only excuses. One of the greatest benefits of staying active that convinced me was posture. Being in front of computers all day and night really takes a toll on our shoulders and back. We are always inclining forward, which can lead to back and joint pain, reduced flexibility and compromised muscles. If these side effects are not enough to convince you, what about diminishing height and confidence? There's no reason why we should not all stand tall and proud. Strengthening your body

will get you there. So what should we do?

## Don't go cardio nuts

The importance of elevating your heart rate and doing cardio cannot be overstated. However, for those of us who simply don't like that torturous feeling, 30-40 minutes are enough. And you don't need to go overboard, just enough to get that heart pumping. Doing a bit of cardio each workout will help maintain a lean muscle profile and prevent sagging and aging. It's also important to remember to take it slow; it will most likely take more than one try before reaching that optimal time.

## Try lowering the intensity

Intense exercises stress me out. I have observed my friends do routines like P90X many times and I feel like my heart is exploding out of my chest just by watching the clips. I enjoy cardio at a much slower pace. You should do whatever that works for you because that usually compels you to stay with it longer. Jogging, fast-paced yoga and Pilates are fantastic alternatives. As I said, you need to get that heart pumping, but there are many ways to do it. Improve your metabolism the smart way and follow your own preferences instead of buying into the newest fad.

## Squats and more

Squats are awesome. They do wonders for your legs and tush, especially since we need to counterbalance all that sitting! But squats can be hard on your knees over time. Whenever I do them, my joints crack and I really dislike that feeling. I have therefore taken up swimming instead. The water helps my brain and joints relax, thereby creating a less straining experience. So if you have access to a pool, definitely take advantage!

## Never stop working that core

One way to incorporate exercise into your busy schedule is multitasking, especially when it comes to your core. Your abs can almost always be engaged. During lectures, only sit on half of your butt, so that the other half is basically hanging off the edge. This forces you to not only sit up straight but also

use your abdominals to hold yourself upright. But be warned, if you want to take a break, remember to adjust first or you will most likely fall on your tush. Standing tall also requires applying your core muscles, so there's no excuse to not always work that (pick your number) pack!

## You can do it in your sleep

The way you sleep directly impacts your posture. If you're like me and love to shrivel up into the fetal position, it's time to change that. Sleeping with your back rounded can cause straining to your neck and shoulders over time, causing them to grow tighter and stiffer. Your shoulders will then be even more inclined to round forward due to the tightness. If you still want to sleep on your side, experts recommend laying with one arm stretched downwards instead of curled. This will align the spine and straighten out the back. I think this is the best tip I've received yet! Even if I couldn't get to the gym that day, at least I can still do one workout.

## Get a buddy

Having a companion is the best motivator and a workout buddy comes in many forms. It can be your dog, partner, friend or even your favorite podcast or TV show. I have recently become addicted to *The Good Wife* and I don't let myself watch it unless I am working out. The cliffhangers really force me to get moving!

There you have it Ozzies, just a few ideas on how to stay active this year! At this point I should let you know that my resolution is time-limited. If I don't see results within a month, I will most likely surrender and just stick to yoga. What is the point of prolonging something you don't enjoy? Love yourself more this year and do whatever you want to make 2014 your best yet!

# Bar none, the best hamburger in New York

DANIEL STYLER

*Staff Writer*

It started with a joke. On our way to Washington Square Park, struck by the startlingly warm – especially for November – air, we saw a falafel stand. I turned to my friend Daniel and remarked to him with complete sincerity – sorry, artificial sincerity, I was completely lying – that it was the best falafel in town. It was probably no more the best falafel in town than the hot dog stand at St. George and Bloor produces Toronto's finest hot dog. It probably tasted the same as every other falafel in the city; all falafel-related street vendors probably get their falafel products from exactly the same central location and probably make strikingly similar if not exactly the same falafels. That was the joke.

But the joke evolved. Soon, the four of us – the two Daniels, Paul, and Pat – were finding clever ways to describe everything as the best something in the City. Some salon called Tommy Guns – you're welcome for the free advertising, Tommy – on Ludlow Street? It's the best haircut a 20-something law student can get on the Lower East Side. The M train from the Delancey Street – Essex Street station? Bar none, it is the finest and most reliable train you can catch in the City.

The next day, we took a scenic walk across the Williamsburg Bridge – I won't try to joke about this being the best bridge in New York, because it's probably the shittiest – on our way to a quiet, responsible night in Brooklyn. We needed to stay hydrated for the walk, though, so we entered a 7-11 at the foot of the bridge to stock up. As we entered the 7-11, though, we couldn't help but notice the glow. It was the glow of fast food heaven – Burger King, located at the intersection of Delancey and Essex, just steps from 7-11. We knew that we had found something that we could accurately describe as the best something in the City. This was no joke; not like that shitty falafel stand, or Tommy Guns, or even the M Train. This was the best hamburger in New York City.

Two days later, we attended the Museum of Modern Art. MoMA is great, even for someone who doesn't fully appreciate or understand art – there is something aesthetically overwhelming about

seeing a wall-sized Monet or that guy with the mutilated ear's interpretation of a starry night. Seeing artistic masterpiece after artistic masterpiece made us hungry for another type of masterpiece – a gastronomical masterpiece.

There was talk of Dorsia or Gramercy Tavern, but then it came to us: Burger King. Feeling the same way Einstein must have felt after he finalized the formula for mass-energy equivalence, we made like Usain Bolt and sprinted to the aforementioned glowing Delancey-Essex location.

When we entered its hallowed halls, the aroma was overwhelming, an intoxicating mix of childhood obesity and fries. I won't try to spin the service as particularly good, as Daniel waited for his meal for close to 25 minutes, giving the rest of us time to finish most of our meals. What was interesting about this long wait was that he ordered a fairly common menu item – a cheeseburger with bacon, or something similar – and people who had ordered similarly popular items well after him had received their order within minutes. I blame his typical Canadian passivity for the fact that he received neither an explanation nor an apology for the wait. One Foursquare review of the restaurant

states that “Whenever Grim Death comes to end me, I hope to God that it will take me faster than these people take a food order.” This, I admit, is also a hope of mine.

The food, though, was alarmingly good. The hamburgers were charred beyond recognition, the toppings sparse, and the onion rings as circular as deep-fried onions can be (they were more oval than circular, really). There was no discernable atmosphere in the restaurant, but the screams of one particularly upset customer (the poor lady was hoping that Whoppers were still “buy one, get one free” but they were not) was music to my ears. And the hamburgers were the premium, super unleaded fuel we needed for our final night on the town.

Our Reading Week trip was a success, and memories were made that are sure to stand the test of time. But not all memories are created equal, and the memory that stands out the most to me is the one comprised of good friends, ice cold Coke Zero, and the best hamburger in New York City – the moment when joke and reality intersected in a manner that no one could possibly have anticipated just days earlier.

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## sports

# The west is best

ANDREW CYR

*Sports Editor*

THE NHL'S WESTERN CONFERENCE has reigned supreme over the Eastern Conference for the better part of a decade. Since the end of the 2004-05 NHL lockout, Western Conference teams have consistently gotten the better of Eastern Conference opponents, winning close to 60% of inter-conference games in each season. In addition, the West had produced 5 of the last 7 Stanley Cup Champions. However, the level of dominance of the Western Conference has reached new heights this season, as Western Conference teams have won an unprecedented 68% of inter-conference games so far.

With the possible exception of the Pittsburgh Penguins or Boston Bruins, all of the NHL's powerhouse clubs reside in the West. This has resulted in a disparity in the standings, as point totals in the Western Conference soar to new heights, while teams in the East wallow in relative mediocrity. Teams like the Phoenix Coyotes and Minnesota Wild are battling for playoff position, despite being on pace for greater than 100 points. Moving to the West has been a rude awakening for the Winnipeg Jets, who battled for a playoff spot in the Eastern Conference last season before being moved as a result of the conference realignment. The Jets have been all but eliminated from the Western Conference playoff picture, despite hovering around .500 on the season. Such a record does not cut it in the Wild West.

Meanwhile, the Detroit Red Wings, who moved to the East as a result of the realignment, have seen their fortunes improve as a result of the move. The team has managed to remain in the playoff race despite recent losing streaks that would have buried the team in the more competitive West. The same can be said for the home-town Maple Leafs, whose habit of getting badly outshot by opponents would surely sewer the team against the big guns of the Western Conference.

The Western Conference's domination of the East in the NHL is nothing new. However, it appears that this trend has expanded into other sports. The inequality between the Western and Eastern conferences in the NBA is even more extreme than in the NHL. Only two teams sit above .500 in the NBA's Eastern Conference (Indiana and Miami), whereas nine teams have such a record in the West. Like the Leafs, the Raptors have benefitted immensely from this gap, as they currently sit 4th in the Eastern Conference,

while they would sit near the bottom of the Western Conference standings. Even as the Raptors trade away many of their star players, in what appears to be an effort to acquire high draft picks and rebuild the team, they are buoyed by the mediocrity of their conference peers.

In the NFL, the AFC and NFC West divisions were, until recently, considered the weakest divisions in each Conference. This season, however, the top team in each Conference resides in the West division. The AFC West-leading Denver Broncos are the AFC's number one seed and appear to be a strong favourite to represent the Conference in the Super Bowl. Meanwhile, the Seattle Seahawks own the best record in the NFC. Each of Denver and Seattle are pushed by strong competition within their divisions, and it is likely that the AFC West and NFC West will each produce at least one wildcard team.

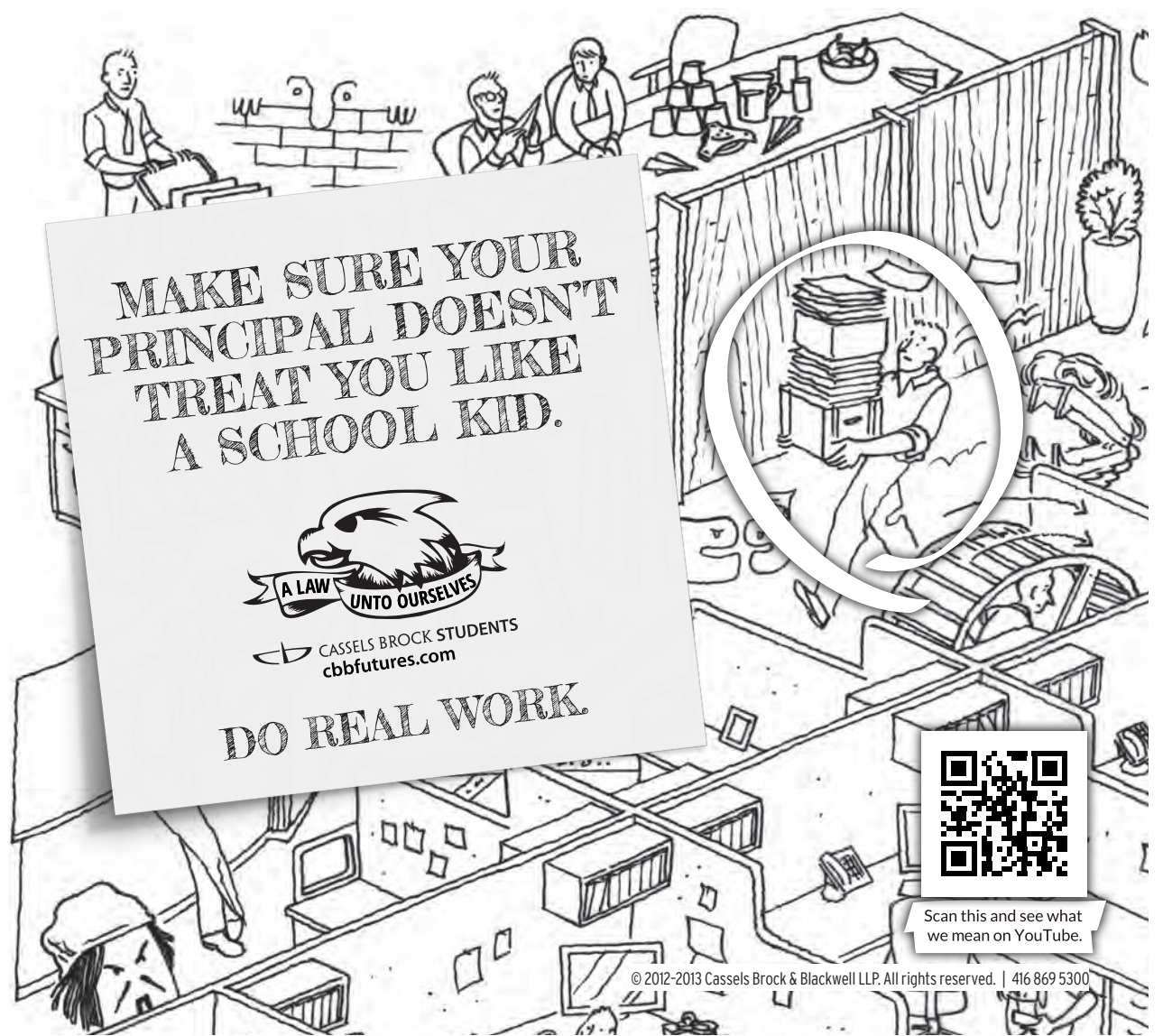
Interestingly, however, the dominance of teams from the West does not extend to baseball, where the top teams in each League still reside in their Eastern and Central divisions.

While it is likely that the dominance of Western Conference teams in each of these

sports is a mere coincidence, other theories have begun to emerge. In the NHL, for example, it has long been posited that Western Conference teams play a more structured, defensive style than their free-wheeling Eastern Conference counterparts. When these two styles clash, the team-oriented Western Conference teams tend to emerge over the Eastern Conference teams, who rely more on individual skill. Certainly, a higher level of competition in one group will eventually lead to improvement for all teams in that group, as they try to gain an edge over one another.

Given the relative novelty of Western dominance in basketball and football, possible explanations are only beginning to formulate. Is there a geographical explanation? Is there something in the water or the air out West that helps athletes perform their best? Do they thrive away from the glare and pressure of East-coast media?

It is unlikely that we are going to receive a satisfactory explanation for this phenomenon any time soon. For the time being, those Leafs and Raptors fans that are enjoying the teams' recent success should thank the sports gods that their teams remain in the cushy confines of their leagues' Eastern Conferences.



# New Year's revolution

» *continued from page 7*

messages would have resonated with me, but they did not. Instead I felt even more embittered, and was fairly glad to know I would soon be leaving 2013 behind.

As I enter 2014, I find myself much less cynical, with a renewed hope brought on by the level of understanding only the recognition of past mistakes can truly generate. I realize now that I was anticipating the wrong revolution, and the one I was right to have expected has indeed been underway for years. The wrong revolution is the sudden one. It has a cool name, a trendy cause, an outburst of popular support matched by a saturating two weeks in the news. It is exciting, fun, full of hope and promise, and ultimately doomed to fail. It is doomed, in part, because the world is not suited to it. There are simply too many issues, too many competing concerns and interests, for any one event to so entirely dominate our conscious as to precipitate any massive or destructive social changes. Populations at large want these revolutions to succeed, but they cannot invest in them, as there is also so much to be lost. And herein lies the truth of the

real revolution, the slow-burning one that, if you watch the news as avidly as I do, you may miss altogether.

The revolution I've come to notice is the revolution of progress, and it is powerful and long lasting. The fruits of its labour are already among us. Human rights standards are more rigidly supported and maintained than at any point in history, the standard of living in many developing countries is at an all-time high, global economic relations are now more closely tied to societal goals and programs than ever before, and the environmental movement is seeing real, tangible industry progress from the US, to Dubai, to Hong Kong. Though all these signs of progress can be matched by a hundred examples of continued problems and failures, they still help fill in a larger picture.

On a whole, societies are continuing to progress, towards democracy, towards independence, towards a better life. Perhaps 2014 will best be spent not in pursuit of a new theme, but in maintaining past progress, and ensuring it continues. For all the problems we have in the world, many of us are still unwilling to partici-

pate in the romanticized destructive revolution some still claim is necessary. It would seem the greater desire is not to remove our current structures and institutions, but rather to continue improving them. New uses of technology, and improved means of global communication, make it all the more likely such improvements can feasibly be achieved. An improving global economy, despite all its flaws, can continue to foster prosperity with proper oversight, regulation, and management. The movement is slow, but vigilant citizens have a greater chance than ever to ensure positive, lasting progress. Revolution likely isn't coming in the way I once thought, but now I truly believe that is a good thing. The best revolution we can hope for is not one that destroys, but rather one that builds on the progress we have already made, and that revolution is well under way.

# Missing voices in *Bedford* commentary

» *continued from cover*

stereotypes with studies they conduct on print and online advertising. For example, Craigslist and the Georgia Straight, a Vancouver newspaper infamous for its back-page "massage" advertising, have been sources of information for the group. Extensive academic research also has revealed the racism in prostitution. One study randomly interviewed prostitutes in Vancouver, finding 52% of them to be Aboriginal in spite of the fact that Aboriginal women made up around 5% of Vancouver's population at the time, acknowledging the reality of disproportionate representation of Aboriginal women in prostitution.

While racial equality issues may not have been addressed in the Bedford decision, there is no valid reason to ignore them in the larger debate about how prostitution should be dealt with legislatively. Nevertheless, the mainstream media has been largely silent on the issue of racism. This silence is nothing new: A 2010 study done by communications students at Simon Fraser University took a sample of 105 relevant newspaper articles published by major media companies discussing prostitution in the context of the lower court Bedford deci-

sion; they found that while a small percentage of articles mentioned gender inequality, none mentioned racial inequality as a factor in prostitution. Moreover, the study found the articles gave almost no voice to NGOs representing racial minorities, in spite of the fact that prostitutes are vastly overrepresented by women of colour. The latest coverage and my experience at the media scrum on December 20th revealed similar disregard for matters of racial equality and for groups representing racial minorities.

The silence on the issue of racial equality and prostitution is troubling. As a white male I can only begin to imagine the challenges and barriers faced by women of colour and how prostitution intersects with those challenges. That the major media has not approached or voiced the opinion of key groups representing those most affected by prostitution only distorts Canadians' ability to understand and have a reasonable opinion. Perhaps if we included these groups adequately in mainstream coverage and debate, we would be talking more about prostitution in the context of equality.

In the coming year, Canadians and Parliament need to ask serious questions about pros-

titution. The Supreme Court of Canada in the Bedford case acknowledged that many women are not in prostitution because of choice but rather because of economic necessity, addiction, mental illness or coercion. Based on the reasoning of the court, the government therefore has a responsibility to ensure that laws around prostitution do not worsen the dangers of the sex trade for women. In accomplishing this, Parliament also has an opportunity to draft prostitution laws that are truly designed to promote equality in Canada.

Moving forward, the appropriate course of action is not to simply frame the matter under isolated notions such as "freedom" or "consenting adults" as has been done in the mainstream media. The appropriate course of action is to hear from all affected groups, as they are best situated to express widespread experiences and concerns as well as viable solutions. Many of these groups are already represented and have for some time been speaking on this and other important issues. As law students in privileged positions of leadership in our communities I hope, at the very least, that we listen.



sudoku

This issue's Sudoku

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

Puzzle by websudoku.com

Last issue's solution

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

Puzzle by websudoku.com

Puzzles courtesy of Canadian University Press: cupwire.ca.

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