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Why Kurds Should Vote “Yes” in the Referendum, But “No” for Independence

On September 25, residents living in KRG-controlled areas will vote on whether Iraqi Kurdistan should sever itself from Baghdad and become an independent state. For now, we can assume that at least Israel will support the Kurds seizing the reins over their own destiny. This unique amity is the fruit of a mutual apprehension of an imploding Arab world and the security threats posed by Turkey and, of course, Iran.

The rest of the world, however, seems quite opposed to it. Just about every relevant state—Britain, Russia, Germany, and the United States—has unequivocally withheld its support. Baghdad, Tehran, and Ankara lead the fiercest opposition to Kurdish independence, as it would inevitably spur the Kurds in neighboring countries to expect a similar national emancipation. Unfortunately, the Kurds are at the centre of the twenty-first century’s Great Game: new players, new stakes—same rules.

A Post-Saddam Era

Standing on the mountains and peering over Suleymaniyyah, invariably one finds Kurdish locals waving their arms and pacing back and forth dangerously close to the precipice to draw out the city’s expansion following the Anglo-American invasion in 2003. Indeed, only two years later Iraq had its first (January) and second (December) free and fair election—the ‘free and fair’ bit being the most important feature.

The new Iraqi National Assembly was tasked with devising a constitution amenable to the interests of religious groups—Christians, Sunnis and Shi’ites—as well as ethnic groups—Turkomans, Arabs, and Kurds—in addition to several other minorities. The motley concoction of Iraq’s inhabitants did not make this task simple. Nevertheless, the Kurds, for their part, succeeded in entrenching their gains and turning their de facto autonomy—consolidated in 1992 under a U.S. no-fly zone—into law.

The KRG was given fixed borders and now had the legal right to retain its own militia force. It was granted exclusive control over the region’s land and

Art Source: Rojnama.wordpress.com
Author: Hunter Norwick
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Ten Tips for First Year Law Students
Candid Advice from the Editor-in-Chief

Author › Ian Mason
Editor-in-Chief

So you’ve made it to law school. Let me start by congratulating you and apologizing for how quickly you may find yourself in over your head. Getting into law school is a lot like having kids; people will talk about how great an experience it is before you start, and then laugh at you for ruining your life when it’s too late to turn back. This is not to suggest that law school doesn’t have some awesome moments and true value, but there are some things you can’t exactly prepare for, and a lot of the people who encouraged you to take this terrifying endeavor often weren’t entirely forthcoming. On that note, here’s a list of tips for first year law students.

1: Get used to seeing people at their absolute worst

In law, you should get used to seeing the absolute worst that humanity has to offer. Family law often involves watching two people do their damnedest to use the legal system to seek revenge on their former partners, often at the expense of their children. In first year criminal law, my section’s professor apologized profusely before a class on rape accommodations (he’s such a nice guy it was like listening to Mr. Rogers describe the Klamor Roogee). Even in insurance law, you witness some real low points of humanity. I once watched a guy throw his disabled brother under the bus as part of his scheme to defraud an insurance company. He was using his brother’s name for paperwork, and the brother had to sit through a five-hour examination where he was at best thoroughly humiliated. It’s something to get used to, because...

2: You need to learn to keep a straight face

This is harder and more important than you might expect. Judges will reprimand you for rolling your eyes, but in real life, it’s a tell. Keep an eye out for such things. This one becomes painfully obvious very quickly. Admittedly, I’m bringing it up because it always struck me as a weird thing to say before a lie, but if someone says it during an examination or interrogation, it’s safe to assume they’re lying. I guess the reasoning behind it is that you can repent your act of blasphemy or that your mother doesn’t have to know about it. Also, I do remember it working once in awhile on the playground, but in real life, it’s a tell. Keep an eye out for such things.

3: Get used to being confronted with mind-blowing stupidity

As George Carlin once remarked, “think of how stupid the average person is, and realize half of [all people] are stupider than that.” In the legal profession, you’ll run into people who make that average person look like the offspring of Einstein and Marie Curie. Even you’ll run into people who make that average person stupid to be kidding me look.”

4: Get used to people telling ridiculous lies to your face, even after they’ve been caught lying

I’m not even sure where to start here. Long before I started practicing for the LSAT, I was the fink clerk/ heavy lifting specialist at an insurance defense firm, and when I got bored I’d read the examination reports. During these examinations, a party would often tell obvious lies that blatantly contradicted the documentary evidence they knew the examining lawyer had, and would continue to lie after their credibility had been thrown in a dumpster and set on fire. While working as a court reporter, I once watched a woman claim she owned no jewelry when she was wearing a gold watch and gold necklace (she covered the latter with the former). To some extent, doubling down on lies seems to be some botched calculation whereby the liar thinks that the microscopic chance they might get away with thelie claims the embarrassment of admitting to it, but that’s the sort of shoddy math that convinces people to buy lottery tickets. Regardless, try to keep a straight face.

5: When someone swears to God or on their mother’s life, they’re lying

This one is becoming painfully obvious very quickly. Admittedly, I’m bringing it up because it always struck me as a weird thing to say before a lie, but if someone says it during an examination or interrogation, it’s safe to assume they’re lying. I guess the reasoning behind it is that you can repent your act of blasphemy or that your mother doesn’t have to know about it. Also, I do remember it working once in awhile on the playground, but in real life, it’s a tell. Keep an eye out for such things.

6: Come to terms with being average

This is something I was told about before getting into law school. Working at a law firm, I had a lot of conversations with lawyers as I waited for the coffee to brew, and that piece of advice stood out. Average students don’t make it to law school. Except in extremely rare circumstances, you don’t get into law school unless you beat at least sixty percent of A students on a standardized test that’s basically an IQ test designed by psychopaths (the LSAT). This is not to trivialize your achievements, just don’t freak out when you see a C for the first time since high school gym class. That was apparently an earth-shaking revelation to a lot of people in my year.

7: Don’t screw around

I am personally guilty of this one, and not coincidentally am less surprised to see Cs than other people. That said, there’s stuff even I won’t do. If you miss a class, listen to a recording. Take notes from every class. Do your readings. If you can’t find a summary, make your own. Show up to classes where they mark attendance. You may be thinking “no duh, dumbass”, but a lot of people will tell you that they didn’t do their readings or take notes, and while they passed, it’s not a risk you should take. Some people can screw around and make it, but never assume you’re one of them.

8: Get yourself out there

This is something I should have done more of, and I’m writing this tidbit from a position of regret. I flirted with dropping out in first year, and the only reason I didn’t miss out on useful tidbits about summaries and on-campus interviews is because a number of people reached out to me. Admittedly, I didn’t do OGIs for reasons that weren’t very good, but the point is that you can miss some really important events and programs if you don’t know people. A lot of stuff flies under the radar, and the job market isn’t great right now. Go to a couple of pub nights, play some sports, chat in the lunch line, whatever your trip is. Just don’t be a ghost.

9: Familiarize yourself with mental health and student support programs

Full disclosure: I have mental health issues, and I wouldn’t have gotten through first semester were it not for Osgoode’s Student Success and Wellness Counselling, I would have dropped out without this service (and the unsolicited support of some classmates – if you’re reading this, thanks again), and its facilitators are a lot more than happy to help you arrange extensions, therapy sessions, whatever. There’s also the Osgoode Peer Support Centre, and Osgoode has a counselling page covering pretty much anything you might need (http://www.osgoode.yorku.ca/my/jd/counselling/). If I’m in the Obiter office, I’m no counsellor, but I have ears and beers.

10: Have a well-rounded life outside of Osgoode

Well, try to, at least. School will eat up a lot of your time (unless you’re screwing around, and as established in tip #7, don’t), but everyone needs hobbies. I write, play hockey and tabletop role-playing games, and sing karaoke. The previous editor-in-chief was very active in Mock Trial. Osgoode has so many student clubs I don’t even bother keeping track of them. If nothing else, hobbies look good on a resume. Might I suggest writing for Obiter? And with all of that said and done, best wishes to all of you! Almost everyone here wants you to succeed, and if they don’t, spit them with your success. Better things have been done for lesser reasons.

Ian Mason

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The Success and Failures of Development
Comparing the Millennium and Sustainable Development Goals

On September 25, the United Nations ushered in the Sustainable Development Goals ("SDGs"), a fifteen-year plan to end poverty, inequality, and environmental degradation. Titled “Transforming our world: the 2030 Agenda for Sustainable Development,” the SDGs came into effect on January 2016 and replaced the Millennium Development Goals ("MDGs") that expired in 2015. Notably, the SDGs form an expanded plan of action for global development with a set of seventeen goals and one hundred and sixty-nine targets, a substantial increase from the MDG’s set of eight goals and twenty targets.

To see the potential importance and impacts of SDGs, it is important to first look back at the MDGs. The reviews are generally mixed. Some believe that the MDGs were immensely successful in providing strategic direction for international actors, while others believe that the goals were immensely failed in addressing the root causes of societal issues. Although the degree of success or failure differs between commentators, researchers are starting to measure the complete impact of the MDGs after 2015.

One important metric is to see how many lives the MDGs saved. Studies show that 21–29 million extra lives were saved due to accelerated progress, measuring pre-MDG trends on child mortality, maternal mortality, HIV/AIDS, tuberculosis, and malaria then comparing that to post-MDG data. These improvements most impacted high-population developing countries: two-thirds of lives saved were in sub-Saharan Africa, and one-fifth were in China and India.

Another important metric is to see how many lives the MDGs improved. Some show great improvement. Compared to pre-MDG trends, 471 million extra people have been lifted out of extreme poverty and 111 million more people completed primary school, showing that having concrete goals and initiatives can have an impact. However, other indicators actually worsened. For food and water security, accelerated development in some developing countries was largely outweighed by slowing progress in other developing countries, showing a net decrease in lives improved.

Overall, most researchers are on the fence. The MDGs certainly impacted development in many positive ways, but many are wondering whether they could have been significantly improved through changes in international policy and program execution. The SDGs and MDGs differed in scope and content. Some of these changes are from improvements in the field of global development, with researchers and policymakers becoming more experienced after implementing a variety of successful (and unsuccessful) programs to meet the goals. Others show an increased awareness of different global actors and interests, some of which were ignored or inadequately addressed when initially creating the MDGs, such as a more fulsome respect for urban development goals. And some reflect the interdisciplinary approach to sustainability, acknowledging that fields like biology, environmental science, and engineering help create sustainable systems in which to live.

Some actors applaud the increased number of SDGs. They note that the greater number of goals and specificity allow the SDGs to be more comprehensive. For them, they think that having more goals and targets allows international aid communities to focus their attention on previously unnoticed areas of development. With a more fulsome understanding of these areas, it is less likely that pressing needs will be left unaddressed, preventing outcomes like the net decrease in food and water security.

Other actors are more critical of the changes. There is the risk that the global funding and financial support system may fragment along disparate interests, preventing cooperation. After all, not all of the SDG targets are as globally valued and prioritized in development agendas as the previous MDGs. Certainly, not all countries want to invest in projects to, for example, address road traffic accidents or strengthen tobacco regulations. And creating sweeping initiatives to address only a handful of targets out of almost two hundred may raise less political capital than with the MDGs, acting as disincentives to global political collaboration.

The numbers are still being recorded for both the recently-completed MDGs and the recently-started SDGs. Certainly, it is not a zero-sum competition whether one approach to international development is better or worse than the other; both are striving to create positive change in the world. However, to further improve international development, actors need to look critically at the actual impacts and successes to create improved goals and systems.
water rights. But in recent years, constitutional pro-
visions that had been intentionally left vague in 2005 have helped rally Baghdad and Arbil against each other. And there are no assurances that these disputes will be settled off the battlefield.

When Kurdistan Not Ready for Independence
According to the political, military and economic argument, and just about every other indicium one can conjure up, independence will almost certainly augur a future of destitution, isolation, and, worst of all, subordination.

The contentious feature of the refer-
endum concerns the status of the “disputed territories,” particularly Kirkuk and Shingal (Sinjar). These are territories that Baghdad asserts are part of Iraq proper, but which the KRG holds as essential to the Kurdistan region. The legal means to resolve these disputes is found in Article 140 of the Iraqi constitution, which recommends a step toward normalization followed by a census, and that a referendum be held to determine the will of the people. This procedure, however, was supposed to be completed no later than 31 December 2007.

There are two “camps” competing for the Shingal district. On one side is the Turkey-KDP axis and on the other is the PKK-Iraq-PUK-Iran alignment, which is less an ideological alliance than it is a camp with tenuous shared interests of transitory convenience. Shingal’s prize feature is not only that it sits on the former ISIL supply route from Mosul to Raqqa, but also that there may be large, untapped oil reserves in the area. And as of right now the KRG and Turkey have closed their borders to northern Syria where PKK-linked YPG/PYD Kurdish forces are governing. Having control over Shingal, then, would provide the KRG with additional leverage over its neighbours, and Rojava (west Kurdistan) with an economic lifeline to Baghdad and the rest of the world.

But all of this is a non-starter for Turkey. There are no circumstances under which it will permit PKK-linked forces—in the form of the Shingal Protection Units (YBS)—to retain control over the area. It fears the district and its mountains will provide the PKK with a location to launch attacks on its economic interests. At the very least, PKK control over the Shingal district may develop into a shock absorber in the event of a Turkish attack in Syria, or a place of refuge for fighters bombed out of Qandil. PKK control over the Shingal district may develop into a shock absorber in the event of a Turkish attack in Syria, or a place of refuge for fighters bombed out of Qandil.

Nor will Turkey allow Tehran-loyal Hashd al-Sha’abi militias to consolidate their control over Shingal. This would project Iranian power unseasonably close to Turkey’s border, and would help secure a “Shia Crescent” from Iran to Lebanon, a prospect that is also liable to antagonize the U.S. and Israel. Iran also has an interest in keeping the PKK out of Qandil since that inevitably invites Turkish forces close to its own border.

But Turkey has already showcased its intentions to thwart any outcome where its own proxies do not prevail. Since 2015, it has been strengthening its forces in the Iraqi city of Hishawa with a KDP endorsement, and President Erdogan has ordered attacks against PKK-linked groups in Shingal as late as 25 April. Mahma Khaili, the mayor of Shingal, told Rasnews that Yazidis wanted to be part of an independent Kurdistan. But his announcement is simply the product of a KDP patronage network that purchases the affiliation of potential voters. If it comes down to a referendum, the Yazidis—many if not most of whom remain IDPs and refugees—would probably elect to remain in an Iraqi federation. Ideally the Yazidis would like to have greater control over their own governance, something which the KDP is unlikely to brook. And as a result of callous mistreatment over the years, residents of Shingal feel a deep-seated disdain and suspicion of the Peshmerga.

In August 2014, when ISIL was approaching the area after seizing Mosul in June, the Peshmerga abandoned the region and it was followed turned geno-
cidal. Thousands of men, women, and children were stacked in mass graves while girls were sold into sex slavery. It was only in November the following year that the region was recaptured. The PKK was the only local force initially willing to come to their rescue and the Yazidis are emotionally attached to this

Then there is the problem of Kirkuk. It sits on one of Iraq’s largest oil reserves and offers the surest and fastest path to economic independence. The city is broken up into thirds. Less than a third are Arab and Assyrian, one third are Kurdish, and just over one third are Turkoman.

But the Turkoman are apprehensive about the Kurds, they share an ethnic affinity for Turkey, and are likely to vote to stay inside Iraq’s orbit. For the Arab population, that is a given. By all means, then, these Kurds are not likely to pre-
vail from a free and fair referendum. Given the indis-
pensability of these regions, it is very possible that the KRG will resort to force to secure their interests. In fact, one can count on it.

The current state of the KRG’s economic situation is also worrisome. After the 2014 “oil-for-revenue” deal broke down between Arbil and Baghdad, the KRG started to sell oil on its own accord. But this has largely been a diplomatic and economic blunder. The Iraqi Kurds now depend heavily on Turkey to sustain oil revenues, and tensions with Baghdad have encour-
age an exodus of international oil companies. Prime Minister Haider al-Abadi has also ceased paying the KRG 17 percent of the federal budget, a painful hit to an economy already in tatters.

Moreover, selling oil without Baghdad’s consent has had legal ramifications. On July 4, for example, Reuters reported that Canada ordered the seizure of a 720,000-barrel cargo of crude from Kirkuk as requested by the Iraqi Oil Ministry. Baghdad has fur-
ther threatened to take its complaints to international legal bodies against those countries, particularly Turkey, which purchase oil directly from the Kurds. Despite perhaps being the most effective force against the Islamic State, the Kurds still do not enjoy the dip-
lomatic cover to prevent their independence from turning into isolation.

The Iraqi economy has been doubly battered by the influx of refugees and internally displaced persons fleeing IS-controlled areas. Unemployment is high and the KRG has had difficulty paying its workers. Painful austerity measures have shrunk the budget by over $10 billion USD since 2014 when global oil prices first plummeted. Half-finished construction projects and derelict infrastructure can be spotted all over major cities. It is arguable that independence will only worsen the crisis.

With Syria in shambles, Baghdad irate, and Iran naturally chary to support Kurdish autonomy, President Barzani has built a house of cards with Ankara as its foundation. Now the KRG’s sole egress to the outside world is tethered to the whims of a go-
vernment which has historically attempted genocide against its own Kurdish population and which also continues to fight a brutal, decades-long war with the PKK. Slim pickings, I suppose.

And the bad news does not end there. The KRG is about as internally divided as it is externally iso-
lated. In 2005 Barzani was appointed president and in 2009 he was re-elected. In 2013 his incumbency was extended until 2015 through a combination of legislative sleights and political ruse. But none of these matters since it is 2017 and he still has not abdicated.

Instead, he has arrogated dictatorial authority over the Iraqi Kurdistan Parliament. After protests against Barzani’s leadership erupted in Sulaymaniyah in 2015, he blamed the Gorran party for the violence that ensued and barred its members from entering Arbil. Since Gorran has twenty-five seats (the second most in parliament) and holds the position of Speaker, parliament had been—and continues to remain—sus-
pended indefinitely. It just so happens that the pre-
miership is held by his nephew, Nechirvan Barzani, who alongside his uncle now rules over the tribal democracy that the KRG has become, which more often than not falls closer to the adjective than the noun.

Worst of all, the two major parties have divided Iraqi Kurdistan into modern fiefdoms. Between 1996 and 2006 Iraqi Kurdistan was separated into a “green zone” and a “yellow zone,” the former being the region over which the PUK exerted control and the latter referring to the KDP’s ambit. A similar de facto arrangement endures today between Arbil and Sulaymaniyah. With the suspension of parliament and with a brash running the presidency, both par-
ties have returned to this collision course with poten-
tially ruinous consequences.

To restart a project that commenced twelve years earlier, in 2006 the KDP and PUK reached an agree-
m ent to unify their respective forces and depoliticize the Peshmerga. About forty thousand fighters are now nominally under the Ministry of Peshmerga’s control, which is nominally headed by a Gorran member of parliament. But that still leaves well over one hundred thousand forces directly beholden to political parties.

Some Peshmerga allegiances even break down to an individual level. Bafel Talabani of the PUK, for example, commands an anti-terror force that is not under the authority of any ministry, while Nechirvan Barzani has a personal security force that helped protect Kirkuk oil fields in 2014. This phe-
omenon is widespread. Thus Kurdistan is composed not of a monopoly but an oligopoly of force, whereby pockets of power dominate across political, ideolog-
ical, and tribal lines.

Historically these divisions have allowed for out-
side powers to sow chaos inside the region, pitting the Talabani crew against Barzani’s, and vice versa. In the midst of the civil war that raged from 1994-1998, Barzani enlisted the help of Saddam Hussein to oust the PUK from Arbil and crush the KDP’s opposition, while the PUK sought Iran’s backing to defend itself and retake the offensive. The war did not end until Washington brokered an agreement and a thousand Kurds had already lay dead.

Conclusion
Thus while the people are ready for independence, the KRG and the world are not. On September 25, Kurds must go out and vote “yes” for severing from Iraq, but demand that the KRG withhold its declara-
tion of independence until more propitious circum-
stances arise. Committing the Kurds to a different course risks dismantling the century-long project for which so many have perished.
In March 2017, I had the pleasure of attending the Disruption in Legal Services Delivery: What Students and New Lawyers Need to Know program held by Osgoode Professional Development and Queen’s Faculty of Law. The evening provided JD students, articling students, and new associates with fresh perspectives, insights, and tips on current trends in the legal profession through four informative discussion panels. Each panel included a selection of legal professionals working in a wide variety of roles, who shared their unique experiences and valuable advice on the future of the legal industry. My three takeaways of the evening were:

**Takeaway #1: Embrace Networking**

There are no real surprises here; many legal professionals in training have long understood networking to be part of the job. However, as the profession moves towards smaller specialized firms, boutiques, and sole practitioners—a trend noted by many panelists—knowing who knows the answer will be as important as knowing the answer itself.

As incoming legal professionals, we will benefit greatly from building relationships and networks as soon as possible. Fortunately, most of us have already started; we’ve built relationships at law school; now we need to work at maintaining those relationships and developing new ones throughout our careers.

**Application:** Make time for lunch with colleagues at other firms and keep your thumb on the pulse of both legal and non-legal networking events. And learn to use social media! Social media is a great tool to help enable your networks. The effort you put into building your network now will prove invaluable in the future.

**Takeaway #2: Embrace Project Management**

A theme that ran through most—if not all—of the panels was the idea that as incoming lawyers, we need to assume a more “hands-on” role in file management. Clients are demanding efficient solutions at lower prices, and the legal profession has to adjust to this change.

**Application:** Embracing project management doesn’t mean that you have to know all the ins and outs of a file’s budget; simply ask about the budget and how you can help stay within its parameters is a great start. If you’re currently studying, take the time to develop your project management practices. If you’re currently practicing; consider programs related to project management to fulfill continuing legal education requirements.

**Takeaway #3: Embrace Client Service**

Students and new associates need to learn the client aspect of the legal profession. We spend our time in school learning how to read judgments, apply jurisprudence to exam problems and write papers. However, these skills don’t adequately teach us how to interact with the clients to whom we owe a fiduciary duty. Newcomers to the legal profession need to learn to effectively and thoughtfully interact with clients. More and more, clients want to know where their money is going and how their file is progressing. We have to be able to understand clients’ needs while communicating the law, possible risks and the client’s options or potential outcomes.

**Application:** Similar to project management, no one is saying that law students or junior associates must or should strive to take over client communications. But we should take an interest in working with clients early so we can develop those skills.

All in all, as a law student, Disruption in Legal Services Delivery was interesting, exciting, and encouraging. I had some reservations going in; would the future legal landscape be all doom and gloom? But as the panels progressed, I kept thinking, “I’ve done that!” or “I know how to do that!” There are countless opportunities to develop; we just have to learn what they are and where to look for these opportunities. ✨
In its 4th year, close to 900 licensees will have joined the Profession through Ryerson’s LPP.

Within one year of their Call to the Bar, 75% of our alumni are working in law and law-related opportunities.
Bill 62, Muslim Women and the Niqab
Québecs Bill 62 discriminates against a minority of a minority

In 2016, the Québec government introduced Bill 62, An Act to foster adherence to State religious neutrality and, in particular, to provide a framework for religious accommodation requests in certain bodies. If passed, it will require personnel of public bodies to perform their jobs with their faces uncovered. Those receiving services must do the same. Most employees and members of the public do not cover their faces as a regular practice. However, one would be hard-pressed to identify someone as affected as Muslim women who wear the niqab.

In Wittler v. Canada (Attorney General), Chief Justice McLachlin and Justice Abella noted it is easier to prove discrimination where a law is discriminatory on its face, compared to one that purports to treat everyone the same, but in actuality has a disproportionately negative impact on a group or individual that can be identified by factors relating to grounds of discrimination. In this case, the grounds are religion and sex. Bill 62s face coverings provision does not explicitly target Muslim women; all personnel and those receiving services must keep their faces uncovered. Yet the law in effect creates a distinction, with most of Québec society on one side of the line and a small group of women who believe they are religiously bound to wear the niqab on the other.

Bill 62 does consider accommodation requests. If the bill passed in its present form, the worst case scenario is that women who wear the niqab will be forced to choose between their sincerely held religious beliefs and meeting their basic human needs such as receiving healthcare or pursuing an education. The best-case scenario is that these women would have the burden of enduring an accommodations request process under the Québec Charter of Human Rights and Freedoms, and would have to be approved, simply to access the same public services as everyone else. While the majority of members of Québec society would be no more barred than before from pursuing public sector jobs or accessing necessities, members of a minority group would have an additional hurdle to overcome before they could do the same.

In R.v. Big M Drug Mart Ltd., the Supreme Court of Canada's first case on freedom of religion under the Canadian Charter of Rights and Freedoms, Justice Dickson stated for the majority: The Charter safeguards religious minorities from the threat of the tyranny of the majority. Given Statistics Canadas 2011 National Household Survey found only 3.2% of Quebec's population identified as Muslim, veiled Muslim women would be a minority of a minority. They would be the group in need of safeguarding.

Neither the face coverings provision nor the other clauses in Bill 62 are new, with successive Québec governments having made similar attempts. The current face coverings provision and religious accommodations framework are modeled on the Québec Liberal governments 2010 Bill 94. It did not pass into law, as the Liberals were defeated in 2012 by the Parti Québécois (PQ). Not to be outdone, in 2013 the PQ introduced Bill 60. Commonly known as the Québec Charter of Values, it surpassed its predecessor and successor by completely prohibiting personnel of public bodies from wearing religious objects or covering their faces. Bill 60 also failed, as the Liberals returned to power. Both Bills 94 and 60 made it a point to single out face coverings. Regardless of whether the current bill passes, these legislative attempts demonstrate pervasive concerns of state-enabled discrimination operating in Québec.

Especially concerning is the license this legislative push gives to members of the public. According to the National Canadian Council of Muslims, while it is difficult to create a direct correlation between hate crimes, media coverage and government stances, Canada did see an increase in anti-Muslim hate crimes when the niqab became an issue during the 2015 federal election. Bill 62 pushes veiled Muslim women out of the public sphere and could potentially fuel violence.

What should the Québec government do instead? A decade ago, the Bouchard Taylor Commission answered the question. At the time, Québec was so worried about the takeover of religious minorities that the provincial government established the Commission to take stock of accommodation practices. The title of the Commissions report says it all – Building the Future: A Time for Reconciliation. The Commission called on the government to fight inequality and discrimination by specifically addressing the under-representation of ethnic minorities in government, combatting Islamophobia and other particular forms of discrimination and supporting immigrant women. That is the advice the creators of Bill 62 should heed.
Healthcare in Canada is a public concern, governed by acts, statutes, and regulations. Canadians value healthcare as a fundamental human right, as reflected in the Canadian Health Act (CHA) of 1984, which guarantees Canadians access to health services without barriers.

The question is: What is meant by ‘neglected’ or ‘rare’ diseases? What types of research would be considered as promoting accessible healthcare, and are the separate scientific gaps of ‘translation’ or ‘innovation’ considered barriers to healthcare? The ‘translation gap’ or ‘Valley of Death’ is the space between public health knowledge produced by research and its commercialization into products. Issues that contribute to this gap include the private funding of control over clinical trials, as well as the ethical issues concerning trial participants. To address some of these issues, the Canadian Institutes of Health Research (CIHR) has created the ‘Strategy for Patient-Oriented Research (SPOR)’, which provides some funding to help advance treatments that are in their early stages of research and development, prior to commercialization. Adding to this effort, associations like the Royal College of Physicians and Surgeons of Canada have also shown support for the involvement of ‘clinician scientists’ as both clinicians and researchers. As such, the benefits of translational health-research discoveries are limited by the need to translate knowledge into products. However, there is always room for improvement, and the global projects are limited in focus.

The modern commercialization of scientific research can be profitable and, therefore, creates the consequence of potentially motivating companies to only pursue research that will ultimately have a lucrative result. This impacts healthcare and available treatments in the long run by contributing to the ‘innovation gap’. The innovation gap refers to the unequal focus of research on specific diseases for which the treatments have more commercial potential, rather than for diseases that need treatments, but may not translate into profit for pharmaceutical companies. These neglected diseases are often prevalent in developing and tropical countries. For instance, according to the World Health Organization (WHO), African trypanosomiasis (‘sleeping sickness’), or Dracunculiasis (caused by drinking water contaminated by guinea-worms) are considered to be neglected diseases. In contrast, orphan diseases such as Leishmania and Chagas. There are also various organizations that actively promote international healthcare, including Canada’s International Development Research Council and the Canadian Collaborative for Global Health Research, among others. The CIHR also has Global Health Initiatives, which encompass studies on chronic diseases, studies conducted in other countries, and climate change adaptation methods. However, there is always room for improvement, and these global projects are limited in focus.

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As of 2017, the structure of the CIHR has shifted under the Trudeau government from focusing only on improving the efficacy of translational studies on ‘industry-driven’ research to basic ‘fundamental’ or ‘investigator-curiosity-driven’ science (in other words, non-commercial research) to promote the ability to innovate. We should take advantage of this shift by encouraging individual researchers and their teams to propose projects on neglected or rare diseases as part of the ‘investigator-initiated research’ share. Alternatively, the study of these diseases could be categorized as a dedicated Global Health Initiative. In addition, it would be helpful to have a section of SPOR dedicated to domestic and rare illness. The ultimate goal is to bridge the innovation gap by studying remedies for diseases that do not receive proper attention, and move one step further by bridging the translational gap. The administration of medicine to those who need it will be tricky depending on barriers, including the relationships between countries or the political and economic stability of nations. Despite this, the first steps to take are to attain, and make practical use of, more knowledge about neglected and rare diseases. The Public Health Agency of Canada has worked with the WHO significantly on the Ebola outbreak in West Africa and Ontario has recently strengthened their commitment to treat rare diseases. Perhaps incentivizing this type of focused research would contribute to Canada’s involvement in the effort to help reduce the prevalence of, or eradicate, neglected or orphan diseases. As further motivation, Canadians should be aware that the transfer of diseases across borders is always a possibility given the global interactions of international populations and the Canadian economy. Ideally, though, the fundamental value for the lives of others should be the central motivation of this objective.

How does scientific research relate to law? The relationship between research and defending basic human rights is central to the lawyer’s role. By encouraging the protection of the right to health, both domestically and internationally, lawyers can help stimulate obtaining scientific knowledge. Considering healthcare within the realm of constitutional law, which has been discussed in cases like Chaudi et al v Quebec [2005] and forthcoming, Cambie Surgical Centre et al v. Medical Services Commission et al., can also serve to the benefit of Canadians who see healthcare as fundamentally connected to the right to life, no matter what the genetic predisposition of that life is. Hopefully, healthcare will soon be relevant in this manner, with growing support similar to environmental law issues of Juliana et al v. United States et al [youth arguing that government contribution to pollution violated their right to life, liberty and property]. Thinking about these healthcare and research issues creates a starting ground to tackling problems which could potentially arise in human rights litigation.

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They Say “Don't Kick 'Em When They're Down”
But I Never Stopped Kicking ‘Em and Don’t Intend To

Fun fact: apparently, if you throw a packet of soup mix in a bag of microwaved popcorn and shake the bag, you’ll get an awesomely savoury snack.

One thing that isn’t surprising is Donald Trump’s willingness to double down on his lies, even as they’re systematically dismantled by anyone with a college degree and five minutes to spare. He got where he is by lying, and people don’t generally stop doing something when it’s working for them. If he said the world was ending in twenty-four hours and to get your rape and pillage on, the deep south and Midwest would be reduced to cinders (moreso, at least) in twenty-four minutes, The visceral part of the human psyche that finds appeal in man-children like Donald Trump doesn’t care about truth in the slightest. It’s only concerned with what you can use to justify whatever awful thing you’re going to do or say next. Don’t like the facts? Make your own facts, with blackjack, and hookers... but enough about Trump’s casinos and marriages.

Anyway, it was only a matter of time before the most absurd lies came back to haunt Donald. Accusing Obama of wiretapping his home would normally be a typically Trumpian outrageous claim that inspired some memetic mockery involving tinfoil hats, but saying it as President meant it was almost certainly going to be investigated. And now, he’s learning the hard way that while the GOP will let him do almost anything with little more than a “harrumph,” military and intelligence officials won’t necessarily toe the party line. Say it’s because there’s still honour in the armed forces, say it’s because Donald’s occasionally bad-mouthing them, say it’s because you wouldn’t want to do favours for someone who so stringently avoided military service in the 1980s. The point is that this particular lie is getting dragged into the light of day and beaten with a hose until it passes blood. Good.

Perhaps the funniest bit is watching Trump flail as it becomes increasingly evident that he engaged in treasonous activities with the Russian government. At this point, he’s basically reduced to “no, you colluded with the Russians to interfere with an election.” Yeah, it’s Clinton’s fault that members of your inner circle were found to be working hand in glove with Russia. No, I’m not interested in a shiny new change of topic, and no, whining about Saturday Night Live skewering you isn’t going to make anyone any more sympathetic. It is really starting to look like you committed treason, and not the more nuanced “Iran-Contra” kind that still should have landed Reagan in prison. While you and your cronies were accusing your opponents of voter fraud, you connived with a foreign government to undermine your country’s democracy. You won’t walk away from this. You might slobber out of it, but you’ll be leaving on your hands and knees, if not on your belly.

While we wait for that hammer to fall, I’d like to extend a big “ha, you dumb bastards, you done goofed,” to the people who supported Trump because they wanted him to kick out illegal immigrants. Before Trump’s election, Vice News addressed a particularly harsh anti-immigration law passed in Alabama, which basically drove out all of the state’s farm workers by taking a proverbial steel-toe boot to their civil rights. HB-56 was designed to make life so insufferable for illegal immigrants that they’d leave the state of their own volition, which is exactly what happened. And it basically ruined the state’s agriculture sector. Turns out that most natural-born Americans aren’t willing to do back-breaking physical labour for a disturbingly low minimum wage. It also turns out that agricultural labour requires a fair bit more skill than one might expect. When Alabama brought in chain gangs to work the fields, they apparently did more harm than good, damaging the soil with their half-hearted efforts. Despite this monumental failure of policy, the American people voted for laws like HB-56 to be passed nationwide. Congratulations! You kicked out people who traveled hundreds—if not thousands—of kilometres to live in your country and do work you won’t do, because they were allegedly criminal parasites. Sounds like they wanted to be Americans just as much as you, but they’re not you, so screw ’em, right? Enjoy your grossly inflated grocery bills and failing local economies, douchebags.

Speaking of douchebags, I also enjoyed the recent downfall of Milo Yiannopoulos, due to his comments in support of pederasty. It was refreshing to see mouth-breathing alt-right clods draw the line somewhere, and while he’s apparently going to keep doing his thing (being a walking advertisement for decadence, apparently), he’s pretty much done. When a great deal of your supporters mistakenly associate homosexuality with pedophilia and seemed to think tolerating your sexual orientation was some grand act of charity, saying it was cool for old men to bang teenage boys was going to be the end of you. I also liked watching him on Bill Maher, as my friends proceeded to argue about whether his sexual orientation was more surprising than his being British.

Oh, conservative logic behind the trans bathroom issue (which Milo harped on without a shred of irony) has also become a source of twisted humour. Very well, conservative America, let me get this straight: you want to keep “perverts” out of ladies’ rooms, so you want to force people to go to the washroom of their birth gender. Obviously, a lot of the subtext implies that being transgender is a perversion, but to justify it in a way that sounds less bigoted and ignorant, it’s being framed as protecting young girls from men sexually harassing or assaulting them in bathrooms. In other words, you want laws to ensure that some men must use the ladies’ room, because you didn’t want men in the ladies’ room. You’re a freaking genius! You really put your foot in your mouth on that one. On the plus side, if you ever get your teeth stomped out when the “pervert” you tried to assaults the law beats you to death, we’ll still be able to find your dental records; they’ll be on your shoes.

And to dial it back a bit, I’ll express a small amount of sympathy for Tomi Lahren. Sure, she’s a pretty despicable person who’s hauling the leg of the achievements of better women, but she got a harsh dose of reality when the right turned on her for being relatively pro-abortion. Sorry Tomi, but the right didn’t want you to do anything other than be attractive, young, and toe the party line. Now that Ann Coulter’s old enough that even Donald Trump wouldn’t take a crack at her, the GOP is looking for a token hot chick to give the party of old, sexually repressed, flabby white men a modicum of sex appeal. Unfortunately, while they want that sex appeal, they don’t really care about any person behind it. They wanted a blow-up doll that would spout conservative gibberish when they pulled a string. It must suck for her, realizing that her career was dependent on her being a mass of female organs who would sell out her gender for a paycheck, and that they never really saw her as a person. Incidentally, that’s part of why all those feminists who she disparaged fought for those rights she took for granted. Hopefully we’ll see some character growth in the not-too-distant future.

And so we end this summary of recent events in the delusional world of the alt-right. I know it’s in poor taste to kick people while they’re down (figuratively and literally), but I also kicked them while they stood, and want to make damned sure the bastards don’t get back on their feet. They should just be grateful I can’t find that rusty hockey skate.

Oh wait, there it is...
The AESTHETIC is a type of sound, not a type of music. It is the essential element of vaporwave. The music in vaporwave is not governed by melody, rhythm, or even good taste. None of this is to speak negatively of the genre, only to describe. The philosophy behind vaporwave is that it conveys an experience. It can be like sitting in a shopping mall listening to the general sounds: the repetitive pop music in clothing stores, the hustle and bustle of the food court, conversations, beeps, buzzes, and every other expression that comes with the mall aesthetic.1

Nostalgia is another factor. We can listen to albums devoted to producing vague recollections of childhood memories playing videogames. The electronic bass and synth sounds of the ’80s, Funk sounds of the ’70s or modern Japanese Funk, have been combined and modified to form the basis of Future Funk, a broad offshoot of modern Japanese Funk, have been combined and modified to form the basis of Future Funk. The genre begun quite literally from its history. On the one hand, vaporwave took itself very seriously; it has rules and standards. There is a philosophy of nihilism and nostalgia that accompanies the music. The creation of the music itself is a mocking of pop culture through creating Frankenstein-like amalgamations of old pop music. The genre embraces the absurd, not unlike the Dada movement of the early 20th century. The artwork accompanying the music invariably features a combination the same few elements: pop consumer items such as Coke bottles, videogame paraphernalia, Roman sculptures & busts, Japanese letters and anime cartoons, ’80s neon wire frames and futurism, and tropical locales. These images are not hand drawn, animated, digitally painted, or generated using any other design tool; it resembles a collage of randomly taken images placed together to form a new image. They are a digital form of absurdist or Dada collage. Oftentimes, cryptic messages are implemented into the artwork. These mainly allude to the absurdity or nihilistic dimensions of human consciousness. This further supports the notion that there is a serious and deep meaning behind vaporwave. To illustrate, we see images with quotes such as “I can’t”, “where are you?”, “you left in peace, left me in pieces”, and “can I just disappear?”. All of these signify that there is a serious and deep meaning behind vaporwave. To illustrate, we see images with quotes such as “I can’t”, “where are you?”, “you left in peace, left me in pieces”, and “can I just disappear?”. All of these signify that there is a serious and deep meaning behind vaporwave.

For a genre that began as a joke, a powerful creative force emerged on the internet. Artists across the globe began experimenting with the sound, producing unique styles and subgenres. Blank Banshee introduced Trap style electronic beats to the vaporwave style which gave the music a more robotic and cool aesthetic. Saint Pepsi introduced ’70s funk sounds into the vaporwave genre with the album, “Hi Vibes”, which inspired the entire subgenre of Future Funk.

A Parody of Consumer Culture

There is a paradox to the music, which comes inherently from its history. On the one hand, vaporwave takes itself very seriously; it has rules and standards. There is a philosophy of nihilism and nostalgia that accompanies the music. The creation of the music itself is a mocking of pop culture through creating Frankenstein-like amalgamations of old pop music. The genre embraces the absurd, not unlike the Dada movement of the early 20th century. The artwork accompanying the music invariably features a combination the same few elements: pop consumer items such as Coke bottles, videogame paraphernalia, Roman sculptures & busts, Japanese letters and anime cartoons, ’80s neon wire frames and futurism, and tropical locales. These images are not hand drawn, animated, digitally painted, or generated using any other design tool; it resembles a collage of randomly taken images placed together to form a new image. They are a digital form of absurdist or Dada collage. Oftentimes, cryptic messages are implemented into the artwork. These mainly allude to the absurdity or nihilistic dimensions of human consciousness. This further supports the notion that there is a serious and deep meaning behind vaporwave. To illustrate, we see images with quotes such as “I can’t”, “where are you?”, “you left in peace, left me in pieces”, and “can I just disappear?”. All of these signify that there is a serious and deep meaning behind vaporwave.

Vaporwave must be heard to be understood. My goal has been to intrigue you, the reader, to look deeper into a relatively underground genre of “music”. The rabbit hole is deep, and after years of enjoying vaporwave, it always has something new in store for me.

Where did it all begin?2

In the early 2000s, vaporwave began to form on platforms such as Tumblr and Reddit. The genre begun quite literally from a joke created by Daniel Lopatin, under the pseudonym “Chuck Person”, with the release of the album Eccojams Vol 1. The artist chopped up and slowed down numerous 1980’s pop songs. Lopatin described his album as a joke or as something he created just for fun. Vaporwave became solidified as a genre following the release of the album Floral Shoppe, credited to the artist “Macintosh Plus”. The most famous track from this album is “サンプル / 現代のコンシー”, which translates to “Computing of Lisa Frank 420 // Contemporary”. It is a transformation of the Diana Ross hit single, “It’s Your Move”. On a superficial level, the song is nothing more than Diana Ross slowed down, however, its aesthetic expresses a deep artistic intent, evoking nostalgia and brooding complacency.

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1. A subgenre of vaporwave, Mallsoft, intentionally evokes the shopping mall aesthetic.
2. Vaporwave: A brief history https://www.youtube.com/watch?v=IdpPomX0WWM
Osgoode has long been a leader in experiential education. Administration, Faculty, and student leaders understand that it is critically important for students to gain the competencies and skills they need for the practice of law during their time at law school. Today, Osgoode offers a wide array of opportunities for students to hone their legal skills during their studies while also addressing access to justice issues.

This year, Osgoode students have many options to get out of the classroom and into the community. Pro Bono Students Canada’s (PBSC) Osgoode chapter has grown by 60% since last year, and is now proud to offer Osgoode students approximately 140 volunteer opportunities, across 40 distinct projects with 36 community partners.

With this unprecedented expansion, Osgoode’s PBSC program is the fastest growing in Canada and is now among the largest in the country. Osgoode students have more opportunities than ever to gain practical legal experience while making a difference in the lives of people in Toronto, Canada, and around the world.

Reflecting the unique diversity that defines Osgoode’s students and academic life, this year’s offerings are more diverse than ever before. PBSC placements cover a wide breadth of legal disciplines, including poverty, immigration, and family law. Students can explore their legal interests and begin practicing the skills they learn in law school to affect positive change in the lives of people who need legal services.

Students working with PBSC can take the skills they learn in the classroom and apply them to real legal situations. PBSC has 3 primary streams of projects: Research & Writing, Client Assistance & Intake, and Public Legal Education.

The Research & Writing stream transforms classroom skills into practical competencies by offering students experience drafting and completing legal documents in a real-world setting, as well as opportunities researching fascinating legal questions on pressing societal issues.

In the Client Assistance & Intake stream, students work face-to-face with vulnerable clients, working closely with lawyers to advocate and help clients navigate the legal system.

Lastly, the Public Legal Education stream allows law, students to empower the broader community by providing workshops on legal rights and responsibilities, helping to foster access to justice in a society in which information is power and people increasingly find themselves involved with the justice system as self-represented litigants.

For up-to-date information on how to apply, please visit: http://www.osgoode.yorku.ca/pbsc/how-to-apply/ Applications are due Friday, September 15th at 5:00 PM. Trevor Fairlie is a member of the Executive of PBSC’s Osgoode Chapter.
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