***Ottawa Public Law Tour - Track 1 Getting Started***

**Transcript of podcast**

Welcome to the University of Ottawa Faculty of Law Common Law section and our Public Law Tour of Ottawa. I’m Craig Forcese. I have a couple of purposes in developing this podcast tour of Ottawa. First, I want you to get out of your law school caves and explore the beautiful city in which you are now studying. I’m proud of the city and of the country of which it is a capital, and I make no apologies for wanting to share that passion with you. Second, I believe that one way to ground some of the concepts you are learning in law school is to realize that some have a real history and also a real geography. This tour aims to be a walking seminar. When you encounter things in class, I want you to picture the spaces in which you live and have visited, making the ideas more concrete. Third, I want you to be interested and engaged and enthused. I’ve been doing this law school teaching thing for a while now. I have the best job in the world, and one of the reasons for that is that I am paid to share the wonder of an incredible human undertaking, the law, with people who want to join me in that pursuit.

So on to some basic logistics and instructions. In this tour, you will be walking, running, or cycling from landmark to landmark. On the Website for this tour, you will find a map of the itinerary. For each landmark, there is a short podcast discussion. Each such discussion is a single track, like you would find on an iTunes album. And in fact, I have set this podcast up on iTunes for you to download. Follow the prompts and listen to each track as you arrive at the landmark. I am assuming that you are starting this tour at Fauteux Hall, the UOttawa Law School, which I call Landmark 1. I had tried to organize the subsequent landmarks so that they make sense geographically, minimizing the times that you re-cross your path, and second, so that I can, however poorly, try to weave in a discussion of Canadian Public Law as we tour the landmarks.

Before we begin, one small caveat: this is Public Law Tour 1.0. I thought of it late one night, and decided just to try it. It is the first version of a project that, with colleagues, I intend to expand and develop. Its present iteration, though, reflects my own research and work, and where opinions are expressed, they are mine alone.

Let’s get started. If you are starting this tour at the Law school, we need you to move to the centre of the city. We begin and end the formal part of the tour at the War Memorial on Elgin and Wellington, Landmark 2. Make your way there now, and when you get there, play the next track, Track 2. To get there, walk north along Louis Pasteur Private to Laurier Avenue, and then turn to your left and walk west towards Laurier Bridge over the Rideau Canal.

As you walk, let me say a few words about the campus you are crossing. First, a few words about the Law School. The Common Law section to which you now belong is the largest JD program in the country, with about 1200 students from a wide array of backgrounds. We admit around 310 first-year students into the English JD program from a pool of about 3500 applicants from undergraduate programs across the country and occasionally beyond. That means there is one first-year seat for every eleven applicants. The French-language JD program, one of only two in the country, admits around 80 students. Overall, our first-year students have undergraduate grades that, translated to percentile terms, are in the A-minus range, about 81%, depending on the year. Our students, once they graduate, go on to a variety of careers. Based on data from Fall 2013 from the 2012 graduating class, about two‑thirds pursue articling positions in private practice as their route to being called to the bar. Others work in government, with boards or commissions, or public interest bodies, or clerkships. In that 2013 survey, just over 93% of our French and English three-year JD program graduates who responded to the survey were pursuing articles, or who were, in a small number of cases, choosing not to pursue articles for that particular academic year. The Common Law section has around seventy 70 full-time tenured and tenure-track faculty and about a dozen sessional or adjunct professors. About 130 part-time professors also teach in the law school, joining us from private and government practice.

When you have a moment, I invite you to find out more about the law school and the incredible things going on in and around our building by visiting the Common Law Website. You’ll find there the annual report, posted under the “Governance” menu item, which in turn is under the “About” drop-down button. You’ll find that report particularly instructive. You may also be interested in the history of the law school in a document called “Reunion,” found also on that Website.

As you walk, you are crossing the main University of Ottawa campus. UOttawa was founded as The College of Bytown in 1848, by the Oblates of Mary Immaculate, a French Catholic religious order. It was elevated to university status in 1866 by Royal Charter. As of 2014, the University of Ottawa had about 40,000 students and about 1200 regular professors. Our campus is located on the western edge of the community known as Sandy Hill, where many of your professors and perhaps many of you live. That neighborhood runs east from the canal on its westward bounds to Strathcona Park on the Rideau River to the east. Both of these rivers are bisected – or soon will be, in the case of the Rideau – with pedestrian bridges linking Sandy Hill with Centretown across the Rideau Canal to the west and Vanier to the east. Take an opportunity to explore this neighborhood and wander across those bridges when you have a chance in your law school career.

Sandy Hill, and the City of Ottawa in general, lies on unceded and historic Algonquin territory, currently part of treaty negotiations involving the Algonquin people and the federal and provincial governments. You can find out more about that treaty negotiation process on a special Ontario Government webpage, best found through the magic of Google. Sandy Hill first developed as a neighborhood in the 1860s, after Queen Victoria selected Ottawa as Canada’s capital. The original Bytown, Ottawa’s original name, was founded in the early nineteenth century and named after Lieutenant Colonel By, the Royal Engineers Officer responsible for the 200-kilometre Rideau Canal. That canal, which you will soon cross, was designed as an inland supply corridor, one that avoided the St. Lawrence River and its vulnerability to American incursions, a real concern after the War of 1812. The Canal is now a designated UNESCO World Heritage Site and the longest skating rink in the world during the winter. Some of you and several of your professors will skate to school each day.

At one endpoint of this canal, Bytown grew as land speculators and laborers came to the bustling lumber town. Renamed Ottawa in 1855 – a name coming from the Algonquin term for trade, *Odawa* – the city became the capital of the then-United Province of Canada, formerly Upper Canada and Lower Canada, in 1857. This choice of a capital, made by Queen Victoria, was a compromise settling the question of the seat of government in the fractious province, riven by tensions between today’s Ontario and Quebec – but it didn’t really work, initially. Ottawa did not host its first session of Parliament for another nine years. Nevertheless, soon after, Ottawa became the capital of the federation of British North American colonies forged together as the Dominion of Canada in 1867 by the British North America Act. The British North America Act was a statute of the imperial UK Parliament in London, now returned and repatriated to Canada as of 1982 and called The Constitution Act, 1867. I will say more about this vital constitutional instrument in our tour of Parliament Hill.

The neighborhood you are leaving as you cross the canal, that is, Sandy Hill, grew up in response to the queen’s decision. A new class of educated resident came to the new capital in the 1860s. Much of the land to the east of King Edward Avenue, the boulevard bounding campus and running along the back of the Law School, had been part of Colonel By’s estate. It was surveyed and lots were parceled out for new homes. On the eastern boundary of the neighborhood, along the Rideau River, you will find Strathcona Park. Now pleasantly treed and bordered by embassies, the gateway also to a new pedestrian bridge, Strathcona Park was originally a cow pasture, and then a military rifle range, and then also a golf course, and now a public park, where some of you will study for exams.

We aren’t heading that direction now. It lies to the east of campus and we are going west, but at some point in your law school days, you will walk that way. And if you walk east along Laurier Avenue, you will pass many notable buildings. One particular favorite of mine, 312 Laurier, is a George Goodwin mansion. Built in 1900, it was originally a private residence for Mr. Goodwin, a railway contractor. It was then a military barracks in the Second World War, and indeed was renovated to include six prison cells in the basement, for those violating military rules. It is now the headquarters for Amnesty International Canada, making it the only Amnesty International office that I know of that has prison cells.

Within a few steps is 335 Laurier, called, very fittingly, Laurier House. Originally built in 1878 for a wealthy jeweler, the house was occupied by former Canadian Prime Minister Sir Wilfrid Laurier from 1897 to his death in 1919. In 1921, it was bequeathed by Lady Laurier to Prime Minister Mackenzie King. It was, in other words, the home of two different prime ministers.

But you can explore Sandy Hill later. By now, you should be well on your way through campus, walking along Laurier towards the Laurier Avenue Bridge over the Rideau Canal. As you do so, you will pass the University of Ottawa’s Tabaret Hall, 75 Laurier. This Beaux Arts classic-style building lies in front of an open, grassy square. It was built in 1904 and 1905, and its style is designed to represent the image of a temple of learning. It now houses the university’s central administration, but its long history has included many other functions, including once hosting the Civil Law section of the University of Ottawa Law School. Soon you will pass the headquarters of the Department of National Defence and cross the Rideau Canal. Pause this podcast until you are on the bridge overlooking the canal.

Look north and south, up and down the canal. This part of the canal was called “The Deep Cut.” It runs as a straight line for a considerable distance and its name comes from the depth of the original canal. That depth was required because the canal runs here through highly unstable Leda clay. Indeed, so unstable is this substance that the canal walls collapsed repeatedly during construction, a considerable danger.

Workers building the canal originally built their homes on either side of the river course, creating what was once known as Corktown, a name that reflected, at least in some tellings, the Cork, Ireland, origins of a sizeable number of the laborers. Indeed, this original designation is honored by the name of the footbridge you see running south of you across the canal, connecting Centretown with the University of Ottawa campus.

Now originally as you look west across the bridge to the far side of the canal, you will see an area that was not particularly hospitable originally when Ottawa was young. As you look north up the canal towards the Ottawa River, you will see the old Union Railway Station in the near distance. I will be talking more about this building during our actual tour, but for now it is worth noting that when the canal was constructed, the land on which the building now sits was a mosquito-ridden beaver meadow, with mosquitoes carrying malaria.

As you continue across the Laurier Bridge, which you should do now, you will see the southern rear side of the squat, brown building hosting the National Arts Centre. Cut across Confederation Park towards the National Arts Centre. Confederation Park is the park space just to the north of Laurier Avenue. Pause this podcast until you reach that park.

As you cross the park, you may wish to stop at the various memorials, such as the National Aboriginal Veterans Monument and the Monument to the Canadian Fallen. As you look south, back across Laurier, you will see City Hall, and also adjoining it, the Ottawa Courthouse on Elgin Street. Exit the park on Elgin Street. Pause this podcast until you reach Elgin Street.

At some point, you will likely wish to walk south on Elgin, to the strip of restaurants and pubs that populate this popular gathering spot. This spot and the ByWard Market are popular social destinations. When you eventually go south along Elgin on your own explorations, you will walk past the courthouse and soon see the concrete form of the Canadian Tribute to Human Rights, intended to represent the struggles of the people of Canada and those of all nations to obtain and preserve fundamental human rights. But our tour goes north on Elgin, towards the massive National War Memorial, and this is where our Public Law Tour really begins. Select Track 2 when you reach the War Memorial.

<end of Track 1>