

## THOUGHTS OF A NEWLY APPOINTED ASSISTANT PROFESSOR: LEARNING ABOUT PLACE IN THE TIME OF A PANDEMIC

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Place is important to me. I think about it, write about it and teach it. My research agenda is centered on questions about how law can be better understood if in our research, writing, teaching and practice we prioritize place in all the ways that it matters to people. Places can be positive. These are the ways in which locations are personal, it is community, knowledge of ourselves and others in a space that we care about. Places can also be negative. Those places where one may feel physically unsafe, an institution that is unwelcoming or outright hostile. A place can be inaccessible until that time when an individual has gained confidence to take their seat or has fought for their seat. Thinking about place and attachment and belonging is almost a pre-given for me: an immigrant to Canada, I have lived in multiple countries navigating different contexts, and I am now an Assistant Professor in the Bora Laskin Faculty of Law at Lakehead University, Thunder Bay, Ontario. Finding my place is a preoccupation of mine. But I think the importance of place is a universal truth for people and that the navigation of place is at the heart of so much of the law.

I brought these interests into my conversations when I was interviewing at Bora Laskin Faculty of Law, Lakehead University, in the winter of 2020. Thinking about how to centre legal education on the many ways that people and institutions create the geographies of law is – I said – a perfect fit with the ongoing work of the Faculty. The Bora Laskin Faculty of Law centres its legal education on three pillars – Aboriginal law and Indigenous legal traditions, natural resource law, and small firm and solo practice. These are reflective of the Thunder Bay environment and the geography in which the law school sits. The economy of Northern Ontario is based primarily on the natural resources, mining and forestry industries. Five-hundred kilometres north of Thunder Bay is the “Ring of Fire,” one of the world’s largest chromite discoveries and estimated to be

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worth \$30 billion.<sup>2</sup> Thunder Bay has a long and troubled history of conflict towards Indigenous peoples, and particularly in the treatment of Indigenous youth, as was so heart-wrenchingly written about by Tanya Talaga in her 2017 book *Seven Fallen Feathers*.<sup>3</sup> Given its location the environmental impact from any developments will be felt by remote First Nations communities first. The three focus areas offered are essential to the places of Northern Ontario and by extension to the practice of graduates of the law school.

My goal for my first year as an Assistant Professor has always been to teach from a perspective of grounding the law in place. Whatever “the law” may be. Whether it is to teach individual subjects of property, trusts, torts, and others, as inherently contextualized and connected to histories. Or perhaps it is to teach about law as it exists as a system that so often brutalises indigenous peoples and other minorities. For both of these perspectives, law is an institution containing boundaries, rules, and regulations, which in turn impacts and creates legalized ways of being. Teaching law through the lens of place requires that students bring their experiences to legal analysis. It requires attention to the places that law has created, and consideration of the ways legal issues are manifested in these places. Law can only be understood through attention to place as something that is more than that contained in law-books. Place-based learning requires consideration of how you as an individual move in space while being open to understanding that the same place holds completely different experiences for others.

As I move my thoughts into course design for a school year that will involve social distancing and distance learning, I have been thinking about the different ways in which I have incorporated place into my teachings in the past. I have incorporated walking tours into property curriculum, assigned field research tasks that require students to work in teams<sup>4</sup>, and asked students to write reflection pieces on places that matter to them. Utilizing these tools have been my way of making law real, of requiring students to visit places that matter, and of empowering students to understand that the practice of law requires engagement with

<sup>2</sup> Ontario Nature, “Mining in Ontario: a Deeper Look” (2017) at 2. Online: < <https://ontarionature.org/wp-content/uploads/2017/10/mining-in-ontario-web.pdf>>.

<sup>3</sup> Tanya Talaga, *Seven Fallen Feathers: racism, death and hard truths in a northern city* (Toronto: Anansi, 2017)

<sup>4</sup>Most recently I have been able to collaborate with property professors at the University of Ottawa to incorporate a field memo assignment into the delivery of property law course, building on first iteration of an assignment written by Angela Cameron.

community. Introducing teaching and learning methods that exist beyond the text contained in black letter law has been done from the relative safety of the law school institution. It is possible to think critically about law and connect it to places in the field when students have the institution of law and the physical building to return to. The law school building is the physical space that allows students to connect while they are required to go through the difficult work of learning the lawyerly skills of reading cases, writing case briefs, exploring legal argument and more. Without the certainty of the law school as the centre point for students' learning, introducing additional teaching methods begins to feel a little tenuous.

Combining social distancing with the law school with legal-field research assessments is difficult to imagine, especially if students are dispersed and some not located in Thunder Bay. A number of years ago I taught a "Property 101" course, as part of the mini-enrichment programme carried out in universities across Ontario in which high schoolers attend university for a week to learn a little about university life. My course was an introduction to property and to law generally. We spoke about the difference between tangible and intangible property and had an excursion to the Ottawa courthouse. I spent a day teaching about propertization of the moon where students were introduced to Lockean property ownership and they absolutely understood a class exercise based on a story about space exploration as an analogy for colonisation. For one exercise I used a mapping programme with the students. Through this programme I printed out maps of downtown Ottawa that were linked to an online database. We went on a class walking tour<sup>5</sup> and students were introduced to indigenous histories in places of Ottawa. I had students log these buildings and histories into the database when we returned to the classroom. Students were excited to have a day for the walking tour and recording the places we saw onto our maps made sense. Returning to the classroom and figuring out the computer labs and digitizing records was to ask to students to re-consider the city of Ottawa in new ways.

Though I actively use mapped content to convey legal information, I have not adopted the active use of a digital mapping database in my law school

<sup>5</sup> The walking tour was from the "Indigenous Walks" tour group, founded and led by Jaime Morse. See a recent report on Morse's work: Stephanie Cram, "Indigenous Walks tour tells forgotten history of downtown Ottawa," CBC Radio (May 22, 2020). Online: < <https://www.cbc.ca/radio/unreserved/from-the-house-to-the-red-chamber-how-indigenous-people-make-their-voices-heard-on-parliament-hill-1.5577591/indigenous-walks-tour-tells-forgotten-history-of-downtown-ottawa-1.5578828>>.

classroom. I have not developed a class room exercise that utilizes digital mapping largely because of time constraints: after the walking tour we had a half day in the computer lab on campus to collate printed and hand drawn maps to the online database, all the while de-briefing on the difficult topics we learnt about on the walk. Nonetheless, this example raises important questions for me about how to create a dynamic and engaging interaction around legal-place. Are exercises based on the use of a digital mapping programme the type of work that I should bring into the “virtual” law classrooms for my students? How feasible is it to require students to learn new forms of technology or take on additional online communication time as part of their degree work? How can we minimize the use of yet more technologies, tools and “extras” that students will have to learn to navigate in order to succeed in law school? How difficult will it be to teach out challenging subjects without the benefit of returning to a classroom to debrief?

I have written this reflection while sitting in my rental car in between appointments to view spaces to live in Thunder Bay. Driving around Thunder Bay I have been making note of the neighbourhoods, of where the parks are and of heavy traffic roads, but in reality my priorities in finding a space to live have shifted. Top of my list are questions about how I can create a comfortable space to allow for teaching from home. I look for living spaces that have good lighting and strong internet connectivity. Should we go into another shut down, or however the coming school year may look, I need the security of being able to continue teaching and working with my students and colleagues. I look for ways to remain secure and in (my) place should there be a need. What a privilege. Not all students will have the same privilege. At the same time, I am weary of bringing the space of home and of work too close together. I rely on professional boundaries in the law school in order to create a safe space for me - a junior female academic - to carry out my work. The role of places remains a personal and professional endeavour, but boundaries between place, location, and institutions are shifting.

It is not lost on me that so much of *my* unknowns about getting to know a new city and community during social distancing are reminiscent of the challenges of being a law student, especially a first-year law student. Creating ties with the places that matter in Thunder Bay will be my priority this year and we need to impress on students the importance for them of also creating ties. For some students, it may be that a de-

centralized learning model in which students are free to learn from the safety of their homes and not required to be in the institution of the law school may feel like a relief. This is actually the worst-case scenario that could come out of social distancing: that those who have been historically unwelcomed in the institution of law do not have an opportunity to confront law and its institutions, to create their place within it. Connections between the law school, the community, and students' personal sense of belonging are all integral to development as a lawyer. Recognition of the many ways that students and their legal community is connected through space and place will, I believe, open up possibilities for innovation in legal institutions and make for greater ownership of spaces of law.