

Queen's Law Virtual Symposium, Session 7:
Reflective Practice and Indigenous Pedagogies & Ways of Knowing - June 23, 2026

(Gemma Smyth, moderator) Hi everyone. I think people will be coming into the session now. So welcome and thank you to everyone attending online. My name is Gemma Smyth. My pronouns are she/her. I'm a settler living on the traditional territories of the Three Fires Confederacy, the Ojibwe, Odawa, and Potawatomi peoples, and the Huron-Wendat, Haudenosaunee, and Lenape. And in saying this, I also recognise the limitations of land acknowledgements and recommit to active acts of reconciliation in personal and professional contexts. So, any of you who were in Sharry's first session, a lovely opener, she asked people to indicate in the chat which land folks are on or coming from. And if you'd like to do that, I'd invite you to do so in the chat. It was just quite lovely to see responses from around the world.

So, this session I'm very excited to have the pleasure to moderate. It is called *Reflective Practice and Indigenous Pedagogies and Ways of Knowing*. And it is such a pleasure to learn from the Indigenous women on this panel, all of whom are doing important work, often in very challenging institutional contexts.

So, you probably heard this spiel from other panels, but I'll remind, for people who are here for the first time, I won't be thoroughly introducing the speakers, biographies are in the programme. But of course, speakers may wish to introduce themselves in whichever way they want. Each speaker or pair of speakers will have about 12 minutes. I will interrupt at two minutes before the end of their time. This is contrary to every one of my instincts, so apologies in advance. And we'll be inviting questions through the Zoom Q&A, which is at the bottom of the screen. It has been enabled, and you can ask questions throughout the presentations or afterward. If you could identify who the question is for specifically, or if it's for a group or a couple of people on the panel, that would be super helpful. And of course, you can also contribute to the Padlet. And the order of speakers will be as it is set out in the programme.

So first, without any further ado, the amazing Jamie Holmes, who is an LLM student at Windsor Law and a Haudenosaunee lawyer working, as of three days ago I think, with Indigenous Services at Legal Aid Ontario. And she is presenting on integrating traditional Indigenous learning styles in legal education, creating reflective learning in law. Thanks so much, Jamie. And do you want to share your slides?

3:03 (Jamie Holmes). I'm going to share them now. Awesome. Thanks so much. Can you see them, like, full screen?

(Moderator) Not full screen yet. It's just, I think if you put it in presentation mode. Is that better? Yep. Perfect.

3:30 (Jamie Holmes) [Greeting and self-introduction in Mohawk] Greetings. Hello. My name is Jamie Holmes. I'm Turtle Clan from Six Nations of the Grand River. I'm a guest on Aamjiwnaang First Nation, which is where I've lived and worked for the last six years. I am Haudenosaunee, Mohawk Nation. I am entering my second year of my Master of Laws at the University of Windsor Faculty of Law. I just completed my articling term at the Indigenous Services Department at Legal Aid Ontario, and I'm back as a first-year policy counsel. I was called to the Bar on Friday. I'm actually working with Gemma on a large Law Foundation of Ontario project that brings together the Faculty of Law and Indigenous Services, specifically on the Indigenous child protection crisis. And our project title is Just Relations. And I'm speaking to you from the traditional territories of the Three Fires Confederacy, so the Odawa, the Potawatomi, and the Ojibwe. And Aamjiwnaang is Treaty Number 29 lands.

And I'm going to talk today about integrating Indigenous learning styles in legal education, so creating reflective learning in law. And so, the bigger project, I'm just going to give a little background to set the stage. It addresses the increasing need for culturally and legally competent lawyers in the area of law of Indigenous child protection.

The federal government passed federal legislation in 2019, An Act respecting First Nations, Inuit and Métis children, youth and families. And so as Nations pass and enact their own laws, lawyers accepting legal aid certificates, or lawyers not accepting legal aid certificates but representing parents, families or communities, will need to be competent in both areas of law, the colonial and the nations' laws. And so at the forefront of this is ensuring that First Nation communities have access to culturally competent legal representation, and lawyers who practise the law from a trauma-informed lens, and who understand the complexities that often coexist for Indigenous people, those living in their home communities or urban Indigenous. And so, the University of Windsor Faculty of Law, with the support of the Law Foundation, our project goal is to provide a forum for identifying practical

challenges, sharing best practices across the province, and to educate and prepare culturally competent lawyers who can effectively work within the child welfare and child protection system, to create the best outcomes for our children.

And today I'm going to discuss bringing Indigenous pedagogy into doctrinal legal education, specifically exploring the use and implementation of Anishinaabe pedagogies in clinical learning, with a focus on Indigenous child protection. And we approach this work from the belief that systemic and meaningful change, and acts of reconciliation, can be produced within the very systems that created the issue, through education.

And so, for some context, there is a crisis in child protection across Canada generally, but specifically in Ontario. So, in some regions of the province, more than 50% of the certificates that are issued to clients who are involved in the child protection system are going unacknowledged, meaning people are getting a legal aid certificate, but they can't find lawyers to represent them. The federal Act has changed the legal landscape within this area of law in the last six years, and it's created a national framework that is applicable. And we're finding that the national framework is not being argued or applied appropriately, or at all, across the country.

And you may be asking, I'm Haudenosaunee. Why Anishinaabe pedagogies?

In no way do we believe that Anishinaabe pedagogies are superior to any other Indigenous pedagogy that exists. We selected Anishinaabe pedagogies because of where the University of Windsor Faculty of Law is situated geographically. It also sits on the Three Fires Confederacy, and it is surrounded by five Anishinaabe communities. And so, it's kind of a pilot project. We're working on building meaningful relationships with those five communities specifically. And so, learning is a lifelong journey for the Anishinaabe people, and it is contextual and community based, intertwined with lived experience. And we honour our work to follow that philosophy. And we're also implementing the shared gift model, which recognises that everyone brings unique gifts to the table and to learning. And we know from our research, our literature reviews and teaching, that adult learning is enhanced when learning builds upon the student's unique lived experience. And by building on their own unique lived experience, it allows for the students to meaningfully engage and draw on their own knowledge and understandings of the world, and to also identify and reveal the gaps that exist in their knowledge base.

We believe that weaving Anishinaabe pedagogy into legal education can create reflective learning practices and support students as they begin to navigate the legal profession. And over the past year we've witnessed this firsthand. In our larger project, we have an Anishinaabe knowledge carrier who is integrated into our work. He guides us as we continue to address the crisis in Indigenous child protection and build meaningful relationships with communities. His role has really been quite transformative. We include him when we guest lecture in classes and in community events. Rather than have him as a signifier of culture, where he only attends bigger presentations, he's there in the daily, when we're meeting with students, sometimes when we're meeting with lawyers or judges as well. He has a unique perspective, because he holds the teachings, but in his past, he was someone who had justice system involvement. And so, he recognises firsthand the gaps that exist as an Indigenous person, when you have legal representation or judges who don't understand the lived experience.

And so, our project proposes, rather than assuming what nations need, to build relationships and ask the nations, what is it that legal institutions like law schools can do to assist?

So, different than land based learning camps or land based learning courses, we are hoping that at the end of the project we can develop an experiential learning course, exposing students to both the traditional colonial, like provincial and colonial laws and federal laws, and the Indigenous legal orders that sustain Indigenous communities, and the role that legal education can play in training lawyers and future lawyers early. And we've witnessed this work firsthand. Windsor Law hosted an Access to Justice Day on Aamjiwnaang First Nation. Windsor has a mandatory access to justice class for first year students, and they attended Aamjiwnaang First Nation, which is where I reside, my home community now. And the learning that the students had was incredibly transformative and meaningful.

Aamjiwnaang First Nation is under a state of emergency for an environmental crisis. We have been for the last four years. We were evacuated two years ago. We sit in Chemical Valley, which is one of the largest oil and gas producers in Canada. When the students came, we actually had an oil leak into the St. Clair River at the same time

they were here. So, the students did, like, three groups. They went on a tour of the nation. They spoke to community members and justice departments, lawyers from the community, judges. And they learned about the issues that are going on in the community, and the ways that colonial law and their traditional Indigenous legal orders can be used to better the community, and what they want law students to know. Because we approach it as, whether you're doing client facing work, or wills and estates, or taxes, the reality is you're probably going to work with an Indigenous client at some point in your career, and we want to make sure that they have the base level knowledge that they need to work with our people in a good way.

This work responds to Calls to Action 27 and 28, specifically with the skills-based training in intercultural competency, conflict resolution, human rights and anti-racism. Through the last year, we've spoken with judges, lawyers, Indigenous lawyers, non-Indigenous lawyers, community members, band reps, CAS, ministry people, pretty much anyone you can think of. We've tried to speak with them.

There are some quotes on the screen. The first one is from a judge. The second one is from a lawyer who responded to a survey we sent out to roster lawyers. And the third one is from a student who attended the Access to Justice Day. And so, for us, it's important to include traditional knowledge carriers, elders and community members in the classroom part of the learning, because they can transform student engagement and provide an opportunity for meaningful reflection with the students, and really have the students open up, because they're not often seen as a formal professor, they're seen as a community member.

And so, the first quote is, I didn't learn about Gladue or Indigenous people during law school. And when I did, the material wasn't examined. So, when I first became a lawyer, I had no one to ask. I was afraid of coming across as ignorant if I asked my colleagues. And in our jurisdiction, the only Indigenous person around was the court worker. And so, in this case, this judge had been a Crown, and they said that in their first month they had a sentencing submission for an Indigenous client. They never learned about Gladue. They didn't understand really how it applied. Talking to them, they said, I worked my whole life to go to law school and to build this profession, and I realised I was so ignorant, and I was too ashamed to ask my colleagues, because I didn't want them to think I was ignorant or racist.

The second comes from a lawyer who is Indigenous, who responded to our survey about issues. One of the questions was open ended: what other issues do you see in the justice system? And they said, the justice system recognises colonisation, but they cannot make the connection between the impacts of colonisation and present day lived experience. I spend more time teaching history and explaining intergenerational trauma, the issues of on reserve housing and poverty, than I do making substantive legal submissions.

(Gemma Smyth, moderator) Jamie, sorry to interrupt. Two minutes.

(Jamie Holmes) Okay. The third is from a student who attended the Access to Justice Day. He was quite upset, actually. We had a sacred fire lit, with a fire keeper and knowledge carriers, and he was speaking in there. He felt, I think, a lot of shame about his lack of knowledge. So, he said, "I studied environmental science in my undergrad. I'm doing well academically in law school, and I've lived in Canada my whole life. I had no idea that this crisis was happening. I feel betrayed by the education system for not teaching us about these issues."

And that is my presentation.

14:48

(Gemma Smyth) Thank you so much, Jamie. And folks can feel free to put any questions in the chat. Those quotes are really moving, Jamie. I hadn't seen them before, so thanks. Next, the amazing Patricia Barkaskas, who is Métis from Alberta, and she's a leader in clinical legal education. She has a deep background in academia, law practice, and leadership roles. My students read her work on clinical legal education in my courses. I can put her work in the chat if people like. And her talk is on the intersection of Indigenous pedagogies and reflective practice for connection and solidarity.

15:30 (Patricia Barkaskas) Marci, Gemma, for the introduction. [Greeting and self-introduction in Cree] I come to you today from the territories of the Musqueam, Squamish and Tsleil-Waututh peoples, here in Vancouver, British

Columbia. And I want to take a moment to particularly recognise the Musqueam Nation, whose traditional, unceded territory and whose titled lands we are operating on as Allard Law at the University of British Columbia. UBC Law has a very special relationship with the Musqueam Nation that needs to be acknowledged. The Musqueam Nation talks about how where UBC is located is a place where they traditionally engaged in educational practices, and that included educating their young people and others about their laws. And so UBC is a place where the teaching of law is incredibly important, and the teaching of law through a lens that acknowledges Musqueam is incredibly important.

I want to talk today a lot about teaching self-reflection for decolonial disruption.

Frankly, I thought about doing a PowerPoint slide, and I put a lot of thought into it, and it was just huge and wordy and a lot of things. And I went, no, this is the wrong thing to do. The right thing to do is for us to be in the room together. And I encourage you all, if you don't mind, to turn on your cameras and try to be in place together here with me, even though we are virtual. I think it's really important, when we think about who we are and how we come to this work, that we think about who we are, from where we live, the work that we do, the communities that we work with, and how we do that work in a way that is accountable and responsible. Not just to, in the case of law, clients and students that we teach, but to the communities as Indigenous nations holistically, right, to their laws, to their revitalisation efforts when it comes to their legal practices.

And a bunch of that work that I've done over the years was grounded in clinical legal education, as Gemma said, at the Indigenous Community Legal Clinic in downtown Vancouver and the Downtown Eastside. But we also worked across BC with various nations, and sometimes with people from nations outside of BC. We didn't represent nations, but individuals. And in doing that work, we really focused on bringing students to a place where they could understand their role not just as lawyers, but as humans in that process, and how lawyering and the work of law is actually about human relationships. How it's actually about the relationships between them, as the person who provides a service and provides assistance and provides help to someone, and the client, and where the client comes from.

So self-reflective practice, and particularly critical self-reflective practice, is a huge part of that. I bring this work now into the classroom, outside of clinical practice work. And, Jamie, thank you so much for your presentation. There's a really strong connection here. I'm teaching family law and child protection law these days in the classroom, and I bring Indigenous pedagogy into that too, and very particularly teach from a perspective that focuses on the work of assisting Indigenous families and Indigenous children and Indigenous nations when it comes to family law and child protection. So, the value of reflective practice in these opportunities doesn't just support good teaching and good lawyering. It really is a decolonial and anti-colonial practice, right? That's based, in the way I teach it anyways, in Indigenous practices and pedagogies.

So critical self-reflection, when I talk about it in my classrooms or in the clinical setting, is really a matter of thinking through the ways that a person is situated in relationship to the work that they do. And I want to acknowledge Darlene Johnston's work, an Anishinaabe professor that I had who really taught me about situated relatedness and also taught me about pedagogical talking circles from her community and her perspective. These engage in reciprocal learning practices. They allow students to witness one another's process and reflections in the talking circle environment. And then they allow them to take those into the self-reflective journaling that they do, which again is a critical practice, is accountable and responsible.

So, when I teach students about critical self-reflective journaling, for example, they're told that it's not just about all of their feelings. Their feelings are important, but that they have to engage in a process of theorising through those feelings, asking themselves why they feel these things, how they're situated in the world makes them then think about the things that they do and the way that they do.

I love the quote that you shared with us, Jamie, from the student who said that they felt betrayed. I've read that many times in critical self-reflection journals, from students who had no idea, really, about the history of Indigenous settler relations in Canada, and the history of genocide that Canada has committed. So, in taking students through this, even in the classroom, we engage in the experiential learning process, right? So Indigenous pedagogy fits very well into that experiencing, reflection, theorising, and then action piece, in the classroom that is not the clinic. These days I have my students think about, they have to think really hard at the beginning of the course about creating a

client. That client has to be fleshed out and have a history, and it has to be thoughtful. It's part of their critical self-reflection engagement, to think about how they might try to relate to a client who comes from a very different place than they do. So, they create that client, and then for that client they create a legal scenario, where they have to imagine that that client is coming to court with a very particular issue.

We talk about one application in my family law class, right? So, one family or child protection application that they're bringing to court and representing that client on. They have to get together in groups and talk about their client, and work through the issues that they're dealing with with their client. Because when students imagine a client in that context, they really do struggle with trying to relate to the client they've created. They actually struggle with trying to understand how they're going to talk to that client in a way that's not pejorative, or that doesn't set themselves up as the expert, that really is about client centred and violence informed lawyering in that context.

They then have to try to understand and research Indigenous laws, if their client is Indigenous, and they're bringing Indigenous laws into the context of their application. They have to do that research to the best of their ability. And we have a lot of engagement about that, right? I don't just send them off willy-nilly to do that. That's a very protected research project that they do.

And then they have to build written court submissions from that, and then they have to do a video of themselves presenting to the court on behalf of their client.

And then they have to write a critical self-reflection paper about the entire process. And those papers are well-researched, of course, and critical and engaged.

But they work through also the ways that they are dealing with the ideas of situated relatedness. They work in partners, or sometimes threes, for the court submissions piece. They're actually engaging with another lawyer, who has another client, who's the opposing counsel and the opposing party. They have to work through that piece.

They then also have to engage in witnessing, in terms of their own observations of their colleagues' struggles to relate to their clients and understand where their clients are coming from.

And they also have to build out from there a really engaged self-reflective practice throughout the whole thing, so that they can write a really good critical self-reflective paper at the end of the process.

As a side note, this also assists a lot with the issue of AI in the classroom, because there's not a lot of opportunity to engage with AI in this kind of work. And when students do, it's really obvious, right?

So, when they're coming to class and they're trying to engage in the talking circles that we set up periodically throughout, about how they're doing this work and how it's affecting them, and what they're thinking about it and theorising about it, it's pretty clear when people have sort of tried to take an easy route out. Indigenous pedagogy doesn't really allow for that. So, it's very nice.

And I do this work in the spirit of a lot of learning that I've done over the years. So, I think about Dr. Lorna Williams, for example, who I've had the great pleasure of working with as an elder on the Minister's Advisory Council on Indigenous Women here in BC. Who always talks about changing hearts and minds as the focus of her work in education and trying to educate non-Indigenous folks. And that's in the context of Indigenous languages learning, right? So, it's a really strong lesson that I've taken from her. And in addition to that, she doesn't say it, but she also means challenging people's hearts and minds in these contexts, right? In a productive way.

The previous session talked a little bit about productive failure, one of the folks there, I'm not remembering who now. And productive failure is a really important part of this process. And it's got to be supported, right? When students do productively fail, we have to make sure that for them it does feel really productive.

I also encourage students to think about the fact that these are not safe spaces. They are brave spaces. And that they are learning a set of skills through all of this. They're learning Indigenous cultural competency skills. They're learning cultural competency skills, period. They're learning critical self-reflection, of course. And a host of other things, such as strength based and resilience-based approaches, violence informed approaches.

And then, if we had more time, I would go into more depth about the barriers and challenges to this work, especially structurally and institutionally. And let me tell you, having worked in three different institutions at this point, I can tell you that these things are pretty much ubiquitous. So that's a different paper that I'm writing. But I thank you all for your time. Merci, and I look forward to the discussion.

27:45

(Gemma Smyth) Thank you so much. Merci, Patricia. I always learn something from you. Many things, usually, actually.

Next, we have Florence Robert, who works as a professor at the University of Ottawa and is an SJD candidate at the University of Toronto. Congratulations on both points. And she today will be speaking about Wapanakew as pedagogy, lessons for reflective practice in legal education. Thanks, Florence.

28:14 (Forence Robert) Thank you. And thank you, everyone, for being here today, and for the presentations that came before me that were really interesting to hear. And I think, yeah, gave me a lot of ideas as well. So, thank you. My name is Florence Robert. I am from a small county in Quebec, and everyone can see the PowerPoint file, which is located on Mi'kmaq territory. But I've been living for the past eight years in Ottawa, on Anishinaabe territory. And I am a part-time professor since 2022, and since January I have served as Director of the Certificate in Indigenous Law at the University of Ottawa.

And today I would like to explore how Indigenous legal pedagogies can deepen reflective practice, and open new possibilities for a more relational and transformative approach to legal education. And I draw on my experience as a non-Indigenous professor, teaching both state law and Indigenous law in a transsystemic way. And this is why I chose an image of sweetgrass in my presentation, because it reflects my approach of bringing together distinct legal orders while preserving the identity of each. And my reflection on this topic began during my time in law school, when I served as a mentor for Indigenous students. And in that role, I worked closely with a student who experienced significant epistemological violence, particularly through the unexamined assumptions and worldviews embedded in state normativity and pedagogical approaches. So, in response, I adapted my teaching practices to create space for critical reflection and dialogue, and I increasingly relied on Indigenous legal pedagogies, such as storytelling, as a way to engage with state legal concepts. And I later shared what I had learned from this experience with Professor Eva Ottawa, who is now a professor at the University of Ottawa, and at that time she was developing a new program aimed at respectfully welcoming Indigenous learners into the study of law. And so, she invited me to collaborate with her to create this new program. And so, after extensive work and discussion, we developed the Certificate in Indigenous Law, which welcomed its first cohort in 2022.

So, this one-year program teaches Indigenous law alongside state law across various areas, including family law, land law, constitutional law and international law. And from the outset, our goal was to create a safe and supportive space for Indigenous learners, where the barriers that I described earlier, that are often encountered in legal education, would not be reproduced, and where Indigenous law would be transmitted respectfully and in a meaningful way. So, to achieve this, it was important to centre Indigenous legal pedagogies in the program. And so, concretely, the program is structured around four key axes.

And this is also from the website, if you want to learn more about it. So, one of the axes, experiential learning, observation of the natural world, oral tradition, and land-based education.

So, these are our four different axes. And all the photos here are from the land-based classes that we hosted. Since its launch in 2022, the program has welcomed learners from many different nations, including Anishinaabe, Mi'kmaq, Innu, Atikamekw, Abenaki, Inuit, Cree, and Naskapi. And the cohorts are intentionally small, so there are usually between 12 and 20 learners, and bring together individuals of diverse ages, experiences and gifts. And we also have a very small number of non-Indigenous learners in the program. So far, we've only had two. And most of the professors in the program are Indigenous, and when they're not, they're often co-teaching with an Indigenous professor. So, this approach also allows us to bring in Indigenous knowledge holders who may not have formal law degrees, or have pursued higher education, but who carry the knowledge and expertise.

When Eva first invited me to teach in the program in 2022, she offered me a great deal of trust, because at the time I was very young and I had no teaching experience, and I had just graduated from law school. And in contrast, as you can see in the photos of the different cohorts in the PowerPoint, the learners in my class ranged in age between 30 and 72. So many were elders, knowledge holders, community leaders, just people with far more knowledge and experience than I had. So, this was a very humbling experience. But very quickly I also realised that my role was not to position myself as an expert, but to act as a facilitator. So, to listen, and to create space for learners' knowledge, and to support them in their own learning journey. So, embracing this understanding transformed my approach to teaching. I began to see the classroom as a space where everyone carries knowledge and has gifts to share, and this perspective opened up new possibilities for how legal education can be practised.

And so for this presentation, I chose the word Wapanakew, because it reflects this approach. So, in Nehiromowin, Wapanakew means to bring to light, or to emerge, and it refers to the first ceremony following the creation of the world. So according to Atisokana, the stories, the ceremony brings about an awakening that guides people towards living their traditions and maintaining harmony with the world around them. So, in the context of contemporary legal education, I understand Wapanakew as the process of bringing the learners and their knowledge to light. So, for me, it offers a powerful way to reimagine what legal education can become. And the term Wapanakew was actually brought forward by two students, as they reflected on their own learning journey in the certificate, when they were invited to propose a name for the new centre for the revitalisation of Indigenous law at the University of Ottawa, which is what you see here, the logo and the website. And so, they described their experience in the program as an awakening, a moment when knowledge that had long been sleeping within them came to light. And so they spoke about a realisation that the teachings of elders, their languages, and the stories they had heard throughout their lives were sources of law. And each year I feel very grateful to witness these moments, when learners come to recognise that Indigenous law exists, and they carry the knowledge within them, and that it is practised and expressed in ways that differ from state law.

So, it is a very powerful and emotional experience.

And it is also for this reason that I have in some ways moved away from the term reflective practice, because to me that term, and I haven't read much about it, so it's just my first impression of the word, but for me it suggests an individual and internal process. However, as Patricia has explained, it's very much a collective process. So, for me, it also reflects something more collective and relational, and also spiritual, while also requiring individual engagement. So, learners must reflect, question and situate themselves within their own learning journeys. But that reflection does not happen in isolation. It unfolds through relationships with others in the classroom, for instance with elders, and also the more than human world, such as the land, animals, water and so on. So learning from one another becomes a central part of this process. And there are many ways in which I try to support this process in my teaching in the Certificate in Indigenous Law, but I'll just share a few examples because of the time constraint.

So, each class we begin and close with a ceremony, even if it's online. So, students take turns in sharing a few words in their mother tongue, or the language of their choice. And these moments really help to ground us and connect us to one another, to the creator, and to the learning space. And from my perspective, and what I have noticed, is that it really helps create a sense of safety and respect and supports an environment where learners can share and learn from one another. And you can really notice a shift when this is not done in the classroom.

And I also rely on Indigenous legal resources and methods, so including stories, language, the land and art. So, for example, in my constitutional law class, learners are asked to work in teams and choose a creation story, just a small part of it, and their task is to highlight constitutional principles specific to Indigenous legal orders. So, the goal is to learn by doing, learn from one another, draw their own interpretation and conclusion from the knowledge they already carry, and also from the teachings that are shared, and understand the legal meaning that a story can carry. And of course, discussion circles are also central to this approach, like Patricia talked about. So, I try to leave space to have discussion each class. And I often ask questions. I advise students to connect what we're learning with their prior knowledge and their experience. So really braiding these things together.

(Gemma Smyth) Excuse me. Two minutes. Okay. Thank you.

(Florence Robert) So assessment is also shaped by this philosophy. So, I aim to recognise that learners carry different gifts and leave space for them to express their gifts. So, for example, in my family law class, we ask

students to create an artwork that reflects their understanding of the teachings in the classroom. So here are two examples of such artwork that the students gave me permission to share with you today. But each year there's a lot of diversity. There are songs, there's tikanagan, baby carrier, beading, video making. And so, they have to express what they've learned into art. So, it's very nice to see their point of view through different mediums.

So, for me, reflective practice is a collective process that requires individual engagement but is also a process of learning from one another.

And I'll just mention very quickly that, while I'm talking about the Certificate in Indigenous Law, it's a very specific context, I have also brought this methodology to law school more generally, where spaces are mainly non-Indigenous. And it has also allowed us to create a lot of good results. So, they also were asked to do an art project. And just the skirts here, I'll just mention this one quickly. They had learned about the meanings behind traditional ribbon skirts. And so, one of the students in my class asked her grandmother, who was a seamstress when they immigrated to Canada, and then she went to see her and did this project together, to learn from her. So, she really brought her own personal perspective and where she comes from and braided this with the teachings that we were sharing in class. And this class was in Anishinaabe law.

So, Indigenous legal pedagogies, I find, have really helped students grow as people as well. And this is also the quote that is shared here, by one of the students.

So, thank you. There's a lot more that could be said, but I'm very grateful for the time I had today, and I'm looking forward to hearing the rest of the presentations and the questions. Thank you very much for listening.

40:17

(Gemma Smyth) Thank you so much. Miigwech for that.

So next, Larissa Speak and Cassandra Spade. They are both speaking from, as they called it, Anishinaabe land, which I loved, and have different affiliations with the Bora Laskin Faculty of Law at Lakehead University. And they today are asking, I think, essential questions about legal education, community, the profession, and being seen in historically colonial spaces. Thanks, Larissa and Cassandra.

40:50 (Larissa Speak and Cassandra Space) Thank you. Our presentation is titled *Naanaagadawenindizowin: Reflecting on Legal Education and Gidinaadiziwininaanan*. So Gidinaadiziwininaanan is Anishinaabe identity or Anishinaabe existence, and Naanaagadawenindizowin is reflection at large. And so, we will introduce ourselves, and Cass will go first.

(Cassandra Spade) Okay. Hi everyone. Yes, my name is Cassandra Spade. I am a graduate of the Bora Laskin Faculty of Law program. I was called to the Bar in September, and I am now lawyering in the District of Rainy River, in a community called Goojijing. It's the biggest town in a tiny district, so you can imagine it's a couple of thousand people. But I am primarily practising in family, child protection law, and criminal.

(Larissa Speak) Hi everyone. My name is Larissa. I mean, I have my introduction here in Anishinaabemowin, but I also just want to acknowledge that I'm not a language speaker, and that Cass has been helping me out a lot with language. I'm an assistant professor at the Bora Laskin Faculty of Law. I'm also a member of the Fort William First Nation, which is a community just north of Lake Superior. But I didn't grow up there. I didn't grow up on the reserve. I grew up in Thunder Bay, which is the settler community that's located on Fort William First Nation's traditional lands. And it's the community where I get to work now. I'm really grateful to be able to work in the place where my ancestors are from. And I'm also very grateful to collaborate with Cassandra and strategise with her on how to hold up Anishinaabe ways of living and being in the legal profession, and also in community contexts as well.

We wanted to start by giving some context for our relationship, and how we know one another. And as you heard, we're both from Anishinaabe lands in northwestern Ontario. And the place where we first met was the Bora Laskin Faculty of Law. That was back in 2023. I was a very new faculty member, and Cassandra was an incoming law

student. And that also happened to be the year that the law school piloted a land-based law camp for a small group of students. And we were both part of that law camp. And those photos on the slides are from the camp that year.

And Cass and I went on to share space in the law school around incorporating and upholding Anishinaabe laws and ways of living and being. And there are just some examples on the slide of how we've worked together. Indigenous law is a mandatory first-year course, and I was instructing that course and Cass was a student. We also collaborated on the Kawaskimhon Moot a couple of times. So, the first time as a participating team, and then in the next year we collaborated as hosts for that event. And actually Cass, in that year, translated the moot exercise into Anishinaabemowin, which was amazing. And we've also done a range of work connected to the Indigenous Law and Justice Institute, including Aadizookaanan, or winter storytelling, that's open for community as well. I've done that for the past three winters. And as I sort of alluded to, we also collaborate in community spaces outside of the school. So, we've both been at Fort William First Nation's hide camp for the past two seasons, and we actually just finished hide camp on Sunday. Apologies if we're a bit sleepy. It was pretty intense.

But we've done our fair amount of visiting now and getting to know each other and figuring out ways to support each other in the work that we're both doing.

(Cassandra Spade) I'll just add a little bit. One of the biggest projects we did while I was in law school was a directed research paper. And so, Professor Speak assisted me in writing a relatively long paper. But the research was conducted in the Anishinaabe language, and huge swaths of the paper are actually only in the Anishinaabe language. And so having a relationship to Larissa, as Professor Speak, has really allowed me to bring my lived experience into the classroom. And I also think, you know, learn a lot from her, but I hope she's learned from me. And so, kind of challenge that idea of hierarchical teaching. And I should just also note, I'm also a second language learner, and so I'm still very much learning all the time.

(Larissa Speak) Yeah, we've certainly switched roles. And, like, the last thing on there is the Anishinaabemowin language classes that I've been taking for two years, and Cassandra is the instructor for those courses. So, we wanted to start with Michele's work on the topic of reflective practice, and then I'm going to share how Cass and I think we might build on this theory. So I pulled this quotation because I think it's a nice summary of Michele's argument, that you can use reflective practice to promote ethical lawyering, increase empathy, increase competency, and enhance expertise. And there's also a point in that article where Michele argues that there's a need for each individual to build their own reflective practice based on their professional development and their role.

But we also want to add that we think reflective practice can also account for different positionalities. And I think other people on the panel have been saying this already, including reflective practices that build from Indigenous, and in our case, Anishinaabe worldviews. And I think this is really important, because Anishinaabe law students and practitioners have lived realities that are deeply impacted, in intimate and personal ways, by the violence of the colonial legal system. And it's also important to acknowledge that Anishinaabe students and practitioners may also carry Indigenous legal traditions and practices, and those are lived and embodied.

So, this is really the project that Cass and I are focusing on. We started by reflecting on Michele's theory, and that raised the following questions for us. What might reflective practice look like for Anishinaabe people practising, working and researching in a colonial legal context, and then also in the context of Anishinaabe law? And what Anishinaabemowin language concepts might we engage with? And so, from there, we developed an Anishinaabe reflective practice that engages relationality with each other, with land, and with community. And the goal for this presentation is for us to share a bit about that.

But what we don't want to do is establish an authoritative version of Anishinaabe reflective practice, but to offer this as one possible framework. I'll turn it over to Cass.

(Cassandra Spade) So, as Professor Speak was saying, Naanaagadawenindizowin is just one way to talk about reflection in the Anishinaabe language. There are a number of ways to do this, but for this particular idea, it's that it's a continuous process of reflection. It's ongoing, and it can mean to notice an experience, think about it, and potentially realise it. And it's also embedded in this giant web of responsibilities, or, as often referred to, Inawendiwin, relationality. And so self-reflection, of course, is when someone themselves is doing the reflection, but that simultaneously is happening with a lot of other people and being in the same relationship or particular space.

And so, when thinking about this framework, I really thought about, when I was growing up, I would ask one of my elders a question. It could have been about anything, and I was often never given a direct answer. Instead, I was given this giant story. And sometimes, as a young child, eight, ten years old, I would think, this is a really, really long story. And when the elder would get to the end of it, I would think, well, that didn't answer my question at all. And it's not until much later, sometimes within hours, sometimes days, years or decades, I would come to know what those stories meant, and it required an ongoing process of reflection, a process that's also embedded in that relationship, that web of relationships and relationality.

So, my elder has a responsibility to me, and that stands for my questions, but I also have a responsibility to my elder, and that's to reflect on the question and to do that work. It's not just my elder's going to directly give me the answer. And so, it's about having that continual process of visiting, having conversations and thinking.

So, we kind of separated them into two ideas of self-reflection: thinking about our own responsibilities to our community, peers and land, but also that self-reflection embedded in a web of relationships and responsibilities. So, thinking about sharing circles, for example, sharing in the law space, classrooms, and then engaging in something like a moot. And so, this kind of leads the way into, yes, go ahead, Larissa, it leads the way into our process.

(Larissa Speak) Thank you. So here is just an overview of the practice that we developed. We started really with online conversations, actually, and we developed a number of questions that we wanted to ask each other about the work that we're doing. And then we spent time out on the land individually, to reflect on those questions, in particular places that we chose that were important to us or were part of our work in some way. And then we also visited. So, we shared our reflections with one another to those questions. And the other thing to say, I guess, is we each produced written reflections when we were out on the land. But we've also been taking photographs and doing audio recordings during that time. And so all of the photos that you see on the slides are from our time reflecting on the land in different places on Anishinaabe lands. And this photo of Maang, or loon, this was taken by my partner when we visited Cass and her husband at their home, and I was up in that region because I was teaching a spring land-based course in collaboration with Rainy River First Nations.

And then the other thing I want to emphasise about this is, we have this in kind of a list, but this is a continuous process. And we've moved between all of these different steps numerous times, and we're continuing to do that work. And the last thing to emphasise is that we really wanted this process to be attentive to land. And you also see the seasons come through, because we did all of this work in Ziigwan, in springtime. And so, you'll see that in the photos. And there are more photos on the next slide, and Cass can speak about those.

(Gemma Smyth) Great. And two minutes. Thanks, Larissa.

(Cassandra Spade) Thank you. So as Professor Speak was saying, these things aren't happening in a linear way. It's not like we're having a conversation, land, a walk and then a visit. They're happening all the time, simultaneously, and kind of in this giant web of relationship. And so, these pictures are just a few examples of the places that we each went to visit, to think through these questions.

And a big part of being invited to present at this conference is that the process came first for us. So, we really want to show everyone what our process was like. And as Anishinaabe people who engage in non-academic discipline all the time, we wanted to kind of show you and take you through this process, but also share space with you, and connect you to the lands that we're from and the lands that are important to us. And so, some of these pictures were gathered when we were sugar bushing, so making maple syrup. We were feasting our relatives, such as the sturgeon we were fishing, in our childhood homelands. And so all of the places that we visited were really important to our lived experiences and our story and shape the way we think about the world.

And I think that's a common thread that's been through all the presentations, is, what about the students who have the lived experiences that we're trying to introduce to other students, and what does that mean? How do we connect there, bridge that gap? And so, as a nice reflective kind of slide, we'd like to give this to you as a collage of our experience, but also as a way to bridge space and time. And so, this leads us into our last slide. After we've gone

through all that process, and you can begin to see what we're doing, we've come to these questions. And these three questions will be expanded upon in a final paper.

So, you can think of this as kind of the teaser, or the appetiser, but we'll also share more about the pictures and the work and the process, kind of as a primary resource for you to see what Anishinaabe people are doing in their practice of Naanaagadawenindizowin. The first question we ask each other, which is very important, is, what does it mean for you to authentically exist in your capacity as a teacher, student, and/or legal professional within that umbrella of Anishinaabe identity? And the second, how do you engage in Naanaagadawenindizowin in the context of law school and the profession? Does your engagement require different strategies in each context? And finally, how do you understand your responsibilities as an Anishinaabe person and a legal professional in the context of law school and the profession, particularly when those responsibilities are polarisingly different? And so, the overarching question is, who's included and who's excluded? And then our last little cute slide. Miigwech.

55:15

(Gemma Smyth) Miigwech, miigwech to Larissa and Cassandra. That was beautiful. And those are super thought-provoking questions.

And last, and certainly not least, Lindsay Borrows, who is working as a professor at Queen's University. She was recently selected as one of the 15 early career researchers worldwide with the Canadian Institute for Advanced Research Global Scholars program, which she's never going to brag about herself, so if someone else has to do it. On a personal note, she practises relationality and generosity in all her interactions, and that's no easy thing within colonial institutional contexts. So here she is discussing possibilities and limitations of decolonial teaching methodologies.

56:10 (Lindsay Borrows) Wonderful. Miigwech, Gemma. Generous Gemma, for your excellent facilitating. And I'm so grateful to be part of this panel.

I've learned so much and really enjoyed taking notes. And if there were an exam at the end of this panel, it should probably be that we can all say Naanaagadawenindizowin, practising reflection in Anishinaabemowin. Maybe if we broke it down, we could sing it to, like, the tune of La Cucaracha or something. We could figure that out at the end.

And reflective practice, or Naanaagadawenindizowin, is something that I would say has really helped ground me over the last roughly 15 years, being within Canadian legal institutional settings. I had a really hard time in law school, like many do, and especially Indigenous students. And it really wasn't until I stepped out of law school and joined the first iteration of the Anishinaabe Law Camp, back in 2014, in my home community of the Chippewas of Nawash First Nation, where I felt like, oh, maybe I have a place in this space.

I wanted to share a quick story about how I have felt in land-based Indigenous legal settings, and how it has done important work, I think, for helping us move outside of our heads and into more holistic ways of being. So, as I tell this story, I'm just going to show a photo here of one of these early Anishinaabe law camps, maybe around 2015. Here a group of students had come up. My community is a few hours north of Toronto. And the story I want to share is sometimes called "The Longest Distance," and it was taught to me by my father when I was a child, and it was taught to him by the late Elder Simon Kytwayhat, who taught extensively across the prairies and was a Cree knowledge keeper.

And in this story, it begins in a place a long time ago, when there weren't yet humans on the earth. There were other animals that were there. And the Creator came down and she said to these animals, there's going to be a new species who's going to come among you. And I'm going to give this new nation a gift, and it's going to be the gift of knowledge of truth and justice. And I need to figure out where to hide this gift, because I don't want it to be so readily accessible that they take it for granted. When they have to work for something, they recognise the importance of that gift.

So, the animals all got excited at this opportunity to think about where this gift could be hidden. And the Bear said, well, I think we should put this gift of knowledge of truth and justice high up on the mountains, the highest mountain that there is. Surely this new species won't make it up there. And the Creator said, you know what? This

new species, these humans, these Anishinaabe we'll call them, they're going to make it even to the tops of the highest hills and mountains in their territories. And so, the next animal spoke up, the Fish, and said, well, what if we hide the gift at the bottom of the deepest of our lakes? And Creator thought about that for a time, and she said, you know what, they're even going to figure out how to create machines and tools to get to the very bottom of the lakes. And then the Bison spoke up, and she said, well, what if we put it way out in the middle of the prairies? Surely this new species won't be able to find it in that vast expanse of grasslands. And Creator said, even that wouldn't be safe enough. It could be too accessible there. And then Eagle speaks up and says, well, what about the moon? And Creator says, they're even going to make it to the moon. And then the little Mole finally speaks up and says, well, what if you hide that gift in the humans' hearts? Because maybe the biggest distance that they'll have to travel in their lifetime is the distance between their heads and their hearts. And Creator thought about that and decided that that would probably be a good place to put that gift of knowledge of truth and justice.

And so, the task for us flowing from this teaching is to do this lifetime of work of figuring out how to move between these different spaces within ourselves, recognising that we contain vast expanses, and it is a difficult journey, even just travelling in that inner world.

So, something that I love about this story in the context of Naanaagadawenindizowin, or reflection, is that, at one level, looking at this story, we see a reflective practice taking place amongst the animals there, kind of thinking each individually about what they might do, and then they get to share it. And then there's sort of a collective listening and thinking how this might work. And I really like that all the different animals get a chance to share in this story as well. And it's a common theme across Anishinaabe stories, that it's finally the smallest animal, often, who comes up with the most profound response, which is, I think, a beautiful teaching, to listen across positionality and types of people and more than human beings.

And, of course, as well, thinking about this as a spiritual practice is really interesting too. I don't think in law school we often necessarily invite a collective sense of; how does spirituality play into this task? How does faith and hope and connection to the divine bring us into a deeper understanding of what we're learning? But there are possibilities that are shown through this story.

So, if we had the day together, I think we could all unpack more and more, and in subsequent days, because of the living nature of stories. And as Cass was saying, if you hear an Elder tell the story, it can last much, much longer, and there are so many details. But I hope in offering this just brief version of this story, it opens some connections for you.

So in my last few minutes with you all, I wanted to turn my time to just thinking about, how do you do assessment in a post-secondary institution for these types of practices? This has been the bane of my existence since I started doing this work. Largely because law schools are very strict and rigid in how you do assessments, because it's a professional degree program. We have to speak to the Federation of Law Societies requirements. And we want lawyers to go out into the world who are professionals. Not everyone can get an A. We need students who are somehow distinguished as B students, as C students. And so, we create this whole game and this whole story about how people rank in relationship to one another. And I think we've already heard in the comments shared here that that's just fundamentally at odds with how Anishinaabe pedagogy works.

And so this is my attempt, alongside my friend and colleague Florence here, to figure out, how do we do this assessment? So, I'm going to show you an image here of our assessment document that we created, and kind of give you a sense of, what are we looking for in an art based or written reflective assignment from students?

I loved the beaded sturgeon image. I think it was from Florence. I've had students also submit composed pieces of music, time travel boxes, paintings, podcasts, all sorts of things. So how do you bring these together and assess them in a system that grades people on a curve? So, spoiler alert, I give almost everybody like an 18 out of 20, and then I just deal with the curve later.

But this is what we are kind of looking for. What is the level of organisation and clarity of expression? Is it really speaking to the types of questions that we're asking them to reflect on? And then we lay out here some clear ideas of what does this mean. Collection of ideas, effective integration with the creative elements. Sometimes form is the message, and it's so magical when people use form to really drill in their message. Have an awareness of your

audience. And these types of communication skills are things that are so helpful in their relationships across a wide range of life, both personally as well as professionally. We also ask them to show clear engagement with the readings, and typically we'll ask for at least two readings, because we want them to be allowed to dive deeper into a smaller number of readings, instead of having them have to take the bird's eye view if they don't want to. And we want to make sure that they're connecting those readings to the actual discussions that we have as a group. And then we look for engagement with in-class components. And so, this is really about, in a way, looking for, are they showing up to class?

And you can kind of tell here, if there isn't a depth of engagement with the in-class components, then there's a level of reciprocity that could be strengthened, in the sense that within Indigenous, and specifically Anishinaabe teachings, the idea of showing up is so important. One of our teachings is that the word for fly is Oojii, and the word for children is Abinoojii. And the idea here is, children are like the little flies, and quite literally, they're the ones who hang around a lot. And so, just hang. It's not that students have to always have their hands up, but showing up and listening and hanging around is part of how we learn. And not everyone gets encouraged to be a fly, to channel their inner fly, in educational settings. But that's something we really try and encourage them to do.

And then the final two points are, we look for critical reflection and future applications. So that's saying, where was I before coming into these materials? Where am I now? And where do I hope to go with this? So, there's a bit of a journey element that we ask them to engage in. And then we also want to validate and honour the originality and creativity that they put into it.

Now, there's always the possibility, even in putting out an assessment structure like this, that people just don't really tell the truth. They could make up where they were and where they hope to go. But from my perspective, that's still reflective in a way. Even if they're not genuine, they still are coming up with a story and reflecting on something. And these micro steps are important.

And I also don't really feel like, as instructors, as educators, as guides, that we need to be in control of other people's learning. It's up to them how they want to step into that.

And I feel that this assessment sheet will continue to evolve over the coming years. I hope it does. But it's been a nice kind of resting place for now, and I'm so grateful to have worked with Florence on this so much. Thank you, and I look forward to our question period.

1:09:56

(Gemma Smyth) Thank you so much, Lindsay, and thanks to everyone on the panel. I've learned a lot and am really looking forward to reading anything that comes out of these presentations as well.

THE PUBLIC TRANSCRIPT STOPS HERE AS DOES THE RECORDING. The Q & A is not included.