

JOHN BORROWS

Dalhousie Convocation Speech

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PREPARE – TO BE SURPRISED

Mr. Chancellor, Mr. President, members of the Board of Governors and Senate, distinguished guests, colleagues, and especially graduates and your families:

I would like to thank Dalhousie University for granting me this honorary degree.

I want to thank you, the graduates of 2014, for allowing me to share this day with you. You chose to attend one of the world's great universities. You worked hard, had fun, sacrificed, and made difficult choices along the way. When you wanted to quit - you persevered. You recognized that finishing is in itself one of life's great rewards. You are better for having walked this path. It has brought you to this celebration today. Congratulations.

And to your families and friends: I know how much effort is required to cultivate your loved one's accomplishments. I remember hosting a graduate ceremony for seven Indigenous law students at UBC a few years ago. Over 400 relatives showed up in our Longhouse to honour their work. The stories of mutual aid and support were impressive. It takes a broader community to help someone succeed. Today marks a great achievement for all of you. Congratulations.

When I graduated from law school I began articling in the small Ontario town in which I grew up. It was my dream. I lived by the lake. I could walk to the office, and I knew many clients from a life-time of interaction. I could make a small contribution to a little corner of the world which I cared for deeply. There was nothing I wanted more. Life was unfolding exactly how I had planned.

And then I was fired. When I was in court, with my pen and paper, I wrote 'too loudly' for the lawyer who was my principal. I found myself on the other side of my life's most treasured hopes.

My wife and I have often wanted to thank that lawyer for crushing our dreams, though it was very painful at the time.

Fortunately, I had diversified my portfolio. Despite my home-town focus, I did not put all my eggs in one basket. I had applied to Graduate School during my final Law School semester. I received a scholarship to continue my legal education. It wasn't my first choice but I jumped in with enthusiasm anyway. I hoped a graduate degree would pave the way for my eventual return home. During my LL.M. I was offered a position with a big Bay Street firm. Since it was my hoped-for bridge back to small town dreams, I accepted.

But a funny thing happened on the way home. I found that life held deeper meanings; contingencies arose that presented new paths. It turns out that I enjoyed graduate work. I liked it so much that I

decided to pursue my Ph.D., though it didn't fit any larger plan. I wanted to solve the puzzles presented by the inclusion of Aboriginal and treaty rights in Canada's newly-minted Constitution. The firm was supportive and allowed me to defer my articling start date. So I continued on to a Ph.D.

When it was time to go to Tory's (the big firm), I realized I had other options. I still wanted to go home but there was no direct path leading there. I was discovering that life was not for the linear. It was full of ambiguity. My world had not fallen apart when I failed to return home, or taken the big job on Bay Street. So, I began a journey which has taken me to other peoples' homes. Over the past twenty years I have explored the varied legal cultures of the world – including many Indigenous legal cultures.

But embracing this new journey was a huge adjustment – one that was very hard at first.

Unlike my small-town Ontario dream, when I got to UBC and started working, I hated it. I was home sick. It rained all the time and the work was tremendously difficult. I wondered what I had done wrong in choosing such an awful career. I disliked the law. It was full of injustice. It was complicated and dry. It was hard to see the point of being in a profession which tolerated such dysfunction. But I kept working. I had family obligations. I talked about quitting but that wasn't going to help the people I cared about. And from my recent experience I knew life was not linear. I realized that my own likes and dislikes should not be the measure of all things. While we must always attend to matters of the heart, life is about more than following our passions. It often requires us to confront things we would rather not address. So, I redoubled my efforts. I learned the materials backwards and forward. I got out of my office and into other's lives. I volunteered. I raised funds. I made friends. I worked in Indigenous and other smaller communities whenever I got the chance. I was preparing to be surprised.

The surprise came at the end of my first year of teaching. *I found my home in other places.* I was invited to a remote Indian village on the north-west coast of British Columbia. I was nervous. It took a jet, float plane, boat and off-road vehicle to get there. I didn't know what to expect, but I had made a friend. It was the late Judge Alfred Scow. He was a Kwagiulth Elder, a former judge, and first Indigenous person called to the British Columbia Bar. Like my own First Nation in Ontario, his peoples' lands and livelihoods had been nearly destroyed by national and provincial law. Yet they were surviving. We feasted from the sea. When the tide went out, their table was set. Salmon, halibut, scallops, mussels, shrimp and clam fritters were our fare. We visited their century-old ceremonial Big House. Its beautiful carvings chronicled the valley's history. We heard about their dancing, singing, masks and button blankets. We sat in their homes. We heard heart-rending stories about residential school abuse. We learned how their leaders had been incarcerated for gift giving in their great potlatches. They told us how their ancient valleys had been logged, mined, and given to others without their consent. They sat in poverty despite living in one of the continent's richest ecosystems.

Kingcome Inlet, home of the Musgama Dzawada'enuxw, was just like home - but in this home I saw deeper layers of connection to what was really important to me. With my friend's help I learned that the local can be national, even transnational. He raised my sights. He helped me recognize that vital parts of our world are dying, and *we need her* help. He talked about the place of Indigenous peoples' own laws in finding this help. They are not perfect, but they *are* helpful. I have been working on this idea ever

since; it has been a focus of my teaching, practice and research, ever since. Indigenous peoples' legal knowledge is a vital part of Canada's Constitution.

While I still long to live in that small Ontario town, I am very glad I did not give in to my own so-called passion. Ambiguities arise, circumstances change and we find ourselves digging deeper to find fulfillment. When I graduated, I really didn't know myself. Even at this stage in life, I recognize I am only scratching the surface of self-discovery.

To ensure such learning continues I have learned that we need to - Prepare - to be surprised. Continuous preparation and an outward focus is a key to untangling the inevitable surprises which come our way. *Home* may be different than we imagine. *We* may be different than we imagine. We think we know where we are going, but this might be a false sense of security. Getting knocked off course can be devastating, but only if we give up and get lost in our selfishness. We don't always know best. We all have a lifetime of learning ahead of us. Be alive to your own adventures. When the world is not what you hoped - keep your options open. In some cases this might even mean not finishing what we began. We must take care not to freeze our own and other's lives and cultures. Expand your repertoire; work hard. If you can't find immediate fulfillment, struggle to reach a broader and deeper congruence.

My convocation wish is that we **allow *experience to save us from ourselves***, and our own often short-sighted dreams.

Congratulations graduates. You have my best wishes for a life full of meaningful surprises.