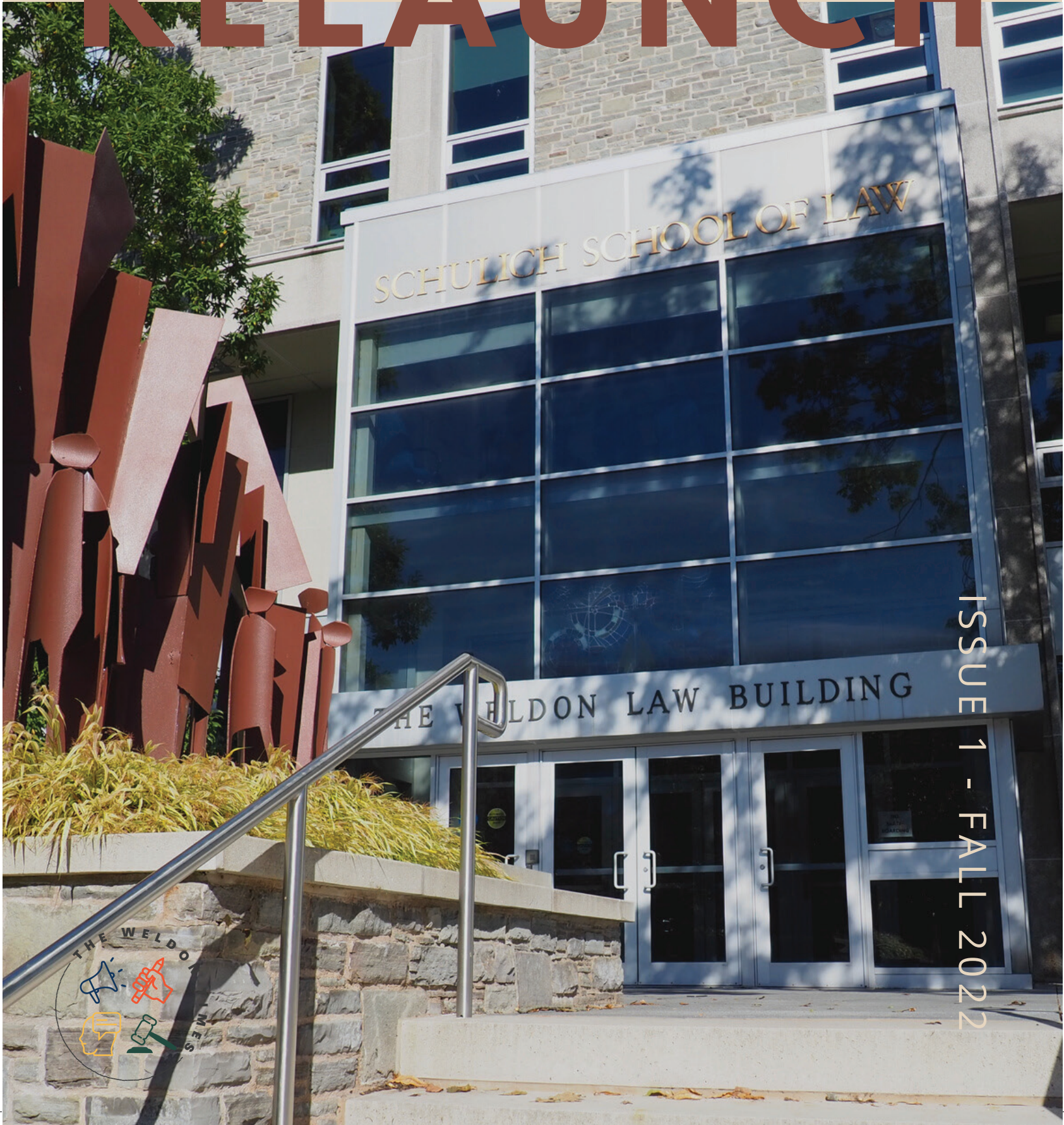


THE WELDON TIMES QUARTERLY

RELAUNCH



ISSUE 1 - FALL 2022



The Weldon Times staff would like to dedicate this issue in memory of Meinhard Doelle, a beloved environmental law scholar, and professor at the Schulich School of Law.

Meinhard Doelle motivated students to find their passion in law through his dedicated research into the intersection of environmental law, energy law, and climate change.

In 2013 to 2014, Meinhard co-chaired a provincial panel on aquaculture, collaborating with colleague and friend Professor Bill Lahey. In remembering Meinhard, Professor Lahey said, "Meinhard and I did some very meaningful work together, including on aquaculture, and he was very proud of what he had accomplished for the environment and Nova Scotia. He had a gift for collaboration and as collaborators, we completed each other."

Dr. Sara Seck, one of Meinhard's colleagues who worked closely with him on many projects also commented that "it is impossible to describe how well regarded he was by environmental law professors across Canada ... In Nova Scotia, everywhere I turn in the area of environmental law has his footprint on it. Meinhard is simply irreplaceable and will be tremendously missed."

We extend our deepest condolences and sympathies to his family, colleagues and students. In memory of Meinhard, we will strive to foster a community of students who are devoted to exploring their interests in law, and are dedicated to supporting one another along the way.

THE WELDON TIMES EXECUTIVE

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Dalhousie University sits on Mi'kma'ki, the traditional territory of the Mi'kmaq.



LETTER FROM THE EDITOR



Why relaunch?

During the last two academic years, we faced uncontrollable disruptions to our student life. We have not had the same opportunity to build the community we so desperately need to excel in law school. While we might have been able to survive, we deserve a better experience that is more than just getting by. This is why it is time to relaunch life at Weldon.

Community is coming back in a big way. The student lounge is full of chatter in-between classes and the library packed with students throughout the day. We are so grateful for the numerous events already hosted by the school and various societies. A special thank you to Elizabeth Sanford for notifying us about leftover food just in case we weren't able to make it.

As a representation of this community, behind this issue is work and collaboration from a group of diverse, kind, and dedicated students I am so fortunate to work with. The Weldon Times executive went through a massive restructuring so we could make something for students, by students. I am so thankful for the ideas, time, and work they put into this issue.

Sincerely,

Madeline Heinke



Welcome back to



LIFE AT WELDON



CROSS EXAMINATION

With John O'Connor (he/him) 2L

By Nicole Payette, 2L

One of the most remarkable aspects of any school is the people you get to learn with. Every law student at Schulich has a story filled with colourful characters and plot twists. Our passions, experiences and talents are revealed in between sips of coffee, quick small talk in between classes, and comments while writing case briefs.



As the months pass, these stories become more detailed. We learn each other's favourite foods, along with our insecurities. We learn about our shared music tastes, along with the different barriers we have faced. Ultimately, we learn that every day we are surrounded by complex, amazing people whose lives extend far beyond the four walls of the law building. "Cross Examination with..." is a new series created to showcase a snapshot of a Schulich student's story.

As John and I were walking through the SUB, we noticed rows of comic book covers depicting various rappers and RnB artists as superheroes: Childish Gambino smashing through a newspaper as Captain America and Frank Ocean emerging out of a swamp saving a mermaid stuck in polluted water. Each artist is depicted as a saviour within the context of a social issue. This then begged the first question:

N: Who's your favourite rapper?

J: Kendrick Lamar. It's really cool to follow a guy who's making history in your time, and you know that he is. It's not just because [his music] always gets big. He's a guy who puts so much thoughtfulness into everything he does. I saw him on SNL, and the artistry and set design... he really cares, and that heightens it.

N: So, did you work at a cemetery?

J: I worked at a cemetery right after graduating. That was probably one of the best jobs I've ever had that wasn't the family business of being on a farm.

N: Wait, we need to back up, your family business is a farm? Is that where "Farmer John" came from?

J: Yes! I grew up on a dairy farm. One of my first memories was holding a bucket while looking at a calf straight in the eye cause I was as tall as the calf. I loved it, it was exciting to be involved.

N: What was the best part of growing up on a farm?

J: Having that unique experience. Beyond [our place], it was only a subdivision. Ajax is a suburb of Toronto. Being on a farm was really cool. [I was able] to do some really impactful work. An animal is living, healthy and happy because of what I am doing. You get into an office job and ask “what are these papers I am moving around”? Everything is important but this was a different kind of work.

N: What do you think the 10-year-old John, who is seeing this farm work as a livelihood, would think about you being here now?

J: I kind of knew [farm work] wasn't for me. It was work...

N: It's gruelling work.

J: It was gruelling! It was 6am-6pm, waking up at 5am. I never clicked too much with it but what I loved about the farm was having all the time in the world to think, to think about stuff I read or to think about whatever. I guess I knew I would be reading and writing for a living. Law school was a more recent thing. It was a shot in the dark. Do the LSAT. If I pass, if I don't pass, there are other things to do [in order] to read and write for a living.

N: Is there anything that you read, maybe a passage or a quote, that stuck with you?

J: There was an amazing empathy, an intellectual empathy, I gained from reading Plato. That was my major love and joy of philosophy. I read everything that Plato wrote and had a prof who went line by line [of the texts]. I like the way [Plato] talks about the truth coming out between two people and why his work is all conversation, why he wrote in dialogues. Truth isn't just something I can hold in my head and be better than everybody else because I'm the smartest guy. The smartest person is talking to people and seeing other points of view, testing what they were thinking and willing to learn and grow with other people.

N: Did you ever see a piece of art, whether it was a song, movie, painting, a piece of architecture, that made you feel really small?

J: Some religious art allows for that experience. I had the privilege of going to the Sistine chapel while visiting family in Rome. It does not have to be the big leagues like the Sistine chapel, but a 500-year-old church where villagers, who had nothing, put all of their money into the gold for the walls or beautiful murals. I'm amazed that, in being there, I'm sharing the same experience that a sheep herder did 100 years ago, who also looked at the same art and thought, “wow this is important isn't it”.



In North America, we haven't been making good spaces for people. These big grey blocks of buildings are not giving us the spaces we want. Looking at previous generations where there was art and beauty at the centre of the design versus utility at the centre. There is nothing wrong with having utility at the centre. We are happy to have the utility, a big building that can hold lots of people so we can all learn or all live in the same place, but at the same time, they aren't really built for people.

N: So how did you get into graveyard work?

J: I was looking on Indeed. I filtered to "admin" jobs near me. I had my convocation on Tuesday, became a person who had a B.A., and then on Friday I had the interview. That same afternoon they told me that I got the job then a week later I started working on cemetery documents. I wasn't digging the holes. I was creating the purchasing contracts for new lots, organising burials, working with the funeral homes, and the monument installations. It was really interesting, all of these end-of-life things that I've never given much thought to. You are definitely dealing with a lot of people's worst day and worst week, and you are trying to make this [process] as simple as possible. You help them move through the process so they can have that time to remember the person who was lost rather than trying to [mourn] them while dealing with all this [paperwork]. Seeing the people behind the scenes... you're not really an island, you realise how many people are on your team, [we're all] just trying to get you through this time.

Last question, what is your favourite milk?

J: The real thing! I don't have a problem with alternative milk. I am fine with there being the free market of all kinds of milk. I'm no buffoon. I know that some people can't ingest it and there's no reason to gatekeep the experience of this kind of drink. I mean, there's so many "I can't believe it's not butter". I really don't like margarine. Back in Ontario, you can always get this glass jar of milk from some little artisanal farm that is about 5%... it's just the smoothest, the best milk of your life.





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Atlantic Canada 2022 Summer Student Hiring

By Samuel Bodner, 2L

Introduction

Our job at The Weldon Times is to provide students with topical opinion pieces on current events, recent stories surrounding law school affairs (not that kind, dear reader... I know, I know asked the higher-ups), and, starting now, helpful recruit data! After hearing feedback from students over the last few years – and following in the footsteps of a certain Upper Canadian law student newspaper – we have decided to begin providing data for 1L and 2L summer student hiring in Atlantic Canada. Our hope is that, over time, this dataset will grow and students will be able to identify trends in hiring among employers in Atlantic Canada. Hopefully, this will help students better prepare for Atlantic Canada's 1L, 2L, and Articling Recruits. Again, this is the first time we here at the Weldon Times are attempting to provide recruit data. It is a relatively novel process for all of us and, given this, the dataset we have prepared for this issue is pretty barebones. We hope to include data for the prior year's articling recruit in next year's edition.

Methodology

The easiest way to gather hiring data was from the large, business-oriented Atlantic Canadian law firms that provide hiring information on their websites. We also reached out to some firms for hiring data individually but did not hear back from all of them. Given this, we do not have in-depth recruit data that *ahem* some of our peer publications are able to provide.

Methodology (continued)

The only data we are able to present for this issue is the number of summer student hires per firm broken down by class year and law school attended. Additionally, you will see that some firms are further broken down by city whereas others simply list the number of students per province. This inconsistency is a feature, not a bug, and is simply a function of some firms having more than one office in a given province. Some of the firms listed also do not participate in the formal Atlantic Canada recruits so it ought to not be relied upon for the number of students hired through the official recruits either. That is, the number of successful applicants this past cycle was likely higher as we didn't gather data for all employers in time for this edition. Because of this, we did not provide totals for the number of students hired from Dal or other schools for either the 1L or 2L recruit (although you eager beavers with basic math skills are welcome to tally it up yourselves). We also left returning students – those students who were hired in first year and returned the summer after 2L – out from the data set. Furthermore, some firms we identified also do not participate in the summer student recruit, electing only to hire students for articling. Again, we hope to gather articling recruit data next time around. In any event, as time goes on we hope to increase the sophistication and scope of the data we provide so that students like you and I are more familiar with the labour market and hiring processes that firms and other hiring entities employ (pun intended).

With any luck this will result in students being better informed of their options when the recruitment processes begin.

Disclaimer

Importantly, this data set does not reflect the vast majority of legal employers in Atlantic Canada. Many jobs with non-profits, government entities, corporations (that is, in-house), small firms, and sole practitioners are not represented. These positions can and frequently do lead to articling opportunities – we hope to grow the dataset and provide hiring statistics for these sorts of entities in the future. For this issue, however, this wasn't possible. Furthermore, as you are all well-aware, Dal's national presence means that our students go everywhere.

All this is to say that large, business law-oriented firms in Atlantic Canada are overrepresented in this dataset and it ought not to be definitively relied upon for your chances of getting hired anywhere. This is especially true if you are not interested in the Atlantic Canada market or the sort of environment that large, business law-oriented law firms offer. Additionally, as we mentioned earlier many, many employers do not hire summer students at all and opt instead to only hire articling students. There are a variety of reasons for this and each firm/lawyer has their own philosophy surrounding hiring. Ultimately, you should not feel pressured into working a law-related summer job.

Without further ado, here is The Weldon Times' (inaugural) 2022 Summer Student hiring dataset for some of Atlantic Canada's largest employers. If you wish to learn more about any of the firms/offices listed you should not hesitate to reach out to the Career Development Office!

Nova Scotia

Firms	Dalhousie	UNB	Université de Moncton	Other	Total
Blois, Nickerson & Bryson	**Did not respond by date of publication – firm does not traditionally hire summer students**				
BoyneClarke LLP	4 (2L)			1 - Unknown (2L)	5 (2L)
Burchells LLP	2 (2L)				2 (2L)
Cox and Palmer	6 (5 2L, 1 1L)	2 (1 2L, 1 1L)			8 (6 2L, 2 1L)
Dumke Plummer	**Firm only participated in 2022 Articling Student recruit**				
Halifax Water	**Not surveyed by date of publication**				
McInnes Cooper (Halifax)	4 (3 2L, 1 1L)	2 (1L)		1 - Queens (2L)	7 (4 2L, 3 1L)
McInnes Cooper (Sydney)	1 (2L)				1 (2L)
MDW Law	**Did not respond by date of publication**				
Nova Injury Law	**Not surveyed by date of publication**				
NS Legal Aid	**Not surveyed by date of publication**				
NS DOJ	**Not surveyed by date of publication**				
Patterson Law (HRM)	2 (2L)			1 - Unknown (1L)	3 (2 2L, 1 1L)
Patterson Law (Truro)	1 (2L)			1 - Unknown (2L)	2 (2L)
Pink Larkin	1 (2L)				1 (2L)
Stewart McKelvey	6 (2L)	3 (2L)			9 (2L)
Ritch Williams & Richards	**Not surveyed by date of publication				
Wickwire Holm	**Did not respond by date of publication**				
TOTAL 1L	2	3	0	1	6
TOTAL 2L	25	4	0	3	32

Newfoundland

Firms	Dalhousie	UNB	Université de Moncton	Other	Total
Benson Buffett	**Did not respond by date of publication**				
Cox and Palmer	4 (2 2L, 2 1L)	1 (1L)		1 - Leicester (2L)	6 (5 2L, 1 1L)
Curtis Dawe	1 (2L)				1 (2L)
Martin Whalen Hennebury Stamp	*Not surveyed by date of publication**				
McInnes Cooper	1 (1L)	3 (1L)			4 (1L)
NL Legal Aid	**Not surveyed by date of publication**				
O'Dea Earle	**Not surveyed by date of publication**				
Poole Althouse	**Not surveyed by date of publication**				
Stewart McKelvey	2 (1L)			1 - Ottawa (2L)	3 (1 2L, 2 1L)
Robebothan McKay Marshall	**Not surveyed by date of publication**				
TOTAL 1L	5	4	0	0	9
TOTAL 2L	3	0	0	2	5

New Brunswick					
Firms	Dalhousie	UNB	Université de Moncton	Other	Total
Actus Law	**Did not respond by date of publication**				
Bingham Law			1 (1L)		1 (1L)
Brenton Kean	**Did not respond by date of publication**				
Cox and Palmer	2 (2L)	4 (2L)	2 (2L)	1 - Ottawa (2L)1 - McGill (2L)	10 (2L)
Foster & Company	**Firm only participated in 2022 Articling Student recruit**				
McInnes Cooper (Fredericton)		1 (1L)			1 (1L)
McInnes Cooper (Saint John)		1 (1L)			1 (1L)
McInnes Cooper (Moncton)		1 (1L)	1 (1L)		2 (1L)
Stewart McKelvey (Fredericton)	1 (2L)	1 (1L)		1 - U of T (1L)	3 (1 2L, 2 1L)
Stewart McKelvey (Saint John)	1 (2L)	2 (1L)			3 (1 2L, 2 1L)
Stewart McKelvey (Moncton)			2 (2L)	1 - McGill (1L)1 - Ottawa (1L)	4 (2 2L, 2 1L)
TOTAL 1L	4	6	2	3	15
TOTAL 2L	0	4	4	2	10

Prince Edward Island					
Firms	Dalhousie	UNB	Université de Moncton	Other	Total
Campbell Lea	**Not surveyed by date of publication**				
Carr, Stevenson & Mackay	**Not surveyed by date of publication**				
Cox and Palmer	3 (1 2L, 2 1L)	2 (2L)			5 (3 2L, 2 1L)
Key Murray Law		1 (1L)			1 (1L)
McInnes Cooper	1 (1L)			1 - McGill (1L)	2 (1L)
Stewart McKelvey		1 (1L)		1 - Queens (1L)1 - UBC (2L)	3 (1 2L, 2 1L)
TOTAL 1L	3	2	0	2	7
TOTAL 2L	1	2	0	1	4

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LEARNING THE CURVE

Grading & Comparison in law school

By Elyse Loewen, 2L

When I first began law school, I had never been graded on a curve before. But come time to hand in our first graded assignment as 1Ls, “the curve” became a popular topic of conversation. Upper-year students talked about the curve as something that humbled them or saved them, depending on the course. Us first-years speculated on how it would work and how much more difficult it would be to get high grades in law school compared to our undergrads. Eventually I started to wonder where I would fit into the curve. Then I found myself looking around the room and thinking about how many other students I would have to do better than to get an A.

I knew that kind of mindset wasn’t productive, and I didn’t want to feel like I was competing against my peers. But the curve makes it hard not to, since your performance is in part based on how well those around you do. I especially struggled with this because I knew I had to maintain a certain GPA to keep my funding for second year, which meant I couldn’t just tell myself “grades don’t matter!” and really believe it.

As I went through my first year, the curve did humble me, and save me—looking at you, public law. But it also taught me some important lessons about comparison and grading in law school that I’m glad to carry with me into my second year, even though I’m (thankfully) leaving the curve behind.

Focus on the things I can control. It’s a cliché, but it’s also true. I can’t control how well the people around me do. I can’t control the final outcome of the curve. But I can control the work I put in. Focusing on myself and my own work has helped me to avoid constant cycles of comparison that don’t actually help me succeed.

Think about how I want to talk about grades. Think about how other people might want to hear about grades. When I’m focused on comparing myself to others, I naturally to want to know how my classmates did on an assignment. However, that kind of comparison can often lead to feeling even worse about grades—especially because grades can mean different things to different people. Maybe someone was happy with their B- until they overhear someone else’s disappointment with their B. My go-to when discussing grades is to talk about how I feel about how I did rather than specific numbers: for example, saying things like “I was really happy with how I did” or “I was really hoping to do better” rather than “I got X grade”. That way I can share in other’s success and get support through disappointments without it feeling like a competition.



Value collegiality over the curve.

“Collegiality” is a term often used to describe the Weldon ethos, and I’ve found it to be true. My friends and classmates are always willing to help me out by sending me notes when I miss class, sharing helpful resources, or explaining difficult concepts I struggle to grasp. I’ve always felt like we were helping each other succeed rather than trying to do better than each other. I can’t change the fact that we’re graded on a curve, but I can choose to value caring for my classmates above competing with them. And, as one professor pointed out to us, the law world isn’t that big. You may well end up working with your classmates in practice, so the relationships and reputation you develop in law school matter—arguably more than your first-year grades ever will.



Take time for the things I love outside of law school.

Law school takes a lot of time and effort. Even when you’re not in class, between readings, school clubs and events, applying for law jobs, and even talking with classmates about law school it can start to feel like your entire life. When my life felt like it was completely contained in “the law school bubble,” it became very difficult to separate my worth from how I was doing in classes. Not to mention, putting a lot of my hobbies aside to focus all my energy on school left me feeling burnt out and unfulfilled.

As a result, in my second term I decided to join a symphony orchestra. Classical music was a huge part of my life growing up, and I missed making music with others. While I was worried about adding another commitment, it turned out to be so much fun and very positive for my mental health. Taking time for my hobbies reminded me of what makes me me, beyond my grades.

On a more practical level, I have found that many prospective employers are very interested in what you do outside of law school. Your hobbies and interests are what make you unique and set you apart, and I’ve talked much more about those things in job interviews than I have any grade on my transcript.

Remember why I’m in law school. I’m guessing most of us probably didn’t go through the difficult process of applying to law school (and the difficult process of paying law school tuition) just to get good grades. Some of us came here because we want to have a specific career, or to learn more about a specific area of law, or to be better equipped to make a difference in a certain area of society. Keeping those larger motivations in mind helps me to put grades into perspective when they feel paramount.

In the end, my learning curve in law school has been to focus less on the curve and more on learning. After all, studying law in university is a big accomplishment and an enormous privilege—one worth much more than any grade.



INTERVIEW WITH PROFESSOR JOANNA ERDMAN

Dobbs v Jackson and the overturning of Roe v Wade

By Patricia Doiron, 1L

On June 24, 2022, the Supreme Court of the United States' decision in Dobbs v Jackson overturned the historic case of Roe v Wade—a precedent that protected the constitutional right to an abortion for almost 50 years. In this interview, Joanna Erdman, Professor and McBain Chair in Health Law and Policy at the Schulich School of Law discusses the ramifications of this decision.

Q: What are the impacts of the *Dobbs v Jackson* decision in the U.S.?

A: On June 24, 2022, the U.S. Supreme Court declared you no longer had a right to abortion and that you never did, leaving the states with authority to restrict and ban abortion, and that is exactly what many did. Trigger laws came into effect with the ruling, 19th century bans have been resurrected, and more laws are promised to follow.

People have been left desperately seeking care, forced over state lines, and into silence and secrecy, as these laws become the basis for all manner of state intimidation and harassment.

The three dissenting judges in the case told their colleagues not to hide from the expansive effect of their judgement. Indeed, how could they, as people despair for a future when the very idea of abortion, as a measure of control over your own reproductive life and future, becomes so burdensome that it too disappears.

Q: How have Canadian courts differed from American courts on the issue of abortion? In Canada, do we have a constitutional right to abortion?

A: After *Dobbs*, everyone asked, “Can it happen here?” Does our Constitution protect abortion rights? In answer, almost everyone returned to *R v Morgentaler* (Canada’s *Roe v Wade*), a 1988 Supreme Court judgement that struck down our criminal law on abortion as a violation of Charter rights. Some fanned the flames of constitutional doubt by emphasizing the judicial restraint of *Morgentaler*, which may allow a new criminal law in Canada if Parliament could ever pass one. Canada is one of very few countries with no abortion law, criminal or otherwise.

Others of us emphasized that abortion rights in Canada are rooted in a distinct constitutional history and tradition, one in which we wouldn’t return to the Charter’s text of 1982, much less a 1988 judgement to know our constitutional rights today. To do so would ignore the decades of activism since *Morgentaler* that have forged a set of abortion rights, more fulsome and robust, more democratic and collective in character.

After the fall of *Roe*, the Government of Canada proposed a law to enshrine the right to abortion and to guarantee its protection. But then a curious thing happened. There was a resounding call to stay the law’s hand, that no abortion law is needed in Canada. I understand why. In the making of an abortion law, there is endless opportunity to narrow the abortion right by setting out who, where and how an abortion can happen, even in the name of its protection. At the same time, imagine that we could draft a law, one that would manifest a new kind of care system in this country, one that would fully support people, that would trust and respect them, in all their reproductive decisions and in the context of their lives, the right to end a pregnancy, but also to continue one and to parent your child in a safe and healthy environment. Abortion rights in reproductive justice. I would love that opportunity for Canada too.

Q: How can we as Canadian law students advocate for reproductive rights?

A: Abortion stigma, rooted in misinformation, is one of the key barriers to care. In law school we spend a lot of time talking about abortion rights and abortion law, but maybe not enough time talking about abortion: sharing information and experiences, listening to each other, supporting one another. Just knowing that someone cares. And that someone will help. Imagine how different student activism would be if it was rooted in student life. Activism doesn’t always demand a big formal research project. Sometimes it’s about the everyday.



What is Space Law?

HISTORY

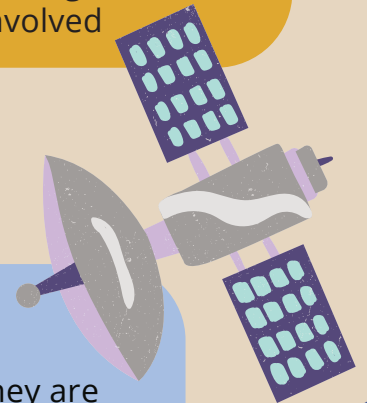
Space law started in the early 1900s as the regulation of Hertzian Radio Waves and a fear that hot air balloons might dominate the battleground. Since then, it has evolved into the regulation of all aspects of human exploration, including questions of in situ resource extraction, celestial body settlement, and use of satellite imagery.

The 4 phases in space law's history:

1. Development of concepts pre-Sputnik (ie: the delineation of air space and outer space)
2. Clarification and adoption of basic applicable laws
3. Expanding use of space and developing specific laws
4. Regulation of human activities like mining

The set of rules governing human activities in and relating to outer space

Purpose: to establish a legal environment enabling the achievement of common goals and interests related to the exploration and use of outer space, while also aiming to prevent the emergence of tensions and conflicts among the subjects involved



SOURCES AND ACTORS

The "Big 5 Treaties" form the foundation for space law. They are supplemented and clarified by other public international law instruments (ex: IADC Guidelines), domestic law, private international law instruments, as well as norms and customs.

With the advent of private actors into space, Article VI of the Outer Space Treaty which imposes a regime of strict liability on the supervising state(s) is more relevant than ever.

Other relevant actors in space law are NGOs like the IISL, private actors like GHGSat or SpaceX as well as UN Bodies like COPUOS

BIG QUESTIONS

- Who could you sue if your house was damaged by space debris?
- Can Elon Musk unilaterally establish a Martian colony?
- What is stopping a company from strip-mining the moon?

THE BIG 5 TREATIES

Outer Space Treaty (1967)

Considered the Magna Carta of space law, providing guidance of how humans have decided to use space.

The key consideration at the time of drafting was avoiding conflict in space, which explains the general theme of state responsibility for action and maintaining common and non-destructive interests in space

Generally, states (and their nationals) have a right to explore and use space, so long as it does not interfere with other states' rights to also use and explore space.

Rescue & Return Agreement (1968)

Written in light of manned spaceflight, this treaty continues with the trend of mutual interest. Establishes the obligation that parties must provide aid to other astronauts in situations of danger or distress

Liability Convention (1972)

Reaffirms the principle that states bear ultimate responsibility for all actions in space. Elucidates on concepts like "launching state" and "damage", and considers liability both in space, and by space objects on Earth.

Registration Convention (1975)

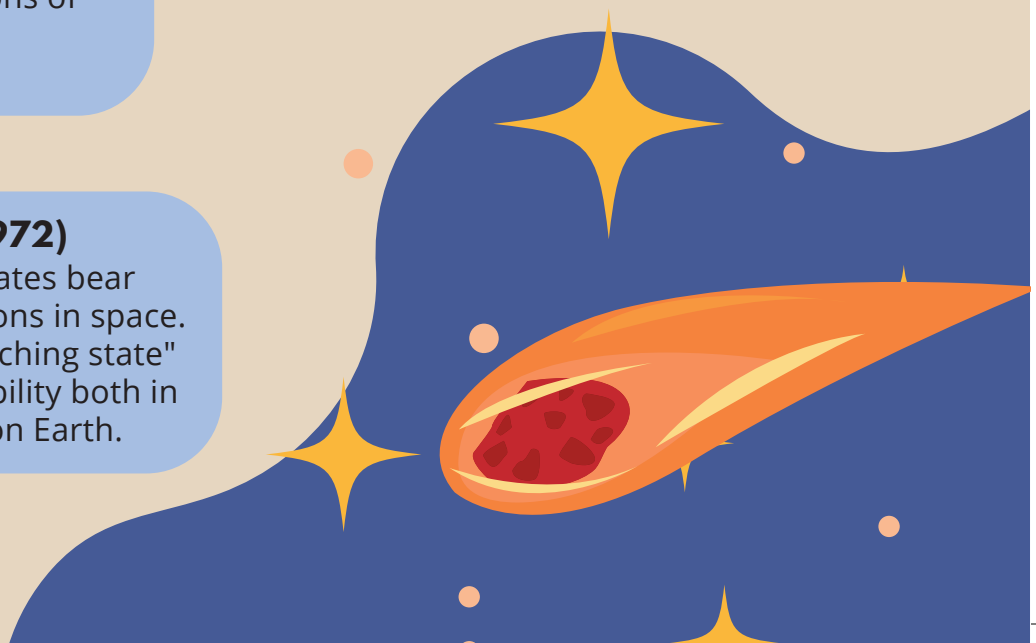
Provides that space objects must be registered by states and/or operators, so that responsibility for objects can be effective. However, it failed to consider a uniform method of registration.

Moon Treaty (1979)

"Failed" treaties are still important! Although the Moon Treaty lacks signatures, it elucidates some concepts more broadly.

The Moon Treaty considered property rights on the moon and categorized space as the "Common Heritage of Mankind", imposing onerous obligations on both management and resources

States lacked the political need for elucidating property rights on the moon and celestial bodies at that time, and were hesitant to accept onerous obligations so early into the use of space



I'VE GOT 99 PROBLEMS & Rest Ain't One

By Faith Thomson, 1L

I may be preaching to the choir here, but law school is overwhelming. As a result, it becomes imperative to figure out your routines and study strategies quickly. This may be a radical concept, but both active and passive rest are part of any survival strategy. There are two “modes” in which your nervous system operates: sympathetic and parasympathetic. Your sympathetic nervous system responds to stressful situations, imminent deadlines, endless lists of labour, etc... A parasympathetic nervous system operation is to rest and repair, often following stressful situations. However, it's easy to get caught moving from one stressful situation to another – especially in law school, all the while juggling other roles and responsibilities. If our nervous system constantly exists within the sympathetic context, there's no time to recover from these stressful events. With little to no time to recover, we lose our ability to get back onto our feet quickly.

I learned of these two “modes” during my yoga teacher training (200h) and during the “trauma-informed” yoga teacher training module (25h). At the time, I had just completed my long overdue bachelor's degree, where I was taking the maximum number of credits, working 50+ hours, and trying to juggle a social life. My nervous system was a frequent flyer of Sympathetic Airlines, and I was teetering on the edge of burnout. Making rest part of my daily life became essential to avoiding burnout. Yoga became a meaningful way of holding space for myself (i.e. moving my nervous system into a parasympathetic state).

“With little to no time to recover, we lose our ability to get back onto our feet quickly.”

Odds are, if you think of Yoga generally, you may picture a bunch of super flexible white granola folks. If you look up “Yoga” on Instagram, those are the images that you'll find.

The Asanas – the physical shapes – are just one of the seven limbs of Yoga. The other six are:

- Yamas and Niyamas (ten living principles)
- Pranayama (breathing techniques)
- Pratyahara (withdrawal of focus on the sense)
- Dharana (direction of concentration towards cultivating inner awareness)
- Dhyana (meditation); and
- Samadhi (inherent feeling of interconnectedness that results from practicing the other limbs of Yoga).

Like all things brought into a colonial framework, we've appropriated marketable elements and disregarded all others. Within this context, it's essential to acknowledge that I am speaking about Yoga from the perspective of a white genderqueer Yoga teacher. While my Yoga teacher training took an anti-racist, anti-colonial approach, there's only so much that can be done to counter hundreds of years of colonization.

In understanding that Yoga is so much more than its physical and instagrammable shapes, I've been able to hold impactful space for myself. Sometimes holding space for myself looks like laying on my mat and taking deep breaths or applying a yama or niyama to my life and offering self-reflection. It has become essential that I set time aside every day to give myself the rest that I need without being restrictive or judgemental about what that may look like at the moment. In doing so, I'm listening to my needs as they evolve and setting and respecting boundaries with myself (e.g. no scrolling socials while I lay on the floor and breathe).

My suggestion to you is to create two lists: one of the activities that “drain” you and the other of activities that “fill your cup.” This serves dual purposes: (1) in taking a critical look at your current “balance” of activities and (2) in curating a list that you may refer to if ever you're at a loss for what “rest” activity to do.

THE TRUTH ABOUT 2L

By Zainab Adejumobi, 3L

You have probably heard the phrase, "in the first year, they scare you to death, in the second year, they work you to death, and in the third year, they bore you to death". I heard those words many months before I stepped foot into law school.

First year was indeed a scary experience. I remember how we formed online study groups and over-analyzed every single detail in the cases we were chanced to read. Our teachers did say that as time passes, we would learn to separate what is important from what is not. However, in 1L, we thought that everything was important, and that cost us time.

2L is the phase where they supposedly "work you". Indeed, 2L came with its own unique concerns. Firstly, unlike the first year where everyone took the same standard classes, 2L comprised of students taking different courses. The inability to continue studying together with your favorite 1L study pals can be a bit of a shaker.

Secondly, unlike 1L where the classes are mostly one year long, 2L is a mix of year long required classes (i.e., Civil Procedure and Second Year Moot), semester long classes, and intensives, and there are no fail-safe exams. 2L is also the first year where you are able to opt to partake in competitive moot courses (which are a different form of class from what you experienced in 1L).

Thirdly, 2L is where you begin to worry about what courses to truly take: courses that would help you on the bar exam or courses that simply interest you. You also have to worry about the amount of course-load that is manageable. Need I also mention that on registration day, it is important to wake up well ahead of registration time, because classes fill up quickly. 3L students get the priority to register first, so the 2L students have to register for the remaining seats in their course of interest in a timely fashion, or else, they might end up on the waitlist.

The factors that I outlined above are just some of the unique challenges of 2L.

So, how can you cope with 2L?

- Attend the course planning session or seek advice from a faculty member if course planning becomes a concern for you.
- Proper time management is key, because taking one major paper course per year is required in addition to your other classes. Lumping all your work into one day is not advisable, so, plan it out, space things out and most importantly, be consistent.
- Start working on your CANS as early as possible, because for some of the classes, the readings are heavy.
- If you get confused about any of the concepts, go to the professor's office hours and gain clarity.
- Tab your Civil procedure textbook and start doing so early
- Also, do not forget self care. While you might not have the time to binge watch an interesting netflix series, you can always carve out 15 minutes to watch a YouTube comedy skit, or take a walk in nature.
- Work smart, not hard. If you find productive ways to save time, take it!



ONE HUNDRED AND TWENTY-FOUR YEARS OF WELDON

Digitizing the Matheson Notebook Collection

By Kate Anderson, 2L

Whether you are a 1L or a 3L, we all know the terrifying feeling of stepping into law school for the first time. We come from a wide variety of educational backgrounds, from music to environmental studies to English. Many of us had never heard of CANs, let alone read a case all the way through. Most of us have probably experienced some degree of imposter syndrome. It can be helpful and encouraging to hear from people who have been in our shoes, whether it was 10 years ago or last fall.

Not much has changed since the 1900s, as Donald Frank Matheson would tell you. In 1898, Matheson began his first year at Dalhousie Law School. Like us, he attended lectures, wrote papers, and got confused reading cases. Encouragingly for us, Matheson survived law school and graduated as part of the Class of 1901. While he is not around to tell us about his experience, we have remnants of his time at Dalhousie. This summer, as the resident intern for the Sir James Dunn Law Library, I studied and digitized seven composition notebooks Matheson used in his law classes.

Matheson was born in St. Peters, Nova Scotia, in 1877 and died in Lunenburg in 1951. He was 21 when he started 1L at Dalhousie in 1898. We know he graduated from Dal with the Class of 1901; you can find his photo on the fourth floor of the law school, along with other Dalhousie alumni. He spent his entire legal career in Nova Scotia, starting off at a joint firm in Halifax and settling into private practice in Lunenburg.

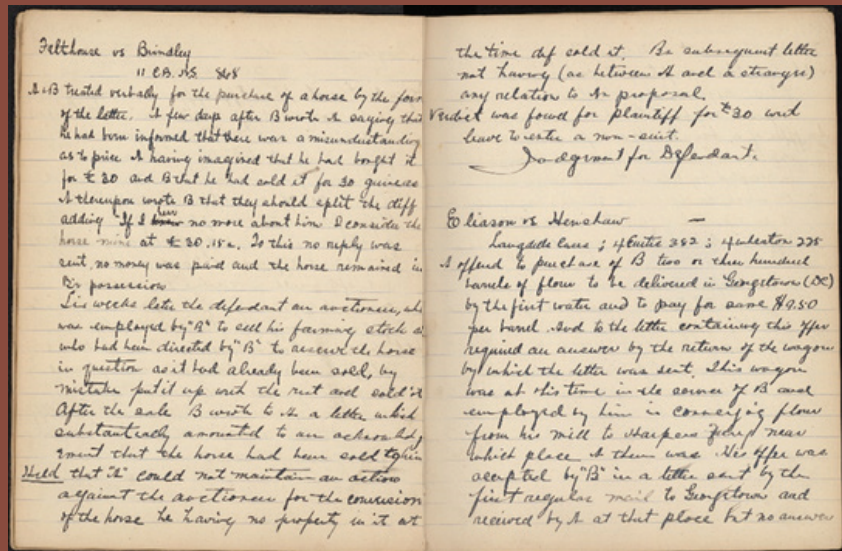


1. Matheson's graduating class picture from 1901. You can find him and his classmates on the fourth floor of the law building.

There are two or three notebooks from each year of Matheson's studies, ranging slightly in size and style. The notebooks have pages made from linen rags, are bound with paper covers, and are marbled with ink along the edges. The books are written in using ink pen or pencil and contain ink blotches, fingerprints, and smudges that Matheson left behind. Studying these notebooks as textual and physical artifacts reveals not only what it was like to be in law school in the late 1800s, but how Schulich Law School has stayed the same one-hundred and twenty-four years later.

We study the same cases

The Contracts notebook contains several "classic" contract law cases we still look at in the first-year Contracts and Judicial Consideration course over 100 years later. I noticed pages dedicated to *Dickinson v Dodds*, *Felthouse v Bindley*, *Eliason v Henshaw*, and other cases that are somehow still relevant today.



3. Page from Matheson's Contracts notebook dedicated to *Felthouse v Bindley*.

2. The opposite page of the Contracts notebook, dedicated to *Eliason v Henshaw*.

We write CANs

When you look through the cases, you may notice some similarities between Matheson's notes and the CANs we write (and borrow) for our classes. In the previous image for *Felthouse v Bindley*, for example, Matheson has a section for facts, a section for holding, and a section for reasoning. While most CANs tend to use tables nowadays, Matheson used full pages of text and quotes separated by headings. One element that seems to be missing from most modern CANs is the inclusion of the judge who wrote the decision.



4. Matheson's Constitutional Law notebook. If you look closely on the right-hand side under the label, you can see two round stains from where drinks were set on it.

We study with food (and sometimes spill)

Study snacks are nothing new, and the notebooks suggest that they were around in the 1900s as well. Matheson was a little careless around his notes; a few of the books have substantial water damage and staining. Here you can see Matheson's poor Con Law notebook, also used as a drink coaster. Perhaps Matheson was also a Domus man; I would have to dig for more evidence.

There are so many hidden treasures and fascinating elements in this collection, and I could talk forever about all the tiny details I found. However, it is nice to know that law school hasn't changed much in the past hundred years; if Matheson survived, we can muddle through as well.

If you'd like to see these notebooks, come see the exhibit on the main floor of the Sir James Dunn Law Library, just in front of the service desk or visit the Thompson Rare Book Room collection on Schulich Law Scholars.

<https://digitalcommons.schulichlaw.dal.ca/thompsonrarebooks/>

SURVIVING 1L

The Transition of an Upper-Year Law Student

By Laren Bedgood, 2L

“Running around like a chicken with its head cut off” — this was the phrase received by each of my family members and friends in response to their heartfelt inquiries about my first month of law school early last October. Merriam-Webster Dictionary defines the idiom as the feeling of being both “excited and confused,”¹ but I prefer to define it as my 1L experience.

Perhaps this is a bit too terse and sarcastic a characterization of the ever-awaited commencement of my legal studies, but it is nonetheless a metaphorically accurate description of the post-O-Week apocalypse spanning from the first day of 1L classes into the Thanksgiving long weekend and somewhat beyond. However, it is a welcomingly sharp contrast to my experience throughout the first month of 2L.

For many law students, the first day of 1L marks one of our greatest achievements to date. Many of us finished at the top of our undergraduate class, and may have even gone on to complete further degrees or gain professional employment experience prior to gracing the doors of the Weldon building. We all worked hard in studying for the LSAT and preparing our applications for law school. Our great efforts finally came to fruition upon attending our first law lecture as eager 1L students. Most unfortunately, that internal sense of achievement significantly dwindles for many by the time Thanksgiving rolls around.

Ratios, CANs, hypos, and the Socratic method...such things were formerly unknown and may be seemingly unknowable, often overwhelming us and sorely bruising our previously confident academic egos. After the first month or so of law school, many 1L students may find themselves asking whether they made the right decision by enrolling after all. As a current 2L student who asked myself that question more times than I wish to admit, my advice is to wait until the end of 1L to find the true answer.



Law school is like nothing we have done before, regardless of our particular background, as the unique design and demands of the program require the special development of both a new skillset and mindset. Such an endeavour is usually accompanied by a steep learning curve, not to mention the compounding effects of the grading curve that come into play during midterm exams...which are fail-safe for a reason. Each of us must adapt our own personal circumstances to this challenging new reality, thereby carving out a unique path along the journey through our legal education. It should come as no surprise that doing so is often a long and arduous process, yet many of us still grapple in disheartened surprise with the adjustment to law school. If so, then I urge you not to fret, and instead please rest assured that the growing pains substantially subside upon the transition from 1L into 2L.

"Law school is like nothing we have done before..."

With the second year of law school comes what feels like a lifetime of personal and professional growth. 2L students resume their legal studies in the comfortable position of already knowing the "how to" of law school, and their academic toolkit is accordingly much fuller than that of their 1L counterparts, both substantively and methodologically.

Additionally, upper-year students are able to freely choose the majority of their courses, thus controlling their own schedules and further exploring their fields of interest.

Moreover, upper-year students usually have stronger support systems insofar as having forged meaningful relationships with law school faculty and staff members, as well as new friendships with their peers and across the larger local community. I cannot overstate the burden that is necessarily alleviated from the law school navigation process once students reach 2L.

Therefore, it bears repeating that you will not truly know whether law school is right for you until you have completed 1L. In the meanwhile, remember that you are not alone in moments of unsureness. Luckily, the Schulich School of Law boasts a wealth of support systems to assist you along the way. Consider joining one of the various mentorship programs, attending your professors' office hours, and scheduling a meeting with the CDO. Getting admitted to law school was half the battle, so do yourself a favour and stop second guessing yourself so soon. If, at the end of 1L, you decide that the law school path isn't for you, then that is totally okay, but you ought to wait until then to make such a decision.

TLDR version: Dear 1Ls: It gets better, I promise!

1. "Like a chicken with its head cut off: Definition & Meaning," Merriam-Webster Dictionary (online), accessed 10 October 2022, <<https://www.merriam-webster.com/dictionary/like%20a%20chicken%20with%20its%20head%20cut%20off>>.

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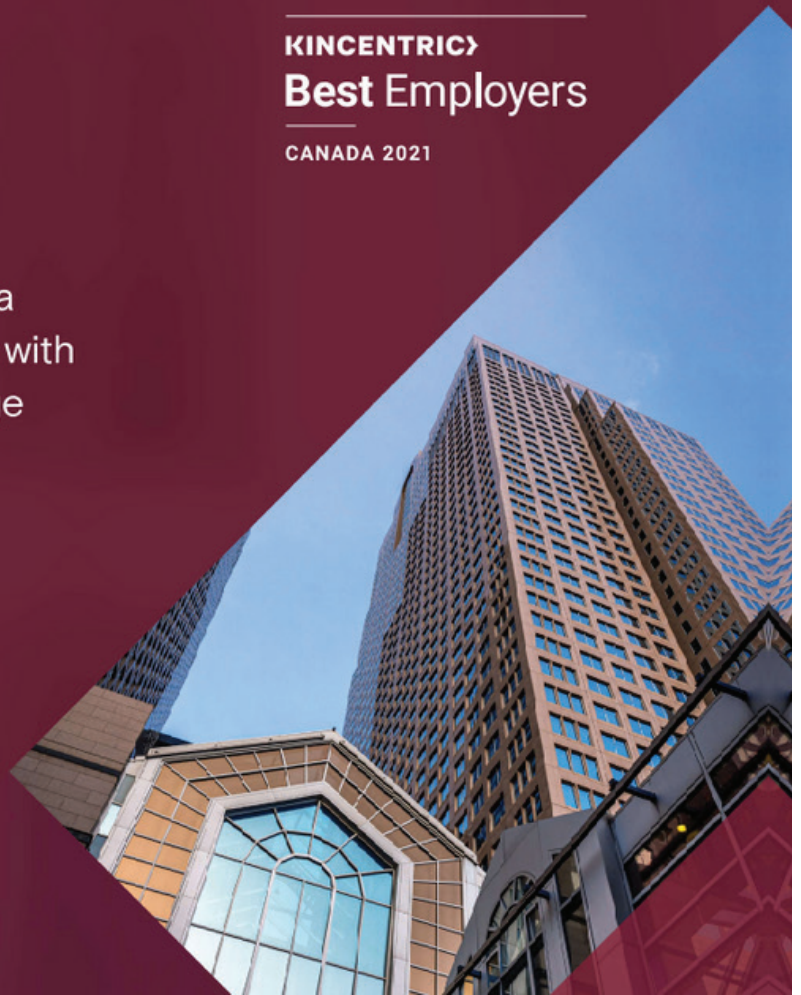
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