



Maw-lukutijik **Saqmaq**  
Assembly of Nova Scotia  
**Mi'kmaw Chiefs**

# Mi'kmaw Youth and Elders Gathering

**February 29 – March 1, 2020**



Kwilmu'kw Maw-klusuaqn Negotiation Office  
**Mi'kmaq Rights Initiative**

Our Rights. Our Future.



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# Introduction

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The Assembly of Nova Scotia Mi'kmaw Chiefs (ANSMC) identified the need for the Assembly to renew, rebuild and reinvent itself by transforming its governance structure into one that is community grounded. The Chiefs recommended that the Assembly should include Mi'kmaw youth and Elders as part of this new structure.

To further explore the establishment of a Youth and an Elders Advisory Council for the ANSMC, Kwilmu'kw Maw-klusuaqn Negotiation Office (KMKNO) hosted a two-day Youth and Elders Gathering. One Elder and one youth from each of the 13 Mi'kmaq First Nation communities was invited to attend. The Gathering was held on February 29 and March 1, 2020, in Truro, Nova Scotia.

The objectives of the gathering were to:

- Share the work of the ANSMC Governance Advisory Committee.
- Share and gather our collective knowledge of Mi'kmaw concepts of governance.
- Inform and engage in the law-making process for the Mi'kmaq of Nova Scotia.
- Explore the development of a Nationhood Youth and Elders Advisory Councils.





# The Governance Advisory Committee

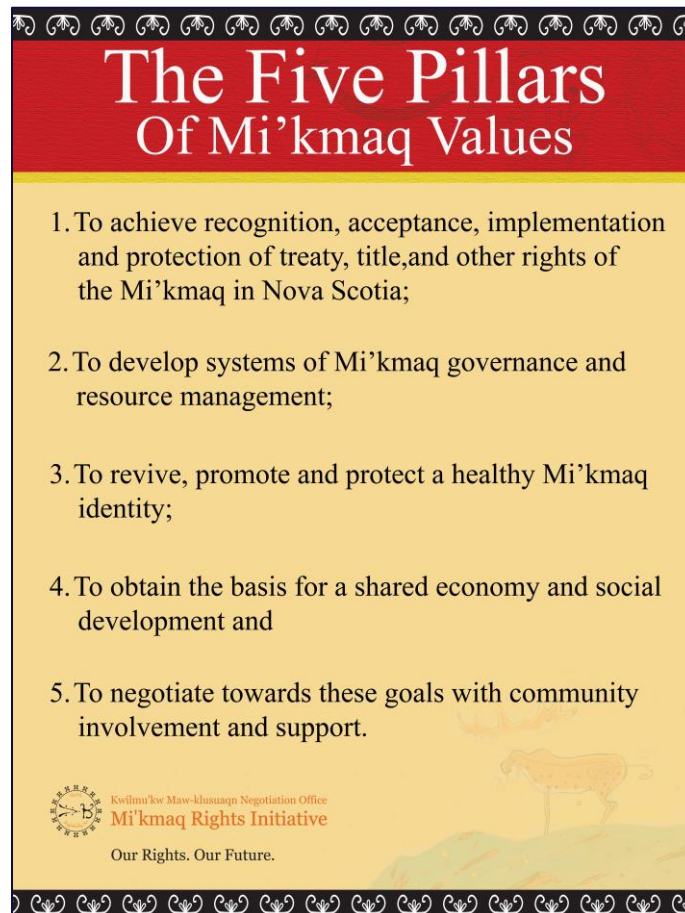
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Gathering participants were provided with presentations on the work of the Governance Advisory Committee who work on behalf of the ANSMC.

The vision of the ANSMC is for the Mi'kmaq of Nova Scotia to have their own government where we deliver our own services and programs, according to our own laws, policies, standards, and understandings.

The purpose of our work is to rebuild a strong Mi'kmaw government that is unified, reflects our Mi'kmaw principles and values, and is accountable to the Mi'kmaq of Nova Scotia.

The youth and Elders were also introduced to *The Five Pillars and of Mi'kmaq Values* that guide the work of the ANSMC.





# Mi'kmaw Law Making

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One of the core institutions of governance is the law-making function. One initiative of the ANSMC focuses on child welfare. The goal of the *Maw-Kleyu'kik Knijannaq* initiative, is to assume complete jurisdiction and governance over child welfare for the Mi'kmaq of Nova Scotia.

To introduce the topic of law-making, the youth and Elders were engaged in the developing law-making process of the ANSMC. Before taking part in the law-making activity, participants were provided with two presentations that covered:

- What is a principle and value and how do they affect laws; and
- What a law is, the purpose of laws and the Canadian process of law-making.

## Identifying Mi'kmaw Principles and Values

Principles affect what becomes law and our values influence and shape how laws are written and applied. Identifying shared Mi'kmaw principles and values is an important step when developing Nationhood laws.

As we continue to develop our Mi'kmaw law-making process and laws, the youth and Elders advised that:

- We will have to consider and respect community differences in customs, values and beliefs.
- Elders should be involved and inform decisions around the children of a community, particularly around placements.
- All Mi'kmaw children should be able to access care from their community, no matter where they live – this should include those living in urban areas.
- Mi'kmaw children have the right to know about their culture, teachings, and community's traditions, even if a primary care giver is Mi'kmaq or not interested in learning the same.
- Children should always have a safe place in the community to go if they need help or guidance, including those with complex needs.
- We cannot forget how much we have lost, and the impacts government assimilation policies have had on our families, communities and Nation – such as the residential school system and centralization.








To help identify shared principles and values, participants were presented with several quotes from Elders and asked to pull out Mi'kmaw principles and values they saw in each quote. The quotes were taken from Elders' stories gathered at the *Mi'kmaw Law for Mi'kmaw Children: Mi'kmaw Child Welfare Symposium*, held in Membertou First Nation on November 19 and 20, 2019.







**Elder Quote 1:**

"Whoever needed a place, Grand Chief Gabriel gave them a place at home. They coined it as the original foster parent in the Mi'kmaw community and his family encouraged that. The whole family believed in helping one another. They opened up their hearts and homes to other members of the community who needed help."

**Mi'kmaw Principles Identified:**

-  The Community takes care of the children of the community.
-  Community is family.
-  Family should stay together.
-  Family should come together first to plan for the care of children.
-  Youth have a right to access a safe environment.

**Mi'kmaw Values Identified:**

-  The Community takes care of the children of the community.
-  The role of the Community in caring for children.
-  The role of Grandmothers for their families.
-  The role of Godparents for children.
-  The connections we have with each other.
-  Open dialogue and communication.















**Elder Quote 2:**

*"There was always at least one Keptin in our community and they would do their best in times of trouble and the people in the community would go to them. They were the go-to people historically, before Mi'kmaw Family, DCS [Department of Community Services], Residential Schools, Centralization, before any of those things. That's who would guide."*

**Mi'kmaw Principles Identified:**

-  As Mi'kmaq we come together to share our knowledge and experiences in order to help others.
-  Community is family.
-  Family went to family first.
-  When an issue arose, we went to the Elders first.





**Mi'kmaw Values Identified:**

-  The skills and experiences of community members.
-  The central role of Grandmothers in helping community members.
-  Community knowledge.
-  L'nu traditional values.
-  Being accountable for you actions and learning.
-  Having someone in the community people know they can go to for guidance.





**Elder Quote 3:**

*"A child can be troublesome at times but when they receive love they are healed. When they receive the teaching of language and spiritual beliefs, that's the most important thing. It's important for your own children – you get a godparent -and if something happens to you – they can take the child. That was our tradition- when there was no one to look after the child."*

**Mi'kmaw Principles Identified:**

-  Love comes from being a part of the community.
-  Godparents are highly respected in community.
-  If a child is not feeling love in their home, they will go to another family member from the extended family.
-  Siblings play a role in caring for each other and each others' children.

**Mi'kmaw Values Identified:**

-  The concept of love as healing.
-  The role of godparents for children.
-  Children deserve to feel loved.
-  The role of extended family members as a support.



## Engaging in Law-Making

As we continue to build governance for the Mi'kmaq for Nova Scotia, developing an agreed upon law-making process will be necessary. An overview of law-making in Canada was provided to the participants.

The presentation covered:

- What is a law?
- Who does the law apply to?
- What are Mi'kmaw sources of law?
- How laws are made by Canada.

From the discussions, the youth and Elders advised we should consider the following going forward:

- a) Those who are most affected by a law or set of rules should have an opportunity to speak to the law and contribute to its development.
- b) We should look to other Nations and peoples for examples, but what we do in the end has to be Mi'kmaq.
- c) Those working within our system should understand our culture.
- d) Family connections are important and should be supported and maintained.
- e) Children should be able to access all support services they may need in their community, especially those with special needs.
- f) All services and programs offered should be accessible in both the Mi'kmaw and English languages.



Participants were also asked two questions to help identify factors that should be included in a Nationhood Mi'kmaw child welfare law.





**1) What do you believe are factors that should be considered as being in the best interest of a Mi'kmaw child?**

The youth and Elders identified the following as factors related to the best interests of a Mi'kmaw Child:

- The best interests of the Mi'kmaw child should be a primary consideration in all actions and decisions made under a Mi'kmaw law.
- When considering the best interest factors, a child's spiritual, emotional, physical, and psychological safety, and well-being should be paramount.
- Every Mi'kmaw child should have basic rights to:
  - (a) Adequate food, shelter, clothing, and health care;
  - (b) Be protected and supervised to assure their safety and well-being; and
  - (c) Receive nurturing, appropriate cultural teachings, and adequate education.

The following factors were identified as areas to be considered when determining the best interests of a Mi'kmaw child:

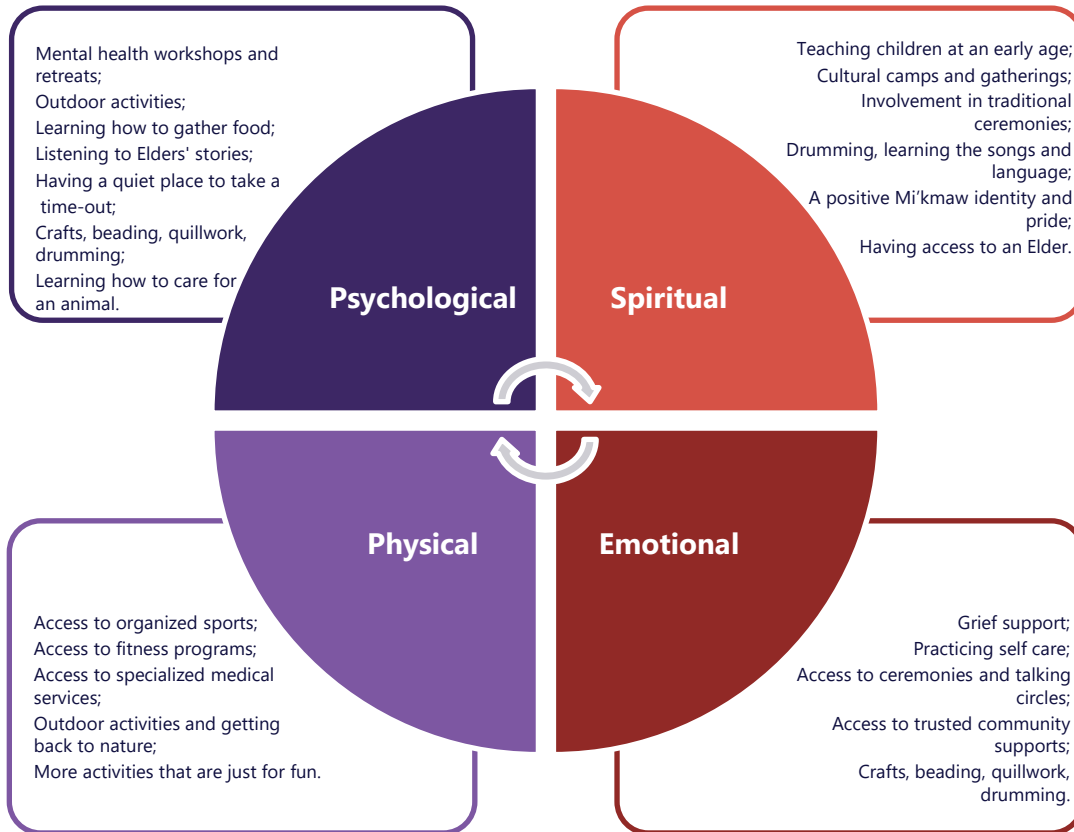
- (a) The child has inherent and legal rights that are distinct and separate from their parents;
- (b) Recognition that each band has a responsibility to care for and protect children of their community;
- (c) To be treated with respect and honour;
- (d) Access to the traditions, culture and customary practices of their band;
- (e) Access to family, extended family and their Mi'kmaw community;
- (f) Access to opportunities to use and learn their language, and to have access to service providers who speak their language or an interpreter, when available;
- (g) To be informed of their circumstances and to be involved in planning and decision making, after consideration has been given to the child age and willingness to participate;
- (h) To have access to services and programs that protect and promote a child's spiritual, emotional, physical, and psychological safety and well-being, such as *Wikimanej Kikmanaq*: Family Group Circles;
- (i) To have access to safe environments that promote continuity for the child;
- (j) To have access to service providers who have a demonstrated understanding of Mi'kmaw cultural values, practices, customs, and traditions;



- (k) To have services available to parents that promote wellness;
- (l) Recognition that the child's well-being exists within the context of their family as defined by the Mi'kmaq;

**2) What helps keep Mi'kmaw children spiritually, emotionally, physically, and psychologically well?**

To further expand upon those factors, participants were asked the following question. For each segment, the participants identified a number of activities and services that should be available to ensure the safety and well-being of our Nation's children.





## Visioning Exercise: Our Nation in 100 years

### The Vision of our Elders

Elders were asked to share how they saw the Mi'kmaw Nation 100 years from now. The Elders spoke of the situation today and how our youth are falling through the cracks. They stressed that our youth come with gifts. The newer generations need to have pride in who they are, and not hide who they are as the Elders sometimes felt they had to.

The Elders stated that we will be our own worst enemies if things do not change. We need to work together to build a strong future and begin recording our history, ourselves. This was seen as very important.

The vision of the Elders touched upon the need to regain control over our own destiny, healing from the past and reconnecting.

*"We always traditionally looked to our Elders and youth. We've gotten away from listening to our youth. They are our future; we need to help them and protect them."*

*~ Grand Chief  
Norman Sylliboy*

- We must continue to fight assimilation and do more now. A lot of positive things are happening to keep the Nation strong, but there is also a lot against us. The youth will be the ones to stop assimilation, but the parents and Elders need to help and teach them.
- Our vision is that our Nation can heal from the inter-generational trauma. We are learning about what our ancestors, Elders and parents went through - the next step is healing.
- We have a right to teach our youth. We need to create space for our youth to learn our pipe ceremonies and how to make moccasins.
- We have opportunities to listen to our youth. They know what their future looks like. They know what they want.
- Our youth are protected and raised by strong women and strong men. They are going to be strong adults and they are going to save us.
- We will succeed in some way. Our people are doctors, nurses, teachers, lawyers, and judges. There are Mi'kmaq in every capacity. We have power and we will go far. There is a better road ahead.



- We can unite the Mi'kmaw Nation.
- We have lots of hope.

## The Vision of our Youth

The youth struggled with visioning into the future, as many worried about our resources and territory. The youth questioned whether the moose will still be here. They discussed how Mi'kmaw crafts are at risk because of damages to our resources, their concern for the water and how they struggle with their Treaty Rights.

The final message from the youth was also one of hope and unity for the future.

- We have more Mi'kmaw teachers, lawyers, judges, doctors, everything, and everyone can speak the language.
- Youth are educated in a system that understands who our people are. Every community has a Mi'kmaw immersion program, from primary to grade 12, offering curriculum developed by Dr. Bernie Francis.
- Youth have opportunities to listen to Elders and receive teachings and cultural knowledge. Our ceremonies are practiced. We have naming ceremonies, pipe ceremonies and respect for the culture.
- The governance of our Nation includes the voice of the youth:
  - Chief and Councils have a Youth Advisory Council.
  - The Mi'kmaw Grand Council has a Youth Advisory Council.
  - The ANSMC has a Youth Advisory Council.
- All bands are all working together and band *versus* band does not exist.



# Nationhood Youth and Elders Advisory Councils

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Youth and Elders also engaged in a dialogue around the establishment of a Youth and Elders Advisory Councils for the ANSMC. The following questions were discussed:

1. Should the Assembly establish a Nationhood Youth and an Elders Advisory Council?
2. What role could a Youth and an Elders Advisory Council play?
3. How should the Advisory Councils be structured?
4. How do we choose people to sit on the Advisory Councils?



Should the Assembly establish a Nationhood Youth and an Elders Advisory Council?

Yes. All in the room agreed via consensus that the ANSMC should establish a Youth Advisory Council and an Elders Advisory Council.

The Elders provided further advice for the ANSMC to consider when thinking of creating an Elders Advisory Council:

- There will be pros and cons if there is disagreement. How will that be addressed?
- How will nepotism be addressed? We need to deal with this now. We have all seen how it has and can damage our Nation.
- We will need to create checks and balances.
- Healing and pain will be a part of the Elder's group. We have had a hard past and we need to be ready to work through it.
- Meetings should not happen once a month. This is does not seem to be productive. Need time to do the work.
- We do not want to make the same mistakes of the past.



What role could a Youth and an Elders Advisory Council play?

The youth saw the purpose of the Youth Advisory Council as being responsible for bring the views, concerns and solutions of the youth to the Nationhood building process.

The Youth identified several areas where they would like to have a voice:

- Education and school activities.
- Creating cultural awareness for non-Natives.
- Reconciliation efforts.
- Addiction and mental health efforts.

Ideally, the youth saw a Youth Advisory Council as having:

- A vote that matters.
- Meaningful input into ANSMC and community activities and events.
- A representative from the Youth Advisory Council sits with the ANSMC, the Mi'kmaq Grand Council and with Chief and Councils.

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***“You need to know how easy it is to access drugs. Because of drugs, we are losing our friends. Youth are using drugs to escape their home life, stress, loss of identity, emptiness, intergenerational trauma. It didn't stop at the Residential School.”***

***-Youth Participant Quote***

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The Elders saw the role of an Elders Advisory Council to include:

- Keeping the language as the number one priority and developing ways to incorporate the language into the work at all levels of Mi'kmaw governance, the ANSMC, Chief and Councils, and the Mi'kmaq Grand Council.
- Acting like an ethics council.
- Providing advise into what moves forward as protocols and laws.
- Accountability to the community.
- Supporting the youth and actively look for opportunities to meet with youth to teach about our gifts and how we can use them together.





How should the Advisory Councils be structured?

Both the youth and Elders, when considering the structure of the Advisory Councils, wanted to ensure that the voice of all Mi'kmaw is included at the table. In addition to having one seat for a youth and elder from each community, they wanted one seat to be designated for a Mi'kmaw youth or Elder who is living away from home (off-reserve).

Both the youth and the Elders saw the decision-making process of the councils being done by consensus, and not by vote. The youth wanted the council to be structured around the Youth Leadership concept and saw the Red Road Project as a good example of this.

The Elders also identified the need to have a specific Grandmother's Council activated. This council could be a branch or sub-group of the Elders Advisory Council. This was seen as an important step in reconciliation and reclaiming our Grandmother's Teachings that colonial governments tried to take from us through their assimilation policies. Our Grandmother's Teachings can help make our Nation stronger.

How do we choose people to sit on the Advisory Council?

### Youth Advisory Council

When choosing individuals to sit on a Youth Advisory Council, the youth stressed the need to develop a process that was open, transparent and accessible to all youth who want to take part. They advised that Youth Advisory Council members could be chosen through an application process, with the Elders reviewing the applicants and making recommendations for consideration to be a member of the Youth Advisory Council.

When reviewing applications, Elders would look for youth who:

- Are committed to being involved with the Advisory Council;
- Have a strong set of values and principles; and
- Youth with good character.

### Elders Advisory Council

When choosing individuals to sit on an Elders Advisory Council, the Elders noted that the process developed to select members should ensure there is representation from each of the 13 Mi'kmaw communities, and of our different gifts represented by our fire keepers, dancers, drummers, crafts people, prayer leaders, to name a few. It was also important that decision making for the council be done by consensus.

Two processes were discussed as a way to choose members for the Elders Advisory Council.



### **Process 1: Application Process**

- An Elder interested would submit an application and a letter of intent.
- The letter would outline why they want to be on the Advisory Council.
- A committee would look over the applications and choose members.
- The committee reviewing the application should, at a minimum, include the Grand Chief and a Mi'kmaw lawyer.

### **Process 2: Community Consensus Process**

- Notice would be sent out to already established community Elder groups and Chief and Councils.
- The notice would include the purpose and the activities of the Advisory Council.
- Each community would select an Advisory Council member, through their own mechanisms, through consensus.

When selecting Elders for the Advisory Council, the Elders advised we should be looking for:

- Strong people.
- People who are interested in the work of governance for the Mi'kmaq.
- Elders who have lived a life by their morals, values and principles.
- Mi'kmaq who are dedicated and can contribute the time necessary for the Advisory Council.

Other questions to be answered for each council include:

- What would our Nation expect from the Advisory Council members?
- How long would members serve on the Advisory Councils?



# Recommendations

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- 1.** Establish an Interim Youth Advisory Council.
- 2.** Establish an Interim Elders Advisory Council.
- 3.** Establish a Grandmothers Council.
- 4.** Create more opportunities for youth and Elders to come together.
  - a. Conduct some land-based knowledge transfer learning opportunities for youth on topics such as: treaties; legends; ceremonies; Mi'kmaw governance and Nation building.
- 5.** Create opportunities for youth to exercise their Treaty and Aboriginal Rights, in a way that also has an educational component to it.
- 6.** Establish a Youth Chief and Council in every community.
- 7.** Find ways to work with technology to engage with our youth.
- 8.** Create a treaty education series that is youth friendly.