

# Chief Wayne Christian

Chief Christian, from Splatsin, is Chair of the Shuswap Nation Tribal Council. With the help of the UBCIC, he led the Indian Child Caravan in 1979, to win Splatsin jurisdictional control over Splatsin children.

I came into the Union when the split had already happened, when you had the beginnings of the First Nations Summit and that process.

When I got elected in 1979, our community was involved with the Ministry of Human Resources, as it was called then, in an advisory capacity, looking at the issues with children going into provincial custody.

Our Council was approached by one of our community members about some boys that were going to be taken into custody, and the mother didn't want it to happen. We started talking about it, and what we discovered was that most of us had also been apprehended as children in the Sixties Scoop. That was when the government came in to Indian households and removed children from their homes for various reasons.

You have to understand that the population of our community was about 350. Every family had been impacted by that apprehension policy, except two. About a hundred children had been apprehended from our community alone.

So we went out to the community to ask the Elders, what can we do? How did we take care of our children before, against the imposition of provincial jurisdiction on us?

Once we started that, what evolved was the Spallumcheen Indian Band Bylaw #3. We codified our traditional laws. Our Elders were in their 80's and 90's at that time and they knew our traditional laws. So we used the power in the Indian Act to make bylaws, and we enacted one for our children, based on our traditional law.

This took over a year, from 1979 to 1980. We went to the community every month to meet, we brought in a

lawyer, Louise Mandell, and developed it. We wrote it in English on one page and in Secwepemecwtsin, our language, on the other. The clause was designed and ratified by the community.

We recognized that if we wanted this to go ahead, we would have to deal with the province and their Section 88, their assertion that their laws of 'general application' apply to us.

I went to the Union of BC Indian Chiefs and spoke to the President, George Manuel, and said that we need to find a way to force the federal and provincial governments to recognize our laws and jurisdiction. In the process that followed, one of the things we did was we put articles in the Union monthly newspaper, Indian World, talking about jurisdiction.

We had to coordinate our strategy. I thought I needed to publicize this because we are just a small community and I knew we couldn't do it alone. I coined the name the Indian Child Caravan. People would come from the north and the east, meet in Lillooet, and then meet in Mount Currie, and we would stage it from there to go on to Vancouver.

In the staging areas we went into each community and talked about what we were doing. We got a lot of support, and people were very emotional. We didn't realize it at the time but that had a lot to do with the residential schools. Nobody said at the time, 'this was my experience at residential school,' because it was too recent and still too painful to talk about.

So the Minister of Indian Affairs has the

power to allow or disallow an Indian Band bylaw. He has a 40-day period to consider it. We used a little timing, and submitted our bylaw just before the Union of BC Indian Chiefs' General Assembly, and we invited him to that meeting, John Munroe was Minister then.

There were about a thousand of us that came into Vancouver as the Caravan, and we were planning a march. One of George Manuel's contacts, through the World Council of Indigenous Peoples, had been a member of the African National Congress and had experience in the military - he had actually been exiled from South Africa, and George had him work with me. He knew strategically how we would have to plan the march and the demonstration.

We did a march in Vancouver and at the last minute we changed our route to go to the Minister's house, Grace McCarthy. We went there and demanded that she recognize our jurisdiction and return the children to us - we had 30 people prepared to take the children home with us, and we demanded the federal government make the resources available to us to carry out our own plan.

In all that process, we were doing TV and news media, and actually developed a

30-second TV commercial that had gone around the province - we recorded it at Co-Op Radio with the Union's communications team, so we educated the public about what was going on. That was one of the ways the Union supported us, with the communications.

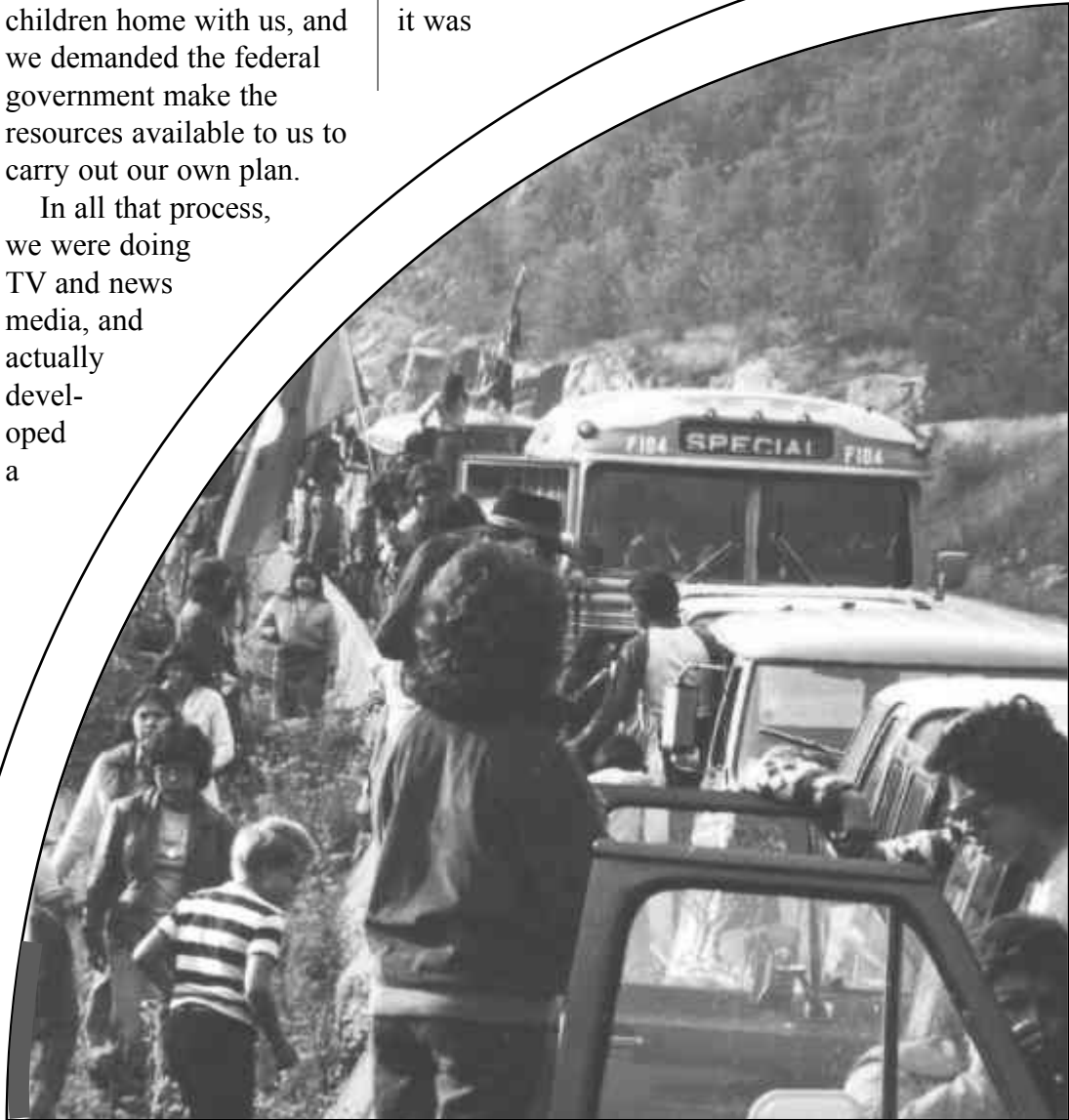
We got a meeting with the Minister, who was also the Deputy Premier and pretty high up in the Socred government. We had lawyers going back and forth over the issues, and finally the Minister said, "enough" - she kicked all the lawyers and advisors out and asked me what we were looking for. I told her, and she actually wrote the agreement that she would respect our jurisdiction, return the children to us, and secure the federal funding to our child protection plan.

From there, I spoke at the Union's General Assembly and told them what had happened. Munroe did nothing about our bylaw, he neither allowed nor disallowed it: the 40-day period just elapsed and so it was

made into a bylaw. What we were saying was that the province had no jurisdiction over us under Section 92.

Without the support of the UBCIC and the Chiefs and the Executive, it wouldn't have happened. Our small community did not have the resources, we would not have been able to protect our children. Thirty years later, we know where all our children are. We have 800 members now, because we have jurisdiction over them, notwithstanding their place of residence.

Those people that stood with us, our children thank them now. Without the Union we couldn't have done it.



This photo of the Caravan is online in UBCIC's archive, along with many of the photos in this issue

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Chief Christian  
and Prime  
Minister Trudeau  
in Ottawa.

It's also important to note that we built that jurisdiction over our children right into our Five Principles in our Aboriginal Title and Rights Position Paper, into our legislation. For me it was about making it real, it was about asserting our jurisdiction. We have a lot of position papers, the Union has been really good at developing those, but it's at implementing them that they've fallen down.

The momentum of the Child Caravan led right into the Constitution Express. It was at that General Assembly that the patriation issue came up, and it was said we should have an Express to deal with the Constitutional issues. That's when George Manuel asked me to head it up. Bobby Manuel, Saul Terry and Archie Pootlass worked on it with me.

The momentum built right out of the Assembly: We had to get together to raise the money, and my community decided to send me on the second Express to Europe as well. We did the Ottawa section in 1980, we brought about a thousand people to

Ottawa, and after that we sent about fifty Chiefs to the United Nations in New York. We were there the same day John Lennon was assassinated. We presented the same arguments about the land and the laws as we do today.

A year later we went on the Constitution Express to Europe. We went to Germany, Belgium, France, Finland, Sweden, the Netherlands and England. There were a hundred of us, I was the spokesperson for the group. We sent an advance team to each country to organize our trip there.

Our people really sacrificed for that, they payed their own way, they went out and drummed and sang on the street to raise money.

We had four spiritual leaders with us, four Elders. We had the hereditary leaders, the community people as well as the elected Chiefs. It wasn't just the Band Councils, there was a whole variety of people. We did a lot of ceremonies. The one that stands out in my mind is when we were at Flander's Field in Belgium. We were having a

feast to honour all our dead men. Albert Lightning from Hobema led it. We brought traditional food with us, so we had this bowl of berries but we couldn't finish it - a hundred people and we couldn't eat all the berries, because they just kept reproducing. So Albert told us that he would have to finish the ceremony in London.

When we went across the country on the train, we were meeting people all along the way because of the press coverage we were getting. We would be going through remote areas and there would be people out there lined up along the tracks, waving at us. When we got to Winnipeg, four drum groups came out to support us. So all along the way we stopped and talked about what we were doing, we gathered more people up and moved on.

Our major goal in that process was to educate the public to force the white politicians to do something, because they weren't going to do anything at all. And that was what we were doing in Europe, pressuring Canada from the outside, telling the politicians there what our issues were, because the Canadian politicians were trying to destroy our link to the crown. We let those

politicians know we wanted the nation to nation process that we continue to advocate for today.

When we started the Constitution process and then arrived in 1981 coming back, what had evolved was the concept of nationhood; acting as nations that have laws, language and lands. We encountered nations in Europe - they had their laws, their people, they were recognized.

So coming back in 1981, I saw how much work we had to do. We were fragmented, people were here and there, some were using the momentum we built to fill their own pockets and not thinking about the people. I really got depressed, I was burnt out. We were stuck on our little Reserves, everyone worrying about, 'how am I going to protect my Reserve,' even from the neighbours: 'we're related, but still we're going to have to fight.' So I saw this when I came back.

I realized the major issues were our laws, our land and our language, and that we had to get people out on the land - it was a daunting task, and we're still at that same place today.

The only way these issues are going to be dealt with is with the people in the communities, the proper title and rights holders, those are the people that have to be involved. People before were always afraid of the laws, getting thrown in jail for hunting or fishing, but it's not so much now, so people just have to do it. We've never ceded, sold or surrendered our land, language or laws to anybody.

I think all three provincial organizations have to disappear. We're no longer at a stage where we need organizations, it was fine for the 60's and 70's. It's now time to deal as nations, to sit together and debate and dialogue; no one else can do that for us.

We've got to get away from that concept of

organizations; we've got to build these nations back up. Previously it was the federal government's policy, in the residential schools, to 'kill the Indian in the child.' Our job is to put the Indian back in the child. But we can't depend on outside organizations, we have to build capacity among our own people.

It's been forty years now for the Union. It helped facilitate two large movements for nationhood, the Indian Child Caravan and the Constitution Express. George Manuel took a lot of heat for that, and people don't realize what he sacrificed. The Chiefs didn't like that he was getting the people involved, they thought he was usurping their authority as elected Chiefs. He lived under a lot of pressure.

The Union has been steadfast in upholding that we have not ceded, sold or surrendered our land. They coined the phrase that 'the land is our culture.' The leaders understood that the land gives us life, the water gives us life, the fish give us life, and the symbolism of that statement, that the land is our culture. Land is our survival.

They had to make some tough stands in the past against the BC treaty process, and maybe they didn't do it in the best way and lost some relationships, but they did what they had to do. It has got to come back to that original stand, and it has to be taken up by the nations, not an organization.

As it is now, we have to keep going to the Ministers and telling them, Ed John doesn't speak for us; Stewart Phillip doesn't speak for us; Shawn Atleo doesn't speak for us, so why do you keep meeting with them? Look at what happened to the Recognition and Reconciliation Legislation.

At the Union the Indian Child Caravan is documented in the archives. There was a lot of press coverage: newspaper, TV talk shows and radio.