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A gift meant to correct a dark moment in history

B.C. couple undo a bit of colonialism by bequeathing million-dollar land to native centre

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VICTORIA -- It's a lovely southeast-facing property, nearly an acre in size, with views of snow-capped Mount Baker and the rippling waters of Juan de Fuca Strait.

But no Victoria real-estate agents can rub their hands in anticipation of the sale or subdivision of the Oak Bay property and the stately 1921 home that sits on its summit.

Owners Bruce and Marion Cumming have decided to leave it in their will to the native people whose ancestors lived along the shores of Victoria for several thousand years until the Europeans began arriving in the 1840s.

The gift is an extraordinary gesture in a time of a real-estate boom that has turned many thousands of British Columbians into paper millionaires.

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Even more extraordinary is that experts in land trusts know of only one other case in Canada of a similar "return" of land to indigenous people: the Cummings themselves, who gave their 288-acre farm to a native group in New Brunswick in 1992.

"It can best be summed up with the phrase 'make amends now,' " said Mr. Cumming, a retired botany professor. "We're trying to do something at a personal level, instead of perpetuating the colonial stand of the white settlers."

Their Oak Bay home, worth more than \$1-million, will be bequeathed to the newly formed Xaxe Tenew Sacred Land Society, which will use it as a cultural and educational centre, a place to gather native plants or teach traditional carving and weaving.

Mr. Cumming, 81, and Ms. Cumming, 70, an artist, have no children or other dependants. But they do have a deep sense of injustice over the treatment of native people in Canada, awakened by the Oka crisis in 1990 in Quebec, which pitted the Mohawk nation against the town of Oka over a golf course on disputed land.

"All over the world, native land has been usurped," Ms. Cumming said.

In B.C., treaty and land-claim negotiations are dragging on for decades, with little result. "The process is so slow. The government takes an adversarial approach."

The negotiations to settle these claims are supposedly restricted to Crown land, not private property. But the Cummings have a different idea. "Individuals could return land, even if governments don't honour treaties and don't give back land that rightly belongs to native people," Ms. Cumming said.

Their home on Sunny Lane is surrounded by gardens and decorated with West Coast native carvings. It has the feel of the country living in the city, with a winding driveway behind a wooden gate and a stone staircase leading up Gonzales Hill to a lookout at the top of Walbran Park.

The view below is the shores of McNeil Bay, once the site of a village of perhaps 200 native people and today one of a series of Oak Bay beaches fronting some of the most highly prized property in the Victoria area.

On these beaches, where homeowners now walk their dogs, local Lekwungen people once collected clams and mussels when the tide receded. And on the hillsides, where camellias bloom in gardens, the Lekwungen harvested starchy camas bulbs to feed their families and trade to other coastal peoples.

The Cummings have worked with local Coast Salish people and with Taiaiake Alfred, director of the Indigenous Governance Program at the University of Victoria, to set up the Sacred Land Society, the first of its kind in B.C.

"They are very kind and generous people," said Charles Elliot, a Salish carver and vice-president of the society. "They have a deep understanding of what first nations people are up against, about the loss of our lands and our resources."

Those sentiments led the couple to donate their farm to the Maliseet people when Mr. Cumming retired from the University of New Brunswick in 1992.

The farm near Fredericton, which includes three buildings, 280 acres of forest and half a kilometre of shoreline on the Nashwaak River, is now a healing and cultural centre operated by the Wolastokwiyik Nawicowok On the Land Program.

The Cummings bought the Oak Bay property from the estate of Mr. Cumming's Aunt Jean, who had owned it since 1956, and retired to the West Coast.

The donation of the land is "a rare gesture, a gift that they [the Cummings] will leave to the world," Dr. Alfred said. "Many people feel sorry about the colonialization and wonder what they can do. By giving their property back, they will regenerate the spirit of the land and the people."

A sacred trust

The society: The newly formed Sacred Land Society in Victoria is one of 34 land trusts established in British Columbia to protect significant natural areas and cultural sites in the province.

The size: The trusts, some regional in scope, others operating across the province and beyond, have protected half a million acres of land -- the size of Greater Vancouver -- since the umbrella organization, the Land Trust Alliance of B.C., was established in 1997.

The money: Also known as conservancies, the land trusts operate as non-profit, charitable organizations that either own land themselves or enter into conservation covenants with owners to protect or restore their property.

The work: Donations and legacies to the trusts include a 60-acre old-growth forest with artesian springs near Osoyoos, 18 acres of riverside trail near Courtenay and a conservation covenant on a four-acre Douglas fir-and-arbutus forest that surrounds a chocolate factory on Denman Island.