

Garifuna land security in (post) colonial Belize: The curious case of the

'Carib reserve' at Punta Gorda

Unlikely pioneers: Indigenous peoples and legal redress in Southern Belize

The exile of the *Garifuna* people from their homeland of St Vincent and their subsequent dispersal across the Caribbean coast of Central America in the late eighteenth century are certainly topics that have attracted significant academic attention. In Belize, the Garifuna story has notably been documented through the diligence of esteemed Belizean Garifuna anthropologist (and Toledo resident) Dr Joseph Palacio, whose seminal body of work includes a study of land use in his home village of Barranco.¹ Meanwhile, in a wider sense, the Garifuna struggle to preserve settled territories across their Central American homelands has received no shortage of academic coverage in recent years.² This is particularly true in the case of the Garifuna in Honduras, where the communities of *Punta Piedra* and *Triunfo de la Cruz* have received international legal recognition in taking their collective land claims to the Inter-American Court of Human Rights.³

Yet the story of 'Cerro' and the 'St Vincent Block' - the collectively owned area of Garifuna land in the shadow of the imposing hill ('Cerro' in Spanish) to the north-west of Punta Gorda town (state capital of Belize's Toledo district) - is one strand of the Garifuna journey that has been conspicuously overlooked within academic discourse. This omission is even more surprising given that in addition to being a cornerstone of Garifuna settlement in Belize's Toledo district, the story of Cerro is a testament to the determination of the ancestors to secure land in the immediate years after the Garifuna exile from St Vincent, and one which occupies a prominent place in oral history. Furthermore, this unique story acts as an example of indigenous peoples seeking legal redress for communal lands taken from them long before

the inception of the current human-rights centred system, and, of the continued struggle to maintain control over those lands after legal recognition.

Indeed, the story of Cerro becomes even more pertinent when considering that one of the most notorious global examples of an indigenous land rights case in the contemporary human rights era, is that of the Maya communities of Belize's Toledo district, who have waged a decades long legal campaign over their customary land rights in Southern Belize. Since the communities filed a 1996 petition against logging concessions on their ancestral territories, the Maya case has accessed both national and international legal forums,⁴ famously becoming the subject of the first global invocation of the United Nations Declaration on the Rights of Indigenous Peoples (hereinafter UNDRIP) in support of the indigenous Maya communities' rights over their ancestral lands.⁵ However, what is far less commonly known, is that over one hundred years ago, it was Belize's 'other' indigenous people – the Garifuna – who first sought legal redress to ensure control over their lands in Southern Belize.

The following article, composed with the aid of ethnographic research conducted in Belize's Toledo district, and archival research conducted at both the Belize Archives and Records Service, Belmopan (hereinafter BARS) and British National Archives, London (hereinafter BNA), seeks to fill this wider knowledge gap. Its completion would not have been possible without the selfless input of several prominent figures from the Garifuna community who played a vital role in contextualising the situation regarding both the land and wider Garifuna issues in the present day. A very special mention must be given to Mr Ivan Avilez (Grandson of Mr Ambrosio Avilez), Baba Roy Cayetano (Garifuna community leader), and esteemed anthropologist Dr Joseph Palacio. The generosity of time and expertise of all three leaders made a huge contribution throughout the research process.

After briefly retracing the Garifuna journey from their inception on the island of St Vincent to their exile and subsequent dispersal along Central America's Caribbean coast, attention turns to how Garifuna lands settled prior to the exercise of any tangible form of European sovereignty came under threat from British colonialism just as they had in St Vincent, only this time in Belize's Toledo district. Specifically, the story will detail the unique circumstances at the heart of efforts to both ensure legal ownership of the land, as well as the unlikely combination of actors who joined together to see this ownership recognised. Finally, a reflection considers how the specific circumstances of this story not only continue to cause confusion, but just as throughout Garifuna and wider indigenous history, significant challenges in maintaining control over their lands continue to afflict the community in the present day.

From St Vincent to Southern Belize: Retracing Garifuna settlement in Toledo.

Of all the enemies the Spanish made in their colonization of the American-Caribbean region, few achieved the notoriety of those regarded as the '*Caribs*' of the Lesser Antilles. A combination of the colonial legacies of Christopher Columbus and fierce indigenous resistance to Spanish slaving expeditions, resulted in an animosity that meant anyone resisting Spanish imperialism in the region was considered a '*Carib*'.⁶ The Spanish failure to colonise the Carib territories of the Lesser Antilles created an opportunity for the remaining competing European powers – notably the British, French, and Dutch - to make their own mark on the islands.⁷ The hatred the Spanish and Caribs held for each other was duly exploited by the other European powers in their own campaigns, before British and French expansionism swept across the Lesser Antilles following the former's arrival in St Kitts in 1624, ensuring that the final unconquered territories in the Caribbean fell under European control.⁸

It would be on the island of St Vincent, a little over three hundred years since the first contact between Europeans and the native people of the Caribbean, that the British duly endured the last major resistance to European hegemony on the Caribbean islands.⁹ For it was on St Vincent that a group identified by colonial powers as ‘*Black Caribs*’¹⁰ - a fusion of African and Amerindian peoples later to become known as the *Garifuna* - made a valiant last stand against colonization.¹¹ The 1763 cessation of the ‘Seven Years War’ and resultant Treaty of Paris between Britain and France (including French exclusion from the North American mainland), ensured that Britain gained ‘control’ of both Dominica and St Vincent, islands that had been regarded as ‘neutral’ as recently as 1748. However, the windward side of the island - that land identified for the development of sugar plantations - was already settled by those people the British referred to as ‘*wild blacks*.’

Despite plans to relocate and compensate the *Garifuna*, under the leadership of chief Joseph Chatoyer, they refused to swear allegiance to the King of either Britain or France and a tense stand-off ensued.¹² The inevitable 1772 British attack was repelled by the guerrilla tactics of the *Black Caribs*, and a combination of this resistance, London bureaucracy, and the British fear of the island’s interior, resulted in a 1773 ceasefire guaranteeing the *Black Caribs* the northern third of the island.¹³ Yet as France joined the American War of Independence hostilities with Britain resumed across the Caribbean, and, in 1779, this led to the French joining forces with the *Caribs* to defeat the British in the ‘First Carib War’. Although they lived relatively unmolested under French rule on St Vincent in the immediate aftermath of the victory, the *Black Caribs* were again caught in the crossfire of European colonial politics as 1783’s Peace of Paris conference on American independence saw St Vincent passed back to Britain, before the death of Louis XVI and events in the French Revolution saw a further declaration of French war on Britain in 1793.¹⁴

The French duly persuaded the Black Caribs – still led by Chief Joseph Chatoyer – to lead the revolt against the British in what would become the ‘Second Carib War’. Yet Chatoyer’s death at Dorsetshire Hill, combined with the disadvantage of fighting alongside the French like a regular army - away from their favoured jungle interiors - proved an insurmountable disadvantage in the battle. A formal French surrender in June 1796 resulted in Carib attempts to engineer a truce, however, after the resistance of the preceding years the British were only willing to guarantee the Caribs their lives. Consequently, between June 1796 and February 1797, the British shipped around 4500 surviving Caribs to Balliceaux – a small island with no freshwater streams or springs. By March 3rd, 1797, when a flotilla left Balliceaux for the island of Roatan in the Bay of Honduras, only 2248 Caribs remained alive. Further tragedy struck on the voyage as disease and the capture of one of the transport ships by the Spanish navy further decimated the surviving population, meaning that by the time the Roatan was sighted as much as 77% of the pre-war Carib population may have been lost in just two years.¹⁵

Despite the brutality of events on St Vincent and Balliceaux, the British still harboured hope that the surviving Garifuna would defend Roatan from any potential Spanish attack.¹⁶ It was, of course, a hope born from the deep antipathy that had long since been established between the Spanish and those peoples identified as ‘Caribs’ that had fiercely and successfully resisted Spain’s earlier colonization attempts in the Lesser Antilles. As the arid southern coast of Roatan proved inhospitable for settlement, the survivors surrendered to a Spanish military party from the mainland port of Trujillo.¹⁷ However, the words spoken by one of the Carib chiefs upon meeting the Spanish party left little doubt as to where the Carib loyalties lay:

“I do not command in the name of anyone. I am not English, nor French, nor Spanish, nor do I care to be any of these. I am a Carib, a Carib subordinate to no one. I do not care to be more than I have.”¹⁸

Just as on St Vincent, the Caribs had no desire to be subjects to any European sovereign. Instead, the survivors saw other opportunities and the migration of the people who would become known as the *Garifuna* began from the Honduran mainland port of Trujillo. Travelling in small bands of fifty to sixty persons and led by Chiefs (as had been the norm in wartime St Vincent), the *Garifuna* dispersal saw them form initial settlements in the Costas Arriba and Abajo on modern day Honduras' Lower and Upper coasts. A northern thrust saw the establishment of numerous further settlements between Puerto Cortes (Honduras) and Dangriga (present-day Belize). Meanwhile, a predominantly later southern thrust saw settlements formed as far south as the Caribbean coast of modern-day Nicaragua.¹⁹ As these northern and southern thrusts were completed, the present-day Central American states of Belize, Guatemala, Honduras, and Nicaragua duly became the *Garifuna*'s new homelands. Their arrival on the Central American mainland preceded a period of significant political change in the region. Most of the Spanish held territories in both Central and South America were to proclaim independence in the first three decades of the nineteenth century, with the period between 1810-1826 marking the Spanish wars of independence,²⁰ the end of Spain's status as *the* patrimonial state on the American mainland, as well as drawing the curtain on Spain's status as a global power.²¹ However, notwithstanding the significant change that would soon sweep through Central America, upon their arrival, present-day Southern Belize presented a wholly different environment - and opportunity - for the *Garifuna* in terms of colonial administration when compared to Guatemala, Honduras, and Nicaragua. Retracing their journey from St Vincent to Southern Belize is therefore particularly pertinent when considering that upon arrival they would again come face to face with the same colonizing force that exiled them from lands they had settled in St Vincent: The British Empire. Although Spain maintained 'papal sovereignty' over the entire Central American region, the territory that now constitutes Belize was long considered a disease-ridden tropical forest

overlooked for Spanish settlement.²² Furthermore, despite intermittent war and territorial dispute dominating relations between the colonial powers of Spain and Britain across the region, by 1786, Anglo-Spanish accords detailed in the Convention of London facilitated the logging interests of British ‘Baymen’ in the Bay of Honduras between the Rivers Hondo and Sibun (extended from an original area between the Rivers Hondo and Belize detailed in 1783’s Treaty of Versailles),²³ territory that essentially encompasses present day Northern Belize. Spanish attempts to restrict the adventurous and expansionist nature of these ‘Baymen’ – privateers who had become log cutters – to stay within these treaty limits, had proved impossible from the outset. Nevertheless, even though the 1798 ‘Battle of St Georges Caye’ - a short military engagement when Spanish forces from Bacalar (present day Southern Mexico) tried and failed to overcome the Baymen - represents the final time that Spain sought to exert its sovereignty on the territory forcibly,²⁴ the fact remained that Anglo-Spanish accords were limited to the area between the Rivers Hondo and Sibun, or present-day Northern Belize.²⁵

By contrast, the area between the Rivers Sibun and Sarstoon – present day Southern Belize – had not been detailed in any such agreements, and despite clear British expansionism outside of the agreed treaty limits, there remained an unwillingness to openly exert sovereign control in the early decades of the 19th Century. Instead, this ‘political vacuum’ in the territory between the Rivers Sibun and Sarstoon enabled other peoples to establish settlements on lands not yet administered by any colonial power. As the Garifuna began to establish their own settlements in what is now Southern Belize, colonial records from as early as 1802 show that concerns regarding their presence in the territory - informed by the British experiences on St Vincent - resulted in the ruling that no Garifuna (referred to here as a ‘*Charib*’) could enter the British settlement at the Belize River without a permit.²⁶

Figure 1: Physical map of Belize (Ambergris Caye, n.d)²⁷



However, a combination of the lack of official control in the region south of the British settlement at the Belize River, coupled with the political insurrection that engulfed Central America in the wake of the independence movement – which paved the way for the federation of the United Provinces of Central America (hereinafter UPCA) to establish a brief

but tumultuous period of control in the wake of Spanish decolonization²⁸ - only sought to swell Garifuna numbers between the Rivers Sibun and Sarstoon during this time. An example of this came after the first UPCA president Jose Manuel Arce was overthrown in 1829 by Francisco Morazan, meaning that throughout the latter's rule, Arce supporters (which included numerous Garifuna) were involved in multiple counterinsurgencies.²⁹ As each insurrection was defeated this duly contributed to further Garifuna dispersals along the Caribbean coast of Central America, where existing settlements were bolstered, and new ones were established.

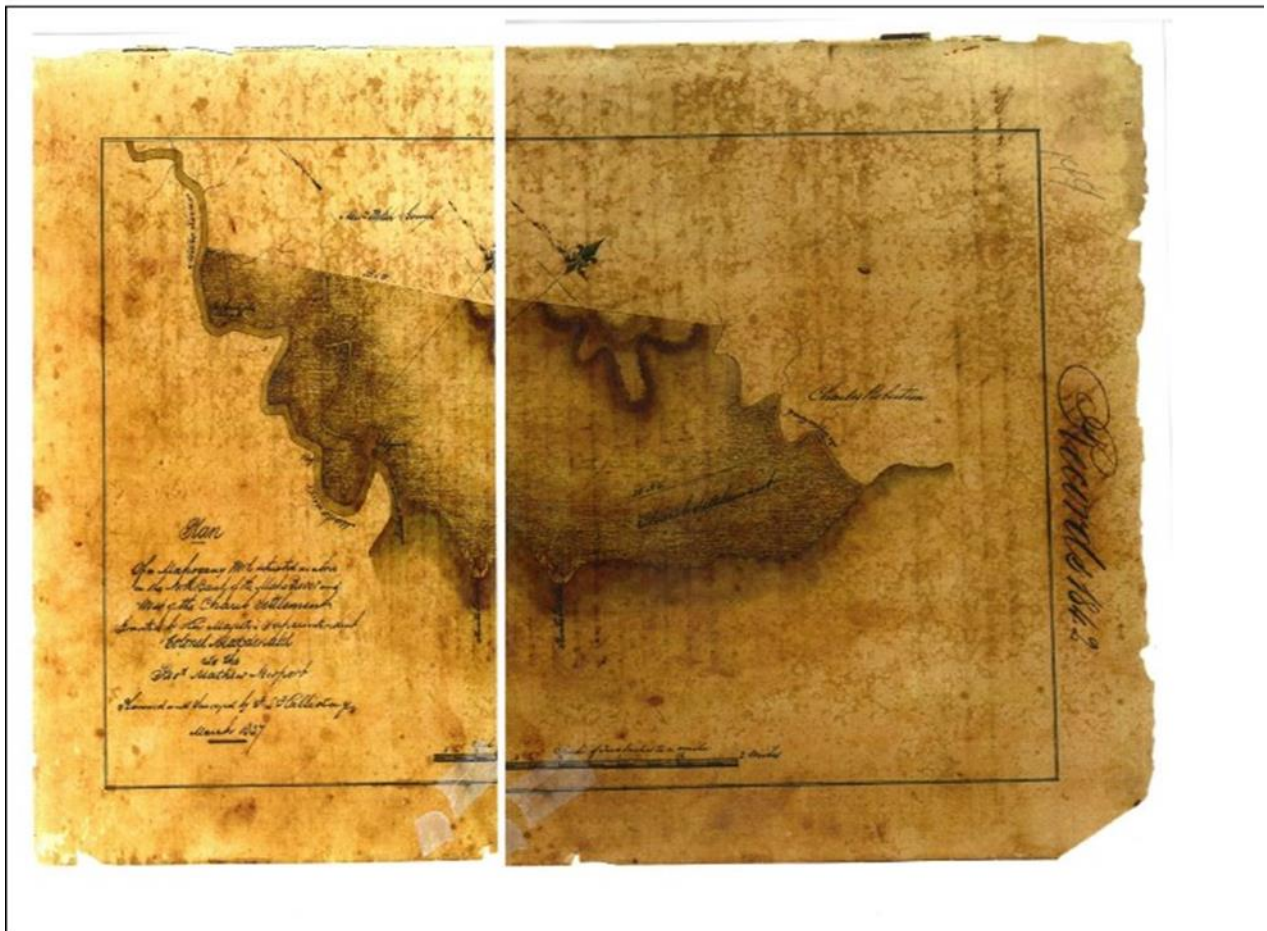
This migration manifested particularly in what would become Southern Belize in the present-day districts of Stann Creek and Toledo. The founding of Dangriga on 19th November 1823 is the largest known single movement of Garifuna into Belize, while Marcos Sanchez Diaz (founder of Livingston, Guatemala) has been credited with leading a group of Garifuna across Amatique Bay and settling Punta Gorda by at least 1832.³⁰ By 1828, Dangriga was already colloquially referred to as 'Carib town',³¹ meanwhile Punta Gorda was reported by American travellers in the 1830s as consisting of around five hundred 'Carib' inhabitants and possessing a wealth of tropical vegetation.³² There was clearly contact with the British during this period, particularly as the abolition of the slave trade in 1807 led the British to look to alternative sources of labour in their mahogany camps,³³ as noted in official dispatches from this period.³⁴ Yet the Garifuna generally lived beyond the limits of British administration, maintaining their own systems of land tenure that were only indirectly affected by British settlement during this time.³⁵

However, the political vacuum enabling the Garifuna to establish settlements and exist relatively unmolested in the formative decades of the nineteenth century did not last long, as the process of establishing sovereign control began in earnest. Although British expansionism beyond the Anglo-Spanish treaty limits had always co-existed with a wariness of flaunting

Spanish sovereignty in the region between the Sibun and Sarstoon, British urgency was accelerated in no small part by the government of the insurgent Republic of Guatemala, who claimed that this territory fell under the former Spanish ‘Captaincy General of Guatemala’ and formed part of the Guatemalan district of Peten.³⁶ Although by 1825 Britain had indeed appointed a consul to Guatemala, it still maintained that any conversation regarding land tenure in the Bay of Honduras was one it could only have with Spain.³⁷

Crucially, in 1834, the new government of the Guatemalan Republic forced Britain’s hand by making land grants of the entire territory between the Rivers Sibun and Sarstoon, ironically, to three British companies.³⁸ In response, in 1837, the first British *Crown* land grants were processed outside the old Anglo-Spanish treaty limits, including two as far south as the Sarstoon River, a move that has been regarded as the first tangible applications of British sovereignty as far south as the current southern border of Belize.³⁹ Incidentally, a Crown grant in the Punta Gorda locale from 1837, clearly shows the wording ‘*Charib settlement*’ in the bottom right-hand corner (see Figure 2), offering further evidence that the Garifuna settlement at Punta Gorda was already established when such sovereign authority was exerted.

Figure 2: 1837 Map showing 'Charib settlement' at Punta Gorda⁴⁰



Such events duly ensured that already established Garifuna settlements in present day Southern Belize would come under a more direct form of colonial control and were now at risk from both the colonizing power as well as other peoples that sought land. In 1855 (when Crown land in the territory began to be *sold*), the British introduced the 'Laws in Force' Act, granting retrospective ownership to those 'white' settlers who had distributed land between themselves before Crown control.⁴¹ However, the 'Laws in Force' Act did not extend to non-white settlers and in 1857 the Garifuna of Stann Creek were issued the notice that they must apply for leases on the land they already inhabited. Whilst it was stated that those present inhabitants did not have to take out a lease, it warned that if they left without having obtained one, their property would revert to the Crown. Although the ensuing protests and

disturbances ensured that no rents were enforced until 1879,⁴² the seeds of British control in Southern Belize had now been firmly sewn.

Finally, following a decade of negotiations between Britain and the United States regarding the interests of both nations in Central America, that resulted in the Clayton-Bulwer (1850) and Dallas-Clarendon (1856) treaties,⁴³ 1859 saw the ratification of the highly controversial 1859 Anglo-Guatemalan treaty.⁴⁴ This document has proven seminal in both outlining the borders of the British settlement as existing as far south as the Sarstoon, as well as ensuring that the territorial dispute has continued to reverberate in the present day. Nevertheless, this political ‘agreement’ between the governments of Britain and Guatemala enabled the colony of *British Honduras* to be duly declared in 1862, first governed from Jamaica, before it acquired Crown colony status in 1871.⁴⁵ For the Garifuna, this meant that despite again settling lands prior to the British establishing sovereign control, just as in St Vincent, their territories in Southern Belize now came under threat from European colonizers.

Confusion, Commitment, Co-operation: The loss and reclamation of the Carib ‘reserve’

Whilst the colonization of British Honduras in 1862 certainly sought a politically and legally conclusive resolution to the sovereign status of the territory that now constitutes Belize, the situation on the ground regarding the tangible application of sovereign control was far from assured, particularly in the remote south. Generally, British Honduras had a reputation as an unhealthy, remote colony and nowhere was this truer than in the southernmost Toledo district. Described as a political space that did not exist until the late nineteenth century,⁴⁶ the borders of the Toledo district were not even defined until 1882, the same year that the first magistrate was appointed, with the first district commissioner – acting as the sole representative of the Crown – following two years later.⁴⁷ Unsurprisingly, this lack of

tangible colonial control manifested particularly regarding matters of land use by ‘other’ peoples - namely the Maya and Garifuna - who had long called Toledo home.

Attempts to attract ‘white settlers’ to a ‘land rich - population sparse’ colony led to the British government trying to encourage ex-Confederate army soldiers defeated in the American Civil War to move to the territory. Although the ex-Confederate soldiers balked at the high land prices being quoted by the British government, the absentee multinational Young, Toledo & Company sold land at vastly reduced rates,⁴⁸ meaning some ex-Confederates stayed to plant sugar estates and form the Toledo settlement which was named as such because it was invested in by one Phillip Toledo, and from where the wider Toledo district takes its name.⁴⁹ Crucially, it was the sale of such lands to ex-Confederates in the Punta Gorda locale that motivated the Jesuit Father Jean Genon to write to British Governor Longden in 1868, expressing his concerns about the infringement on Garifuna lands there.⁵⁰

By way of a solution, the idea of ‘reserves’ for the native population - first discussed in an official dispatch by the British Governor in 1868 - was introduced on 14th December 1872, within Crown Lands Ordinance 3412 (hereinafter LO 3412).⁵¹ The ordinance stated that wherever either an ‘Indian’ (Maya) or ‘Carib’ (Garifuna) settlement had already been established, that land should be reserved for their use, and permits issued to their Headmen or Alcaldes, the latter being a Spanish colonial institution empowering traditional military heads & judicial/administrative officers at the village level.⁵² LO 3412 also stresses that all permits were to be given on the proviso that the land would at no time be sold or leased without the written consent of the Colonial Secretary.⁵³ Despite this, no reserves were created, and after the Garifuna disturbances in Stann Creek the act was repealed in 1879, before a further ordinance was eventually issued in 1886 again permitting their creation.⁵⁴

However, attempts to integrate the reserve system within the colonial structure were hugely problematic on several practical levels. One issue was that despite colonization, there was a vacuum of tangible control over the 'land rich - population sparse' territory. For example, by 1888, efforts to integrate the Maya through the reserve system (including at the village of San Antonio, Toledo), were delayed by confusion as to whether the proposed reserve in the heavily jungled western interior even lay within the colony's boundaries. This fact, coupled with wider confusion regarding Maya patterns of land tenure and their reluctance to settle in one place (as well as doubts regarding whether they would pay land taxes), meant that the British simply created new reservations whenever they encountered Maya communities.⁵⁵

Confusion also reigned when it came to the issue of Garifuna reserves in Toledo. For example, despite being established in at least 1860, uncertainty over whether the '*reserve*' at the Garifuna village of Barranco - Belize's southernmost coastal village - was established on Crown land, was still being discussed *thirteen* years after the first survey of the village was conducted in 1892,⁵⁶ when lines were drawn through existing homesteads to render them compatible with British ideals on property allocation. The Barranco example is further evidence of both the ambiguity of the territorial status of the lands in the remote south even after colonization, as well as the incompatibility of two very different attitudes towards land tenure colliding when indigenous peoples and their lands were subjected to integration within the colonial structure.

Meanwhile, a General Minute Paper dated 27th November 1916, discussing requests to lease land in the '*Carib reserve at Punta Gorda*', is the first in a series of communications that detail the loss and reclamation of the Garifuna lands at Punta Gorda. Returning first to 1868, when Punta Gorda was still described as a modest Garifuna village that survived through their traditional occupations of farming and fishing,⁵⁷ it is the same year that Father Genon wrote to the British Governor expressing his concern at the sale of lands in the Punta Gorda

locale, and also the year that saw the creation of a '*Plan of the Carib Reservation at Punta Gorda*' by one C.S Dwight.⁵⁸

The request from the Surveyor General to the Colonial Secretary in the 1916 dispatches to consider applications made to lease land in the 'reserve' (with a copy of Dwight's map on the reverse of the document) stresses that:

*"...the Caribs do not approve of the Reserve being cut into as they desire to use the land to cut posts and sticks for house building purposes."*⁵⁹

Meanwhile, the response, dated as December of the same years, states unequivocally that:

*"At a meeting of the Executive Council on the 5th December it was decided that the Carib Reserve at Punta Gorda should not be interfered with."*⁶⁰

Yet this was only the beginning of the story. In a series of dispatches starting on 26th February 1921, initiated through Government House, Belize, the claim is made that the land is not a 'reserve' at all, but rather that the land was purchased on 4th October 1881 for \$700, by one Jose Maria Nunez on behalf of around one hundred Caribs, so that these Caribs might have exclusive use of such lands.⁶¹ The dispatch goes on to state that Nunez made a will on 28th August 1888, passing the land fiat to his cousin - Lopez Nunez - who had been nominated by the Caribs of Punta Gorda as their head, an act witnessed by four Caribs who are named as Simeone Arzu, Vicente Gonzalez, Luise Alvarez, and Samuel Morris. Although it is stated that the money gathered for the purchase of the land was inadequate, Nunez deducted the remaining balance from the wages of Carib men when he was a mahogany contractor. Jose Maria Nunez died on 9th September 1888 and Lopez Nunez - who inherited the deeds - died on 10th October 1903, with the death of the latter earmarked as the time when things began to go awry.⁶²

It is reported that the Caribs continued to enjoy the land unmolested for some years after Lopez Nunez's death, until around 1912 when the land is reported as having been rented to non-Caribs. The dispatch also details that in 1919, a statutory declaration on behalf of a Carib named Ambrosio Avilez had been sent to the colonial government outlining the facts and asking for a Court decision to declare the Caribs as the *owners* of the land. Furthermore, the said will of Jose Maria Nunez is stated as having been recorded, yet as it only purported to deal with real estate probate of the said will, it was not applied for.⁶³

Instead, Messrs Franco & Ellis - the solicitors acting on behalf of the Caribs – advised their clients that the said will is void for uncertainty. The dispatch concludes by requesting that the lands be vindicated and re-granted to the Caribs and their descendants. On 18th April 1921, the British Secretary of State for the Colonies – one Winston Churchill – offered his thoughts on the matter. Acknowledging that under law it is a very difficult case, it is suggested that if there are no heirs to either Jose Maria Nunez or Lopez Nunez, then there may be grounds for the Crown to have title to the land under *escheat* - the process that sees the reverting of property for which there is no owner back to the State.⁶⁴

On 7th June 1921, Attorney General Herbert Dunk responded to Churchill agreeing that due to the complexity of the case escheat proceedings should begin as soon as possible, before ensuring the return of the land to the Caribs.⁶⁵ Proceedings became public on 29th October 1921, when a writ of summons appeared in the British Honduras Gazette stating the said property was to return to the Crown under escheat and that anybody with claims to the property should do so within three months.⁶⁶ Then, in May 1922, a further notice in the British Honduras Gazette, stated that as there had been no claims within those three months, the said land had been escheated to the Crown.⁶⁷ That same month, further correspondence from Messrs Franco & Ellis (solicitors), had named Messrs Michael Daniels and Ambrosio Avilez as trustees for all Caribs, born in Punta Gorda.⁶⁸

In August 1922, a Crown Ordinance was issued providing for the surrender and abolition of rights at the ‘Carib reserve’ at Punta Gorda, stating that those who did would be offered compensatory land elsewhere.⁶⁹ Despite informing the Caribs that it would take twelve months from the date of judgement before further progress, correspondence shows that there was a delay in the return of the land, until 27th November 1924, when Messrs Daniels and Avilez received a fiat for nine hundred and sixty acres of land.⁷⁰ An accompanying declaration of trust was registered with Messrs Franco & Ellis extensively detailing all Carib persons and their relatives – collectively named as the “*Caribs of Punta Gorda*” - that may benefit from the land, complete with a map showing the nine hundred and sixty acres of land that the fiat represents.⁷¹

Finally, after years of legal uncertainty, the land was indeed returned to its rightful owners in 1924. However, the documentation pertaining to this case demands closer inspection as the critical flow of correspondence between 1921 and 1924 was incomplete at both BARS and BNA, with the correspondence from February 1921 – the initial claim on behalf of the Caribs - only available at BNA at the time of research. Therefore, only by using documents from both institutions did a full picture of the legal process emerge. Regarding the land in question, a land fiat dated 4th October 1881 does indeed exist for the purchase by one Jose Maria Nunez of:

“...that section of land numbered 26...say six hundred and forty acres, and the last half of section 27....”⁷²

The area of this land would therefore total 960 acres, which is the exact size of the land granted back to the Caribs in 1924. However, when discussing the will of Jose Maria Nunez, it is necessary to point out that a particular will in his name is available at the Belize Archives and Records Service. Yet, crucially, rather than being dated 28th August 1888 (the date of the will discussed in the correspondence) the will in the Belize Archives and Records Service is

instead dated as 9th September 1888 which, incidentally, is also the date of Jose Maria Nunez's death, and includes considerable detail on who is to inherit various town lots belonging to Nunez. Furthermore, the document also names Lopez Nunez as one of two executors of the will. No specific mention is made of the 960 acres in question, however, there is a passage in this deathbed will which stands out when considering the intrigue of this case.

The passage states that

*"I desire that the section of land lying behind the village of Punta Gorda and known as the provision ground be sold. I paid to Mr McDonald of the firm Messrs Young Toledo & Company, the price of seven hundred dollars for this section of land known as the provision ground."*⁷³

First, as is well known, in a general sense 'provision grounds' were lands that were crucial to the survival of enslaved peoples in slave societies in the greater Caribbean.⁷⁴ Yet it is necessary to reiterate several crucial points at this juncture. Crucially, the Garifuna were *never* an enslaved people, they are a people that resisted colonialism until the end in the fight for their homeland on St Vincent.⁷⁵ Furthermore, in a wider sense, by the time of Nunez's death in 1888, both the Slave Trade Act (1807) and the Slavery Abolition Act (1833-34) had long been passed. So, was this reference to a 'provision ground' therefore merely a name for land of that purpose that had endured? Or was this land in question some other form of 'provision ground' with a different purpose than that with the more widespread understanding?

Second, questions also arise when considering the description of how this 'provision ground' land 'behind the village of Punta Gorda' was purchased by Nunez. Granted, as discussed earlier in this article, the sale of lands in the Punta Gorda locale by the firm Messrs Young, Toledo & Company was certainly a common occurrence in the latter decades of the 19th Century.⁷⁶ For example, the sale of neighbouring lands to the ex-Confederate soldiers is

exactly what motivated the cause to preserve Garifuna lands and resulted in Nunez purchasing land from the same vendors on behalf of the Garifuna community. Yet the fact that this land was bought from the same vendors, for the same price (seven hundred dollars) as the land purchased on behalf of the Garifuna community,⁷⁷ is something of a coincidence. Certainly, whatever similarities exist between the land known as the ‘provision ground’ and the land that Nunez bought on behalf of the Garifuna, could be nothing more than a coincidence. However, the existence of two wills in the name of Jose Maria Nunez, with the second ‘deathbed’ will being drafted twelve days after the first, is rather unusual. Why was this second ‘deathbed’ will drafted at all? It is difficult to consider potential reasons without the degree of suspicion such wills invoke, particularly when an earlier version of the said will clearly already existed. However, it is also important to state that it is impossible to call with any certainty the conclusive course events associated with this story in these years.

That said, parts of this story are certainly conclusive. For example, the reclamation of the land now known as the ‘St Vincent block’ would not have been possible without the courage and persistence of those Garifuna who gathered to lobby for a return of the land that was rightfully theirs. With Messrs Daniels and Avilez as their representatives, the Garifuna of Punta Gorda accessed colonial legal support to reclaim the land that had been taken from them. A second certainty is that, in a peculiar twist of fate, it was the British colonial administration who facilitated the return of the land to the Garifuna in this instance. For it was the process of escheat – the return of property with no clear owner back to the State – that enabled the legal return of the land to those who collectively own it, and, in doing so, ensuring that a most unlikely partnership emerged.

The Toledo Garifuna in the 21st Century: Contemporary threats to indigenous community cohesion at the Carib reserve.

As the Southern Highway enters its final stretch and runs parallel to the shores of the Caribbean, the large ‘Welcome to *Peini*’ sign (‘Peini’ is the name for Punta Gorda in the Garifuna language) leaves you in little doubt as to the origins of the Toledo district capital. On the walk towards Cerro, rising imposingly to the north-west of town, the iconic combination of yellow and black (the colours of the Garifuna flag) that are daubed on walls and St Vincent block dwellings set back from the roadside, these origins are reaffirmed. On the signs for the drumming schools, or the ‘Toledo Garinagu Twin Wall of Fame’ that proudly lists the names of notable Toledo Garifuna (Garinagu means Garifuna in the Garifuna language) who have gone on to become hugely influential in a range of sectors, those origins are reaffirmed further.

[INSERT FIGURE 3 HERE]⁷⁸

Today, the St Vincent property remains in the hands of the Garifuna community, with a committee overseeing the management of the land and the process for applications. Yet despite this, and almost one hundred years since the reclamation of the property, the Garifuna community continue to face numerous challenges. One challenge is that due to the unique nature of the property, much confusion has manifested regarding who is entitled to make use of the land, and, who owns it. Prominent members of the management group outlined the confusion surrounding the land in the quotes below.

“On the deeds there are 150 names that were owners of the land at that time, and today some people have misinformation, they think or assume that the land is communal land, that it is owned by every Garifuna. It is not owned by every Garifuna, the owners, or beneficiaries, are the descendants of the 150 people whose names are on the deeds, and the two people’s names on the actual land documents.”

“I know that for a long time, that people referred to that land that is now referred to as the St Vincent block, as the Carib reserve, and we had to keep telling people that it is not a Carib reserve, it is property, land that is bought and paid for.”

The fact that the land is still considered a 'reserve', almost one hundred years since the purchase of the land by Jose Maria Nunez on behalf of the Garifuna community, is no doubt influenced by the fact that for years signage on the Southern Highway approaching Punta Gorda (see Figure 3), has clearly identified the area as the *Carib Reserve*. Furthermore, the land that was purchased by Nunez is clearly the same land as the land included in the 'Plan of the Carib Reserve' by C.S Dwight in 1868, as evident by the fact that the map on the reverse of the General Minute Paper of 1916 is the same as the one drawn by Dwight. In a sense, the land did remain a reserve, in that it is reserved from sale for the benefit of the Garifuna of Punta Gorda. However, the fact that it is reserved from sale due to the fact *it is owned by the Garifuna of Punta Gorda* - rather than through any government ownership or land ordinance - is a crucial distinction that has clearly been lost in translation to some, understandable given signage such as that on the Southern Highway.

Yet issues surrounding the land are accentuated when considering the position that the management committee find themselves in. The committee is a voluntary organization and as such fulfil their roles in an unpaid capacity, yet this also has a multiplier effect when it comes to the payment of the land tax for the property which has fallen into tens of thousands of dollars in arrears. Furthermore, the voluntary nature of the management committee means that aside from the inability to regulate the payment of land taxes, money for legal advice and other necessary services is also in extremely short supply. Certain owners of the St Vincent block maintain, for example, that the water source for Punta Gorda town can be found on their land, yet funds to properly enquire as to any potential compensation through legal channels is simply unavailable. A senior member of the management group summarised the magnitude of this issue in the quotes below, with the mention of the radio mast referring to compensation received from a local station for putting a mast on the land.

“We don’t have funds to enforce it (collection of taxes). But because we are voluntary the payment is voluntary.”

“We owe ** thousand Belizean Dollars and that is compounded by the fact that we are being charged interest.”

“We realise that we need funds to do certain things. We were talking about doing a survey and mapping. We also realise that we need a lawyer, for example utilities and water. The only thing we get money from is the radio (mast) on top of the hill.”

Additionally, Garifuna demographics act as a further impediment to the committee’s ability to effectively manage the property. One example of this can be found by looking at the spatial distribution of Garifuna within Belize,⁷⁹ with the last published census in 2010 revealing that of the 19639 (6.1%) of the national population that identified in whole/part as Garifuna, 9435 (48%) resided in Stann Creek District (with Garifuna contributing 27.5% of the district population) yet only 1870 (9%) resided in the other traditional stronghold of the Toledo District (with Garifuna contributing 6.1% of the district population). By contrast, 6110 (31%) – almost one third of all Garifuna in Belize – now resided in the Belize District (contributing 6.4% of the district population), home to Belize City, the country’s largest city and former capital.⁸⁰

This urbanisation within Belize has been compounded by continued emigration for all/part of the year, notably to the United States, where New York and Los Angeles particularly, have become leading Garifuna population centres.⁸¹ Accordingly, such urbanisation and emigration for all/part of the year merely intensifies the problem when it comes to the enforcement of taxes, with some land-owners seemingly barely in the country at all.⁸² This has also created problems in that some have allegedly employed caretakers to act as guardians of the land in their absence, in some cases even compensating them for doing so by donating plots of land *within* the St Vincent block. Furthermore, some people are alleged to

have outright sold parts of the block for profit themselves, completely disregarding the communal ownership status of the land. These actions are discussed by a senior member of the management in the below quotes.

“Some Garifuna are either out of the district or the country and they would put people on the land to protect their ownership. They couldn’t pay them so compensated them plots of land. We also have some squatters, and we have no idea how they got there.”

“There are a couple of people that have illegally sold land, a couple of people who are hustling.”

Yet such activity is merely a result of the impact of the sustained forces experienced by the Garifuna – and indigenous peoples in a wider sense – since the colonial period. When discussing the process of acculturation – gaining elements of another’s culture whilst also losing some of your own – esteemed Garifuna anthropologist Dr Joseph Palacio also introduced the term *de-indigenization* – to negatively emphasise that degree of cultural loss.⁸³ For the Toledo Garifuna such a process began in earnest when British colonial control was exercised over what is now Southern Belize, as Garifuna communities already established south of the Sibun River were required to begin paying rent.⁸⁴ Furthermore, these communities were assimilated within a Catholic bishopric responsible for all schooling in the colony until the post-independence era,⁸⁵ and were at best culturally discouraged - at worst culturally discriminated against - by the colonial apparatus in matters concerning their language, spirituality and connections to land and sea.⁸⁶

Consequently, in large part due to these forces of de-indigenization, the prevalence of traditional activities such as farming and fishing began to reduce over the ensuing decades. This meant that by the mid-20th Century, deteriorating economic conditions in traditional Garifuna coastal settlements had led to widespread urbanization as well as employment across Belize (and beyond).⁸⁷ As a result, the functionality of once viable communities began to wane significantly.⁸⁸ It is a phenomenon that has only accelerated in the 21st Century,

evident when taking the example of Belize City. As stated above, by the time of the 2010 Census, the Belize district (6.4% of district population) had overtaken Toledo (6.1% of district population) in terms of Garifuna population concentration, with almost one third of all Garifuna in Belize now residing there. Extracts from community leaders lamenting the urbanisation of their people acts as an example of this phenomenon.

“I think the Garinagu have gradually urbanised, urbanised as a result of viewing their lifestyle as difficult and hard.”

“Dealing with land is a dirty work, so the Garifuna they end up believing that being in an office and having a white collar is like a goal. It is like a status, they didn’t, and I think they still don’t realise that land is real wealth.”

Of course, to suggest that the Garifuna have been completely ‘de-indigenized’ in Punta Gorda, or any other Garifuna settlement, is plainly wrong. As has been noted by contemporary scholars, Garifuna culture remains particularly vibrant in Belize and beyond, with the Garifuna regarded as “the quintessential Caribbean people” who came into being through the blending of two of the founding peoples of the region – Amerindians and Africans.⁸⁹ For example, the 19th November (the date of the single largest Garifuna movement into Belize when Dangriga was founded in 1823) is a nationally observed celebration in Belize known as ‘Settlement Day’,⁹⁰ whilst Garifuna Language, Dance and Music was famously given international recognition when it was proclaimed a UNESCO Masterpiece of the Oral and Intangible Heritage of Humanity in 2001.⁹¹ Meanwhile, Garifuna spirituality, and the interaction between the living and the ancestors in ceremonies that centre around the *dabuyaba* (the house/temple where ancestral rituals are held)⁹², particularly the *chugu* and *dugu* ceremonies,⁹³ remain significant events in all traditional communities that attract families and community members from across the Garifuna ‘nation across borders’.

Yet to return to the daily impact on the traditional communities themselves, the forces of de-indigenization have proved devastating. Decades of out-migration have put a significant strain on community cohesion as many members spend significant periods out of the district and/or out of the country as economic migrants. This naturally results in a weakening ability to carry out traditional activities such as farming/fishing at the community level. However, this absence is also only more likely to breed individualist tendencies amongst the population, meaning that offering plots of land to caretakers as compensation - or, in worse case scenarios, selling community land - becomes comparatively more likely than when all community members are present, accountable, and engaged in mutual joint ventures. A leader discussed the erosion in community values with regret when noting that:

“The things that used to sustain the community, the activities that people used to be involved in to ensure sustenance, to ensure well-being in the community, no longer is the same today.”

“The community was strong. The community was strong knitted because of that. So, we could see where some of these activities that economically held us together start falling apart, and this unity becomes an issue.”

Furthermore, aside from the impact on the Garifuna community, the mentioned demographic shifts in Belizean society are also indicative of a second phenomenon manifesting in Toledo. The reduction in Garifuna share of the Toledo population (from 10.8% in 1991 to 6.1% in 2010),⁹⁴ is evidence of the shrinking presence that the Garifuna play in the district generally, with Punta Gorda itself a far cry from the modest Garifuna village of 1868 that survived on farming and fishing.⁹⁵ By 2010, the Garifuna were only the fourth most populous ethnic group in Toledo (6.1%), after the Maya (66.5%), Mestizo/Spanish/Latino (19.9%) and East Indian (6.3%) populations, a concentration identical to their national share.⁹⁶ This diminishing influence in Toledo was felt particularly acutely in Punta Gorda, which, despite

its Garifuna origins, was commented on by a range of participants as having a negligible Garifuna economic presence, as evident from the interview extracts below.

“Our demography has changed and hence the empowerment has changed. Now the economic power is held by the Chinese.”

“I have noticed a big change in that lots of the vendors (at PG market) used to be Garifuna selling local products, but now I don’t see that...the majority of people now that are selling there are the Maya.”

“Most of the fishing that was done here in PG was done by the Garifuna. Now what I have noticed is that most of the fish at the fish market that I could purchase is now being done by the immigrants from Guatemala, and Honduras and Salvador.”

Such quotes not only allude to the diminishing economic influence of the Garifuna in Punta Gorda (or PG as it is locally known), but also to where ‘economic power’ and ‘cultural momentum’ are perceived to manifest in Toledo. Notable mention must of course be given to the indigenous Maya, who comprised 66.5% of the population of Belize’s southernmost, poorest, and most remote district at the most recent census, and whose ancient occupation of Southern Belize is marked by the ruins of Lubantuun and Nim Li Punit, located a short journey from Punta Gorda.⁹⁷ The Maya may not be deemed to hold ‘economic power’ in Toledo, but in terms of ‘cultural momentum’, it is of course the Toledo Maya Land Rights case that has dominated Belizean society and international indigenous discourse for the last twenty-five years. As discussed, this has ensured that the Maya have received global recognition (both legally and culturally) due to their successful mobilisation around their customary (and communal) indigenous land rights, paving the way for the first global invocation of the United Nations Declaration on the Rights of Indigenous Peoples.⁹⁸

However, although they are recognised alongside the Maya as one of Belize’s two indigenous peoples,⁹⁹ the Toledo Garifuna did not mobilise around indigenous land rights. Despite being the oldest settlement in the Sarstoon-Temash National Park ‘buffer’ region - as well as the

‘other’ traditional continuous Garifuna settlement in Toledo alongside Punta Gorda – the village of Barranco did not join the Maya legal challenge despite being a founding member village of the Sarstoon-Temash Institute for Indigenous Management (SATIIM), the NGO who took a leading role in the Maya campaign. The reasons behind this lack of Garifuna mobilisation are rooted in the already discussed phenomenon of de-indigenization, allied with issues surrounding group leadership and/or representation, and associated complexities around indigenous recognition - including self-recognition - amongst the Toledo Garifuna.¹⁰⁰ As such, the Maya Land Rights case is also revelatory regarding wider issues of mobilisation and cohesion within the Toledo Garifuna community that may act in support to phenomena relevant to the St Vincent block.

In a wider sense, the quotes on the Garifuna’s diminishing economic presence offer a reminder that Punta Gorda, the Toledo district, and country of Belize, act as a multicultural border frontier to the rest of Central America. As such, this territory serves as a haven for economic migrants and/or those seeking better conditions than in the neighbouring republics. Meanwhile, conversely, as traditionally the poorest district in Belize,¹⁰¹ Toledo has seen its Garifuna population share steadily decrease over the decades as de-indigenization and urbanisation have intensified. Consequently, a combination of these migratory patterns has conspired to ensure that the Garifuna no longer enjoy ‘economic power’ or ‘cultural momentum’ in the changing demographics of Punta Gorda. This is a reality that is both a cause and consequence when considering the problems pertaining to the management of the St Vincent block, and to wider issues of indigenous community cohesion amongst the group when it comes to matters of land.

100 years and counting: What becomes of the St Vincent block?

The significant developments in international human rights advocacy for all peoples in the ‘UN era’ - enshrined through international indigenous instruments such as the UNDRIP and ILO 169 - has provided a platform for indigenous peoples to mobilise around rights to their traditional lands, territories, and resources. Toledo, Southern Belize, has received global notoriety as a landscape of indigenous contestation as the Maya have mobilised around their customary communal land rights, accessing both national and international legal forums, and becoming the beneficiaries of the first global invocation of the UNDRIP. However, the story of the St Vincent block, and the efforts of those men and women in Punta Gorda, act as a reminder that it was another indigenous people – the Garifuna – who used legal redress to fight for their lands long before the contemporary indigenous rights era.

For those Garifuna who fought for their lands, the act of securing them was particularly urgent, considering the journey made by their ancestors little more than one hundred years earlier. After their forced removal from the island of St Vincent, their survival on Balliceaux, their arrival on Roatan, and their journey up the Caribbean coast of Central America, what would eventually become Punta Gorda was established by the Garifuna as a coastal haven beyond colonial administration where an indigenous people could again control their own lands and practice their own culture. As the manifestation of European ambitions ensured that those lands would become incorporated into the colony of British Honduras, the Garifuna were again faced with the tragic realisation that their already established settlements were in danger of being lost under the jurisdiction of the same colonial power who had caused their relocation in the first place.

Empowered, one Jose Maria Nunez collected, donated, and purchased, to ensure that the Garifuna would not be left landless again. Emboldened, years after Jose Maria Nunez had died, a group of Garifuna led by Messrs Michael Daniels and Ambrosio Avilez set in motion a dialogue to ensure that those lands would be legally entrusted to their rightful owners.

Empathetic to this case, the British Colonial authorities established a dialogue with the objective that the St Vincent block would remain in Garifuna hands. When considering the shared history between the colonizer and colonized, this partnership to ensure the entrustment of the land in Garifuna hands is an interesting point of note in what is an otherwise remarkable story.

However, despite these efforts, the land that would become known as the St Vincent block remains in a perilous state one hundred years since its ownership was secured. Perhaps unsurprisingly given the unique nature of the ownership, significant confusion abounds regarding both who owns the land and who is entitled to avail of it. The committee whose responsibility it is for managing the land face pronounced challenges in ensuring the collection of taxes, something which has seen them fall into tens of thousands of Belizean dollars in arrears. These challenges are made more acute by the fact that many of those who have inherited use of the St Vincent block, spend significant portions – in some cases all – of their time out of the district and/or the country.

Such urbanisation - part of a wider process identified as ‘de-indigenization’¹⁰² - has had a debilitating effect on Garifuna empowerment in their former stronghold of Punta Gorda. Aside from impeding the practical collection of taxes, the presence of such phenomena ensures that traditional activities such as farming and fishing continue to decline, with community orientated implementation and mobilisation around these, and other activities, a pale shadow of former times. Accordingly, such conditions provide fertile ground for the rise of individualistic ambitions, where community concerns become less prioritised, meaning that in extreme (and thankfully rare) cases land in the St Vincent block has come under threat from those who have tried to sell parts illegally to fund their own ambitions. The current predicament for the land and for those who care for it is certainly perilous, and when

considering the wider process of de-indigenization experienced by the Toledo Garifuna, it is also, sadly, somewhat unsurprising.

Whilst the reconciliation of an indigenous community mentality within a Westernized capitalist economy is certainly far from impossible, increasingly, phenomena on multiple levels conspire to inhibit such ideals. One must only look to the continued struggles of the Toledo Maya, and the twenty-five years battle that they have fought with the G.O.B, as evidence of the difficulty in seeing legally recognised land rights tangibly enforced. For indigenous peoples across the globe, the legal plurality inherent when international human rights law clashes with domestic legal and economic policy, means that the tangible recognition of rights granted in the court room – particularly to land, territories, and resources – remains particularly elusive. Accordingly, the ability for indigenous communities to avail of their traditional lands continues to face a range of threats even after legal decisions have been granted in their favour. Tragically, these threats continue to manifest most severely in certain situations, as is the case within the Honduran Garifuna communities who also gained legal recognition of their rights.¹⁰³

Yet the Garifuna of Punta Gorda might be considered to hold a position of comparative strength regarding the utilisation of indigenous land and resources. Certainly, the communal ownership model is somewhat irregular. Certainly, the land is in arrears due to non-payment of taxes. Certainly, the land has been partitioned in line with Western property ideals and is not the open 960 acres block that it once was. Certainly, the processes of de-indigenization have conspired to make community level mobilisation particularly challenging. However, due to the efforts of their ancestors, and of those who continue to work tirelessly for the preservation of the property, the land in Punta Gorda currently remains in the hands of the Garifuna, its ownership uncontested by the Government of Belize or any other party. The question now is quite simple: What becomes of the St Vincent block?

As contemporary indigenous rights instruments look to both the past *and* future through explicit references to upholding responsibilities for future generations,¹⁰⁴ this makes sobering reading when considering the future of the land. The spiritual relationship that the Toledo Garifuna hold with Cerro and the St Vincent block is one that has endured for over a century, born from a campaign by the ancestors to ensure that the lands settled in Central America could not be taken from them, as had been done to their ancestors in St Vincent before them. Ensuring that the Garifuna maintain the right to transmit this relationship to future generations can only be guaranteed with continued control over the land. Clearly, the situation regarding property tax arrears is deeply troubling and presents a clear and present threat to the land. Surely, a first step must involve engagement with legal experts who might advise on relevant issues relating to such arrears, and to any potential recompense from the land. Additionally, the potential for raising money through grants must be an option worth considering, as must any means of ensuring the land remains in Garifuna hands.

Considering the volume of academic material dedicated to the Garifuna and their extraordinary story of resistance, survival, and adaptation, it makes it even more surprising that the circumstances surrounding the St Vincent block have thus far remained absent from academic narratives. As the Garifuna community celebrate two hundred years since the settlement of Dangriga, the fact that it is also one hundred years since the completion of the legal process to see the St Vincent block returned to the Garifuna of Punta Gorda, suggests this article is timely. Hopefully, it can contribute to a widening appreciation of the remarkable story behind the purchase, loss, and recapture of the land, of the unlikely combination of actors involved, and of the continued struggle to maintain it in the present day. Furthermore, it is hoped that this widening appreciation might contribute in some small way to the continued survival of the St Vincent block as a unique form of indigenous property in Belize's Toledo District.

Endnotes

¹ See, amongst others: Palacio (*The sojourn toward self-discovery, A Nation across Borders, and Cultural identity amongst rural Garifuna migrants*), and Palacio et al.

² See, amongst others: Anderson, Brondo (*Multicultural rights and making place and A dot on the map*), Joualt, Rey.

³ See Inter-American Court of Human Rights, *Community Garifuna Punta Piedra and its members v. Honduras* (judgement of 8 October 2015) C 304 and *Community Garifuna Triunfo de la Cruz and its members v. Honduras* (judgement of 8 October 2015) C 305.

⁴ See, amongst others: Cal, A. et al. v. Attorney General of Belize, Supreme Court of Belize (2007), Maya Leaders Alliance and Others v. Attorney General of Belize and Another, Supreme Court of Belize (2010), Maya Leaders Alliance and Others v Attorney General of Belize and Another, Court of Appeal of Belize (2013), Maya Leaders Alliance v. Attorney General of Belize, Caribbean Court of Justice (2015).

⁵ Grandia, 173.

⁶ Boucher, 16-17.

⁷ Craton, 35.

⁸ Taylor, 25.

⁹ Hulme, 225.

¹⁰ The term ‘*Black Carib*’ (also ‘*Carib*’ ‘*Charib*’ or ‘*Charaib*’) has long been deemed unacceptable. However, these terms are used for context within this paper when referring to British/European contact with the Garifuna on St Vincent and Belize during the colonial period.

¹¹ For a detailed appraisal of the European colonization of the Lesser Antilles, the ‘Carib’ narrative and Garifuna ethnogenesis see, amongst others: Boucher, Craton, Gonzalez, Hulme, Hulme & Whitehead, Taylor.

¹² Craton, 120-122.

¹³ Craton, 124.

¹⁴ Taylor, 126.

¹⁵ Taylor, 165-166.

¹⁶ Gonzalez, 41.

¹⁷ Taylor, 167.

-
- ¹⁸ Gaceta de Guatemala (1797) in Gonzalez, 48.
- ¹⁹ Arrivallaga-Cortes, 67-68.
- ²⁰ Esquirol, 553.
- ²¹ Lockhart and Schwartz, 405-426.
- ²² Craton, 34.
- ²³ Bolland, 26.
- ²⁴ Shoman, *Guatemala's claim to Belize*, 3.
- ²⁵ (Post)Colonial (dis)agreements between Britain and Spain, Britain and Guatemala, and Belize and Guatemala are notable in that they are framed around Belize's river system.
- ²⁶ Cunningham (1802) in Burdon, 60.
- ²⁷ Ambergris Caye, "Physical map of Belize".
- ²⁸ Menon, 117-122.
- ²⁹ Taylor, 175-176.
- ³⁰ Arana, (Page Number TBC).
- ³¹ Gonzalez, 18.
- ³² Stephens & Catherwood, 27-28.
- ³³ Taylor, 174.
- ³⁴ MMB Magistrates Meeting (1812) in Burdon, 146.
- ³⁵ Bolland & Shoman, 55.
- ³⁶ Humphreys, 179.
- ³⁷ Shoman, *Guatemala's claim to Belize*, 7.
- ³⁸ Shoman, *Guatemala's claim to Belize*, 8.
- ³⁹ Humphreys, 24-25; Bolland and Shoman, 59.
- ⁴⁰ BARS, Private Records 1842, "Map of 1837 Land Grant to Reverend Matthew Newport by Superintendent MacDonald", March 1837.
- ⁴¹ Bolland and Shoman, 72.

⁴² Palacio et al., 27.

⁴³ Shoman, *Guatemala's claim to Belize*, 10-13.

⁴⁴ Menon, 126.

⁴⁵ For a detailed appraisal of the (de)colonization of British Honduras/Belize and Guatemalan territorial claims to Belize see, amongst others: Blay, Bolland, Bolland & Shoman, Humphries, Menon, Shoman (*Belize's independence & decolonization and Guatemala's claim to Belize*).

⁴⁶ Wainwright, *Decolonising development*, 44.

⁴⁷ Wainwright, *The colonial origins of the state*, 125.

⁴⁸ Bolland and Shoman, 87-88.

⁴⁹ Wainwright, *The colonial origins of the state*, 129.

⁵⁰ Palacio et al., 51.

⁵¹ BARS Crown Lands Ordinance Act 35Y1872, "Lands Ordinance 3412", 14th December 1872.

⁵² Bolland, 128.

⁵³ LO 3412.

⁵⁴ Palacio et al., 29.

⁵⁵ Wainwright, *Decolonising development*, 53-55.

⁵⁶ BARS Land Minute Papers 1-1350-1905, "Reserve at the back of Barranco". 6th May 1905.

⁵⁷ Wainwright, *The colonial origins of the state*, 129.

⁵⁸ Belize Archives and Records Services, Cabinet 1, Map drawer #3, 276, "Plan of the Carib Reservation at Punta Gorda from the Original Map Drawn from an Actual Survey Made June 1868 by C.S. Dwight, Sworn Surveyor", 1868.

⁵⁹ BARS, General Minute Paper 3692/1916, "Application to lease land in the Carib reserve". 27th November 1916.

⁶⁰ BARS, General Minute Paper 3692/1916, "Application to lease land in the Carib reserve". 5th December 1916.

⁶¹ BNA, CO General Minute Paper 123/305/49, February 26th, 1921.

⁶² BNA, CO General Minute Paper 123/305/49, February 26th, 1921

-
- ⁶³ BNA, CO General Minute Paper 123/305/49, February 26th, 1921.
- ⁶⁴ BNA, CO General Minute Paper 123/305/49, April 18th, 1921.
- ⁶⁵ BARS, Land Minute Papers 87/1921, June 7th, 1921.
- ⁶⁶ BNA, CO 127/19, British Honduras Gazette, October 29th, 1921.
- ⁶⁷ BARS, British Honduras Gazette, May 27th, 1922.
- ⁶⁸ BARS, Land Minute Papers 87/1921, May 16th, 1922.
- ⁶⁹ BARS Punta Gorda Carib Reserve Ordinance 28Y1922, “An ordinance to provide for the surrender and abolition of rights of cultivation at the Carib reserve Punta Gorda”, August 19th, 1922.
- ⁷⁰ BARS, Governors Fiat Grant #31, November 27th, 1924.
- ⁷¹ I am indebted to members of the St Vincent block committee for providing the full copy of the land fiat including all named persons.
- ⁷² BARS, Land Title Register, “Jose Maria Nunez”, 4th October 1881.
- ⁷³ BARS, Private Records, “Will of Jose Maria Nunez”, 9th September 1888.
- ⁷⁴ Barker, 1
- ⁷⁵ Palacio, *Introduction*, 11.
- ⁷⁶ Bolland and Shoman, 87-88.
- ⁷⁷ BNA, CO General Minute Paper 123/305/49, February 27th, 1921.
- ⁷⁸ All photographs taken by Author, 2016-2022
- ⁷⁹ The latest Belizean Census was delayed due to the Coronavirus pandemic. It was completed between May-July 2022 and will be published in the third quarter of 2023 according to Statistics Institute of Belize (hereinafter S.I.B), *Data collection for 2022*.
- ⁸⁰ S.I.B, *Census Report 2010*, 20, 78.
- ⁸¹ Anderson, 178.
- ⁸² Although Punta Gorda is the Toledo district capital, it remains a small settlement with a recorded population of 5351 in the 2010 Census. Naturally, this figure will have grown, however, by comparison Belize City had a population of 57, 169 in the same survey. See S.I.B, *Census Report 2010*, 8.
- ⁸³ Palacio, *The sojourn towards self-discovery*, 62.

⁸⁴ Bolland and Shoman, 93.

⁸⁵ Bolland, 197.

⁸⁶ Gough, 22-23.

⁸⁷ See, for example Palacio, *Cultural identity among rural Garifuna migrants in Belize City*, 177-196 and Palacio, *The multifaceted Garifuna: juggling cultural spaces in the 21st Century*, 105-122.

⁸⁸ Palacio, *The sojourn towards self-discovery*, 61.

⁸⁹ Palacio, *Introduction*, 11.

⁹⁰ Izard, 183.

⁹¹ Cayetano and Cayetano, *Garifuna language dance and music*, 240, 249

⁹² Arrivillaga Cortes, 76.

⁹³ Palacio, *The multifaceted Garifuna*, 111.,

⁹⁴ S.I.B, *Census Report 1991*, 34.

⁹⁵ Wainwright, *The colonial origins of the state*, 129.

⁹⁶ S.I.B, *Census Report 2010*, 78.

⁹⁷ Leventhal et al., 145-146.

⁹⁸ Grandia, 173.

⁹⁹ S.I.B, *Census Report 2010*, 19.

¹⁰⁰ Gough, 19-34.

¹⁰¹ Wainwright, *Decolonising development*, 2.

¹⁰² Palacio, *The sojourn towards self-discovery*, 62.

¹⁰³ OAS, (No Page Number).

¹⁰⁴ UNDRIP, Article 25.

Primary Sources

Belize Archives and Records Service, Governors Fiat Grant #31, November 27th, 1924.

Belize Archives and Records Service, Punta Gorda Carib Reserve Ordinance 28Y1922, “An ordinance to provide for the surrender and abolition of rights of cultivation at the Carib reserve Punta Gorda”, August 19th, 1922.

Belize Archives and Records Service, Land Minute Papers 87/1921, June 7th, 1921.

Belize Archives and Records Service, British Honduras Gazette, May 27th, 1922.

Belize Archives and Records Service, Land Minute Papers 87/1921, May 16th, 1922.

Belize Archives and Records Service, General Minute Paper 3692/1916, “Application to lease land in the Carib reserve”. 5th December 1916.

Belize Archives and Records Service, General Minute Paper 3692/1916, “Application to lease land in the Carib reserve”. 27th November 1916.

Belize Archives and Records Service, Land Minute Papers 1-1350-1905, “Reserve at the back of Barranco”, 6th May 1905.

Belize Archives and Records Service, Private Records, “Will of Jose Maria Nunez”, 9th September 1888.

Belize Archives and Records Service, Land Title Register, “Jose Maria Nunez”, 4th October 1881.

Belize Archives and Records Service, Crown Lands Ordinance Act 35Y1872, “Lands Ordinance 3412”, 14th December 1872.

Belize Archives and Records Service, Cabinet 1, Map drawer #3, 276, “Plan of the Carib Reservation at Punta Gorda from the Original Map Drawn from an Actual Survey Made June 1868 by C.S. Dwight, Sworn Surveyor”, 1868.

Belize Archives and Records Service, Private Records 1842, “Map of 1837 Land Grant to Reverend Matthew Newport by Superintendent MacDonald”, March 1837

British National Archives, Colonial Office 127/19, British Honduras Gazette, October 29th, 1921.

British National Archives, Colonial Office General Minute Paper 123/305/49, February 27th, 1921.

British National Archives, Colonial Office General Minute Paper 123/305/49, April 18th, 1921.

Cal, A. et al. v. Attorney General of Belize, Supreme Court of Belize (2007). (Claims No. 171 and 172 of 2007) (18 October 2007)

Inter-American Court of Human Rights, *Community Garifuna Punta Piedra and its members v. Honduras* (judgement of 8 October 2015) C 304.

Inter-American Court of Human Rights, *Community Garifuna Triunfo de la Cruz and its members v. Honduras* (judgement of 8 October 2015) C 305.

Maya Leaders Alliance and Others v. Attorney General of Belize and Another, Supreme Court of Belize (2010) (Claim No. 366 of 2008) (26 June 2010)

-
- Maya Leaders Alliance and Others v Attorney General of Belize and Another, Court of Appeal of Belize (2013) (Claim No.27 of 2010) (25 July 2013)
- Maya Leaders Alliance v. Attorney General of Belize, Caribbean Court of Justice (2015) (CCJ Appeal No BZCV2014/002, BZ Civic Appeal No. 27 of 2010) (30 October 2015)
- Statistics Institute of Belize “Data collection for 2022 Population and Housing Census Completed. Preliminary results to be available by third quarter of 2023.” Available at <https://sib.org.bz/2022-population-housing-census-completion/> Accessed 30th June 2023.
- Statistics Institute of Belize, *Belize Population and Housing Census 2010: Country Report*. Belmopan: Statistics Institute of Belize, 2010.
- Statistics Institute of Belize, *Belize Population and Housing Census 1991: Country Report*. Belmopan: Statistics Institute of Belize, 1991.
- Supreme Court of Belize, *Maya Leaders Alliance and Others v. Attorney General of Belize and Another, Supreme Court of Belize* (Claim No. 366 of 2008) (26 June 2010).
- United Nations General Assembly, United Nations Declaration on the Rights of Indigenous Peoples (adopted 13 September 2007) A/RES/61/295.

Secondary Sources

- Ambergris Caye, “Physical map of Belize”. Available at <https://ambergriscaye.com/pages/town/map3.html> Accessed 29th June 2023.
- Anderson M.D., *Black and indigenous: Garifuna activism and consumer culture in Honduras*. Minnesota: University Press, 2009.
- Arana, P. “Possum and Gulisi: Understanding Garifuna Matriarchy, Genetics and Genealogy”, in *Innovative approaches to the study of the languages, literatures and cultures of the Caribbean and beyond* edited by Faraclas, N., Severing, R. Delgado, S. Echteld, E. and Rutgers, W. eds. Willemstad: University of Curaçao, 2023 (forthcoming).
- Arrivallaga-Cortes A., “Marcos Sanchez Diaz: from hero to hiuraha - two hundred years of Garifuna settlement in Central America”, in *The Garifuna: A Nation Across Borders: Essays in Social Anthropology*, edited by Palacio, J.O., 65-84. Benque Viejo: Cubola Books, 1995.
- Blay S., “Self-determination versus territorial integrity in decolonization” *New York University Journal of International Law & Politics* 18 (1986): 441-472.
- Barker, P.T., ““To Work Her Grounds” Provision Grounds, Gardens, and Subsistence in Late-Slavery Trinidad, 1824–1833.” *Journal of Caribbean History* 57(1) (2023):1-23.

-
- Bolland O.N., *Colonialism and resistance in Belize: essays in historical sociology*. Benque Viejo: Cubola Books, 2003.
- Bolland O.N. and Shoman A., *Land in Belize 1765-1871 (No. 6) (Institute of Social and Economic Research*. Kingston: University of the West Indies Press, 1977.
- Boucher P., *Cannibal Encounters: Europeans and Island Caribs, 1492–1763*. Baltimore: Johns Hopkins University Press, 2009.
- Brondo K.V., “A dot on the map. Cartographies of Erasure in Garifuna territory”, *PoLAR Political and Legal Anthropological Review* 41(2) (2018): 185-200.
- Brondo K.V., “When Mestizo Becomes (Like) Indio... or is it Garífuna?: Multicultural Rights and “Making Place” on Honduras' North Coast”, *Journal of Latin American and Caribbean Anthropology* 15(1) (2010): 170-194.
- Burdon J.A., *Archives of British Honduras: From 1801-1840 (Vol. 2)*. London: Sifton, Praed & Company Limited, 1934.
- Cayetano, M. and Cayetano, R. “Garifuna Language, Dance, and Music—A Masterpiece of the Oral and Intangible Heritage of Humanity: How did it happen?” in *The Garifuna: A Nation Across Borders: Essays in Social Anthropology*, edited by Palacio, J.O. 230-250. Benque Viejo: Cubola Books, 2005.
- Craton M., *Empire, enslavement, and freedom in the Caribbean*. Princeton: Markus Wiener, 1997.
- Esquirol, J., “Latin America”, in *The Oxford handbook of the history of international law* edited by Fassbender B., Peters A., and Högger D., Oxford: University Press, 2012.
- González, N., *Sojourners of the Caribbean: Ethno-genesis and Ethno-history of the Garifuna*. Chicago: Illinois University Press, 1988.
- Gough, A., “A tale of two ‘others’: Remembering the Garifuna indigenous voice in Belize’s Toledo District.”, *Journal of Caribbean Studies* 50(2) (2022): 3-44.
- Grandia L., “Milpa Matters: The Maya Community of Toledo versus The Government of Belize” in *Waging war, making peace: reparations and human rights*, edited by Johnston B.R., and Slyomovics, S. California: Left Coast Press, 2009.
- Hulme P., *Colonial encounters: Europe and the native Caribbean, 1492-1797*. London: Methuen, 1986.
- Hulme P. and Whitehead N.L., *Wild majesty: Encounters with Caribs from Columbus to the present day: an anthology*. Oxford: University Press, 1992.
- Humphreys R.A., *The Diplomatic history of British Honduras: 1638-1901*. Oxford: University Press. 1961.
- Izard, G., “Patrimonial activation and construction of Garifuna identity in contemporary Belize” in *The Garifuna: A Nation Across Borders: Essays in Social Anthropology*, edited by Palacio, J.O. 176-195. Benque Viejo: Cubola Books, 2005.

-
- Jouault S., "Clôtures et portails au cœur de la Caraïbe continentale: une réflexion sur le tourisme, les sociétés locales et la ségrégation socio-spatiale", *Norois*. (2018): 77-94.
- Leventhal R.M., Espinoza C.C. and Coc, C., "Modern History & The Maya", *Expedition Magazine of the University of Pennsylvania* 54 (2012): 46-51.
- Lockhart J. and Schwartz S.B., *Early Latin America: A History of Colonial Spanish America and Brazil (Vol. 46)*. Cambridge: University Press, 1983.
- Menon P.K., 'The Anglo-Guatemalan Territorial Dispute over the Colony of Belize (British Honduras)' *Caribbean Yearbook of International Relations* 1977: 117-145.
- OAS (Organization of American States), "IACHR Condemns Murders of Rights Defenders in Honduras" Available at https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2023/022.asp#:~:text=On%20January%2029%2C%20Ricardo%20Arna%C3%BAI,Cruz%20community%20in%20Tela%2C%20Atl%C3%A1ntida. Accessed 4th October 2023.
- Palacio, J. O., "Cultural Identity among rural Garifuna migrants in Belize City, Belize" in *Indigenous Resurgence in the Contemporary Caribbean: Amerindian Survival and Revival*, edited by Forte M., 177-196. New York: Peter Lang, 2006.
- Palacio J.O., "Introduction" in *The Garifuna: A Nation Across Borders: Essays in Social Anthropology*, edited by Palacio, J.O. 11-18. Benque Viejo: Cubola Books, 2005.
- Palacio J.O., "The multifaceted Garifuna: juggling cultural spaces in the 21st Century" in *The Garifuna: A Nation Across Borders: Essays in Social Anthropology*, edited by Palacio, J.O. 105-122. Benque Viejo: Cubola Books, 2005.
- Palacio J.O., "The sojourn towards self-discovery amongst Caribbean indigenous peoples", *Caribbean Quarterly* 38(2-3): (1992): 55-72.
- Palacio J.O., Tuttle C.J. and Lumb J., *Garifuna Continuity in Land: Barranco Settlement and Land Use 1862 to 2000*. Caye Caulker: Producciones de la Hamaca, 2001.
- Rey N., "Caraïbes noirs et" negros franceses"(Antilles/Amérique centrale): le périple de Noirs" révolutionnaires". *Nuevo Mundo, Mundo Nuevos* (2005).
- Shoman A., *Guatemala's claim to Belize: The Definitive History*. Belize: Image Factory, 2018.
- Shoman A., *Belize's independence and decolonization in Latin America: Guatemala, Britain, and the UN*. London: Palgrave Macmillan, 2010.
- Stephens, J.L. and Catherwood F., *Incidents of Travel in Central America, Chiapas and Yucatan (2 volumes) (first published by Harper & Brothers 1841)*. New York: Harper, 1969.
- Taylor, C., *The Black Carib wars: Freedom, survival and the making of the Garifuna*. New York: St. Martin's Press, 2012.
- Wainwright J., *Decolonising Development: Colonial Power and the Maya*. Oxford: Wiley Blackwell, 2011.

Wainwright J., "The colonial origins of the state in Southern Belize" *Historical Geography*
43 (2015): 122-138.