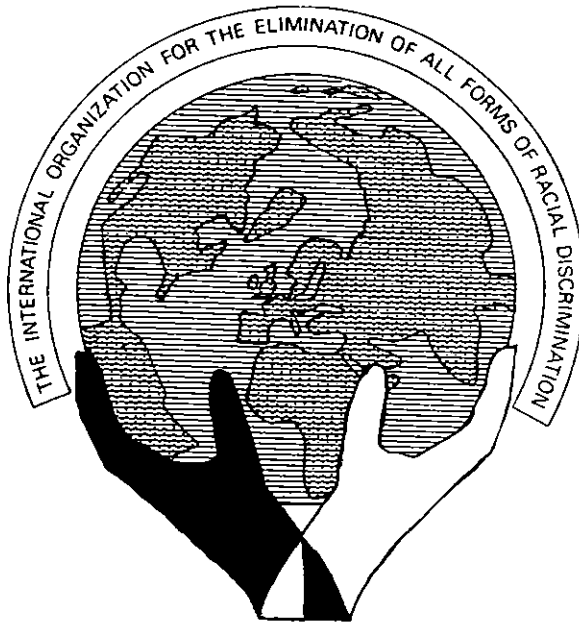


**THE INTERNATIONAL ORGANISATION
FOR THE ELIMINATION OF ALL FORMS OF
RACIAL DISCRIMINATION
(EAFORD)**



**THE CARIBS AND THEIR COLONIZERS:
THE PROBLEM OF LAND**

**Presented by
Chief Hilary Frederick
(Chief of the Caribs)**

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The views expressed in this Bulletin are those of the authors, and do not necessarily represent those of EAFORD.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Universal Declaration of Human Rights

Statement

The deprived indigenous people of the Commonwealth of Dominica represents one of the worst existing situations of the oppressed peoples of the world. The understanding of their history and contemporary state of affairs requires much research and analysis. In particular the problem of the Carib lands demonstrates itself to be the most challenging of all their problems. Where there are various historical comments (many however quite inaccurate) existing in periodicals about the Caribs; on the other hand this most basic problem of understanding how the Caribs lost most of their lands and what should be done to protect the remaining lands from further 'legal' and 'illegal' intrusion and disenfranchisement requires an ongoing defensive effort both on the legal and academic front as well as bringing to bear the force of the conscience of the international community upon those who seek to further ongoing injustices against the Carib People.

This paper represents a first such effort, for it not only addresses the academic aspect, but also represents an appeal to the international community to hear the call of mobilizing aid for the Carib people in their struggle.

Yusuf M. Hamid
Secretary General (EAFORD CARIB)

THE CARIBS AND THEIR COLONIZERS: THE PROBLEM OF LAND

**Presented by
Chief Hilary Frederick***

*at the NGO Conference on The Rights of Indigenous
People and their land, Geneva, 15-18 September 1981*

Pre-European Invasions

The Caribbean archipelago stretches itself along a 2,500 mile arc which ties the southern tip of Florida to the eastern coast of Venezuela, and circumscribes the Caribbean sea on the western end of the Atlantic. The region inherited its name from one group of native inhabitants, the Caribs, who occupied the Lesser Antilles and whose northward drive was cut short by the European invasions. The Arawaks of the Greater Antilles have now completely disappeared, and of the 35 million people who inhabit the 50 or so Caribbean islands, less than 3,000 can claim that their ancestors were indigenous to the region prior to its subjugation by European powers. Clusters of population with some Amerindian features have been noted in Guadeloupe and most particularly, in St. Vincent. But the only substantial group of native Amerindians left in the Caribbean resides in the now independent Commonwealth of Dominica, one of the Windward Islands of the Lesser Antilles. There are now about 500 people now caged by cultural, political and economic deprivation on a "reservation" that they share with some 1,500 neighbors and/or relatives of Carib and mixed ancestry.

The early Caribs were the third group of migrants who left the north-eastern shores of South America to make their way northward through the archipelago. The Ciboneys had preceded them by at least a millenary but Ciboney culture seems to have died when these early discoverers reached the larger northern islands. What was left of the Ciboney civilization was most probably appropriated by the Arawaks, the second group of Amerindians to follow the path, some three thousand years ago. In the larger islands, especially in the alluvial plains of Cuba and Haiti, the Taino branch of the Arawaks had established a flourishing civilization, producing cotton, manioc, corn and fruits, making pottery and enjoying sports, particularly ball games. Not more than two centuries before Arawak development in the Greater Antilles was curtailed by Columbus' arrival, a third group of Amerindians took the northward path through the Antilles. They

*Chief of the Caribs

**This paper was prepared by the Caribbean branch of EAFORD under the supervision of Mr Yusuf M. Hamid, Secretary General of the branch, with research assistance by Mr Anthony Kent Scoon and Professor R. Trovillet.

called themselves Callinago and had long been engaged in warfare against the Arawaks on the South American continent. Their venture in the Lesser Antilles was carried out against that background of enmity. Mostly males had come for the long trip, the women remaining among the Callinago Balouaboum, that is, those of the continent. As they conquered the Arawaks of the small southern islands of the archipelago, the Callinago took spouses among them and the new wives referred to their tribe Karipuna. Other indians referred to them as Galibi or Garibi and it is perhaps a deformation of this latter name which led the Spaniards to call them Caribales from which are derived the—words Carib, Caraibes, etc . . . under which descendants of the Callinago are known to the outside world. Today we call ourselves Kwaib, however all of the terms Carib, Kwaib and Callinago (which means harmless people) will be used interchangeably.

European Invasions

All the peoples of the Caribbean have come to know that Columbus did not discover the New World. Chinese, Vikings and West African traders pre-deceded him.

Columbus' intentions were primarily to amass wealth, new territory and slaves. Spain had already been inspired by earlier Portugese successes in enslaving Africans. At the time of the first voyage of Columbus, there was in operation a renowned Portuguese sugar factory by slaves in the Guniea coast of Africa. It is not surprising therefore that Columbus would record his primary observations about the people whom he met in the Bahamas on October 12th 1492 that "they should be good servants and intelligent, for I observed them to be timid and unwarlike," and was of the opinion that with their superior Spanish artillery a very small force of Spaniards could overrun and capture all of the Islands. "So that," he continued, "they are good to be ordered about, to work, to sow, and to do all that is necessary." He also recorded in his first diary that he "was attentive and took trouble to ascertain if there was gold."

He returned to Spain with a few slaves, leaving a settlement behind on the island of Hispaniola.

On his second voyage in September of 1492 between twelve to fifteen thousand European settler/colonizers accompanied him. They established a colony on a different site on the island of Hispaniola, the ancestor Arawak nation warriors having annihilated the group expedition that Columbus had left behind on his first journey.

By the middle of the 16th century, Spain had established the first colonial empire in the Americas. At the same time the Portugese were exploring the great trading opportunities offered by the African route to India. In 1494, the Treaty of Tordesillas divided the world between these two countries in an agreement to settle anxiety over fixing of the boundaries of their

prospective empires.

The other European nations, determined to share in this new found wealth, disregarded this treaty and established colonies on the basis of effective occupation. In 1605, the English made their first attempt to settle in the West Indies, in St. Lucia. This attempt failed as a result of the heroic defensive efforts of the Callinago nation. They tried similarly to settle in Grenada four years later, but failed for the same reason. In 1623 the English occupied St. Kitts, and Barbados in 1625. In 1625, the French also landed in St. Kitts and the two nations decided to partition the island between themselves. In almost every island efforts to invade the territory were faced by defensive warfare from the Callinago and Arawak warriors. Superior arms and ruthless methods of warfare, however, eventually gave the settler/colonizers the upper hand.

In Grenada, after effectively occupying the island, the French exterminated the Callinago nation, the last group of which, rather than submit to enslavement, threw themselves headlong over a cliff which has since been called, 'le morne des sauteurs.' (Leapers Hill, or The Jumpers). In Dominica and St. Vincent, Callinago resistance made the English and the French sign a treaty with the Callinago nation that these two islands would not be colonized but would remain nonaligned Carib territory. In the meantime the Arawak people were being systematically enslaved, if they were submissive, and punished if they resisted, as they often did, until they were all finally exterminated. So complete was the devastation of the Indian civilization in the West Indies and Latin America that even some humanitarian Europeans, like the Catholic Bishop, Bartolome de Las Cases, arose in defense of the native peoples attempting to arrest the genocide that was taking place.

In one historical pamphlet entitled '*Very Brief Account of the Destruction of the Indies,*' the Bishop charged that 15 million had perished to lay the foundation of the Spanish empire in the New World. Dominica and St. Vincent remained the final refuge of Callinago nation. In 1655 Phillipe de Beaumot, a French cleric in Dominica was asked "What is to become of the poor Carib, must he go and live with the fish in the sea?" Not only were the people being exterminated but the hemisphere also suffered the loss of the rich cultural, political, economical and social methods of adaptation to the tropical West Indian environment; adoption of which would have only enhanced and graced successive civilization in the region.

Desecration of a Culture

Kwaib people organized their lives in an extended family arrangement. Each clan shared a piece of land which was cooperatively owned. The chief was elected by universal adult suffrage. He was elected for his bravery, courage, endurance and will power in addition to his qualities of truth-

fulness and honesty and especially his powers of persuasion since his rule was exercised through persuasion rather than through force. Wealth and family origin did not figure much in the election of chiefs. Each chief usually exercised authority only over his own clan though sometimes, especially during warfare, a regional chief was recognized, or sometimes even a supreme national chief.

Land was the common domain of all. Still today, in spite of Government's persistent efforts to encourage Caribs to individual ownership title of lands on the territory, land remains vested in the total community. The basis of Callinago diet was manioc; which is poisonous unless prepared in a special way. Women tended to planting this and other tubers, fruits, berries and cotton; in addition to pottery making, weaving, making of hammocks and other crafts. Kwaib people carried on interisland and intercontinental trade. Their 60 foot dug out kanawa (from which the English word canao is derived) fetched a good barter price. Fishing was the main activity of the men who experienced no fear in venturing far out into the ocean.

They were able generals and commanders. They were known not to destroy property for the sake of vandalism when making raids, but to preserve it so that they could make use of it in the future. The Kwaib people had a special proclivity for languages, speaking the native language, the Arawak language (which many of their captured wives retained and passed on to the children), and a special secret council language spoken by the elders. The European languages were quickly learnt in the interest of our own defense. Kwaib people have since then been forced to abandon their original language. Ancestral traditions and history were passed on orally and the people possessed retentive memories. Our people also had a strong religious tradition with a conception of good and evil forces. The French colonizers in spite of concentrated efforts did not succeed in converting Callinago tribes people to Christianity until they have totally subdued us physically and began the process of imposition of their values.

The Final Stage

Dominica and St. Vincent because of their mountainous nature provided impenetrable protection against foreign incursion, continued to be the last refuge of Callinago tribespeople. However, these islands remained valuable, Dominica moreso, as a rest stop for fresh water and wood, for ships coming to the new world. In spite of the treaty with the Caribs of 1660 the French, firstly through missionaries, began to settle the island and establish small homesteads. Though they encroached on Carib land they were allowed to stay if only because they pledged peaceful coexistence.

France and Britain remained in constant dispute over Dominica until 1805 when the French were finally driven out never to return. The Kwaib nation, the real owners of the land, in order to save their own interests

usually had to form alliances with either of these two parties. Often through hypocrisy, doubledealing and treachery they would end up being the worst loser. Perhaps the most destructive effort in this regard was the murder of Chief Indian Warner at Massacre by his half brother Colonel Phillip Warner both sons of a former colonial English Governor of St. Kitts (General Thomas Warner). After the death of his father, Indian Warner, Thomas, son by a Carib woman, fled ill treatment in St. Kitts to live among the Kwaibs on the leeward side of the island. The French had settled and formed loose alliances with the Kwaib people on the windward side.

Indian Warner eventually became chief and remained fairly sympathetic to the English cause against the French. In 1664 he assisted them in a successful attack on the French settlement in St. Lucia by organizing an expedition of 600 Kwaibs and 17 canoes to aid the British militia. For this deed he was later captured by the French, imprisoned, tortured and then released. In 1674, after the Kwaib warriors launched a counteroffensive against English settlements in Antigua, a militia of six companies under Phillip Warner was sent to revenge. The Kwaibs were massacred after feasting on brandy supplied by Phillip who gave the signal for beginning the massacre by stabbing to death his own half brother.

With the decline of Spain as a colonial power through the 17th and 18th centuries, France and England increased their efforts to effectively occupy many of the islands that heretofore Spaniards had formally laid claim to. Dominica, however, remained the last stronghold of ancestor warriors. Indeed the island was again declared neutral by the Treaty of Aix la Chapelle in 1748. However, in spite of this treaty the French still made further encroachment on Kwaib land in order to cultivate its rich well watered soil. The Kwaib nation was being exterminated and those who escaped treacherous death sought refuge in the more remote and inaccessible northeastern parts of the country. Finally in 1759, the British captured Dominica, possession being formally recognized by the Treaty of Paris in 1763. After the British takeover the French settlers especially anxious about the possibility of their estates being appropriated by their new rulers. Their fears were assuaged; the British exacting a 'quit rent' from them instead.

This period marks the beginning of the modern stage of misappropriation of the Kwaib nation's lands. It is to be noted that no mention of Carib lands or rights was made in the treaty of 1763. The French who had more or less peacefully coexisted with the Kwaib nation through a series of unwritten treaties and alliances assured and promised the ancestors at the time of the British takeover that they (the Kwaib nation) were to be given the northern half of the island by the new conquerors; from sea to sea or 'lamma pour lamma' as it is said in patois. Many elders today will corroborate this treaty.

Britain however commissioned its Chief surveyor John Byres to survey the island, make a map and subsequently divide the country into lots which were eventually sold in England. On the Byres map produced in 1764, a small area in Salibia, the sight of the present reserve of less than 250 acres was delineated for the entire Carib nation. The Kwaib nation, however, though much reduced in number never lost the indomitable spirit of the ancestors. We continued to resist all efforts by the British to cultivate any of the lots in the interior. Sometimes in allegiance with African brother runaway slaves the Kwaib nations successfully defended the forested and mountainous northern half of the island in particular against all newcomers. Many of the expeditions dispatched by the Crown representatives from Roseau ended in disaster. Constant warfare however takes its toll. By 1800 few Kwaibs remained alive and a defacto peace was agreed to however the indomitable spirit of the ancestors still reverberates and the struggle for the divine and human rights of Kwaib people will evermore continue.

Now, it as good a time as any to raise a very important issue, that has a very direct bearing on the rest of this presentation. Hereinafter, the question of Kwaib land rights will be discussed according to treaties, documents, maps and written documents of the European colonizers and successor neocolonizers in office. The fact that our attention will be turned to the European concept of "legitimate" thinking; (i.e. what is written has an importance that is denied the spoken) does not mean that we accept the written process only as legitimate. This is one of the white world's ways of usurping the legitimate rights of people and destroying the culture of non-white people. Kwaib culture has an oral tradition. The treaty of our ancestors made with the French subsequent to the imposition of British rule is in our view legal, real, and binding even though we may have come to accept new treaties and new realities. Similarly, our history, our oral tradition teaches us that during the illegal raid and subsequent defensive efforts of our people on the territory in 1930, the plan of the reserve together with other important articles relating to the history, security and cultural tradition was taken from Chief Jolly Johns office. Inspector Branch has admitted to taking the Chief's Staff and "the plan of the Reserve" in his testimony to the commission appointed by His Excellency The Governor of the Leeward Islands to look into the conditions of the Carib Reserve and the disturbance of 19th Sept. 1930. Our local oral tradition states that this plan has everything to do with the disputed borders of the present reserve and we demand that the authorities produce it. So while we approach the issue of Carib land rights from the modernist legalist perspective, we want to remind all that the oral tradition of the Kwaib nation is indeed ample testimony of the injustices committed and the usurption of the national lands of our people. The oral tradition also remains the best evidence of the

heroic efforts of our people to defend these lands since 1800.

Land Problem—Legal History

The legal history—as far as ‘official’ records are concerned—shows that in the late 1860’s the British Crown granted lands to Posner, Bishop of Roseau and his successors in office, with the understanding that these lands would be used by and for the Caribs of Salybia and its surroundings. The documents accompanying that grant do not emphasize Carib rights nor the necessity of retribution on the part of the British. From the outset, the Caribs were treated as subhuman beings, immature or otherwise irresponsible, at best children of a sort since they needed a tutor to supervise the use of their land: Salybia was granted *to the Bishop* for the Caribs! The grantor and the tutor failed to realize that Caribs had long been able to manage a territory which had always been theirs in the first place!

The 1903 Notice of H. H. Bell and the 1901 Skeat Map

The same paternalism and condescendence impregnate the document which fixed in 1903 for the first time perhaps, the boundaries of the so-called Carib Reserve. The notice, signed by then Administrator H. Hesketh Bell, and which appeared in the official Gazette, Volume XXVI, Saturday, July 4, 1903, Government Notice No. 30, reads as follows: “Whereas it is considered expedient to delimit the Carib Reserve and to set out the boundaries of their settlement or territory in the Parish of St. David in this Presidency, notice is hereby given that with the approbation of the Secretary of State of the Colonies, the Government of Dominica desires to reserve to the Caribs for their use, all that certain portion of land situated in the Parish of St. David and bounded:

Northerly by the Big River, by lot 63 and the Ballata Ravine;

Easterly by the sea;

Southerly by the Raymond River and Crown land; and

Westerly by the Pegoua River, by Concord Estate and by lots 61 and 63.

All as the same are set out or delineated on a plan or diagram of the said lands drawn by Arthur Percival Skeat, licensed Surveyor, and filed in the Registrar’s Office in this Presidency where the same may be inspected at any time during office hours.

Any person who has any objection to make to the said plan or who claims any land within the boundaries above set forth, must, within forty days from the date of this notice, lodge such objection with the Registrar for the consideration of the government otherwise the land so delineated and described will hereafter be taken and considered as the Carib Reserve and will be recognized accordingly. Dated this 30th day of June, 1903.

H. Hesketh Bell
Administrator”

We will come back more than once to this important document, but let us simply note for now that the land was only that which “the government of Dominica desires to reserve to the Caribs for their use.” There is no mention of Caribs rights over the land, of the modalities of the usufruct, no title, and no guidelines nor procedure for entering in actual possession and use of territories not yet occupied. In light of Carib illiteracy, of actual conditions of communication between Salybia and Roseau then and now, the 1903 notice can be read as a memo the government sent to itself. Caribs are implicitly treated as irresponsible: no effort is made to accommodate their participation in the proceedings. Yet, it was the same land they had total control of at least two centuries before any British ever set foot on it!

The Bell notice of 1903 is the first British legal document pertaining to the Carib Reserve as an entity, and though it does not clarify the question of Carib rights, it sets out at least the boundaries of the territory they could use. Yet, when we read the notice, it becomes clear that the written text is meant to be accompanied by the Skeat map. While the Northern and Eastern boundaries can be easily identified, the Southern and Western ones are blurred and imprecise without the map. The land of which use was given by Bell to the Caribs are “*as set out or delineated on a Plan or Diagram*” by Arthur Percival Skeat which itself should be kept in the Registrar’s Office where it “*may be inspected at any time during office hours*”.

It is very troubling then that neither the Registrar nor the Lands and Survey Offices of the Dominica government can produce the signed copy of the Skeat map, presumably dated 1901 and without which the notice remains imprecise especially as far as the Southern and Eastern boundaries are concerned. An employee who has handled maps during ten years at the Lands and Surveys Office has revealed to us that *in 10 years, he never saw an original version of the Skeat map!*

What happened to the Skeat map? Can the question of boundaries of the Carib territory be settled without it? Is its disappearance a consequence of foul play? Who would have interest in such disappearance? These are questions that the Carib people of Dominica submit today to the International Community of Human Rights Fighters.

Of course, there could have been reliable copies of the original map drawn by A. P. Skeat in 1901. And indeed, one such copy may have been that made by the then Surveyor General W. A. Miller in 1906. But again, our queries reveal that the Miller map of 1906 has also disappeared! In other words, the Carib territory is delineated by a notice itself almost useless without the map on which it is based. Furthermore, the government of Dominica is telling the Carib people that the only available version of this map is a 1978 copy, itself based on a 1906 copy of the 1901 original and that both the 1906 copy on which the 1978 map is based and the original on

which the 1906 copy is based have disappeared!

The 1903 notice is also remarkably silent on the acreage of the territory. The figure of 3700 acres seem to have first appeared on the Skeat map from where it was reproduced on a communication by Bell to the Secretary of Colonies in which he submitted the proposal for the "Reserve". Paragraph 38 of the communication reads: "38. I attach hereto the plan of the survey made by Mr. Skeat. It will be seen that the Carib Reserve, within the boundaries now proposed will include 3700 acres."

This paragraph then tells us that there must be a copy of the original map in British colonial records and that this copy may have contained indications of size. The map (see Appendix A) that the Carib people were finally granted with a title for the territory in 1978 has no indication of scale but simply bears the inscription: "contents 3700". That map was copied and certified by Jerome A. Robinson then Crown Surveyor and now head of the Lands and Survey Office of the Commonwealth of Dominica. Without questioning the integrity nor the competence of Mr. Robinson, we believe that, in view of the fuzziness of the record and the disappearance of its certified predecessors, this map alone cannot serve as a reliable basis to establish the limits of the Carib territory. There is no way to prove that this map actually replicates the Skeat map or that it represents an area of 3700 acres. Two major areas of contention taint the reliability of the 1978 map:

- a. the southern boundaries of the Reserve
- b. the line of separation between the Concord Estate and the Reserve.

These two points will be discussed separately hereunder.

A—The Question of the Southern Boundaries

The 1978 map places the south-eastern corner of the Carib territory at that point where the Raymond River flows into the Atlantic, and in that regard it seems in accordance with the 1903 notice. The problem starts when one does not notice Raymond River on any map of Dominica that we have seen. In fact, the map which is the official map of Dominica, published by the British government's Directorate of Overseas Surveys (D.O.S. 351, series E 803, 1978 edition) does *not* identify Raymond River. Rather, it shows two streams of water of relatively equal size flowing into Raymond Bay. Is the Raymond River of the 1978 Robinson map the Aratouri or Madjini River? There is no clear answer to that question in the Robinson map but the difference means a lot of valuable acres of land for the Carib people, land on which we can build our homes and feed our families. The Carib Act of 1978 fixed the "Raymond or Madjini River" as a southern boundary and denies those lands to the Carib people. But we are asking the writers of this Act on what evidence they can identify the Madjini River as Raymond River? There is no such evidence! The 1903 notice just says "Raymond River." Moreover, in repeated instances prior to 1978 Mistfers Wynski and/or Pascal

surveying for the government on lands situated on the Northern side of Aratouri River felt obliged to inform the Carib Chief and Council, (as can testify a number of Caribs, including the very respected Jerome A. Francis, who was chief of the Carib people from 1959 to 1972 and the one to hold that office for the longest period in recent years until ill-health forced him to resign his office). Why would surveyors, then working for the Crown feel compelled to inform the Caribs of their activities if they did not know that they were working on land which duly belonged to the Carib people? Furthermore, the D.O.S. map referred to above, clearly puts the boundaries of the Carib Reserve on the Southern side of the Aratouri River which seems to indicate that the Raymond River is actually the Richmond River. The various boundaries of the D.O.S. map must of course be based on the Bryers map of 1764 mentioned earlier. Last but not least on the question of Southern boundaries: both Madjini and Aratouri run only a few miles. There is absolutely no marker westward of their sources as to where the Carib territory ends, and the Carib people have again been denied valuable land on the basis of an imaginary line which appears on the Robinson map but of which the origins are unknown. It is primary school knowledge that a line needs at least two defining points. Yet, the Southern border of the Carib territory has only a point of departure—itsself dubious—and no other markers. Why then is the line going from “Raymond River” northward? This is not a rhetorical question. Good acres of land on which Carib children can be fed are being wiped out by one stroke of the pen! Squatters have taken over and are still invading large stretches of land between Aratouri and Madjini Rivers and Westward of both. In some cases, the Dominican government has sold land which we know to be Carib property. Not just for historical reasons the original boundaries of the Skeat map must be discovered and verified and related concretely for Caribs to know the limits of the territory affected to their use in 1903.

B—The Concord Estate

The encroachment on Carib Lands is not only on the southern side of the territory but also from the west. Heirs to the Concord Estate claim that it spreads on both sides of the Pegoua River far into land that the Caribs consider their own. The 1978 Robinson map shows the estate spreading on the east of the Pegoua River, but we have already shown that this map alone does not constitute reliable evidence. Two questions could be asked:

- i. Did the Concord estate originally spread on both sides of Pegoua River?
- ii. If it spread on both sides of Pegoua, how far from the river did it spread?

We believe strongly that the first question can be answered once and for

all with evidence coming from the memo sent by Bell to the Secretary of the Colonies. Part of paragraph 35 of the memo reads; "*Some months ago, however, it was brought to my notice that a good many Caribs were working plots of land in a valley that appeared to be outside the northern boundary of their reserve, and that they already possessed several flourishing patches of cocoa in that locality. The matter was brought to light through Mr Wm. Davies, the owner of the adjacent plantation 'Concord' who submitted an application for a block of what he described as 'Crown Lands adjoining his estate'. Mr Government Officer Robinsion was sent to inspect the locality and he returned with the report that the land applied for by Mr. Davies was in actual occupation of the Caribs and was being well cultivated by them. The Caribs moreover, claimed that the valley does form part of their original reserve, and they would, I believe strenuously resist eviction*".

Three simple but important facts emerge from this statement;

1. Davies, the owner of Concord, was *applying* for more land around 1903:
2. this land was *already* being used by the Carib people:
3. Bell, who set the boundaries of the "Reserve" was of the opinion that the Caribs should *keep* this land. One is forced to ask them by what miracle the Concord Estate now finds itself on both sides of the Pagoua River and still seems to keep on expanding ever since 1903? Whose land is Concord assimilating if not that flourishing patch referred to by Bell and on which the original owner of the estate, the powerful William Davies had put his eyes on?

To help the international community understand what powerful foes the Carib people are facing on the Concord Estate affair, it is necessary to sketch William Davies.

William Davies can be considered as one of the five most powerful Dominicans who ever lived. A light-skinned member of the so-called "Mulatto Ascendency" of the late nineteenth and early twentieth centuries, an ally of the Potter, Falconer, Bellot, Riviere and Hamilton families, the owner of numerous estates including the famous Bath Estate of which *part* was taken to build the Melville Hall Airport, Davies once put a notice in the 31st May 1883 issue of the journal *THE DOMINICAN* to inform the public that he kept "Two six-shooter derringers; 1 shot gun; 1 Winchester Repeater (13 consecutive shots); 2 Colts Revolvers-5 cartridges each; cut-lass by the score, well sharpened" to "ensure a warm reception" to intruders on his Bath Estate! (See Joseph Broome, *HOW CROWN COLONY CAME TO DOMINICA*, from Institute of Caribbean Studies, University of Puerto Rico).

We do not believe that Bell, who was no "friend" of Davies gave up to his pressures, but we can say loud and clear that if he did, the documents quoted above indicate that restitution should be legally granted to the Carib

people for a land unjustly taken from them by a man who did not need such additional holding to assure his subsistence. But moreover, as we have shown, there is nothing in Bell's texts which suggest that he gave the land to Davies instead of leaving it to the Caribs. Quite the contrary! The Pagoua River would then run through Concord Estate, and Bell's instructions to Skeat as he summated there in paragraph 36 of the memo to the Secretary of the Colonies, were clear and formal:

"He (Skeat) was instructed to follow the recognised boundaries of the Reserve and to adopt, whenever possible, streams, cliffs and other national landmarks". And further, in paragraph 38:

"The inclusion of the Valley lands, whose ownership has hitherto been opened to doubt, will probably add three or four hundred acres to the area heretofore held by the Caribs".

But there is even additional evidence that the disputed stretch of land now labelled Concord Estate on the east of Pagoua River belongs to the Caribs. Let us unfold the story . . .

Davies died as eventually do even the most powerful. Concord Estate was later claimed by A. C. Shillingford and after Shillingford's death by his heirs. Shillingford, his heirs or executors seem to have even obtained a certificate of title for the land. (We have not seen such a certificate, but, as we shall prove, its existence would still be meaningless). In the early 1970's the executors of Shillingford were represented by Alleyne & Company Barristers at Law and Solicitors, who wrote to the then Carib Chief Masclen Frederick a letter we are reproducing in its entirety as Appendix B.

N.V. is a Carib in his late fifties. He has lived on Lagly, part of the disputed territory since a little boy. His grandmother worked land there, his great-grandmother worked land there. He, himself built his house there in the late thirties. He once asked Miss Johnson, (the Miss Johnson referred to in the above quoted letter) a question which, he told us, remained unanswered and that we paraphrase here:

"If you have a right on this land as you say you have and I have lived and worked on this land for most of my life, how come you cannot show me a piece of paper proving that I paid my rent, or that I owe you rent or any other return for your land?"

If the intention of the letter (Appendix B) is that the Johnson family should relinquish any claim they may have to that part of the Concord Estate which lies within the Carib reserve in return for land to be given to that family by the Government, one would think that the Government should, if necessary, adopt this solution in order to solve this problem which affects the lives of the Carib people.

Perhaps it will be possible for Mr Brian Alleyne who is now the Minister of Home Affairs of the Commonwealth of Dominica and has the most direct

executive authority on Carib affairs, to find the equitable solution for this problem, particularly since he has already submitted a memorandum to the Committee of Twenty-four, the Committee on De-Colonisation and the Committee on Human Rights of the United Nations, sent on 20th July 1970 on behalf of the Carib Chief and Councillors for whom he was the Solicitor:

“The result of the absence of the title in the Caribs has been that they have been unable to protect the land from encroachment by outsiders, and the area reserved for them has consequently been reduced over the years to a considerable extent. In some instances, title actually passed to squatters, and in others, due to the legal inability of the Caribs to eject the squatters, the Caribs have been effectively deprived of the land of which the squatters have acquired possession”.

Oral History & Conclusion

We do not want to give the impression that we consider the 1903 notice and the 1901 map as being the only parameters of Carib rights over land. Even if there were no allegations of violation of the 1903 agreement, indeed even if there was no map at all, the question of Carib lands rights would need to be exposed to the international community, for it is not simply a legal matter: it is a matter of justice and both, legality and justice, are not always equivalent. Justice, human justice; that is respect for human beings regardless of their race and origin requires that one looks beyond Bell's achievements. For not to do so would infer that the Bell notice was just. Yet it was not only unjust but unfair and its 'legality' rests on centuries of genocide. The issue of Carib lands cannot be discussed without the light of history and especially the history of the Caribs themselves.

Carib history teaches us that all the land of Dominica once belonged to the Carib. At a time that decolonization is much spoken about, we have to ask ourselves how and why all the land of Dominica does not belong to Caribs anymore? Carib history teaches us that when the interpower struggle turned to British advantage and the French decided to leave Dominica forever, they made an agreement with the British that roughly half of the area of the island (from sea to sea) would belong to the Caribs. Even Bell in his memo to the Secretary of Colonies admits the possibility of a first delimitation of Carib territory dating back to French times. During the so called 1930 disturbances—when police invaded the Carib Reserve on a false pretext killed two Caribs, arrested and wounded numerous others, the office of Carib Chief Jolly John was ramsacked and important papers and documents among them the plan of the “Reserve” were taken away. Where is this plan? What were the other documents? Where are they? Do they reveal more than what the Skeat map can tell us?

More recent Carib history teaches us that the admitted boundaries of the territory merged in the South with Wakaman point, a much more Southern

point than both Madjini and Aratouri. In fact, all the Kwaib people over thirty believe that their officially recognized boundary passes there. One cannot dismiss such belief as collective hallucination. But all Caribs over thirty readily admit also that they saw a continuous shrinking of the southern part of their land with successive governments sanctioning the taking over of large parcels of land as squatters invaded them. As one old woman argues; "Since I was little, the boundaries were at Wakaman. Then they told us it was Richmond. Then it was Aratouri, and now it's Madjini. Little more and they will send us to the sea".

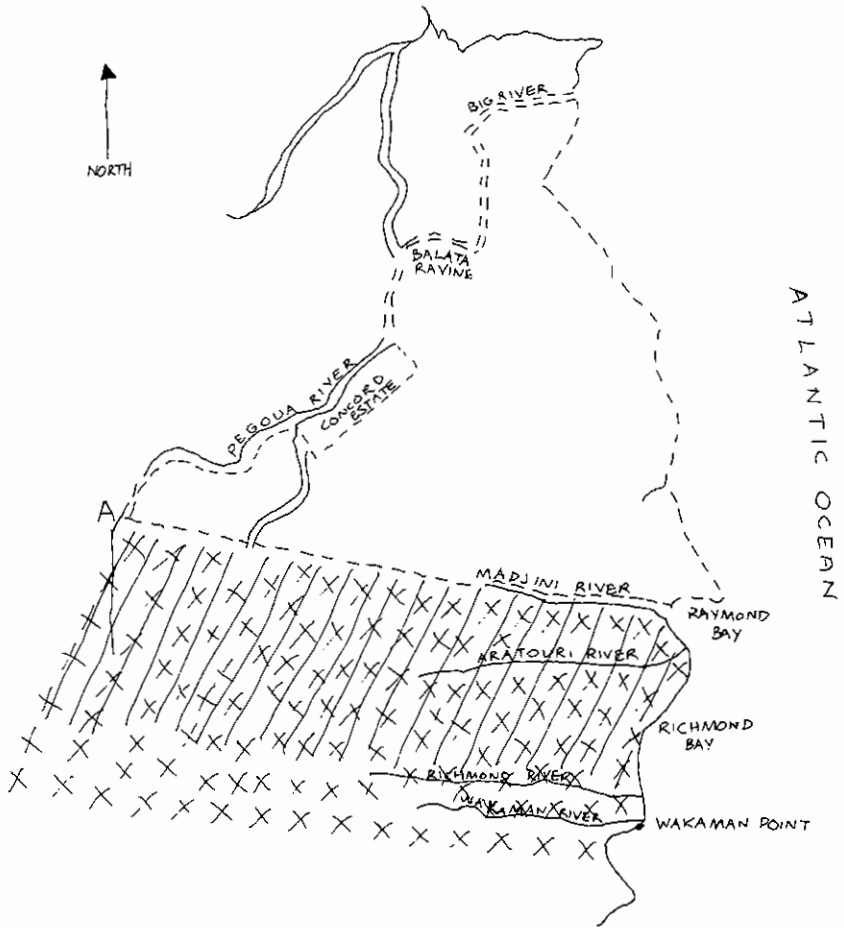
But of course, the issue goes beyond documentary evidence of boundaries set a long time ago. The whole matter of the 'Reserve' limits are now getting Caribs increasingly concerned because of contemporary conditions. Poverty, illiteracy, and other endemic features of underdevelopment are widely visible on the whole of Dominica but they reach their peak among the Kwaib people. There is no electricity in Carib territory except at the police station. The illiteracy rate among Caribs is much higher than in the rest of Dominica. Even if the full 3,700 acres are considered, population density on the reserve is much higher than the national population density. One has to ask, in the light of this. What are 3,700 acres anyway, for 2,300 people directly linked to the original owners of the whole island? What are 5.78 square miles? The issue of Kwaib lands is nothing but that of the material requirements of a people who have an undisputed right to preserve their historical heritage, their uniqueness and prepare the future of their children on an island on which they have more claims than any other human beings.

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Appendix A

Map of Carib Reserve and Disputed Territory



KEY

1. Broken line represents area of Carib Reserve as defined by 1978 Title
2. XXXXX represents additional area traditionally recognized Carib Lands
3. Note Point A (undefined in 1903 Notice). Why does line veer northward?
4. / / / / / represents area implicitly recognized by Messrs Winzki and Pascal, (surveying for government) as Carib Territory. Area also recognized by the official map of Dominica (D.O.S. 351, series E 803, 1978 Edition) as Carib Reserve.

Appendix B

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BARRISTERS-AT-LAW

SOLE AGENTS

K.H.C. ALLEYNE, Esq.

BRIAN ALLEYNE

CHAMBERS
& GABLES
MUSCADE
DOMINICA
WEST INDIES

21st November, 1975

Mr. Maslem Frederick,
Chief,
Carib Council,
Carib Reserve,
Dominica.

Dear Mr. Frederick,

With reference to our discussion on the boundaries of Concord Estate as shown on certificate of title in the name of executors of A.C. Shillingford deceased it is suggested that an approach to the settlement of the long standing boundary dispute would be to request government to grant an area of crown land on the other bank of the river to compensate for the area on the north bank of the Pegoua which might then be included in the grant to the Carib Council preserving the pegoua river as a natural boundary as the council have always sought and contended.

After consulting further with Miss Johnson I shall be available to discuss this approach with the government on her behalf.

Yours faithfully
Alleyne & Company

K.H.C. Alleyne

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