

Joseph Gascoigne, *Paradise Lost? Barbudans' struggle to keep their homeland.*

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Until recently, it was reasonable to think of Barbuda as the island that time forgot. With a population of 1,500, Barbuda is the 'little sister' in the Caribbean island-nation Antigua and Barbuda. Claimed by the British in 1666, Barbuda was leased to the Codrington family from 1685 and supplied their Antiguan sugar plantations with wood, food, and slaves.¹ The Codringtons left Antigua and Barbuda and relinquished their in the neglected fringes of the British Empire. In 1981 Antigua and Barbuda gained independence with a constitution guaranteeing significant autonomy to the locally elected Barbuda Council under section 123.² Believing that the last Codringtons gifted the island to their ancestors in 1870, Barbudans today regard Barbuda as common land, shared by its 1,500 or so residents.³ Land may not be owned but can be used temporarily with the Council's approval. This long-established custom was finally put into law through the United Progressive Party's 2007 Barbuda Land Act.⁴ However, time has caught up with Barbuda and the little island no longer seems able to resist the infringement of so-called *development*.

¹ Sluyter and Potter, 2010: 132.

² Government of Antigua and Barbuda 1981: 71.

³ Human Rights Watch: 2018.

⁴ Government of Antigua and Barbuda, 2007.

Tourism is the mainstay of Antigua and Barbuda's economy, accounting for 60% of GDP.⁵ Antigua's transition from sugar production to tourism began in the 1960s, and the relentless search for new investment opportunities has now turned towards Barbuda as prime luxury real estate. However, common land ownership poses an obstacle to the kind of large-scale foreign-owned development that dominates Antigua. Since returning to power in 2014, the governing Antigua Labour Party have sought to unpick Barbudans' legal protections and undermine the narrative of common land ownership.

First, the Antiguan government rejects the pretext that Barbuda was gifted to Barbudans by the Codringtons.⁶ Indeed, there is no archival evidence the author has seen that supports this claim. There is a record of an agreement between the Codringtons and the Colonial Office which terminated the family's lease, but it makes no mention of a gift to the Barbudan people.⁷ Moreover, opponents of collective ownership say that Barbuda was never the Codringtons' to bequeath because it was only leased from the Crown. When the Codrington lease ended, ownership of Barbuda reverted to the British Crown and then to the independent state of Antigua and Barbuda from 1981.

This legal-historical argument aside, the 2007 Barbuda Land Act (BLA) guarantees Barbudan collective ownership and remains an obstacle to the easy development of Barbuda by foreign investors. The government has therefore sought to unpick this legal protection. A 2016 amendment to the BLA gave Cabinet the authority to grant 99-year leases of Barbudan land to

⁵ CIA World Factbook, 2021.

⁶ Huffington Post, 2020.

⁷ Lightfoot, 2020: 136.

investors, regardless of the views of the Barbuda Council.⁸ A further amendment in 2018 sought to automatically transform this leasehold into freehold, effectively facilitating plot-by-plot privatisation of Barbuda.⁹ In October 2018, three Barbudans, including local MP Trevor Walker, filed a court injunction arguing that this amendment impinged on the Barbuda Council's authority.¹⁰ This case is currently before the Privy Council, Antigua's highest court of appeal.

Though court proceedings are underway, the Antiguan government continues to lay the groundwork for converting Barbuda into a millionaire's playground. Unable to guarantee its authority to sell land through legal mechanisms, the Antiguan government has attempted to keep Barbudans out of the way physically. The devastation caused by Hurricane Irma in September 2017 provided an opportunity. Many Barbudans evacuated to Antigua report being given mobile phones and other luxuries by the government as incentives to stay in Antigua.¹¹ At the same time, the government appeared reluctant to repair basic infrastructure on Barbuda, further deterring residents from returning. For example, when Barbudans returned, they were told that the government did not have the funds to rebuild the primary school and that all children must be educated in Antigua. But the Barbudan Council oversaw the restoration of the school by itself.¹² Unable to keep residents off their island, the Antiguan Government announced a scheme

⁸ Government of Antigua and Barbuda, 2016.

⁹ Government of Antigua and Barbuda, 2018: 5.

¹⁰ Antigua Observer, 2021a.

¹¹ This has been told to the author by anonymous sources on multiple occasions since September 2017.

¹² Antigua Observer, 2021b.

whereby Barbudans could purchase the freehold of a plot on Barbuda for EC\$1. This was rejected by Barbudans, who saw it as an attempt to get them to consent to the privatisation of their homeland inadvertently.¹³

Meanwhile, though there were apparently no resources to rebuild the school, returning Barbudans found that the government had shipped construction equipment to Barbuda in the wake of Hurricane Irma. However, this equipment was not used to repair the damage but to lay the groundwork for developments to come. Most strikingly, a new runway has been built which involved felling rare trees and devastating the habitat of endangered turtles.¹⁴ The runway is also said to be built above an ancient and unmapped cave system, in dangerous violation of planning regulations. There are two main development projects readying to benefit from this runway and the removal of Barbudan claims - Peace, Love, Happiness (PLH) and Paradise Found. Both are luxury hotel and residential projects spread over hundreds of acres and costing hundreds of millions of dollars.¹⁵

The wildlife has been bulldozed, the runway laid, and the laws amended. The only thing now protecting Barbudans' claims to their land is a legal challenge with the Privy Council. If this fails, it is inevitable that all Barbuda will eventually be sold to foreign investors such as Paul DeJora and Daniel Shamoun, who finance PLH and Paradise Found, respectively. Barbuda's pristine beaches will likely become segregated into luxury resorts for the super-rich, even more exclusive and cut-off than their Antiguan counterparts. It is hard to imagine how Barbuda's small community fits into

¹³ Lightfoot, 2020: 142.

¹⁴ Antigua Observer, 2021c.

¹⁵ Global Legal Action Network, 2021.

such a place. Barbuda's experience is a reminder of how vulnerable custom and tradition can be in the face of "big money" and how easily the rights of minority communities can be trampled, even by their own government.

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