

GENERATION PROPERTY:

A Consideration of Customary Land Tenure in The Bahamas

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ABSTRACT

Bahamian land ownership is linked closely with the idea of family. Many groups of kin lay claim to large estates throughout the Bahamian archipelago, and this property becomes a unifying emblem of the kin group as a whole. Generation property unites groups of relatives not only by serving as a symbolic connection to the land, but also by providing them with what is potentially a very real source of capital, profit, and power. At the same time, it serves as a flexible resource to be manipulated as necessary by individuals, each of whom may make multiple claims on different pieces of land. In this regard, generation property is similar to the Afro-Caribbean tradition of family land, but the Bahamas cannot be judged simply as a variant of the Caribbean model. Family land is both scarce and a marker of ex-slave resistance and Afro-Caribbean solidarity. Bahamian generation property is not owned only by the descendants of the slaves, unlike Caribbean family land, and as such it is a symbolic resource for white and black Bahamians alike, and is also a potential provider of economic, social and political wealth.

In The Bahamas, land ownership is tightly knitted with the idea of family. In the first place, the majority of land owned by Bahamians is located on those outlying islands of the archipelago known colloquially (and for years officially) as the Family Islands. The very name suggests an imagined kinship relation between the centre of the nation (New Providence, the site of the capital) and the peripheral islands. Craton suggests the attachment to the idea of 'Family Islands' may be more than sentimental. In his reading, the reference to family helps restore 'the structures of kinship and community which are fading and being lost' in the whirl of urban life (Craton 1987: 108). While there is value in this interpretation — almost three-quarters of the

Bahamian population now lives in either Nassau or Freeport, the two cities — there is more to it. Most urban Bahamians are immigrants from the islands, or descendants of such immigrants, and many still maintain some contact with relatives who remain 'on the island'. These relatives, moreover, often occupy land that is not owned by them alone but collectively by the kin group as a whole. In this regard, then, the 'Family' islands are both where one's family hails from, and where one's family land — one's *generation property* — is found.

That the concept of 'family' is bound up with the system of land tenure is not unusual for the region, in which the Bahamas occupies an uneasy position. Often regarded as being on the margins of Caribbean society, the Bahamas has traditionally been understood in terms of deviance from broader Caribbean norms. I shall argue that although the Bahamas shares certain facts of history with the rest of the Caribbean, it cannot be regarded simply as an aberration, but has an existence in its own right. As such, while a consideration of the Caribbean institution of family land is instructive, it is not the perfect model for the Bahamian experience.

For Jean Besson, land ownership patterns in the Caribbean constitute an active resistance to slavery and its aftermath.

[F]amily land is a dynamic Afro-Caribbean cultural creation by the peasantries themselves in response and resistance to the plantation system. ... both in origin and persistence the institution may be seen as a strategy for maximizing freehold rights in the face of plantation engendered land scarcity. ... land rights provide the peasantries with some security and independence, and symbolize personhood, freedom and prestige. Family land also symbolizes the identity of family lines, the significance of which can only be fully understood in the context of the history of former, kinless, slaves. The unrestricted descent system at the heart of family land maximizes both freehold rights and the size of these family lines. (Besson 1987a: 105).

In the Caribbean, ideas about 'family land' furnish the means by which ex-slaves constructed an identity for themselves, both in terms of locating themselves in a world where they had previously been chattel (the construction of identity through the creation of unrestricted descent groups), and providing themselves with the symbolic and economic means of maintaining their independence (the acquisition of land). Family and land are inextricably linked; as Jean Besson says, '[t]he estate is ... the spatial dimension of the family line, reflecting its continuity and identity.' (1987a: 103). What is more, the custom exhibits a paradoxical combination of the physical scarcity of land and individuals' unlimited right to it. Although, owing to the small size of family plots, most cannot make use of the land they own, for Caribbean peasants that land becomes a symbolic resource to be held onto and manipulated in the face of an oppression that continues years after the abolition of slavery.

Family land exists in a political environment that even today is potentially fragile. Besson notes for Jamaica that

... legal freeholds ... are validated by legal documents, and acquired through purchase, deed of gift or testate inheritance. Intestacy was traditionally defined in Jamaican law on the basis of legitimacy, male precedence, primogeniture and legal marriage. Legal freeholds are private property, alienable, and marketable in the national capitalist economy, and houses on such land are part of the real estate. Land use is governed by the capitalist values of maximizing profits and production. (1987a: 103-4)

Family land, on the other hand, exists outside of the legal code, is "validated through oral tradition", and can be inherited by all children and their descendants regardless of legitimacy, birth order, residence or sex. Marriage is not a basis for inheritance. (1987a: 103-4)

This non-reliance on the legal code, this enshrining of rights to family land in the oral tradition, are at once both the weakness of the custom and its strength. By not relying on the legal codes of the powerful, the dispossessed descendants of slaves are able to carve for themselves their own moral and customary world in which they, and they alone, are the arbiters. However, the fact that this world is not separate from, but is a part of, the larger society of the Caribbean makes the tradition vulnerable. Indeed, one might argue that it is only the smallness and relative poverty of the lands in question that permits them to be governed thus, as the properties have no value for outsiders. Even so, it is possible for individual family members to manipulate the literate/legal system in order to gain total possession of the plots.

In the Bahamas, the tradition of generation property echoes many of these broader Afro-Caribbean themes, and the convention is responsible for vast land holdings throughout the archipelago. Particularly on those islands settled by Loyalist planters at the turn of the nineteenth century, (Acklins, Cat Island, Crooked Island, Exuma, Long Island, Rum Cay and San Salvador) groups of kin lay claim to large estates. Such property is held in trust for the use of all descendants of the kin group forever — 'while grass grow and spring flow', I was told on Long Island. Although individual family members may farm it, or live on it, it may never be sold. Like their counterparts further south, Bahamians use the convention of generation property to solidify identity, to provide themselves with some subsistence, and to unite groups of kin. As with the rest of the Caribbean, too, Bahamians' access to land is fraught with contradiction. It is, however, a contradiction of a different kind. Although the 'paradox' Besson notes — a real shortage of land combined with unlimited symbolic access to it — certainly exists, it is not the rule; indeed, her explanation of its origins and function, developed within the narrow confines of plantation societies whose members must fit into rigidly maintained, closely defined groups, does not ring true here. Bahamian estates are generally large enough to accommodate all who are entitled to them. If one is a member of a land-owning kin group, one will always have a place on which to live and from which to get food. Access to land, however, is problematic: the land is not the sole possession of any one member of the kin group, and it may not easily be converted into cash. In contemporary Bahamian society, where the majority of the population resides in the city, the practical uses of generation property are limited — the right to settle on and farm the land holds little significance for individuals living two hundred miles away. On the other hand, the land bears a rich symbolic meaning. For those island emigrants living in the cities their property becomes a unifying emblem of the kin group as a whole. Generation property provides city-dwellers with a rootedness they might otherwise lack. The right to claim land on an island far away can provide them with a sense of who they are that life in the city may not make explicit. Moreover, it creates an understanding of who they are not; in permitting urban dwellers to identify with a particular place (an island or settlement beyond the city), it delimits their identification with another (another island or settlement, or the city itself). A Long Islander is not a Cat Islander; someone from Deals is not the same as

someone from Gordons. What is more, it appears that the more distant in time that some urban Bahamians become from their land, the more closely they begin to identify with it. Thus, throughout the 1970s and 1980s, many urban Bahamians began recognising the symbolic value of their island 'roots' more and more frequently through the institution of regattas, 'homecomings', and various food festivals. These festivals serve a variety of purposes. For the emigrants they provide a means of locating and identifying with 'home'. For government officials, they are a valid source of tourist income; the Ministry of Tourism promotes them as vigorously as any other attraction. For the inhabitants of the island communities they bring both work and profit, providing a sure, annual injection of capital into the island economies.

To illustrate: when I was first in Long Island, the settlements of Deadman's Cay, Thompson's Bay and Salt Pond were all buzzing with preparations for the approaching Regatta. Individuals who were normally self-employed (primarily farmers and fishermen) were working regular long hours at the regatta site in Salt Pond, clearing it, constructing stages, putting up poles, and attending to the minor repairs that a year's disuse had brought.

The Bahamian festivals provide opportunities for displaced islanders to come together and remember 'home'. In some cases, taking part in these homecomings is enough to remind urban Bahamians of who they 'are'. In others, however, particularly in cases where generation property is concerned, a more practical strategy is used. Smaller groups of relations hold family reunions, which serve many of the same purposes as the regattas, but with a number of crucial differences. These reunions are mobile, and may be held anywhere that members of the family reside. Rather than being dependent on an official calendar, they may be held at times which best suit the family members; tourists and other strangers are excluded from them, and — not least of their attractions — they provide kin groups with a time during which real business may be conducted: the negotiation of family rights to land.

For if Bahamian generation property parallels Caribbean family land in providing a means whereby mobile individuals may establish symbolic cultural capital with a fixed spot, it has a considerably different significance both economically and politically; the vastness of Bahamian holdings are a very real resource. The origin of Bahamian lands and those of other West Indians, is different. In most of the communities on which Besson bases her studies, the lands were obtained by the purchase of small holdings by ex-slaves during the post-emancipation period. The holdings are therefore, naturally, small. In the Bahamas, the majority of generation property consists of the original estates themselves. While these may or may not be agriculturally productive, they are certainly large enough to provide value in a number of different ways. Land holdings on the Family Islands are often quite large, particularly in those islands in the southern part of the Bahamian chain where land prices are only beginning to be inflated by considerable foreign investment. Besson's comment — 'it is the entitlement to freehold land which is the crucial aspect of family land, rather than the activation of such rights' (Besson 1987b: 15) — is only partially applicable in the Bahamian case. 'Bahamians,' according to Eris Moncur, 'are millionaires'; they are land-rich. It is the rare Bahamian citizen who cannot go somewhere in the

archipelago and find himself or herself at home on the land. In fact, many Bahamians suffer from the opposite problem, a physical overabundance of common property combined with the inability of individual family members to make use of it.

Indeed, the most common concern about generation property that I found was not which member of the family was entitled to inhabit it, but how the generation could conceivably profit from the land. One man, outlining the various complications to do with his family property, which was so 'tied up' that no one could use it for any profitable purpose, expressed great relief at my interest; his main hope was that my writing about the system would 'get government to find some way of working this thing out.'

Ironically, what functions as a unifying factor for kin groups may also serve as a fragmenting element for individuals. Urbanisation has, not unnaturally, been accompanied by marriage between people from different islands, so that Bahamians born in the capital may be members of a variety of kin groups, and thus may have claims on several pieces of property throughout the archipelago. What is more, these groups are often composed of members of different social and even ethnic backgrounds. As intermarriage continues through the generations, one's right to land multiplies. Consider the following examples of Bahamians who have been born of diverse parentage in Nassau. Together with her two sisters, Theresa, a 28-year-old Nassauvian of mixed African and European heritage, inherits through her mother rights to live on two separate estates in Eleuthera, and through her father diverse pieces of property on New Providence. Melissa, 35, for all intents and purposes 'white', shares with her siblings customary interests in two highly contested territories: Harbour Island and Paradise Island. Fifty-three-year-old Daniel, a black Bahamian, provides perhaps the most interesting case of all. He shares interests in Cat Island, which he acquired through his father, and Inagua, through his mother's mother. In the case of the latter, he shares his rights to the land with his maternal grandmother's first family, who are white. What is more, because the rights to generation property do not dissolve with time, the longer the members of a family have lived away from the property (that is, the longer they have been unable to establish superior rights to the land through residence), the more complex their rights to land become. For example, my brother and I (at least theoretically) have customary access to land on three different islands: on Crooked Island, through our mother's maternal grandmother, and on Andros and New Providence, through our father's mother and father respectively.

The Bahamian significance of generation property, then, while holding some of the political resonance ascribed by Besson to family land elsewhere in the Caribbean, is multivocal. Generation property unites groups of relatives not only by serving as a symbolic connection to the land, but also by providing them with what is potentially a very real source of capital, profit, and power. At the same time, it serves as a flexible resource to be manipulated as necessary by individuals, each of whom may make multiple claims on different pieces of land. *How* individuals exercise this power is a crucial question, and one to which I will return below; for the time being, however, Bahamian generation property is not only a symbolic resource, a cultural site, but also a potential provider of economic, social and political wealth.

As far as generation property/family land is concerned, then, the Bahamas cannot be judged simply as a variant of the Caribbean model. Land is symbolic, it is true, and in some cases its symbolism echoes that of family land in the rest of the West Indies. Yet unlike the plots of family land available to other West Indians, which are too small to provide economic returns for all of their owners, Bahamian generation property tantalises its holders by its sheer size. Besson chooses to regard the Bahamas as an exception that proves a rule: 'Bahamian ex-slaves had more room to manoeuvre', she argues, as '... the Bahamas were at the margins of Caribbean plantation society, with an attenuated cotton, rather than sugar, plantation system.' (Besson 1995: 82). Yet in the Bahamas rights to generation property are not limited to the descendants of slaves. Unlike family land, which appears to lie exclusively in the hands of ex-slaves and their families, Bahamian generation property may be owned by white Bahamians, by 'coloured' Bahamians who are the product of the mixing of masters and slaves, by free black and 'coloured' populations, and by the descendants of slaves.

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