

A legal fight over access to burial grounds has pitted the Gullah Geechee against wealthy landowners around Hilton Head Island.



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**By Clyde McGrady**

Reporting from St. Helena Island and Hilton Head Island, S.C.

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When Galen Miller wants to visit the South Carolina cemetery where much of his ancestry is buried, he must get permission to enter Hilton Head Plantation, a private, gated community on the north end of Hilton Head Island, where the wealthy jostle for tee times between trips to the beach and sips of gin and tonics.

On a recent July morning, a guard waved Mr. Miller through the gate. He meandered past multimillion-dollar homes and lush green fairways to the Talbird Cemetery, now squeezed between a scenic creek and a luxury condominium.

“To be able to come here and visit my family from time to time, it really touches your heart,” Mr. Miller said. “It also saddens you to see what’s happening.”

Mr. Miller is Gullah Geechee, a community descended from enslaved West Africans who were forced to work the cotton and rice plantations of the Carolina Lowcountry. The Gullah Geechee are now struggling to preserve sacred traditions as wealthy northerners swallow up valuable waterfront property.



Some Gullah Geechee land remains protected on Hilton Head Island, but it is only a remnant of what was once theirs. Alyssa Pointer for The New York Times





With Hilton Head Island all but saturated, developers are looking to surrounding islands, crowding out what remains of Gullah land. Alyssa Pointer for The New York Times

A lawsuit filed this spring is accusing the mostly white newcomers, spilling out of gated golf havens in the original Hilton Head developments, of impeding access to burial grounds in a clash of tradition vs. economic development, with racial undertones that date back centuries.

“Oh my God, we went through enough,” said Arlene Covington, 67, a plaintiff in the lawsuit. “Now we can’t even get to the cemetery. What else do you want?”

For decades, Mary Mack, 73, would visit the Big House Cemetery on St. Helena Island, S.C., home to one of the region’s largest remaining Gullah populations. But in 2023, a newly arrived local resident, Theresa Aigner, placed a gate around her property, blocking access to Everest Road, which leads to the cemetery. Ms. Aigner provided a gate access code to the Gullah and to funeral homes that needed to get to the Big House Cemetery.

But in May 2024, when several Gullah families arrived for the annual Mother's Day cleanup, the code had been changed, according to the lawsuit, filed by the Bailey Law Firm and the Center for Constitutional Rights, on behalf of Ms. Mack and several other Gullah.

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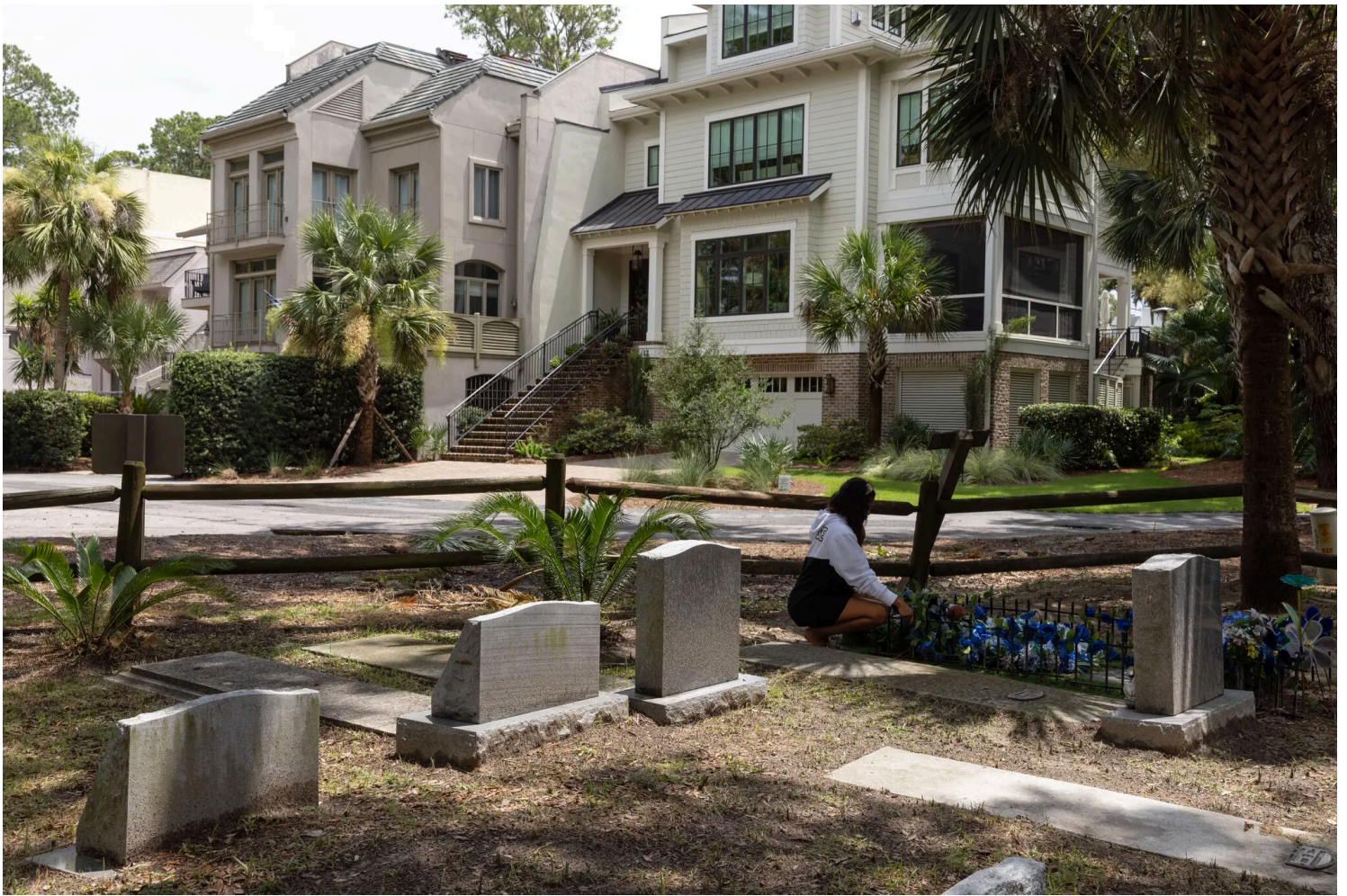
"It was kind of shocking," Ms. Mack said.

The Gullah tried, to no avail, to persuade Ms. Aigner to give them access.

"So if I want to go see my mom back there I have to talk to you?" Ms. Covington asked rhetorically. "I'm not a child."

The tipping point came later that month, when five local Black residents died in a car crash. With their families unable to reach the cemetery, some of them were interred 20 miles away.





Gullah burial sites, such as Braddock's Point Cemetery, are being crowded out by developers insatiably buying up Sea Island property. Alyssa Pointer for The New York Times

The public and private acrimony that followed captured a larger debate over land use and gentrification raging on St. Helena Island as developers look to expand beyond an almost saturated Hilton Head.

In one email exchange between a land preservation activist and Ms. Aigner, the new landowner referred to the local Gullah Geechee as “a bunch of ungrateful, ungracious, self entitled, hard headed and ignorant people” to whom she owes nothing, according to the legal complaint.

The lawsuit, filed April 30 in the gracious old city of Beaufort, S.C., also names two other defendants, Robert Cody Harper and Walter Robert Harper Jr., who erected a gate on property that abuts the cemetery.



Ms. Aigner has said that she put up the gate to protect her property after a funeral procession left it damaged.

“I’m so tired of being villainized,” she told The Island Packet, a local outlet, last year.

She also insisted that there were other ways to reach the cemetery besides going through her property, including through property owned by a plaintiff in the case.

Indeed, her attorney, Gregg Alford, filed a motion on July 18 to dismiss the lawsuit. The motion states that the individual plaintiffs already “have direct platted and judicially protected access to the cemetery parcel which they claim to own and control.”

(Sheila Middleton, another plaintiff, owns the property on which the cemetery sits, according to the lawsuit.)

Mr. Alford also argued that Everest Road was not the most convenient route to the cemetery.

“We look forward to resolving this matter,” said Mr. Alford, who also represents the Harpers. “We want them to be able to honor their ancestors.”

While not a part of their official legal complaint, lawyers for the Gullah descendants say county officials are trying to prevent the types of cultural clashes exemplified by this lawsuit.

“Beaufort County, which includes St. Helena Island, has actually enacted provisions as part of its cultural protection overlay that prohibits putting up fences and gates around communities to block access to the cemeteries on the island,” said Emily Early of the Center for Constitutional Rights.

These gates can disrupt generations-old practices of visiting and caring for burial grounds, preventing families from performing important spiritual and memorial traditions.



“Democracy is not just about who has the most money,” says Robert L. Adams Jr., executive director of the Penn Center on St. Helena Island, who sees the Gullah’s fight as part of the larger battles over race, identity and wealth in America. Alyssa Pointer for The New York Times



The weathered headstones at Talbird Cemetery speak to the age of the Gullah Geechee community, but access to the burial ground is limited by a new private owner. Alyssa Pointer for The New York Times

For Black South Carolinians, the Lowcountry is a place of unfulfilled promises. Its land fell under Gen. William T. Sherman’s Jan. 15, 1865, Special Field Orders 15, made famous by the pledge of 40 acres and a mule to freedmen. The order “reserved and set apart for the settlement of the negroes now made free,” as a result of the Civil War and the Emancipation Proclamation, “the islands from Charleston, south, the abandoned rice fields along the rivers for thirty miles back from the sea, and the country bordering the St. Johns River, Florida.”



Before that year was out, President Andrew Johnson had pardoned the region's white landowners, who then kicked Black people out.

During the Civil War, St. Helena became a staging ground for Reconstruction. In 1861, Union troops occupied the Sea Islands, and enslavers fled. A group of idealistic Harvard-educated Bostonians arrived to educate the formerly enslaved and prove they could thrive as free people. It was known as the Port Royal Experiment.

The freedmen "worked these same fields as enslaved people, and they came to own these lands during the Civil War," said Robert L. Adams Jr., director of the Penn Center, a cultural site on St. Helena in what was once a school for the formerly enslaved.

But in the 1950s, a developer named Charles Fraser had a vision for Hilton Head Island as a top tourist destination. It would become a developer's paradise.





Taiwan Scott, a Gullah on Hilton Head Island, has a real estate license but uses his knowledge of the market to help his community hold onto and profit from the land that Gullahs still own. Alyssa Pointer for The New York Times



The Rev. Dr. Martin Luther King Jr. and civil rights leaders held meetings on St. Helena Island, S.C. Now the island is the center of a legal fight over Black land rights. Alyssa Pointer for The New York Times



Alex Brown, a town council member in Hilton Head Island, called his Gullah community “the heart and soul” of the island. Alyssa Pointer for The New York Times

Through a combination of underpriced sales, property tax hikes and unfavorable property inheritance rules, the Gullah lost most of their land. Gullah families once owned more than 3,500 acres on Hilton Head Island, according to the nonprofit Lowcountry Gullah. They now own less than 700.

Dr. Adams said he sees the Gullahs’ fight as part of the larger battles over race, identity and wealth that are roiling the country.

“Democracy is not just about who has the most money,” he said. “Too often, public policy has relegated African Americans to being placeholders of land. So we occupy land that’s considered unuseful” until “people find a way to make it useful again, or they can buy it really cheap.”

Earlier this month, Taiwan Scott, 49, who has a real estate license but considers himself more of a Gullah activist, gestured to a set of beachfront houses on Hilton Head Island.

“Pretty much where all these oceanfront homes are was all Black land,” he said. “They used to have a couple nightclubs down here.”

Many of the Gullah who were once there now live inland in neighborhoods dotted with trailer homes.

But Mr. Scott has complicated feelings about development. Newcomers on Hilton Head Island are increasingly professing their own anti-development sentiment, he said, pulling up the drawbridge just as Gullah people are becoming aware of their property rights and how to make money from the few plots of land they still own.

Efforts are underway to educate more Gullah about land rights, said Alex Brown, a Gullah who sits on the Hilton Head Island Town Council, so that if development does come to the islands surrounding Hilton Head, such as St. Helena, they can take advantage. For instance, instead of selling their land outright, Mr. Brown recommended that Gullah with valuable waterfront property lease it to developers and share in the profits.

Mr. Brown recently stood in the middle of the 18th fairway at Harbour Town Golf Links on Hilton Head Island under a blazing high-noon sun. The 18th is the final hole of the RBC Heritage Classic, a PGA Tour event held the week after the Master’s tournament in Augusta, Ga. The fairway sits less than 100 yards from a Gullah gravesite.

Newcomers arrive with little understanding or respect for the island’s deep Gullah cultural roots, he said, which are the “heart and soul” of the island. Some residents are unaware that Gullah people even exist on the island.

“Unless it’s us, from the Gullah culture, telling the story,” Mr. Brown said, “there’s no mention of the significance of a burial ground that goes back two centuries.”



But others still question how any development would benefit the Gullah. They've been burned before.

"Many of our new neighbors come in, and they're about the friendliest group of people you'll ever want to meet until they get settled," Ms. Mack said. "And as soon as they're settled in, in come the gates and the locks, and they don't want to speak to you anymore."

She added, "Enough is enough."



The Gullah Geechee descend from West Africans enslaved to work the rice fields of South Carolina Lowcountry. Now that land has become a playground for the rich. Alyssa Pointer for The New York Times

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