

HOMECOMING...SOMETIMES I AM HAUNTED BY RED DIRT AND CLAY

BLACK FARMING & LAND LOSS: A HISTORY

"Grab this land! Take it, hold it...dig it, plow it, seed it, reap it, rent it, buy it, sell it, own it, build it, multiply it, and pass it on!"

Song of Solomon by Toni Morrison

From the newly freed slaves of 1863 to today's black farmers, African-Americans have fought to acquire and maintain land, and have encountered crippling obstacles along the way.

In 1910, nearly one million black farmers in the U.S. owned a total of 15 million acres; by 1969 they held only 6 million acres.

In 1920, blacks owned 14% of the nation's farms; today, there are only 18,000 black farmers, representing less than 1% of all farms.

What happened?

How did blacks acquire land originally and why did they lose it?

RECONSTRUCTION (1866-1877) AND BEYOND

The Emancipation Proclamation of 1863 and the ratification of the 13th amendment at the end of the Civil War in 1866 gave 4 million African-American slaves their freedom. For the next 10 years, Congress implemented Reconstruction policies, aimed at readmitting the Southern states into the Union and integrating blacks into civic life.

The federal government provided a limited number of opportunities for blacks to acquire land. In 1865 General William T. Sherman's Field Order #15 deeded "40 acres and a mule" over to black families on the South Carolina and Florida coasts. President Andrew Johnson reversed the policy and most never received their allotments.

The Freedman's Bureau, established in 1865, provided relocation, education and medical relief to newly freed Africans, as well as Southern whites displaced during the Civil War. In 1866 the Freedman's Bureau opened 45 million acres of public lands in Alabama, Mississippi, Louisiana, Arkansas and Florida to settlers regardless of race. Many freedmen took advantage of the homestead opportunity, creating the first major wave of African-American land ownership.

Most freed slaves never had access to “free” land. To save enough cash to buy their farms, they worked for many years - in a climate of growing hostility from whites - as tenant farmers, sharecroppers, or in the steel or turpentine industries. Although many political gains won during Reconstruction were lost by the 1890s, blacks continued to acquire land. A lot of hard work yielded **120,738 black farms by 1890. By 1910 black farmers had accumulated 218,972 farms and nearly 15 million acres.**

White Resentment

As African-Americans acquired land, resentment from Southern whites mounted. After 1877, and the election of Republican president Rutherford B. Hayes, the South quickly replaced Reconstruction laws with new ones that restricted the rights of blacks. White secret societies began forming to address the “Negro problem.” In 1881, the first “Jim Crow” law was born when Tennessee required racial segregation in railroad cars. By 1896, the Plessy vs. Ferguson case put the federal stamp of approval on Jim Crow, excluding blacks from public transport and facilities, jobs, juries, and neighborhoods throughout the South. The laws helped spur racist hysteria, lynching, rioting and the rise of the Ku Klux Klan. In the two-year period, 1900-1901, 214 lynchings were reported.

THE GREAT MIGRATION (1914-1930)

“We were a land based agrarian people from Africa. We were uprooted from Africa and we spent 200 years developing our culture as black Americans and then we left the South. We uprooted ourselves and attempted to transplant this culture to the pavements of the industrialized North. It was a transplant that didn’t take. I think if we had stayed in the South we would have been a stronger people and because the connection between the South of the 20s, 30s, and 40s has been broken, it’s very difficult to understand who we are.”

August Wilson, playwright

The Depression took hold in the South long before the 1929 stock market crash. From 1914 through the Depression, black land ownership was severely threatened. White violence against blacks, coupled with spiraling cotton prices caused by boll weevil damage forced many black tenant farmers and landowners to seek relief in Northern cities. Also, when factory workers went off to fight in World War I and the war curtailed European immigration, there was a shortage of factory workers in the North. Badly in need of laborers, Northern industrialists set aside their racial prejudices and recruited African-Americans from the South. Recruiters painted glowing pictures of life in the North, often exaggerating the benefits and glossing over the hardships that lay in wait.

By 1930 an estimated 1 million blacks had left the South, in what is known as the Great Migration.

The End of the Independently-Owned Black Banks

As cotton prices plummeted, black farmers defaulted on their farm loans, crippling 30 of the 55 independent black-owned banks, the first of which was founded in 1888. In a domino effect, the crippled banks shut down and black farmers lost their life savings. Hordes were unable to recover, their lives devastated and uprooted by poverty. The Federal Farm Loan Act of 1916, which promised to provide credit to farmers at reasonable rates, systematically discriminated against black farmers, cutting them off from aid that was rightfully theirs.

THE NEW DEAL'S EMPTY PROMISES (1930s)

The whole country was ravaged by a broken economy in the 1930s. President Roosevelt's New Deal programs, designed to bring relief to the poor, provided only measured assistance to black farmers. Beginning in 1933, Roosevelt's Agricultural Adjustment Administration (AAA) made subsidy payments available to large Southern farms. However these subsidies were siphoned off by white landowners who never got around to distributing disbursements among their sharecroppers and tenants.

Also in 1933, Roosevelt created the \$500 million Federal Emergency Relief Administration (FERA) to help poor, rural Americans. Black farmers applied for relief but did not receive it as often as whites. In June 1934, for example, there were 84 applications from blacks and 49 from whites. The FERA accepted 24, all from white farmers. The average total relief for whites was \$19.51 and for blacks, \$15.17. Preferential treatment of white farmers was endemic throughout the South; the rationale was that blacks could survive on less.

In 1935, in response to the unfair practices of the AAA and FERA, black and white tenant farmers and sharecroppers joined forces to form the Southern Tenant Farmers Union, which, at its height, numbered 30,000 in six states. Unfortunately the Union was short-lived. Southern landowners and politicians, who could tolerate neither unions nor cooperation between poor whites and blacks, targeted the group with violence and divisive tactics that stirred up old racial prejudices among members.

Finally, in a small window of opportunity from 1937-1942, the Farm Security Administration (FSA) was created with one-fifth of AAA's holdings, to make loans to tenant farmers. This was the first widespread government assistance to black farmers since the Freedmen's Bureau during Reconstruction. It allowed thousands of blacks, like Charlene Gilbert's grandfather Fred Mathis, to purchase small farms.

Legal Loopholes

For every acre gained by black farmers under FSA, thousands more were lost to a new threat - heir and property laws - as blacks continued to vacate the South in the 1940s and 50s. Many

black landowners chose not to leave wills, so ownership of hard-earned property was often distributed among generations of family members no longer living on the land. Lawyers, large landowners and developers used tax and property laws as their new weapon to return black land to white control. If one heir could be convinced to sell his portion, then the sale of entire property could be forced, since it had not been legally apportioned to the other heirs. This practice has continued to the present.

HISTORY/ WWII AND THE SECOND GREAT MIGRATION (1940s and Beyond)

Between 1940 and 1970 continued migration transformed the country's African-American population from a predominantly southern, rural group to a northern, rural one. By 1950, the black population comprised approximately 11% of the total U.S. population; in several major cities, black migrants comprised 40% of the population.

In addition to their desire to escape the inequities of the Jim Crow South, African-Americans were pulled to Northern cities after 1940 by growing industrialization. This industrialization was fueled after World War II by expanding consumerism and by technologies that quickly made the small farmer obsolete. Such inventions included synthetic fibers as a substitute for cotton and the mechanical cotton picker. With the advent of these and other technologies, sharecroppers were no longer needed on Southern farms.

Northern cities promised black farmers relief from political, social and economic oppression, and from constant fear and degradation they experienced in the South. While racism was certainly widespread in the North, wages there were, on average, three times higher than wages in the South; there were no laws enforcing segregation; nor were there literacy tests to prevent blacks from voting. Still, the urban North presented a whole new set of challenges to migrating blacks – from cramped, dilapidated, unsanitary living conditions, to denial from membership in labor unions.

In 1910, 80% of African-Americans lived in the South; by 1970, less than half lived in the South, and only one-quarter in the rural South. From 1910 to 1970, in the largest migration in American history, 6.5 million African-Americans left the South.

THE CIVIL RIGHTS YEARS (1954-1968)

The 1954 *Brown vs. Board of Education* decision destroyed the constitutionality of legalized segregation in the South. The case polarized the country, heightening the fears of Southern whites and sparking the Civil Rights Movement. Sadly, during this period, the federal government actively perpetuated conditions that accelerated black farm loss.

A 1964 study exposed how the U.S. Department of Agriculture (USDA) actively worked against the economic interests of black farmers. The USDA's loan agencies, such as the Farmer's Home Administration (FHA), denied black farmers ownership and operating loans, disaster relief and other aid. One practice was to deny credit to any black farmer who assisted Civil Rights activists, joined the NAACP, registered to vote, or simply signed a petition. The study further revealed that there had never been an African-American elected to a county agricultural committee—a structure established by the USDA.

After this shocking study, the USDA made sure blacks were elected to local and national level posts. In 1967, the Federation of Southern Cooperatives/Land Assistance Fund (FSC/LAF) was chartered by 22 low-income cooperatives to help African-Americans and poor people to produce a livable income and save their way of life. But these were small victories, and blacks still encountered broad-based discrimination. **By 1969 black land ownership had declined to about 6 million acres, from its high of 15 million acres in 1910.**

DROUGHTS & OIL CARTELS (1970s)

Beginning in 1976, serious droughts hit the South. When the droughts continued in 1977 and 1978, the price of oil shot up, forcing other costs - from fertilizer to equipment - to skyrocket. With President Carter's grain embargo to contend with as well, American farmers were hurting; but black farmers, who had to struggle to keep afloat even in good times, experienced an intensified crisis. **By 1978 there were only 6,996 black farms left.**

CHALLENGING THE USDA (1980s and 1990s)

*"Land is the only real wealth in this country
and if we don't own any we'll be out of the picture."*

Ralph Paige,
Federation of Southern Cooperatives

In 1920, 1 in every 7 farmers was black; in 1982, 1 in every 67 farmers was black.

In 1910, black farmers owned 15 million acres of farmland; in 1982, black farmers owned 3.1 million acres of farmland.

By the late 1980s, there were fewer than 2000 African-American farmers under the age of 25.

Today, there are fewer than 18,000 black farmers, representing less than 1% of all farms in America.

Though civil rights legislation was supposed to have eradicated racism, at least on the federal level, a 1982 report issued by the Civil Rights Commission stated that the USDA was "a catalyst in the decline of the black farmer." That year, African-Americans received only 1% of all farm ownership loans, only 2.5% of all farm operating loans, and only 1% of all soil and water conservation loans. That year, too, the Reagan administration closed the USDA's Civil Rights Office - the very arm that investigated discrimination complaints.

In 1984 and 1985, the USDA lent \$1.3 billion to farmers nationwide to buy land. Of the almost 16,000 farmers who received those funds, only 209 were black. **By 1992, in North Carolina, the number of black farms had fallen to 2,498, a 64% drop since 1978.**

Despite some new regulations by the Farmers Home Administration (FmHA) designed to offset discriminatory lending practices, and the restoration of the USDA's Civil Rights Office under President Clinton, black farmers are still not getting adequate help. A recent USDA report showed that loan applications by white farmers were processed in 60 days whereas black farmers' loans took 220 days. The 1990 Minority Farmers Rights Act, which authorized \$10 million a year in technical assistance to minority farmers, has delivered only \$2-3 million a year, and is in danger of being de-funded altogether. Also, less than 5% of USDA research funds are directed toward problems of limited resource farmers. Most rural African-American farmers do not have access to essential legal assistance and thus fall prey to land speculators and unscrupulous lawyers.

Lawsuits against the USDA

In 1994 the Land Loss Prevention Project, founded in 1983, filed a Freedom of information Act lawsuit on behalf of black farmers, turning key information over to Congress to investigate discriminatory practices by the USDA in the 1980s and early 90s.

In 1996 1000 black farmers filed a \$3.5 billion class action suit against the USDA, exposing the illegal denial of loans, disaster relief and other aid during the 1980s and 1990s. After years of pressure from the Congressional Black Caucus (CBC), Congress passed the Agriculture Appropriations Bill for fiscal year 1999, which promises relief to black farmers. The bill waives the 2-year statute of limitation on the Equal Credit Opportunity Act, allowing farmers who tried to file discrimination complaints at the USDA from January 1981 to July 1997 (the period when the USDA's civil rights investigative arm was closed), to file new complaints today.

On January 5, 1999, the USDA settled the lawsuit, agreeing to pay \$50,000 to each black farmer participating in the class action. Unfortunately, for many, this settlement is too little too late. When denied USDA loans, many black farmers were forced to take out commercial loans at much higher rates and are now facing huge debts and foreclosure. The Land Loss Prevention Project, in conjunction with the National Black Farmers & Agriculturists Association (BFAA, founded in 1997) is currently planning another suit to further challenge USDA practices.

The Congressional Black Caucus (CBC)

A member of the Congressional Black Caucus (CBC), Congresswoman Eva M. Brown, an African-American Democrat from North Carolina spoke at a March 1999 black farmers rally at the Federal Courthouse in Washington.

“There is reason to despair...There are several reasons why the number of black farmers is declining so rapidly. But the one that has been documented time and time again, is the discriminatory environment present in the Department of Agriculture...the very agency established to accommodate the special needs of farmers...Once land is lost, it is very difficult to recover...We stand here today in despair over this history. Yet, we also stand here today in hope that justice will prevail, and that the record will be set right for those farmers who have been wronged...”

Read Congresswoman Brown's complete remarks below

Despite valiant efforts by black families to acquire and hold on to farms, and brief periods of government support, the obstacles posed by natural disasters, and by political and economic assaults prevailed. Between 1920 and 1993, African-Americans suffered a 96% decline in land ownership. Yet, despite the mass migration of blacks from the rural South, most African-Americans - like Charlene Gilbert - still have family in the rural South, which they view as a "homeplace." Black farmers have continued to struggle and organize to save a tradition that runs through their veins.

*My name is written on the land.
This is where I came from and this is where I intend to stay.*
Willie Head, Georgia farmer

**Remarks of Congresswoman Eva M. Clayton
The Black Farmers' Demonstration
Washington, D.C. March 2, 1999**

Good Morning, and Welcome to Washington, D.C., the Nation's Capitol. We are here today because we have reason to hope, and we have reason to despair. This duality is a result of the uncertainty of the moment.

We stand before a United States Federal Courthouse, a symbol of justice in America. Yet, we still do not know if hundreds, thousands of Black farmers will get justice for acts of past discrimination. Why do we hope and despair at the same time?

We hope because for the first time in decades, Black farmers can see that progress is being made. While not a perfect resolution of your claims, the class action lawsuit has been settled. And, you stand here today, hopeful that the settlement can be shaped and reshaped to benefit all who have suffered over the years.

The settlement and much of the hope and progress can be attributed to a number of "distinct "firsts" that have occurred under the leadership and guidance of the Black Members of the House Agriculture Committee and the Congressional Black Caucus. What are those firsts?

- 1) At the request of the Congressional Black Caucus, Black farmers were able to meet with the President. President Clinton allotted one hour for the meeting. He gave three. The farmers spoke, the President listened. This was a first.
- 2) At the urging of the Black members of the House Agriculture Committee, the Republican Chairman scheduled and held two Full Committee hearings to consider the plight of Black farmers. In thirty years, there had never been an official committee hearing on this issue. This was a first.
- 3) And finally, because of the efforts of Black Members of Congress and others, contained in the Agricultural Appropriations Bill is language that gives relief to Black farmers, including the lifting of the statute of limitations that had prevented you from having your day in court on your discrimination claims. This was a first.

Yet despite these firsts and despite the hope, there is reason to despair. There is reason to despair because, in my home state of North Carolina, much like every state where farming is a way of life, there has been a 64% decline in minority farmers, in just over 15 years, from 6,996 farms in 1978 to 2,498 farms in 1992.

Black farmers are declining at three times the rate of White farmers.

There are several reasons why the number of Black farmers is declining so rapidly. But, the one that has been documented, time and time again, is the discriminatory environment present in the Department of Agriculture, the very agency established to accommodate and assist the special needs of farmers.

The plight of the Black farmer in America is a plight that has been fueled by the sting of discrimination. Once land is lost, it is very difficult to recover. And, land has been lost by Black farmers. Land has been lost, income has been lost, livelihoods have been lost, families have been lost.

We stand here today in despair over this history. Yet, we also stand here today in hope that justice will prevail, and that the record will be set right for those farmers who have been wronged. We stand here today, and I and other Members of the Congressional Black Caucus stand with you.

When the history of this Century is written, it is my hope that the year 1999 will be recorded as significant in the effort to change the course and culture of the United States Department of Agriculture and the muddied legacy it has left for Black farmers.