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Losing Ground

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Gary Grant, president of the Black Farmers and Agriculturalists Association, grew up on a farm in rural North Carolina. His parents arrived in Tillery, in the northeastern part of the state, in 1947 to take part in a New Deal resettlement program established to help families raise enough capital through farming to buy their own land, which the Grants were able to do.

However, droughts affecting the region in the 1970s forced them to apply for a USDA loan through their local Farm Services Agency. The Grants had been farming successfully for decades and owned ample collateral assets; nevertheless, like all black farmers in Halifax County, and a disproportionate number of minority farmers nationwide, they were deemed unfit to manage their money and their loan was placed in a supervised account.

This meant that whenever the Grants needed cash to purchase supplies and equipment, they first needed the approval of an account supervisor. Problems arose when the supervisor frequently delayed signing off on purchases, which held up the release of the money for so long that by the time the funding arrived, optimal seasonal conditions for planting or harvesting had passed. The delays meant that crops came in late and yield was lower, which translated into less profit for the Grants and an inability to make payments on time. The Grants battled the USDA until both of Gary's parents passed away in 2001, leaving behind an enormous debt and the oldest civil rights claim in American history, which has yet to be resolved.

Grant views his parents' tragedy as part of a larger pattern, one the BFAA--whose motto is "A landless people is a hopeless people"--is struggling to change. The Seventh Annual Black Land Loss Summit, which took place in Tillery February 18-20 and was co-sponsored by the Black Land Loss Fund, sought to recognize and address the disappearance of black farmers and the agrarian culture they embody. The land owned by black farmers has dwindled from roughly 17 million acres in 1910 to roughly 7 million today. And the number of black farmers has declined by 98 percent since 1920, compared with a 66 percent decline in white farmers over the same period.

In the past, violence has determined black America's shifting landscape: courthouses torched to destroy deeds for land belonging to blacks; black landowners terrorized, driven from their homes and in some cases murdered by the Klan; and, perhaps most spectacular, the 1921 attack by white mobs on Tulsa's Greenwood neighborhood, which effectively destroyed the thriving community then known as the "Black Wall Street." Today, Grant cites "USDA-sponsored land loss" and the exploitation of land inheritance laws by developers as the means by which blacks continue to lose land to whites.

In 1984 and 1985, at the height of the farm crisis, the USDA lent a total of \$1.3 billion to nearly 16,000 farmers to help them maintain their land. Only 209 of those farmers were black. Moreover, according to a 1997 Civil Rights Action Team Report, which looked at the state of affairs in the 1990s, in several states minority loan applicants waited an average of three times longer to receive their money than their white counterparts. The report found that

loans were denied to minority farmers at a rate of ten-fifteen percent times higher than white farmers, varying between states. The rationale for denying loans was completely at the discretion of the loan officer, and unless the farmer appealed his or her decision, a time-consuming and often futile process, the buck stopped there.

The 1997 *Pigford v. Glickman* class-action suit marked a flashpoint in the conflict between minority farmers and the USDA. More than 20,000 farmers who had filed complaints of discrimination between 1981 and 1996 were awarded the largest civil rights settlement in history. This was a two-tiered resolution; "Track A" farmers agreed to accept a \$50,000 settlement and forgiveness of their debt upon proving their case, and a much smaller subset, designated "Track B," were willing to wait longer and provide more detailed evidence, enabling them to receive larger settlements.

Sadly, legal mismanagement, incomplete records and missed filing deadlines all contributed to 30 percent of Track A farmers never receiving the \$50,000 awards to which they felt entitled. Ninety percent of the Track B claimants, levying charges of various discriminatory practices, prevailed in their arbitrations--and the USDA has appealed all nine.

In an interview, Paul Gutierrez, hired in March 2004 as the USDA's Deputy Assistant Secretary for Civil Rights, ticked off some of the means by which the USDA hopes to ameliorate the situation. One is an electronic database that would allow his office to monitor hot spots where there are heavy complaints of discrimination. Another is an Internet-based loan application system. Farmers could apply for loans online, obtain dated receipts and track the progress of their application through the system in real time. "Farmers won't even have to come into the loan office," Gutierrez explained. Which is probably for the best, because the consensus among black farmers is that despite Gutierrez's assurances, the same good old boys continue to sell them out to their cronies or to large farms, undeterred and under only nominal supervision from the national office.

Veldon Hall would seem to be among the blatant examples of the good-old-boy network in practice. After presiding over the Mississippi State Farmers' Home Agency, during which time it accrued the largest number of civil rights complaints in the country, Hall was promoted to director of farm loan services at the FSA's Washington headquarters. (It was here that he came under fire in 1996 for showing a noose to a black co-worker at a gathering to welcome her to the office.) Hall believes it's unfair to hold him accountable for problems that took place two decades ago. "My children weren't even born then," he laughingly told *The Nation*.

Eddie Wise explained to audience members at the Land Loss Summit how it took him from 1991 to 1997 to purchase his farm in Nash County, even though he qualified to use part of a \$500,000 fund earmarked for socially disadvantaged farmers, money he should have received approximately sixty days after completion of his application. His loan officer hindered every step of the transaction, from petty roadblocks like claiming to be out of application forms, stalling on processing the forms once submitted and demanding extraneous paperwork from Wise, to major obstructions, like neglecting to inform Wise of the existence of the socially-disadvantaged-persons fund, only mentioning it after Wise had testified before the Agriculture Secretary. The loan officer remains at the Nash County FSA office, and Wise was ultimately advised to conduct his business in Martin County, at an office fifty miles away.

Wise, a former Green Beret and former college professor, considers himself exceptional among black farmers to have been able to stick with the process long enough to finally purchase his farm despite the harassment and maltreatment he endured.

Many black farmers are unaware of their eligibility for tax breaks, or of the value and various uses of forested land, or of funds available to farmers to promote good land stewardship. Again, despite a boost in outreach efforts by the USDA, the flow of information to black farmers seems blocked at the local channels. John Boyd of the National Black Farmers Association contends that the USDA's new rhetoric belies cuts in its outreach budget, and that the agency refuses to work with the NBFA, preferring to rely on organizations like the Farm Bureau as the sole way it disseminates valuable information. Boyd is currently trying to get the word out to black farmers about a \$10 billion tobacco buyout being offered by the government with a June 17 sign-up deadline.

The summit provided an alternative outlet for information, where farmers and landowners could build social networks and learn to navigate legal pitfalls. Often, black landowners fail to draft wills, and die leaving "heired

property." (Under current laws, all descendants of the deceased own a share of the land, but the land itself cannot be divided, and frequently heirs who have family conflicts or who find the land tax burdensome will sell the entire parcel at a low price to white developers.) The summit also offered sessions on how sprawl and zoning ordinances affect black communities, particularly in the impoverished Black Belt, a fertile crescent curving from southeast Louisiana through six states before tattering near the coasts of the Carolinas and southern Virginia, where in many counties blacks constitute more than 50 percent of the population.

A major theme of the summit was the need for self-sufficiency in the black community. Grant argues that Northern liberals who stood with blacks during the civil rights era have largely abandoned this struggle. Ironically, saving the environment has become the new liberal cause, and conservation groups are often at odds with poor black rural communities, said Mikki Sager of the North Carolina Conservation Fund.

Meanwhile, the churches, a traditional political stronghold for African-Americans, have also failed to respond to the crisis besieging their rural constituents. The Nation of Islam, well represented at the summit, used member donations to help purchase 1,556 acres of land in Georgia with the aim of fostering self-reliance in the black community. But black farmers still cannot obtain loans or other financial support from traditional churches. "Farmers come upon hard times year after year after year, and the churches haven't reached out their hand," laments the Rev. Charles Sherrod, whose wife is the Georgia director of the Federation of Southern Cooperatives.

Phillip Barker holds the distinction of having managed one of the country's largest black-owned dairy farms. Along with Operation Spring Plant, a farm aid agency he co-founded, he is exploring ways to develop markets in the inner cities, areas largely bereft of grocery stores. He feels that the only way to prevent black land loss is to bring people together at summits like these. "We need strength from other people, but the major strength comes from us. Within our community."