

The
Economist

Government in disgrace (2) The last plantation

Mar 11th 1999 | RICHMOND, VIRGINIA | From the print edition

AS AMERICA's black farmers see it, they are not much better off than the slaves and sharecroppers from whom many of them are descended. The farmers, whose numbers have dwindled from about 925,000 in 1920 to fewer than 20,000 today—about 1% of all American farmers—have long claimed that, because of the colour of their skin, they have been denied loans, disaster relief and other aid from the federal Agriculture Department (USDA).

AP



Forty acres, a mule and a class-action suit

In 1997, several thousand black farmers joined a \$2.5 billion lawsuit alleging discrimination by the agriculture agency—derided by some as the “last plantation”—between 1983 and 1997. Calvin Brown, a 72-year-old tobacco farmer in Brunswick County, Virginia, claimed that blacks usually had difficulty getting appointments at the local Farmers Home Administration Office, and that his local agent would delay co-signing loans. “It looked like he was going out of his way to put me out of the farming business,” said Mr Brown.

Another black farmer in Virginia, who abandoned farming and is now a counsellor at a federal prison, alleged that Farmers Home would never lend him enough to expand his small farm. But, said James Beverly of Nottoway County: “They'd give Caucasian farmers operating loan and operating loan, year after year.”

The USDA has acknowledged problems in its dealings with black farmers. Dan Glickman, the agriculture secretary, has heard their concerns at first hand at more than a dozen town-hall meetings around the country. A 1997 report for the agency concluded that “minority farmers have lost significant amounts of land and potential income as a result of discrimination” in USDA programmes. But the Clinton administration suggests that much of the blame lies with Ronald Reagan, under whom, in 1983, the department closed down the investigative wing of its

civil-rights office.

Lawyers for the farmers and the Clinton administration settled the lawsuit just before a scheduled trial in February. But now the deal, worth \$400m, is in jeopardy from the very farmers who wanted it. They say it is not enough, and they want Paul Friedman, a federal district court judge in Washington, DC, to throw it out.

Under the deal, between 2,000 and 4,000 farmers would have received damage awards of \$50,000 from the department, most of it tax-free. The USDA would also have forgiven their outstanding loans. But “\$50,000 is a drop in the bucket for a lifetime of losses,” says John Boyd, the president of the National Black Farmers Association and a point-man in negotiations with the government.

How inadequate is the payout? According to Vernon Breckenridge of Hennessey, Oklahoma, one of the 400 farmers who jammed Judge Friedman's courtroom in protest on March 2nd, “It won't even buy a mid-sized tractor, much less the equipment to go with it.” Others are more satisfied. J.L. Chesnut, a prominent civil-rights lawyer from Alabama who represented the farmers, argued that the deal, while certainly not perfect, was a “watershed for justice” which would quickly pump cash into a large number of farms. Yet the lawsuit has been about discrimination as much as about sums of money, and other plaintiff lawyers say it does nothing to erase racism inside the Agriculture Department. Mr Boyd is attempting to highlight the problems of racism with a \$10m lawsuit, filed a week before the hearing in Judge Friedman's courtroom, which alleges that a top aide in the USDA called him a “nigger”. The official denies the charge.

There is little Judge Friedman can do at this point. He can formally reject or approve the deal, to which he gave his preliminary blessing in January, but he cannot sweeten it. The settlement includes a proviso allowing some farmers to argue for bigger damage payments before an independent arbitrator. The farmers may derive some solace, however, from Judge Friedman's strong criticism of the USDA. “We ought”, he said, “to be ashamed.”

From the print edition: United States