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# CONTEMPORARY ANALYSIS OF RACIAL DISCRIMINATION AGAINST RURAL FARMERS BY THE USDA

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A U.S. FARM BILL FAIRNESS INITIATIVE



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“Having someone of your same community doesn’t necessarily translate into fair treatment. To me that’s a workforce issue rather than a civil rights issue.” \*

“There’s an election yeah, I participate, but one voice to a hundred other farmers or a thousand farmers, you know its--its not, you know, its...nothing happens. And even through the minority delegate that they offer...all they are is an advisor and they’re a non-voting member. So what good is it to sit there on the county committee and you have no power or no force or word whatsoever. A lot of that stuff, it just, it pisses me off.” \*

\*Excerpts from Interviews with farmers, activists, and lawyers

# PROJECT OVERVIEW

The United States Department of Agriculture (USDA) has been under legal scrutiny for historical racial and gender discrimination. Accusations of discrimination manifested in major civil rights lawsuits and settlements, such as *Pigford I and II*.

*Pigford I*, also known as *Pigford vs. Glickman*, was filed in August 1997 by a group of 401 African-American farmers. These farmers charged the USDA with racial discrimination, preventing these growers from accessing federal agriculture program loans and financial assistance. Although this case was settled in 1999, *Pigford II (re Black Farmers Discrimination Litigation)* was filed in 2008 to represent claimants involving racial discrimination, who were not represented in the original case.

Legal claims made by farmers and academic research have pointed to institutional racism within the USDA. Evidence of this discrimination can be seen in the USDA's bureaucratic system, including the County Committees (COC) of the Farm Service Agency (FSA).

One of the results of the *Pigford v. Vilsack* case was a discussion of the racial representation of small and medium farmers in the COCs, which control the implementation of FSA programs at the local level. A 1997 report by the USDA Civil Rights Action Team observed that 94% of the COCs included no women or minorities as of 1994.<sup>1</sup> Due to the pressure of organizations like Rural Coalition (RC) and National Family Farm Coalition (NFFC), the U.S. Farm Bill first attempted to address the lack of racial representation in the COCs in 2002. It called for COCs to be more “representative of the agricultural producers within the area covered by the county, area, or local committees”.<sup>2</sup> The bill also granted the Secretary of Agriculture the power to appoint members to COCs in order to ensure diversity among this governing body.

Our research sought to understand whether farmers' experiences with the COCs and of racial discrimination had change since the *Pigford I and II* cases. Our work was guided by the following questions, stemming from ongoing conversations with RC and NFFC members:

What were the experiences of farmers of color with the USDA prior to and post-*Pigford* lawsuit cases?

Are the County Committees of the USDA demographically reflective of the farmers and ranchers they represent?

To investigate our questions and concerns, we had several methodological approaches. First, we conducted seven semi-structured interviews with farmers of color, activists, and lawyers. Our questions focused on the interviewees' opinions of the cases, as well as their personal experiences with discrimination as farmers, their experiences working in the trenches

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<sup>1</sup> Civil Rights Action Team. *Civil Rights at the United States Department of Agriculture*. Rep. Washington D.C.: USDA, 1997. Print.

<sup>2</sup> United States. Department of Agriculture. Office of the Secretary. *Rules and Regulations*. Vol. 77. 2012. Print. Ser. 108.

exposing issues of discrimination, and/or fighting for greater equity for farmers. In order to provide additional perspectives to our project, we also created a map showing the racial distribution of African-American and White COC nominees during the 2013 Election period. This data set was provided by the USDA Farm Service Agency (FSA).

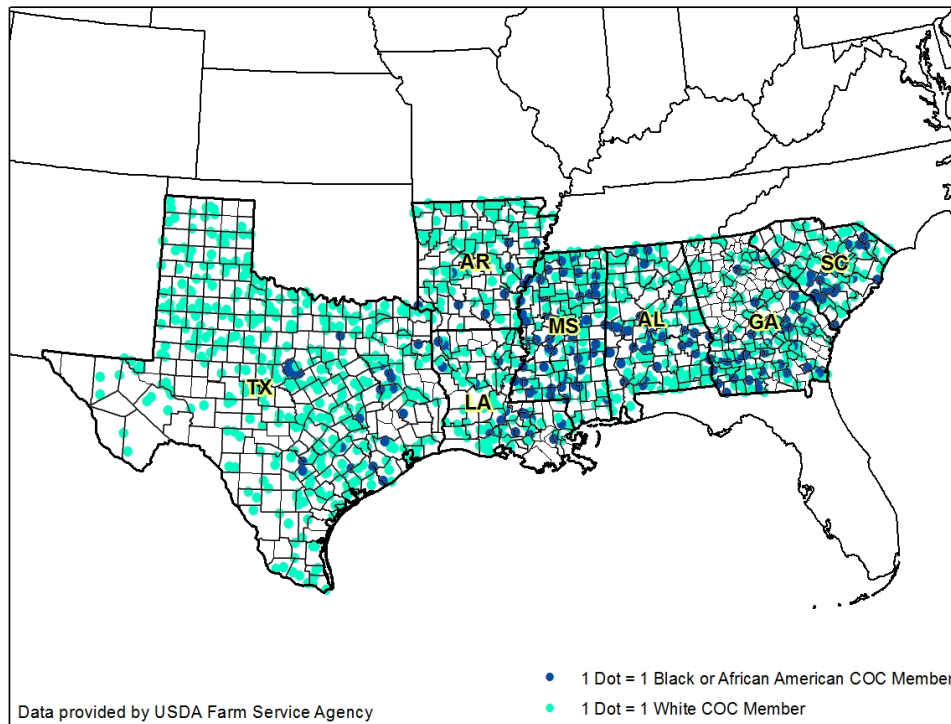
Lastly, we put together a short documentary to tell the story of the Pigford lawsuits and recount some of the history of discrimination of the USDA towards farmers of color. The story is told through interviews with farmers, activists and a lawyer, all of whom are fighting for greater equality in the treatment of farmers in the US.

In the following two pages, you will find summaries of our findings for the 2013 COC Election Nominees Map and documentary. Our extensive analysis, including the main themes from our conducted interviews, will be available in our final report at <http://www.farbillfairness.org>.

Overall, we hope to bring additional insights on the barriers of racial representation in our domestic agri-food system and contribute to racial equity conversations in national agricultural policies.

# MAP

## 2013 COC Election Nominees in Selected Southern States (African American vs. White Nominees)



This map compares the racial population distribution of COC nominees in 2013. In particular, our research pays attention to the distribution of African-American and White farmer nominees in the following southern states: Texas, Arkansas, Louisiana, Mississippi, Alabama, Georgia, and South Carolina. We decided on these states, since USDA research showed that a majority of African-American farmers are located in this region of the country. Future research is needed to expand on this spatial analysis for other states, such as Oklahoma and North Carolina.

The map was created using a geographic information system, ArcGIS. We downloaded the shapefiles for counties and states from the USDA National Agricultural Statistics Service. The demographic data on county committee nominations and elections were provided by the USDA FSA.

From a general overview of the map, we can see that White COC farmers comprised a majority of the COC nominations compared to African-American farmers. This regional study shows that the USDA needs to increase outreach to farmers of color and support efforts to increase nominations among these communities. This map sought to highlight the geographic politics of representation and power at the local governmental level.

# DOCUMENTARY



**Production Period:** January 2016- April 2016

**Plot Summary:**

This short documentary tells the story of the Pigford class action civil rights lawsuits against the USDA, providing historical context for viewers who are unfamiliar with the court cases and their context. The stories of these cases are told through interviews with activist leaders, a lawyer, and farmers from South Carolina.

The activists, Lorette Picciano (Rural Coalition), Rudy Arredondo (National Latino Farmers and Ranchers Trade Association), Georgia Good (Rural Advancement Fund) and Willard Tillman (Oklahoma Black Historical Research Project) share their work in the fight for racial and agrarian justice in rural America, and their experiences and opinions of the Pigford cases. The lawyer interviewed, Ms. Savonala Horne (Land Loss Prevention Project), works on issues of black land loss, and shares some of the legal aspects of the cases. Interviews with the farmers operating out of South Carolina are particularly engaging as the farmers express first hand their lives as growers and share some of their experiences with racial discrimination and concerns for the future of farming.

These farmers represent two different aspects of the Pigford cases. Mr. Lewis Walker, is a third generation, older farmer whose claim of racial discrimination was rejected from the case. The second farmer, Mr. Ryan Pressley is much younger and his farming experience started after the Pigford cases were already settled.

Through the words of these interviewees, the film explores the sometimes all too subtle experiences of discrimination faced by black farmers and touches on questions about the impact of the Pigford cases. What have been the lasting impacts of these lawsuits? Did these lawsuits bring any change to the system(s) that oppresses farmers of color? Most importantly, the film hopes to raise awareness about the very real issue of discrimination within the farming system in the United States, particularly in the USDA.

## ACKNOWLEDGEMENTS

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