



# Arc of Justice

The Rise, Fall and Rebirth  
of a Beloved Community

## THE BACKSTORY

### Historical Background for Events Featured in *Arc of Justice*

*Arc of Justice* is a small slice of a much larger story. The period encompassed by the film stretches from 1961, the date of Charles Sherrod’s arrival in Albany, to the present day. Over half a century is traversed in only 22 minutes. Inevitably, a lot of information was abbreviated or omitted in the interest of creating a short documentary that could be used in training, organizing, and education.

This “backstory” provides both historical context and additional information about places, events, and people that are part of the on-going story of New Communities.

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## 1. SOUTHWEST GEORGIA—“EGYPT OF THE CONFEDERACY”

*“How curious a land is this—how full of untold story, of tragedy and laughter, and the rich legacy of human life; shadowed with a tragic past, and big with future promise! This is the Black Belt of Georgia. Dougherty County is the west end of the Black Belt, and men once called it the Egypt of the Confederacy. It is full of historic interest.”*

W.E.B. DuBois, *Souls of Black Folks*, 1903

Cypress Pond Plantation (the property purchased by New Communities Inc. in 2011) is representative of the many plantations established in southwest Georgia in the decades prior to the Civil War. All were devoted to the cultivation of cotton and were entirely dependent on slavery. By 1860, there had arisen in the area surrounding Albany what historian and sociologist W.E.B. DuBois later described as “perhaps the richest slave kingdom the modern world ever knew. A hundred and fifty barons commanded the labor of nearly six thousand Negroes [and] held sway over farms with ninety thousand acres [of] tilled land.”

The end of slavery overthrew the reign of King Cotton, forcing plantation owners to turn to less labor-intensive and more profitable agricultural products, including pecans, peanuts, and livestock. Many African Americans stayed in the area after emancipation, outnumbering the local white population by a significant degree. For a brief period during Reconstruction, their superior numbers even won them a modicum of political power. Thousands of black men in Albany and Dougherty County registered to vote and managed to elect three African Americans to the state legislature, returning them to office for nearly fifteen years. Whites in Albany fought back, resisting black enfranchisement through intimidation and voting fraud. By 1915, they had succeeded in reducing the total number of registered black voters in Albany to twenty-eight.

Albany's population remained predominantly African American until the 1940s. During World War II, two nearby airfields were established by the military for the purpose of training British and American pilots. A U.S. Marine Corps Logistics Base was added in 1951 to rebuild and repair ground combat equipment. Due largely to the influx of servicemen, civilian support staff, and their families, Albany's population tripled in twenty years, reaching nearly 56,000 by the start of the 1960s. Most of these newcomers were white, making the county's black population a minority for the first time.

Jim Crow was enshrined in the statutes and codes of the city and the county from the 1880s to the mid-1960s, a system that enforced strict racial segregation in public transportation, waiting rooms, rest rooms, restaurants, hotels, pools, schools, public housing, and every other aspect of public life. Voter suppression was part and parcel of this regime. Relatively few black adults were registered to vote or managed to enter the polls. As a result, throughout the 1950s and 1960s, all six of the city commissioners were white. So too were the city manager, the chief of police, and the entire police force. Segregation was not only a way of life; it was the law, which these white municipal officials were sworn to uphold.



## 2. STUDENT NONVIOLENT COORDINATING COMMITTEE (SNCC)

*“Charles Sherrod first went to southwest Georgia in 1961 after the Freedom Rides to do voter registration for the Student Nonviolent Coordinating Committee.”*

John Lewis, *Arc of Justice*



The Student Nonviolent Coordinating Committee (SNCC) was founded in April 1960. Some 300 college students who had participated in sit-ins and other protests against segregation came to Shaw University in Raleigh, NC at the invitation of Ella Baker, executive director of the Southern Christian Leadership Conference (SCLC). They gathered with the intention of forming a student-led organization that could coordinate direct-action protests and voter registration campaigns throughout the South.

Among those in attendance was a 32-year-old theology student from Vanderbilt University, James Lawson, who had studied Gandhi's principles of nonviolent resistance while serving as a Methodist missionary in India. Lawson had already begun teaching tactics and attitudes of nonviolence to young activists in Nashville that would be used by SNCC throughout the 1960s. He was tapped to write SNCC's Statement of Purpose, which read in part: "We affirm the philosophical or religious ideal of nonviolence as the foundation of our purpose, the presupposition of our faith, and the manner of our action."

SNCC was formally incorporated a month later. Marion Barry was elected the first chairman, followed the next year by Charles McDrew, and then by John Lewis, who served as SNCC's chairman from 1963-1966. SNCC played a leading role in the Nashville sit-ins, the Freedom Rides, the Mississippi Freedom Summer, the 1963 March on Washington, the 1963 Birmingham Children's Crusade, and the 1965 Selma Voting Rights Movement.

SNCC also supported and spurred the Albany Movement. Charles Sherrod arrived in Albany in 1961 to open SNCC's first field office and to lead a regional voter registration campaign under the banner of the Southwest Georgia Project. Sherrod and his SNCC comrades, Charles Jones, Cordell Reagon and Randy Battle, ranged widely throughout the rural counties surrounding Albany, urging sharecroppers, tenants, and small farmers to participate in mass meetings and to register to vote. They were especially effective in recruiting young people to the civil rights cause, including black high school students and college students at Albany State.

SNCC disintegrated in the early 1970s, a decline that had started with the election of Stokely Carmichael as chairman in 1966. The leadership of SNCC became divided over questions of nonviolence and interracial cooperation, provoked by Carmichael's espousal of a philosophy of Black Power and his push to expel white members from the organization. Disagreeing with this direction, a number of SNCC's black members resigned, including John Lewis, Diane Nash, and Charles Sherrod. None of them abandoned the larger struggle for racial justice, but they carried on outside of the organization they had helped to start.



### 3. THE ALBANY MOVEMENT

*“When they began to arrest us, we filled the jails in Albany. We thought that would be enough.”*

Charles Sherrod, *Arc of Justice*



Launched in 1961, the Albany Movement aimed at nothing less than total desegregation of an entire Southern city. The leaders of Albany’s all-white city government vowed this would never happen, declaring that Jim Crow was here to stay. Attempts by African Americans to register to vote were stubbornly resisted. Nonviolent marches and protests resulted in mass arrests. The police force of Chief Laurie Pritchett rounded up every protester in sight, including the president and vice president of the Albany Movement, William Anderson and Slater King. Arrested, too, were Martin Luther King Jr. and Ralph Abernathy who had come to town at the invitation of the Albany Movement. Both were jailed in Albany three times in 1961 and 1962, along with more than a thousand other protesters. (Jackie Robinson, the former NY Dodgers second baseman, flew to Albany during this period as well, expressing his personal support for the Albany Movement. The police chief was politically savvy enough to realize, however, that Robinson was too famous to jail.)

When the cells in Albany overflowed, protestors were sent to jails in surrounding towns, where they were more likely to be abused by rural deputies. No one was exempt. Marion King, the pregnant wife of Slater King, was kicked in the stomach when she brought food to protestors. She lost her unborn baby.

Slater’s older brother, attorney C.B. King, was beaten by a deputy sheriff when he attempted to visit one of his clients. A photograph showing a bloodied and bandaged C.B. King being interviewed by reporters after his assault was picked up by the national wire services and reprinted around the world, publicizing the civil rights battle happening in Albany.

At the center of the struggle was song. Visiting Albany in 1962, Pete Seeger witnessed firsthand the galvanizing effect of the town’s singers during a protest meeting. He suggested to James Forman, SNCC’s executive secretary at the time, that a touring group might help to raise funds for the Southwest Georgia Project and SNCC’s other campaigns. The Freedom Singers were formed by Cordell Reagon. He recruited Albany natives, Rutha Mae Harris, Charles Neblett, and Bernice Johnson, whom he later married. (A decade later, Bernice Johnson Reagon founded another singing group, the renowned African American women’s a cappella ensemble, Sweet Honey in the Rock.)



Martin Luther King Jr. came to consider the Albany Movement to have been a failure because segregation was not overthrown by the time he moved on to Birmingham. His assessment was one with which Albany's activists never agreed. As Charles Sherrod later remarked, "I can't help how Dr. King might have felt . . . but as far as we were concerned, things moved on. We didn't skip one beat."

In fact, black voter registration was so successful that two months after MLK left Albany, an African American businessman secured enough votes when campaigning for a seat on the city commission to force a run-off election. The following spring in 1963, the city commission removed all segregation statutes from its books, but it would take another dozen years—and a federal court order—before the all-white monopoly on the commission was finally broken.

During this entire period, Albany's civil rights activists continued to press for voter registration and political representation. They also worked for school integration, fair housing, and economic self-sufficiency for African American families.



## 4. ALL POWER COMES FROM THE LAND

*“That’s how the spark came to me of the need for land. Seeing the land, the beauty of the land and the acknowledgement that all power comes from the land, and the land comes from God.”*

Charles Sherrod, *Arc of Justice*



New Communities Inc. (NCI) did not sprout fully formed from the red clay of Georgia without preparation or precedent. It grew from multiple seeds. It drew on various experiments with community-owned land and community-led development that had been tried out in other times and places long before their appearance at NCI at the tail end of the 1960s. Those precedents had not been democratically structured in quite the same way as New Communities, however, nor applied so intentionally to the empowerment of a people still struggling to remove the remaining shackles of an apartheid regime. NCI was something new.

Charles Sherrod came to the idea of community ownership as he searched in anguish for some way to enhance the security of tenant farmers and sharecroppers who were being forced off the land when they tried to register to vote. His spark of inspiration—his great contribution to the conversation that led eventually to the creation of New Communities—was that homes and livelihoods of people fighting for their rights would be less at risk *individually* if the underlying land was owned and farmed *collectively*. In his mind, moreover, there was a clear connection between common ownership and common voice. *Land was power*, economically and politically.

Other founders of New Communities came gradually to the idea of community-owned land by way of agricultural cooperatives. Black farmers in the South began disappearing in record numbers after World War II due to the mechanization of agriculture, discrimination in lending, and the domination of agricultural markets by large growers and major corporations. To compete and to survive, black farmers looked to cooperatives.

The main organizations promoting agricultural co-ops among black farmers in the South during the 1960s were the Federation of Southern Cooperatives, led by Charles Paejean; the Southern Cooperative Development Fund, led by an African American priest from Louisiana named Fr. Albert J. McKnight; and the National Sharecroppers Fund (NSF), an offshoot of the Southern Tenant Farmers Union. The executive director of NSF was Fay Bennett. All three of these dynamic individuals were involved in the creation of New Communities, drawn to the notion of farmland being held in common by their continuing commitment to cooperatively-owned farm and food enterprises.



Another seedbed for New Communities was Koinonia Farm, an intentional Christian community located near Albany, GA. Co-founded in 1942 by a white Protestant minister named Clarence Jordan, Koinonia's land was cooperatively farmed. Its larger role in the story of New Communities, however, was that Koinonia was probably the place where Slater King, a local civil rights leader who became the president of NCI, was introduced to the idea of creating planned settlements on community-owned land.

In the late 1950s, Koinonia came under violent attack by the Ku Klux Klan and endured a lengthy boycott by white-owned businesses. These assaults were prompted by the sermons of Clarence Jordan denouncing segregation and by the racial mixing at Koinonia where blacks and whites lived and worked side-by-side as equals. Slater King, C.B. King, and their wives were frequent visitors to Koinonia during this difficult time, befriending Jordan and helping to sell the farm's products within Albany's black community.

Koinonia was likely where Slater met a northern pacifist named Bob Swann, one of Jordan's long-time friends. Swann worked for the International Independence Institute, an organization advocating a model of rural development that had emerged out of Gandhi's struggle for independence in India. Known as "Gramdan Villages," this Indian model featured long-term leaseholds on community-owned land. Long before New Communities became a reality, Bob Swann and Slater King began talking about the possibility of a "Gramdan Movement in America" serving black farmers in the South who had been deprived of access to land.



## 5. THE TRIP TO ISRAEL

*“In June 1968, Charles Sherrod, Slater King and six others traveled to Israel to learn about developing homes and cooperatives on community-owned land.”*

from *Arc of Justice*



Southwest Alabama Farmers' Cooperative Association; Albert Turner, Alabama field director for the Southern Christian Leadership Conference; and Charles Sherrod, co-founder of the Southwest Georgia Project.



With grants from the National Sharecroppers Fund and the Norman Fund, eight community activists from the United States went to Israel in 1968 to learn more about alternative models of rural settlement and the particular form of ground leasing practiced by the Jewish National Fund. This delegation included: Slater King, president of the Albany Movement, and his wife Marion King; Bob Swann, field director for the Institute for Community Economics; Fay Bennett, executive director of the National Sharecroppers Fund; Leonard Smith, a colleague of Bennett's at the NSF; Lewis Black, a board member for the

During several weeks in Israel, members of the American delegation visited different kinds of cooperative agricultural settlements, looking for a model of rural development that might assist African American farmers and their families in gaining greater economic security. They rejected the *kibbutz*, believing that the model's collectivist approach to raising children would not be acceptable to black families in the South. They gravitated, instead, to a type of settlement known in Israel as the *moshav*. This model combined individual ownership of homes, cooperative organization of agricultural enterprises, and long-term leasing of the underlying land.

The Americans returned home in July, energized by the idea of creating something similar in their own country, hoping that community-owned land might provide more security and opportunity for farm families being forced off the land. As Fay Bennett subsequently wrote in her report to the Norman Fund:

*“The underlying principle of the Jewish National Fund, namely, that the land is held in trust for all the people of Israel in perpetuity and is not to be bought and sold in speculation, is paramount. We believe that a structure based upon a similar principle is needed to make possible the acquisition of tracts of contiguous land in the rural South on which to resettle displaced sharecroppers and tenant farmers and to make possible the development of communities with a viable economic base.”*



## 6. ORGANIZING NEW COMMUNITIES INC.

*“After returning, they developed plans to create New Communities, Inc., which is considered the first community land trust in the United States.”*

from *Arc of Justice*



The eight people who had made the trip to Israel convened a large meeting in Atlanta upon their return. They floated a proposal for creating a cooperative agricultural settlement in southwest Georgia resembling a *moshav*. It would have owner-occupied housing on half-acre homesteads clustered around a village center, surrounded by open fields that were cooperatively farmed. The land underneath this new town would be owned in common—leased out for individual and cooperative use, but never resold.

Invitations to the Atlanta meeting were extended to every civil rights organization in the South “concerned with the land problem of Blacks.” Among the roomful of people in attendance, joining the eight who had gone to Israel, were: James Wood and John Lewis, representing the Southern Regional Council; Charles Prejean, representing the Federation of Southern Cooperatives; William Pearce, representing the Southern Rural Project; Father Albert J. McKnight, representing the Southern Cooperative Development Fund; and James Mays, the Mississippi field director for the National Sharecroppers Fund.

The most controversial element of the concept put forward in Atlanta by those who had traveled to Israel was their proposal to hold the land in trust, leasing it out rather than selling it off. As the discussion went on, however, the meeting’s participants were gradually persuaded that community ownership, rather than individual ownership, was needed to keep farmers and families from losing their land. Security of tenure was an abiding concern among activists who had witnessed how easily lands and homes occupied by low-income families could be lost.

Community ownership was also seen as a way for African Americans to gain a stronger voice in a region where their collective political and economic influence was slight. As Charles Sherrod reminded everyone, at the 1968 meeting and repeatedly thereafter, “all power comes from the land.”

A planning committee was formed to explore and refine this *moshav* model and to create a framework for possibly establishing such a settlement somewhere in the South. In March 1969, bylaws drafted by C.B. King were approved. The name chosen by the committee was New Communities, Inc., described in the Articles of Incorporation as “a nonprofit organization to hold land in perpetual trust for the permanent use of rural communities.” Officers of this new nonprofit corporation were Slater King (president), Father McKnight (vice-president), Fay Bennett (secretary), and Leonard Smith (treasurer).

## 7. THE LEGACY OF SLATER KING

*“Slater King played a key role. . . . Losing him was like losing a brother.”*

Shirley and Charles Sherrod, *Arc of Justice*



Born in 1927, Slater King was one of seven sons of a prosperous African-American family in Albany, Georgia whose parents espoused an ethic of hard work, community service, and racial advancement. His father helped to establish the local chapter of the NAACP. An older brother, Chevene Bowers, known to everyone as “C.B.,” became a prominent civil rights attorney. For many years, he was the only African-American lawyer south of Atlanta who would accept civil and criminal cases.

Slater attended Fisk University in Nashville, studying economics. Graduating in 1946, he returned to Albany to manage his father’s grocery store, but was soon building his own business in real estate and insurance. With his second wife, Marion, acting as his administrative assistant, the firm expanded rapidly, eventually employing as many as thirty people.

Slater gained a local reputation as a staunch advocate for civil rights. When the Albany Movement was founded in 1961, Slater was elected vice president. A year later, he was elected the organization’s president. He was jailed multiple times, including in 1963 when nine of the Albany Movement’s leaders were charged with conspiring to obstruct justice.

During the latter half of the 1960s, Slater’s civil rights activism focused increasingly on economic issues. He was especially concerned with overcoming the obstacles faced by African Americans in gaining access to farmland and decent housing. He sometimes purchased properties in all-white neighborhoods and sold them to blacks. He played a leading role in creating church-sponsored housing for low-income families and he helped to establish one of Albany’s first integrated housing developments.



His interest in the “land question” was nudged in a new direction by a budding friendship with Bob Swann, who he likely met at Koinonia Farm around 1964. As a pacifist and student of the life and legacy of Mahatma Gandhi, Swann was familiar with the Gramdan Movement, the decentralized model of rural development that had emerged out of the struggle for India’s independence. After Gandhi’s death, thousands of Gramdan Villages sprang up across India, seeded by a movement led by Vinoba Bhave, the “Walking Saint of India.” In each of these villages, donated land was held in common, managed by village

elders, and leased out for cultivation by small farmers and the rural poor. Slater’s interest in the possibility of establishing new settlements on community-owned land for African-American farmers and their families probably originated in conversations with Swann about India’s Gramdan Movement.

Slater’s exposure to the *moshav* model of rural development during the 1968 trip to Israel with Swann, Charles Sherrod, and five others, added new ingredients to the intellectual mix. It also confirmed for Slater the practicality of combining cooperatively managed enterprises, individually owned homes, and community-owned land, a hallmark of the *moshavim*.

When the American delegation returned from Israel, Slater stepped forward and played a leadership role in helping to create the blueprint for New Communities Inc. Once the organization was incorporated, he became the first president and led the effort to find land that NCI might buy. He negotiated an option to purchase Featherfield Farm and began immediately looking for the funds to complete the sale. Before the job was done, however, Slater was killed in an automobile accident in April 1969. That tragedy nearly stopped NCI in its tracks. As Bob Swann later wrote, “There was serious discussion about whether to continue with the project. With trepidation, but as a tribute to Slater, the vote was to go forward.” Slater King left behind a wife and four young children.



## 8. BUYING THE LAND

*"I kissed my wife good-bye, saying I'm going to get this money. And I raised it, somehow, over a million dollars."*

Charles Sherrod, *Arc of Justice*



Acting on behalf of New Communities Inc. in the year prior to his untimely death, Slater King used his expertise and contacts as a real estate agent to search for land that might serve NCI's purposes. He learned that two brothers who owned the Featherfield Farm were getting ready to put it on the market. The property was located near Leesburg, twenty-five miles north of Albany. It had a single-family house, several old sheds and barns, and nearly 6000 acres of farmland, forests, and ponds. It fronted on a well-traveled highway. Slater negotiated a purchase price of \$1,080,000 and handed over a check for \$50,000, securing a one-year option. The money for this option had come from the National Sharecroppers Fund, whose executive director, Fay Bennett, had accompanied Slater on the trip to Israel.

NCI's leaders now had a year to raise \$1,030,000. They were confident that most of this amount would eventually be covered by an implementation grant promised by the Office of Economic Opportunity in Washington DC. But that grant never materialized, causing a mad scramble to assemble the funds from other sources.

With the loss of Slater King, most of the responsibility for raising these funds fell to NCI's newly elected president, Charles Sherrod, with some long-distance help from Bob Swann and Fay Bennett, who had returned to their homes in the north after the trip to Israel. Sherrod and his allies managed to convince Prudential Life Insurance to allow NCI to assume the existing mortgage on the land, but that still left over half-a-million dollars to be raised by the date the option was due to expire. The entire amount was slowly patched together with loans of \$20,000 here and \$50,000 there, raised mostly from church groups.

The deal came close to falling through, however, as pressure mounted on the white owners of Featherfield Farm to renege on selling their land to a group of black civil rights activists. The owners hoped, in fact, they would be spared their neighbors' wrath, since it appeared that NCI might miss the deadline with the clock winding down on the one-year option. The day before the closing, NCI had discovered that church checks drawn on banks from out of state had to be physically hand delivered to a local bank in Albany, in order to be certified as valid. The checks had to be flown to Georgia. They arrived in the nick of time. NCI's attorney, C.B. King, handed over the balance of the property's purchase price. On January 9, 1970, New Communities Inc. became the official owner of Featherfield Farm.

## 9. CRAFTING A MASTER PLAN

*“It was some exciting times, you know. You’re planning villages, you’re planning education, you’re planning all these things. You basically have a chance to plan a life and lives, and plan ways to help our people.”*

Shirley Sherrod, *Arc of Justice*



Long before taking possession of Featherfield Farm, NCI’s leaders began discussing what might happen on the land. Their discussions kicked into high gear once the land was actually in hand. A series of meetings was held at the farm. Dozens of people came together to voice their opinions about what activities and enterprises to pursue, what to build, and where everything should go. The ideas generated by these “design charrettes” were then used by McClaghry and Associates, professional planners hired by NCI, to develop a master plan for the land’s use and development.

The completed plan envisioned the phased construction of four villages, each of which would eventually house up to 200 families in both single-family and multi-family buildings. Other lands were set aside for agriculture, recreation, and forest conservation. A day care center, cultural center, and elementary school were planned. Major circulation routes were sketched out for both pedestrians and cars. NCI’s acreage straddled a high-traffic county highway, so the master plan also reserved a site for someday developing a large commercial center with retail shops and wholesale outlets.

Amid all the excitement over the land’s potential development, however, the leaders of New Communities kept their eyes on the prize. Their vision for the future wasn’t just about constructing private houses, neighborhood facilities, and stores; it was also about building community, economic self-sufficiency, and political power for African American families. As a brochure later described it:

*“New Communities is a land trust. It is people holding land together as a community; it is “people power” through the security of holding and owning together the land which through development and use will bring them the power to stand on their own two feet; it is an idea whose time has come.”*

## 10. RACIST OPPOSITION

*“Lester Maddox was governor of the State of Georgia when the money was officially vetoed. We couldn’t build homes, we couldn’t implement all of the many plans we had put in place.”*

Shirley Sherrod, *Arc of Justice*



Unfortunately, very few of these inspiring plans ever came to fruition. None of the housing was ever built. The Office of Economic Opportunity (OEO) in Washington DC had provided the funds that enabled NCI to prepare a feasibility study and land use plan for Featherfield Farm. OEO officials had promised NCI’s leaders that once these preliminary tasks were completed New Communities would go to the front of the line to receive a \$1,000,000 implementation grant. So confident were NCI’s leaders of receiving this grant that they had begun to identify people who might want to live in the first village they were planning to build. Over 500 families put their name on the waiting list for buying or renting a new home on land that would be leased from NCI.

What NCI had *not* counted on was the violent reaction to their plans from local racists and the vehement opposition of the state’s governor, Lester Maddox.

Maddox was a staunch segregationist who had won the Democratic nomination for governor in 1966, mostly on the strength of publicity he received a year earlier when driving black protestors out of his Atlanta restaurant, the Pickrick. He was fiercely opposed to new federal laws that barred racial discrimination. He believed he had an absolute right to refuse service to African Americans, based on his religious beliefs and moral convictions—which could not be overruled by some dictate of a despised government.

On the wall near his restaurant’s front door, Maddox hung ax handles, which he dubbed “Pickrick drumsticks.” He then made headlines when he and several of his angry customers grabbed the ax handles and chased away black students from Georgia Tech, who had walked through the door and politely asked to be served. Maddox was photographed waving a handgun at the fleeing students, calling them “no-good dirty communists.” He instantly became a local hero to white supremacists throughout the state.

In the general election, none of the candidates for governor received a majority of the vote. The decision reverted to the predominantly Democratic Legislature, which awarded the governorship to Maddox by a wide margin. He was still in office when asked to sign off on the implementation grant that OEO had reserved for New Communities. Such approvals of “free” federal money were routinely rubberstamped by governors throughout the country, but not in this case. The U.S. Congressman representing the Albany area branded NCI’s leaders as “communists,” an accusation he entered into the Congressional Record. Maddox, for his part, referred to New Communities as “Sharecroppers’ City” and blocked disbursement of the OEO grant.

The Governor’s interference was neither the last nor the worst that NCI had to face. Over the next decade, as NCI’s leaders struggled to hold onto their land, local racists harassed them at every step. They shot into NCI’s buildings, setting fire to one of them. They diluted the farm’s fertilizer. They pressured white-owned businesses not to deal with the black agrarians at Featherfield Farm, turning nearly every transaction into a sullen exchange or an angry confrontation.



## 11. FARMING THE LAND

*“The idea behind New Communities was to take civil rights one step further into economic independence and economic rights, using agriculture as an economic base.”*

Mtamaninka Youngblood, *Arc of Justice*



Crippled by the loss of the implementation grant from Washington and blocked from developing the residential villages envisioned in their master plan, NCI's leaders realized that the only way to keep their dream alive was to farm the land as productively and profitably as possible. They proceeded to do so, with considerable success.

For nearly fifteen years, the leaders, paid staff, and summer volunteers for New Communities ran a diversified, ever-expanding farm operation. They cultivated and harvested seed corn, soybeans, peanuts, and sugar cane. They grew a variety of row crops, including watermelons, strawberries, collard greens, turnip greens, squash, and okra. They were the first commercial growers in southwest Georgia to cultivate and to market muscadine grapes. They built a greenhouse to start plants from seed and to root azaleas for sale. They raised livestock, both cattle and hogs. They smoked hams in a smokehouse they built on their land and produced bacon and sausage. Some of these products were sold wholesale. Others were sold out of the Little Farmer's Market, a building owned and operated by NCI on land fronting Highway 19.

During planting and harvest seasons, volunteers pitched in, working long hours in NCI's fields. Some of them came from the black community in the surrounding counties. Others were college students supportive of NCI's mission. Charles Sherrod had a special talent for recruiting white seminarians from Union Theological Seminary in New York, where he had attended graduate school, as well as black undergraduates from colleges in both the North and South. All volunteers paid their own way in traveling to Albany. All worked for free once they arrived at Featherfield Farm.

New Communities Inc. paid modest wages to some sixteen full-time or part-time employees: tractor drivers; herdsmen; growers; two people who worked in NCI's office, marketing the goods and overseeing the operation; and three people who sold smoked hams and other products in the Little Farmer's Market. During NCI's heyday, two-dozen adults and children lived on the land year round.

Enough was earned through farming and sales to service the annual debt on NCI's land and, with each passing year, to expand the farm's herds, crops, and processed meats. As Shirley Sherrod later noted with pride, "We were doing quite well." Ten years after buying the land, there was still reason to believe that the original dream and master plan for New Communities might someday be realized.

## 12. LOSING THE LAND

*“They basically dug holes and pushed all of our buildings in. Every building except for the main house and the shed. . . . And we were gone.”*

Shirley Sherrod, *Arc of Justice*



Despite operating a highly productive farm, New Communities never generated a financial surplus sufficient to start constructing its first village. Nor did NCI ever receive any federal grants for this purpose even though a former peanut farmer named Jimmy Carter from the nearby town of Americus had entered the White House in 1977.

Around 1980, NCI was forced to sell 1348 acres of their original landholding. This was a prudent decision, for it reduced their debt to a level more easily sustained by the income derived from the agricultural operations. Things went well until all states of the Southeast experienced three successive years of drought. Farmers growing fruits and vegetables suffered greatly. Lacking irrigation, New Communities was hit especially hard. Their plight was made progressively worse by NCI's inability to obtain needed loans from the Farmers Home Administration, loans that white farmers in the same predicament were readily offered, enabling them to install irrigation.

By 1983, the situation had become dire. Charles Sherrod and other NCI leaders and allies scoured the country, looking for ways to re-finance the land on more favorable terms, securing the kinds of loans that would enable the farm to stay in production. But they failed to find the money. NCI's remaining land and buildings were lost to foreclosure in September 1985.

### 13. BLACK LAND LOSS IN THE UNITED STATES

*“I had a farm of my own. Of course I lost my farm back in ‘85 when we had a disaster, partially because we had a lot of drought.”*

Donny McCrary, *Arc of Justice*



NCI was hardly alone. Many other African American farmers in Georgia and elsewhere experienced a similar heartbreak, the continuation of a spreading blight of black land loss that had been going on for over sixty years. In 1920, there were 926,000 black farmers in the United States. They owned over 16 million acres of land. By 1997, fewer than 20,000 of the nation’s farmers were black, and they owned only 2 million acres of land.

This dramatic decline was caused by a combination of factors, including the mechanization of agriculture, the consolidation of farms, the growth of giant agri-businesses, and competition from larger growers and foreign imports. Racism was a factor as well, a fact of life in rural America that was amply documented in one academic paper and government report after another. Discriminatory assistance from farmer programs run by the U.S. Department of Agriculture (USDA) and discriminatory lending by private institutions and by county offices of the Farmers Home Administration (FmHA) were in the forefront. Black farmers were systematically misinformed about government programs, received less money than they requested, and did not receive loans in a timely manner—if they received them at all.

Any complaints from black farmers fell on deaf ears at USDA and FmHA. After 1983, in fact, there was nobody at USDA to whom black farmers could complain. That year, under President Reagan, USDA disbanded its Office of Civil Rights and stopped responding to all claims of racial discrimination.



## 14. BLACK FARMERS' LAWSUIT (*PIGFORD V. GLICKMAN*)

*"We'd meet and we'd say, we have to do something about black land loss. We need to file a lawsuit."*

Shirley Sherrod, *Arc of Justice*



In 1976, Timothy Pigford, the son and grandson of farmers in Wilmington, NC, wanted to buy a 175-acre farm. When he applied for an ownership loan from the local office of the Farmers Home Administration (FmHA), he was turned down. He did receive an operating loan, however, which allowed him to rent a farm. For the next eight years, he returned to FmHA, receiving an annual operating loan, while being repeatedly rebuffed in his quest for an ownership loan. Then in 1984, after eight years of successful agricultural production, he was rejected for an operating loan as well. The reason given by the FmHA county office was that he lacked training and experience in farming.

In 1997, Timothy Pigford and 400 other African American farmers filed suit in federal court against Dan Glickman, Secretary of the U.S. Department of Agriculture (USDA), the parent agency of the FmHA. This class action lawsuit (*Pigford v. Glickman*) alleged a pattern of racial discrimination by county offices of the FmHA in refusing loans to black farmers, occurring between 1981 and 1996. The lawsuit was settled on April 14, 1999. In the consent decree, Judge Paul Friedman of the U.S. District Court for Washington, DC cited "a string of broken promises" in finding that "the Department of Agriculture and the county commissioners discriminated against African American farmers when they denied, delayed, or otherwise frustrated the applications of those farmers for farm loans and other credit and benefit programs." He added, "It is probable that no amount of money can fully compensate class members for past acts of discrimination."

Nevertheless, the government was forced to cough up a large amount of money by the terms of the consent decree. Under the original suit, known as *Pigford I*, the United States government eventually distributed \$1.06 billion to 15,749 claimants, including black farmers and their heirs. Another \$1.25 billion was paid out to 17,665 claimants under *Pigford II* during a second phase of the class action lawsuit. These payouts combined to represent the largest civil rights settlement in U.S. history.

New Communities Inc. filed its own claim under *Pigford II* in 1999. They were represented by an African American attorney from Selma, Alabama named Rose Sanders. She had earned her law degree from Harvard University in 1969 and worked for several years at the National Welfare Rights Organization and the Legal Services Corporation before opening a law practice in Selma with her husband, Alabama State Senator Henry Sanders. In 1982, she was hired by the Emergency Land Fund to conduct a study of black land loss, which gave her a unique perspective on the problem and a solid foundation when later asked by the Sherrods to sue USDA on NCI's behalf.

Ten years passed. On July 8, 2009, Charles and Shirley Sherrod were notified by Rose Sanders (who had changed her name in the meantime to Faya Ora Rose Toure) that New Communities Inc. had been awarded \$12 million. It was the single largest *Pigford* suit payout in the country.

## 15. CYPRESS POND PLANTATION

*“What a statement to our people, that this could go from a slave owner to descendants of slaves. . . . Now we could continue with the dream!”*

Shirley Sherrod, *Arc of Justice*



It took another year after their attorney's call for the *Pigford* money to arrive. When it did, the remaining board members of NCI looked to rekindle the dream that had arisen long ago out of the civil rights struggle in southwest Georgia. To the surprise of nearly everyone, NCI was still registered as a nonprofit corporation in good standing, despite the loss of Featherfield Farm in 1985. The leaders of New Communities had a shot at redemption, along with something to prove.

*“We had an opportunity to show our people, don't give up. Don't give up. You know, who would have thought we would still have that organization where we can still use it. No one thought. They thought it was gone. It was buried forever, but we didn't give up. We still even had a little bank account in New Communities name, all from 1985.”* (Shirley Sherrod Interview, May 2, 2012)

NCI began looking for land near Albany. The place they found was Cypress Pond Plantation. Its 1,638 acres of overgrown fields, pecan trees, forests, and ponds had been primarily used in recent years as a game preserve for hunting and fishing. It had four luxurious guesthouses and a cabin for visiting sportsmen and their families, a lighted skeet shooting range, a state-of-the-art kennel for hunting dogs, and three docks for boating. There was a 40-acre duck pond, a 3-acre catfish pond, and a 100-acre lake bordered by Cypress trees, the “pond” for which the plantation was named.

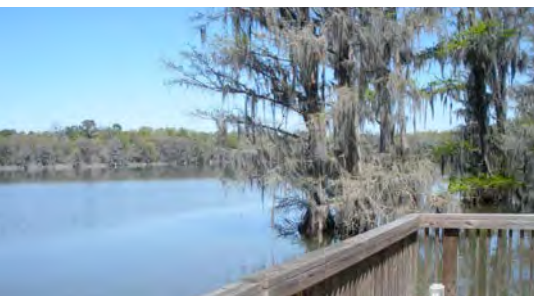
At the entrance to the property stood an antebellum mansion, described in the sales brochure as “7334 square feet of restored 19th century elegance.” The previous owner had reportedly spent over \$3 million renovating every room. All wiring and plumbing had been upgraded and all fixtures replaced. The kitchen had been modernized with granite countertops and professional-grade appliances. The heart pine floors had been refinished throughout the house. A geo-thermal heating system had been installed, along with central air conditioning.

Cypress Plantation was put on the market with an asking price of \$21 million. Selling such a property in the middle of the Great Recession proved impossible, however, so the price kept coming down. By the time the Sherrods showed up, looking to purchase a large tract of land on behalf of New Communities, the price had plummeted to \$6.9 million. They ended up getting it for even less, along with an assorted collection of farm equipment. New Communities Inc. became the plantation's new owner on June 29, 2011.

The first order of business was to assemble a staff who could begin clearing the fields and returning them to agriculture. They had become heavily overgrown after years of being used as a hunting preserve. Donnie McCrary and Emory Harris were the initial hires. Donnie had been working for the Southwest Georgia Project as an agricultural specialist, helping African American women to get back into farming by growing vegetables and marketing them to school systems. He had lost his own farm during the same drought that had devastated New Communities in the early 1980s. He knew a lot about the pecan business. When NCI purchased Cypress Pond, he all-but-insisted on being hired as the farm manager. Emory had a previous association with the Sherrods as well. In the 1960s, he had been deeply involved in the Albany Movement. Like his sister, Rutha Mae Harris, he was a singer. But he was also someone accustomed to working in agriculture and eager to become a part of the new chapter in NCI's history.

Some of the money from the *Pigford* settlement went into installing an extensive system of irrigation for six hundred acres of pecan trees and three acres of orange trees that NCI planned to put under cultivation. Some of these trees were old growth pecans that the previous owner had neglected while operating Cypress Pond as a hunting preserve. Many more were newly planted by NCI.

As for the plantation's mansion and cottages, New Communities began developing plans for a retreat center and hospitality business, which was to operate under the banner of a new entity named *Resora* ([www.experienceresora.com](http://www.experienceresora.com)).



## 16. COMMUNITY LAND TRUSTS

*“We can actually start here to help people understand land trusts, to help start land trusts, and maybe get people to listen to us a little more when you bring them to this place out here now. They know that everything is possible!”*

Shirley Sherrod, *Arc of Justice*



Because of all the challenges and discrimination it faced, the founders of New Communities were thwarted in realizing their innovative plan for developing individually owned homes and cooperatively organized enterprises on community-owned land, a model known today as the “community land trust” (CLT). Before the Featherfield Farm was lost, however, while New Communities was still a going concern, this noble experiment was featured in the first books ever written about community land trusts.

Published in 1972, *The Community Land Trust: A Guide to a New Model for Land Tenure in America* was produced by the staff of the International Independence Institute (later re-named the Institute for Community Economics). Two of the book’s authors, Bob Swann and Shimon Gottschalk, had been intimately involved in the process of planning and establishing New Communities Inc. They made NCI’s story the centerpiece of their book, while cautioning that NCI was “a tentative, experimental model, with no assurance as of this writing that it can survive and grow into the community envisioned.”

Ten years later, NCI was still going strong when the Institute for Community Economics (ICE) produced another book about CLTs, *The Community Land Trust Handbook*. Published by Rodale Press in 1982, this book contained a lengthy interview with Charles Sherrod. New Communities was described in the *Handbook* as “the first American institution to be shaped by the CLT concept.”

What was that concept? By the mid-1980s, as the number of community land trusts began to increase in the United States, the CLT had become a distinctive model of land tenure, permanently affordable housing, and community development. It was distinguished from other strategies by the way in which real property was owned, by the way in which the CLT itself was structured organizationally, and by the way in which housing and other buildings on the CLT’s land were operated. These distinguishing features of what eventually became known as the “classic” CLT were as follows:



### **Ownership:**

- Title to multiple parcels of land is held by a single nonprofit corporation. These lands are never resold; they are permanently removed from the stream of commerce.
- Housing and other buildings already existing on the land when the nonprofit acquires it or any buildings later constructed are sold off to individual owners, including homeowners, cooperatives, other nonprofit organizations, or even for-profit businesses.
- A ground lease knits together the interests of the two parties: the nonprofit organization that owns the land and the individual owners of the buildings on that land. This inheritable ground lease lasts for a very long time, typically for 99 years.

### **Organization:**

- The landowner is a private, nonprofit corporation with a corporate membership that is open to anyone living within the CLT's designated "community," a service area that may be as small as a single neighborhood or as large as an entire city or multi-county region.
- A majority of the nonprofit corporation's governing board is elected by the CLT's membership, which is drawn from the leaseholders living on the CLT's land and from among residents of the surrounding service area.
- There is a tripartite board. Seats are allocated equally among directors who represent people living on the CLT's land, directors who represent residents of the service area who do not live on the CLT's land, and directors who represent the public interest.

### **Operation:**

- The ground lease gives the landowner (the CLT) the right to re-purchase houses and other buildings that come up for sale down the road, paying a formula-determined, below-market price. This allows the CLT to keep this property permanently affordable, one resale after another.
- The ground lease gives the landowner (the CLT) the right to intervene in the financing, subleasing, and improvement of any buildings on the CLT's land. This allows the CLT to prevent predatory lending, absentee ownership, deferred maintenance, and foreclosures.
- CLTs give priority access to lands and buildings to people who have been excluded from the economic and political mainstream. For most CLTs, there is a "preferential option for the poor."

The number of community land trusts went from half a dozen at the start of the 1980s to nearly 100 by 1990. They also diversified, with many CLTs structuring themselves somewhat differently than the "classic" elements described above, tailoring their programs and organizations to fit the needs and preferences of their own communities.

Today, there are over 270 nonprofit organizations in the United States that consider themselves a community land trust, adopting most (or all) of these elements of ownership, organization, and operation. Many other organizations—including, community development corporations, Habitat for Humanity affiliates, and public agencies—have incorporated CLT elements into their program mix, without actually calling themselves a CLT.

CLTs are currently found in 46 states, the District of Columbia, and Puerto Rico. Most of them focus their efforts on producing affordable housing for low-income and moderate-income people, including housing that is owner-occupied, housing that is renter-occupied, and housing that is owned and operated as a limited equity cooperative.

Stewardship, rather than production, is the CLTs' forte, however—taking care of that housing *after* it is developed. In hot real estate markets, affordability is preserved. In cold markets—or in markets that have collapsed, as happened during the foreclosure crisis of the Great Recession—homes under the watchful care of a CLT are maintained, mortgages are paid, and security of tenure remains intact for homeowners, renters, and co-op members living in CLT housing. That makes the CLT a powerful tool for inclusion, preserving affordably priced housing and preventing the displacement of low-income people in good economic times and bad.

Housing is not the only activity or concern of CLTs, however. In rural areas and in urban neighborhoods alike, there are CLTs acquiring and managing lands for agriculture, recreation, or conservation. There are CLTs that are managing retail and office space, sometimes as a mixed-use project with housing on the upper stories. There are CLTs that have partnered with other nonprofit organizations to develop community centers, greenhouses, day care centers, and other facilities that improve the quality of life in residential neighborhoods.

Community land trusts have spread to other countries as well, including Australia, Belgium, Canada, and the United Kingdom. The tiny seed that was planted in southwest Georgia nearly 50 years ago has flourished, steadily growing into a worldwide movement.

Additional information about the evolution and spread of this model of community-led development on community-owned land can be found at:

- *Roots & Branches: A Gardener's Guide to the Origins and Evolution of the Community Land Trust*: [www.clroots.org](http://www.clroots.org)
- John Emmeus Davis (ed.), *The Community Land Trust Reader* (Cambridge, MA: Lincoln Institute of Land Policy, 2010).
- Grounded Solutions Network (formerly the National CLT Network): [www.groundedolutions.org](http://www.groundedolutions.org)
- Equity Trust Inc: [www.equitytrust.org](http://www.equitytrust.org)
- Schumacher Center for a New Economics: <http://www.centerforneweconomics.org/>

Other films featuring community land trusts:

- *Holding Ground: The Rebirth of Dudley Street* (1996)
- *Homes & Hands: Community Land Trusts in Action* (1998; 2008)
- *Streets of Dreams: Development without Displacement in Communities of Color* (2013)
- *Gaining Ground: Building Community on Dudley Street* (2013)

Author: John Emmeus Davis  
Editor: Helen S. Cohen  
Design: PINK TOP

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