

Black Farmers, Scorned And Angry, Prepare To March On Washington, DC

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JACKSON, TN (Special To NNPA)—From the Mississippi Delta through the Tennessee Valley and on throughout 22 southern states, America's black farmers have virtually disappeared from the agriculture scene. By the thousands, they have either abandoned their family farms and migrated to city life, or have been left to try and eke out a meager existence in an industry with a long and storied history of unfavorably towards blacks.

The United States Department of Agriculture and its local wing the Farmers Home Administration recently settled a class action lawsuit brought on by black farmers from all across the country. However, disgruntled claimants say that the settlement is a far cry from restoring America's black farmers to their post Civil War glory.

"Basically, when I went to the Farmers Home Administration (FrmHA) to try and apply for a loan, I got the run-around," said Arron Hodge a Livingston, Alabama produce farmer. "They just were not lending money to blacks, and it was obvious."

Phillip Glenn once owned a 100-acre farm in Gibson, TN, and he too can recite tales of discrimination at the hands of the local FrmHA. "I can remember going into the office one day back in the fall of 1990 and asking for a loan application and the man behind the desk told me that farmers wasn't

doing so good these days," said Glenn. "He flat out told me that he was not going to give me an application; 'Too many farmers are going out of business and I'm not going to give you an application.'"

Glenn said he owned his own equipment and had more than enough collateral for a loan, but he thinks he was denied the application simply because he was black. "A black employee in the regional office told me that blacks just get treated differently than whites," said Glenn.

Hodge and Glenn, like thousands of America's Black farmers, know all too well the factors which led them and the majority of their counterparts out of the farming industry. "Man, these folks at the USDA; they just a dog and pony show. It's just a office. They don't do nothing for the black farmers," added Hodge.

Years of late loans, early foreclosures, and the outright denial of even the most basic of federal farm subsidies has left the black farmer with little or no hope of regaining a foothold in America's agriculture industry.

According to the U. S. Census Bureau figures, in 1910 black farmers owned approximately 15 million acres of land. "Today, they own less than three million acres of land," says Thomas Burrell, head of the Concerned Black Farmers of Tennessee. "Given that Tennessee would rank somewhere within the top 7 to 10 states with black farmers, I would maintain that out of the three million existing acres we would

own less than 250,000 in the State of Tennessee." At his peak, Burrell farmed 3500 acres in Fayette, Haywood, and Madison Counties in rural western Tennessee.

Records maintained by the United States Department of Agriculture show that in 1920 there were 925,700 Black farmers in America. "In 1992 they maintained that there were nearly 18,820 farmers," said Burrell. "So we're saying that the 906,000 black farmers who have been put out of business since 1920 represents 98 percent of the black farmer population."

A History of Protest

In the mid-1970's Burrell and a handful of other black farmers became vocal about the alleged discriminatory practices of the FrmHA. In 1981, he and a group of about 25 farmers staged a 23-day sit-in at a local USDA office in Fayette County.

"As a part of the awareness on the part of the black farmer and the action that was manifested as a result of that awareness, several farmers around the country started to allege and become more vocal about the fact that they were being discriminated against," added Burrell.

Shortly thereafter, a group of farmers in North Carolina and Georgia contracted with some attorneys. There were a number of lawsuits that had been unsuccessful on the basis that the government could not be sued. But, because of the flood of complaints coming in during the early 90's to mid-90's a group of farmers hired some attorneys and they filed a

suit known as Pigford vs. Glickman. That suit contained about 14 farmers originally.

As the attorneys in the case started to talk to farmers around the country, they found that the number swelled to 600. "At that point in time the Black Caucus and other members of Congress, including Mr. (Newt) Gingrich, had the Justice Department to further investigate," said Burrell. "They also, the Secretary of Agriculture admitted that his agency had not treated Black farmers fairly and as a result of that, a class action lawsuit was declared."

On March 2, 1999, Judge Paul Friedman (U. S. District Judge for the District of Columbia), the presiding Judge in the class action lawsuit of Timothy Pigford, et al., v. Dan Glickman, Secretary, U. S. Department of Agriculture held a fairness hearing wherein the black farmers and those representing the other side gave testimony as to what they called "the fairness and adequacy" of the lawsuit.

Like many of those black farmers present that day, Thomas Burrell felt that the lawsuit was not adequate. As one of the original plaintiffs in the case against the U. S. Department of Agriculture and the alleged racist and discriminatory practices of the old Farmers Home Administration, Burrell had hopes of seeing America's Black farmers gain more than a paltry monetary payment from their admitted wrongdoers.

"In 1982, it was predicted that unless something changed at USDA, Black farmers could be extinct by the year 2000," said Gary Grant, president of Black Farmers and Agriculturalist Association. "We have dropped from almost one million in 1920 to less than 18 thousand in 1998. The class action lawsuit ensures - from my perspective - the total demise of the black farmer in America within the next five or six years."

(Grant maintains that that was not the intent of the black farmers, going into the lawsuit.)

"The intent was to - one - compensate people who had been mistreated and had their civil rights abused, and - two - to find a way to re-enter into agriculture, the black population."

"Yeah? How would they know that," contends Alexander Pires, the lead attorney on behalf of the farmers in the case. "Neither one of them really know anything about the case. I mean, Burrell, I've never heard of him."

What you should ask him is how many of the states did he

go to, and how many of the farmers does he interview? I mean he probably never went anywhere."

According to Pires, this is the single most successful discrimination case ever. "There's never been a case this successful in the history of the country, and all they do is complain about it."

The Settlement

On April 14 1999, the judge declared the lawsuit as adequate and valid and gave way whereby farmers could seek redress.

According to Pires of the Washington, D.C. based law firm, Conlon, Frantz, Phelan, & Pires, the case was filed in July of 1997. It was settled in January of 1999. The consent decree, which is the settlement agreement, was approved by the judge in April of 1999.

"It provides for relief to all Black farmers who farmed between 1981 and 1998 and who applied from loans from USDA, and were either denied or given lesser loans than White farmers, or slower loans than White farmers, and filed and complained about it," said Pires. "Those are the four requirements."

The lead attorney claims there was a period during 1999, where people could sign up and in fact, 21,000 families signed up to participate in the lawsuit. "We went around to all 22 southern states, over 250 times to meet with them and to get them to sign up," says Pires.

The lead counsel contends that the claims are being processed by a private company and as of NNPA press time, a little over 11,000 of them had been completed. So far about 62 percent have won; meaning about six or seven thousand farmers have received some form of redress.

"Each one of those people gets a \$50,000 check, plus \$12,500 sent to the IRS to pay the taxes on the \$50,000, plus any debt they owe the USDA is paid off," said Pires. All but about 150 of the claims filed belong to the Track A category.

The 150 or so claimants who selected Track B are af-

forded a one day arbitration in Washington and they each are assigned a lawyer. "I would say about 15 of those cases have been settled; there's usually one a week," added Pires. "Those are private settlements, they don't make the numbers public."

Pires says he is hopeful that the remaining 8 or 9 thousand cases will be settled by the summer with around 65 to 70 percent of the people winning their claims. Those people who lose are allowed to appeal to a court appointed monitor. Pires says his office currently has over 1,000 appeals.

The Nation's White Farmers Speak Out

With the majority of the nation's black farmers displaced, the small White family farmers have found themselves feeling the harsh effects of Discrimination, allegedly issued out at the hands of the USDA.

John Kinsman, a white dairy farmer from Lavale, Wisconsin recalls the days of witnessing first-hand the hardships endured by black Farmers. The president of the National Family Farm Defenders (NFFD) has conducted a cultural exchange program with Mississippi farmers for almost 30 years.

"I could see what was happening to them, how they were being -first of all, paid lower and lower prices, but then the discrimination was another factor. The White farmers always had preference."

Kinsman's group met with a group of Black farmers recently in Mississippi and pledged their support. On Monday, May 8th, NFFD will join several hundred BFAA members from all across the nation as they embark on the nation's Capitol to protest their displeasure with the lawsuit.

"We feel that if any of us are harmed, it harms the whole of us," said Kinsman. "I am especially concerned about those farmers who have gone out of business in the last 20 to 25 years. I watched some of them die from a broken heart and you know their families are getting nothing. The few farmers that are left are absolute heroes because they have survived."

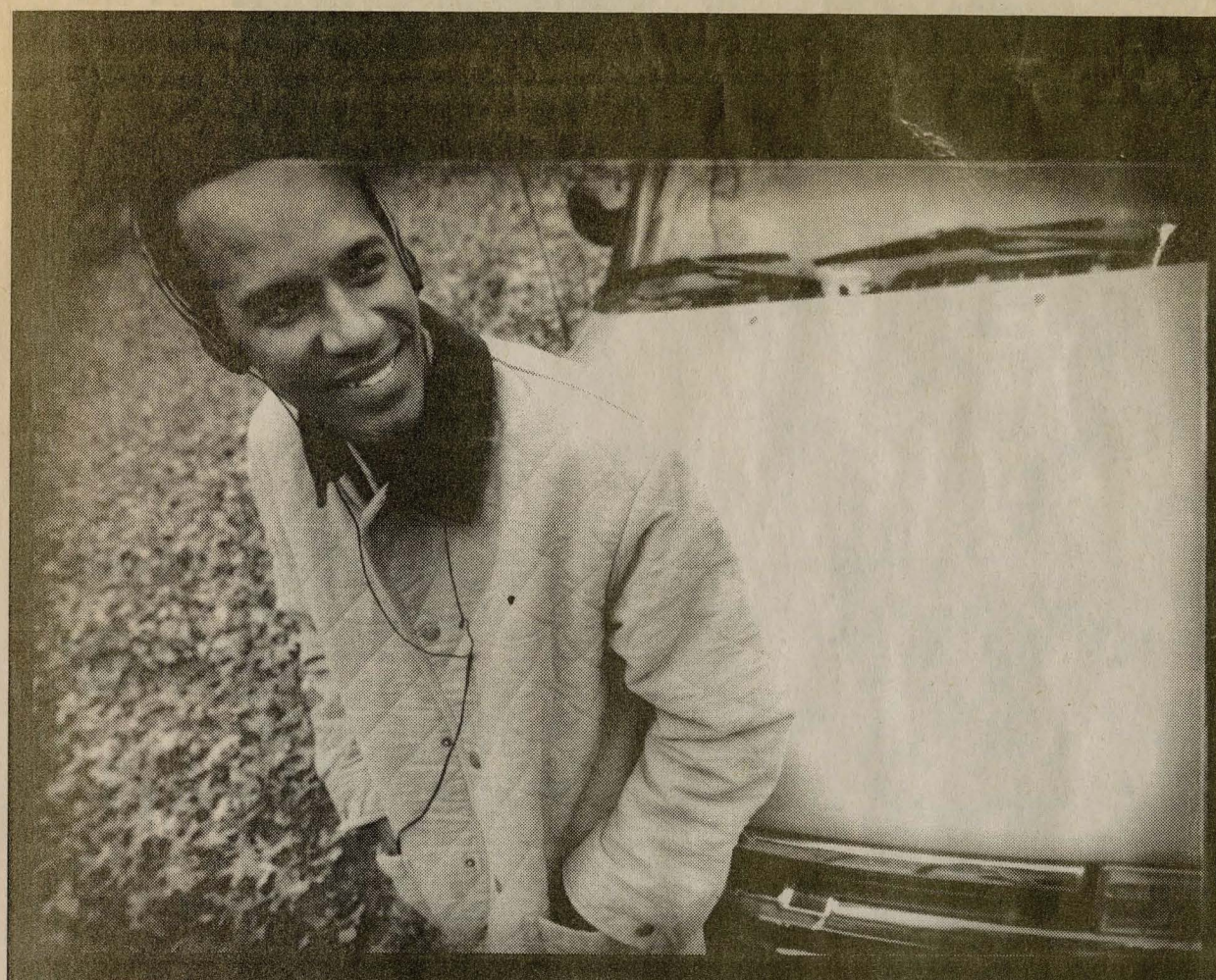
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