RELOCALIZATION OF FOOD PRODUCTION AND AFRICAN AMERICAN LAND RETENTION

A joint collaboration between Quaker Earthcare Witness and the Black Belt Justice Center
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2015-2024 International Decade for People of African Descent
I see why there is such a thing as ancestor worship. I could not love my sharecropping ancestors more if I had created them myself. That Black Southerners still love nature and revere the earth is the legacy of a people whose innate elegance and dignity was always expressed in essentials.

-Alice Walker
Our world is full of sound
Our world is more lovely than anyone’s
tho we suffer, and kill each other
and sometimes fail to walk the air

We are beautiful people
with African imaginations
full of masks and dances and swelling chants

with African eyes, and noses, and arms,
tho we sprawl in grey chains in a place
full of winters, when what we want is sun

Ka’Ba
Amiri Baraka
Historical Events of 1862

Until the lions have their own historians, the history of the hunt will always glorify the hunter – African Proverb

Neo-colonial strategies of land theft and dispossession

Discuss the violent treatment of Native Americans and African Americans by the federal government. Compare with the federal government’s conciliatory treatment toward the confederate planter oligarchy.
DISPOSSESSION AND EXCLUSION OF INDIGENOUS NATIONS AND AFRICAN AMERICANS OF LAND

1862
(May) Congress passes the Homestead Act accelerating Western migration by providing white settlers with 160 acres of public land (land taken from the Indigenous Nations). The Act led to the distribution of 80 million acres of public land by 1900.

Dakota-US War (Aug – Dec) results from years of broken treaties, land theft, non-payment of annuities, food shortages, famine, cultural annihilation and genocide. President Lincoln ordered the mass execution of 38 Dakota warriors. Dakotas were banished from their sovereign lands in Minnesota to South Dakota and Nebraska.

1865
(Jan) After meeting with freed Africans in Savannah, GA – General William Sherman responded to their demands for land. In January, he issued his famous Special Field Order 15 setting aside a huge swath of abandoned lands along the GA, SC, and FL coasts for Black families on (up to) 40 acre plots.
DISPOSSESSION AND EXCLUSION OF AFRICAN AMERICANS OF LAND (CONTINUED)

1865
(June) Some 40,000 freed Africans were settled on some 400,000 acres of land in GA and SC. Later that Summer, President Andrew Johnson reverses the policy and orders the land be returned to the confederate planter oligarchy.

1865
Congress establishes the Freedman’s Bureau providing for the redistribution of abandoned or confiscated lands to freedmen (not to exceed 40 acres). The Freedman’s Bureau never controlled more than two tenths of 1% of the land in the South and President Johnson’s amnesty proclamation forced restoration of much of that land. Congress shut down the Bureau in 1872.

1866
Congress passes the Southern Homestead Act that opened up 46 million acres of public land in the states of AL, AR, FL, LA, and MS. Due to severe opposition to Black land ownership in the South, significant obstacles were placed in the path of Black farmers on the state level. Within 10 years, the Act was repealed by Congress in June 1876.
In spite of perennial neglect, hostility, and sanctioned racial violence by the federal government and the southern states, by 1910 Blacks had acquired over 15 million acres of farmland and controlled approximately 218,000 Black farms.

In the quarter century after 1950, over a half a million African American farms went under, leaving only 45,000. In the 1960s alone, the Black farm count in ten southern states (minus Florida, Texas, and Kentucky) fell from 132,000 to 16,000, an 88% decline.


According to recent U.S. Census data, Black farmers own less than 3 million acres of farmland and comprise less than 1% of all U.S. farmers.

Moreover, of all private U.S. agricultural land, whites account for 96% of the owners, 97% of the value, and 98% of the acres.

A 1964 investigation conducted by the US Commission on Civil Rights exposed how the USDA actively worked against the economic interests of Black farmers. The USDA’s loan agencies, such as the Farmer’s Home Administration (FHA), denied Black farmers ownership and operating loans, disaster relief, and other aid. One practice was to deny credit to any Black farmer who assisted Civil Rights activists, joined the NAACP, registered to vote, or simply signed a petition.

Though civil rights legislation was supposed to have eradicated racism, at least on the federal level, a 1982 report issued by the U.S. Commission on Civil Rights stated that the USDA was “a catalyst in the decline of the Black farmer.”

That year, Blacks received only 1% of all farm ownership loans, only 2.5% of all farm operating loans, and only 1% of all soil and water conservation loans.

Also, that year, the Reagan administration closed the USDA’s Civil Rights Office – the very arm that investigated discrimination complaints. The office was later restored by President Bill Clinton.
SYSTEMIC RACISM WITHIN USDA AND THE HISTORIC PIGFORD CLASS ACTION LAWSUIT

In February 1997, Secretary of Agriculture Dan Glickman’s Civil Rights Action Team, after 12 listening sessions, issued a condemning report on USDA discrimination and created a Civil Rights Task Force. The task force recommended 92 changes to address racial bias at USDA.

The accumulation of such pervasive discrimination laid the foundation for the filing of the historic Pigford v. Glickman class action lawsuit filed by Black farmers against the USDA in 1997.

According to a 2010 report from the Pigford I Monitor’s Office, 15, 642 Track A claimants were successful (69%).
CONTRIBUTING FACTORS TO BLACK LAND LOSS

- PERVERSIVE FEDERAL DISCRIMINATION (CULMINATING IN PIGFORD v. GLICKMAN CLASS ACTION LAWSUIT)
- STATE AND LOCAL STRUCTURAL DISPOSSESSION PROCESSES (TAX SALES, PARTITION SALES, FORECLOSURES, ETC.)
- HEIR PROPERTY CONFLICTS
- MASSIVE RURAL – TO- URBAN OUTMIGRATION
- LACK OF ACCESS TO AFFORDABLE AND TRUSTWORTHY LEGAL SERVICES
- DOMINATION OF THE INDUSTRIAL AGRICULTURAL PARADIGM
- RACIAL TERRORISM
Aftermath of Hurricane Katrina and Heir Property

In the aftermath of Hurricane Katrina, when over 25,000 residents sought recovery assistance from the Federal Emergency Management Agency (FEMA), the extent of heir property in the area of impact was crystallized. Because heir property owners lacked documentation of their ownership interest in the property in which they had lived before the storm, they could not initially qualify for FEMA or other government grants to rebuild their homes. Ultimately, FEMA developed an administrative process that allowed occupants of heir property to obtain assistance.
To what extent this urbanization of an entire people is a desirable trend is a vigorously debated topic. Although the conventional wisdom has been to favor and encourage a rural-to-urban migration pattern, the recent deterioration of the large cities of America; the realization that some 75% of our U.S. population is crowded onto less than 2% of the land; the alarming size and density of these megalopolises, the newly discovered interest in environmental factors and in simpler life styles; together with some questioning of the social desirability of permitting the unchecked acquisition of title to the national territory by the corporate giants, have combined to force some discreet questioning of whether continuation of the unchecked human abandonment of the countryside is indeed in the national interest.

- Black Economic Research Center, Blueprint for the Emergency Land Fund (ELF)
SANKOFA STRATEGIES TO PROTECT HEIR PROPERTY FROM TAX SALES

COMMUNITY LAND TRUST – New Communities established the first community land trust in 1969 through the acquisition of 5,736 acres of farm and forest lands in Lee County, GA.

REVOLVING LOAN FUND – $1 million fund established by the Emergency Land Fund and the National Association of Landowners to assist landowners in thwarting tax sales in Alabama. Over a ten-year period ELF and NAL handled over 1,000 land related cases and saved over 50,000 acres.

POOLED FINANCIAL RESOURCES – Aggressive bidding at tax sales in order to restore land to the original landowner or a landless farmer in the community.
Gullah people live alongside the salt water. People who drink a lot of salt water, that live with the sun. That basically live off the fat of the land. So I always say—when they ask me about Gullah—love and kindness.

–Chef Bill Green of Gullah Grub, St. Helena Island, SC
In 2012, Geechee Gullah residents on Hog Hammock faced exorbitant tax assessments (some tax assessments increased over 1,000%). As reported in a 2013 article in the Darien News, a resident’s tax assessment was as follows: (2008) $10,000; (2010) $108,000; and (2012) $341,534.

Attempts to restore the 2011 tax assessments through the board of equalization and appeals processes were unsuccessful.

Additionally, efforts to pass preferential tax assessment legislation for Hog Hammock legacy residents through the McIntosh County Commissioners failed (the coalition could not garner the votes despite having the support of both the federally-mandated Gullah Geechee Cultural Heritage Corridor Commission and McIntosh County Commissioner Charles Jordan).
TEMPORARY LEGAL VICTORY FOR THE GEECHEE GULLAH COMMUNITY ON HOG HAMMOCK, SAPELO ISLAND GA

Reed Colfax, Esq. of Relman, Dane & Colfax PLLC filed a lawsuit against McIntosh County on behalf of 50 legacy residents. He also filed a fair housing discrimination lawsuit against both the state and local governments in federal court.

Colfax negotiated a settlement agreement with the county officials. The settlement terms reinstated the tax assessments to the 2011 levels plus 25% (terms effective from 2014-2017).

Currently, Colfax along with a coalition of Hog Hammock legacy residents are organizing to advance a permanent legislative solution through the Georgia General Assembly.
In human terms, an estimated ten million people have been forced out of their homes through foreclosure and bank eviction from 2007 to 2013.

According to a 2012 CNN Money report, not only is the median wealth of white households twenty times that of black households, but black wealth has undergone a devastating decline—53 percent from 2005 to 2009—with the result that the typical black household possessed less than $5,000 in wealth, compared to over $100,000 for whites.

According to the 2013 Washington Post investigative series, “Left With Nothing”, Mr. Bennie Coleman’s debt snowballed to $4,999 — 37 times the original tax bill. Not only did he lose his $197,000 house, but he also was stripped of the equity because tax lien purchasers were entitled to everything, trumping even mortgage companies. About 500 properties were lost from 2005—most in the city’s poorest neighborhoods and about one-third from owners who owed less than $1,000.
EQUITABLE TAX LIEN FORECLOSURE REFORM IN D.C.: RESIDENTIAL REAL PROPERTY EQUITY AND TRANSPARENCY AMENDMENT ACT OF 2014

- Creation of the Real Property Tax Ombudsman Office within the Mayor’s Office.

- Residential homes will not be sold unless the tax liability exceeds $2500.

- Property owners may apply for a one-year forbearance from sale, which essentially works like an installment plan. Property owners retain the equity in their homes in the event of a failure to redeem.

- Interest rates lowered from 18% to 12% and attorneys’ fees capped at $1500.

- Requires “clean hands” for tax sale purchasers. Ensures that purchasers are not delinquent in their property taxes in the District or elsewhere and have not been convicted of criminal behavior (i.e., fraud, deceit, moral turpitude, or anti-competitive behavior).
STRATEGIES TO PRESERVE HEIR PROPERTY & REGENERATE AGRARIANISM

Pro bono and low bono legal services through regional attorney network (i.e., tax assessment appeals, lease agreements, civil rights, estate planning, worker-owned cooperative development, and land trusts)

Policy and Legislative Reform Advocacy

Acres of Ancestry Oral History Project

Dirt Rich Black Family Land Legal Workshop Series

Black Agrarian Fund

Black Farmers in America Project © John Francis Ficara
Collective Courage: A History of African American Cooperative Economic Thought and Practice, Dr. Jessica Gordon Nembhard

Whiteness As Property, Cheryl Harris

Only Six Million Acres: Black-Owned Land Loss in the Rural South, Black Economic Research Center

Sumter County Blues: The Ordeal of the Federation of Southern Cooperatives/Land Assistance Fund, Thomas Bethell

Soul City, North Carolina: Black Power, Utopia, and the African American Dream, Christopher Strain

Ujamaa: Essays on African Socialism, Julius Nyerere

Little War on the Prairie, This American Life

Colonization and Animals, Zarna Joshi

Slave Descendants Fight Tax Hikes, CNN
https://youtu.be/2-BFNLOp8zs