

“Bare justice for the colored farmer”

Race, Congress, and the Making of the Agricultural Welfare State

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On April 14, 1999, a class action suit *Pigford, Brewington v. Glickman and the USDA* was settled.¹ The *Pigford* suit was bought on behalf of black farmers who alleged that they had been denied loans and other assistance that had been routinely extended to white farmers. Although the period covered under the case was from 1981 to 1999, the case and the USDA's consent only confirmed what black farmers had known decades. The USDA was in many ways the "last plantation." USDA personnel were hostile to black farmers. The lawsuit underscored a remarkable transformation over the past century. In 1920 there had been 925,000 of black farmers (owners, tenants, croppers); however, by 1997 the number of black farmers had dropped to 18,451 (Reynolds 2002). Clearly the forces of modernization, technology innovation, and urbanization had moved black farmers off of the land, as they had also moved white farmers of the land as well (Schulman 1999; Daniel 1985).

Yet what the *Pigford* lawsuit pointed to was another source for this decline in black agriculture – the United States government itself. This paper will explore how the development of a national agricultural welfare state intended to aid all farmers was powerfully shaped by race from its very inception (Sheingate 2001). Yet race was not the only factor which shaped this agricultural welfare state, congressional development did as well, in particular the rise of the modern committee system and the dominant position white southerners held within it. By examining the interplay of race and congressional development, this paper will demonstrate how the agricultural welfare state at first

¹ *Timothy Pigford, et al., v. Dan Glickman, Secretary, United States Department of Agriculture*, US District Court for the District of Columbia, Civil Action No. 97-1978 (PLF). Paul L. Friedman, U.S. District Judge.

included and then gradually excluded African Americans from the agricultural welfare state during the course of its evolution. While it presents a story about the damaging consequences of this development for African Americans, the paper also show how categories of citizenship, or means of framing inclusion/exclusion, can powerfully alter the purposes of a welfare state. That is, African Americans were the most visible symbol of how a welfare state developed to protect the interests of farmers (broadly defined), evolved into a narrower system that largely protects the interests of agribusiness.

This paper aims to fill in gaps in the current literature on the American agriculture welfare state. Although Sheingate (2001) and Hansen (1991) each present a comprehensive overview of agricultural policy; both focus on what is called in this, market-based programs. In addition, both start their analysis in 1919, well after the agricultural welfare state has been established. This not the case with the work of Sanders (1999) or Clemens (1997); both of these works focus on the late nineteenth century, the era in which much of the agricultural welfare state was born. Each work focuses on the establishment of at least one of the key elements that constituted the agricultural welfare.

However, the focus of each of these works is on the broader role of interest group formation and policymaking rather than on the specific question of agricultural welfare state formation, and in particular the role of the state. This is not the case so much in work such as Carpenter's (2001) analysis of the USDA, or older work such as Gaus and Wolcott's (1940) examination of the USDA. While these two works offer valuable insight into state-building from within, from the perspective of bureaucracy, they lack a strong linkage to the interests groups and more importantly the role of federalism.

While of these works have offered a glimpse of the agricultural welfare state, none have examined this welfare state from its inception to the modern form adopted in the New Deal. More importantly none have reexamined the role of race and Congress in this development. This is surprising since work by Farhang and Katznelson (2005); Lieberman (1998); and Katznelson, et al. (1993) have focused on the role of southern Congressmen in shaping the New Deal welfare state. This oversight is puzzling given the central role that agricultural played in the political economy of the South. King and Smith's work on racial order coupled with Orren and Skowronek's notion of layered orders provides a means of linking race and Congress in way that can reveals the development of the agricultural welfare state (King and Smith 2005; Orren and Skowronek 2004).

The paper proceeds as follows. First I define and briefly sketch out what is meant by an agricultural welfare state, and trace very briefly its two-stage evolution from 1862 to 1940. I then discuss in a very general way the ways in which African Americans were incorporated into this agricultural state. The next five sections of paper briefly examine, in chronological order, pivotal legislative moments in which race intersected with the agricultural welfare state. The first moment is in 1862 with the enactment of the Morrill Act, which created the land grant university system. The second point is 1887 with the enactment of the Hatch-George Act, which created agricultural experiment stations. The third pivotal point is the Morrill Act of 1890, which expanded the land grant system, including the establishment of separate land grant institutions for African Americans. The fourth moment is the Smith-Lever Act of 1914, which established the extension service completing the initial development of the agricultural welfare state. The final discussion

is looks at both the Agricultural Adjustment Act of 1938 and the Bankhead Jones Tenant Act. Due to space constraints, none of these discussions will be in-depth, rather they are to illustrate what I argue has been a largely unknown and unexplored connection between the rise of the agricultural welfare state, race and congressional development. A table listing the legislation that created the agricultural welfare state is attached.

The creation of the agricultural welfare state

From the mid-nineteenth century on, Congress - at the prodding of farmer's groups, educators, bureaucrats, and emergent agribusiness interests - created an agricultural welfare state. The agricultural welfare state was the assumption of responsibility by the federal government to protect the well being of individuals involved directly in the agricultural sector as producers, or who by virtue of residency in a rural area, were considered part of the agricultural sector. Farmer's groups such as the Grange were largely responsible for the creation of an agricultural citizenship. The ultimate goal of their proposed state was to strengthen the political, economic and moral fiber of rural America, repository of the nation's values.

The expansion of the agricultural welfare state took place via the mechanisms of state "land grant institutions." State agricultural and mechanical universities became the vehicles for delivering an expanding range of agricultural welfare state benefits, from farm education (the extension service), to vocational education, to women's services (such as home economics to hygiene), and to services for children. In addition, in the absence of strong national bureaucratic apparatus, state universities played an important regulatory role, from food and drug standard setting and enforcement to plant and livestock disease inspection and eradication.

Working at times with and against the self-interest of USDA bureaucrats and their state level counterparts largely located at state agricultural universities, the farmer's groups from the Grange to the Farmer's Alliance pressed for a populist agricultural welfare state that would bring the benefits of modern knowledge to the struggling farmer. The apogee of this educational approach would be the Smith-Lever Act of 1914, which established the extension program.

By 1920, the goal of helping the (male) farmer was expanded and redefined as also helping the wives and children of the farmer. Not coincidentally the invention of the "county agent" who coordinated and delivered these new services led to the creation of new political alliances and interests as epitomized by the rise of Farm Bureau (McConnell 1966; Burritt 1922). In turn these new services created a durable source of electoral support for the members of Congress that enacted them.

The rapid post-war decline in the agriculture sector in the early 1920s due to market dislocation and well as natural disasters led to growing agitation on the part of farmers for not only increased services, but also for subsidies and/or regulations which would act as a buffer between the individual producer and the market. This new type of direct financial intervention in the agricultural market would prove to be controversial as the unsuccessful attempts to enact McNary-Haugen bills showed. Yet, other, more indirect interventions were also enacted to aid the farmer such as increasing access to capital and credit.

The New Deal amplified this shift towards government intervention on behalf of the farmer. By the end of the 1930s, the agricultural welfare state had been completely turned on its head. Subsidies and regulations which largely aided larger

farmers/landowners as well as agribusiness interests formed the content of a corporate dominated agricultural welfare state, while the services which had established the agricultural welfare state gradually atrophied and disappeared along with the small farmer that the services had been designed to help. This transformation of the agricultural welfare state from a system that was created to aid small farmers to one in which corporate agriculture primarily benefited could easily be ascribed to modern technology and social change.

While the logic of modern capitalist agriculture may have led to this transformation, this transformation was not inevitable. Initially agricultural citizenship was conferred upon those who worked on farms (as owner, renter or laborer), as well as those who lived in rural areas. The benefits of the agricultural welfare state, and in particular, its services, were (more or less) open to all who met this expansive definition. This democratic agricultural welfare state rested upon and was centered on the state agricultural universities. This university-centered system, and later the experiment stations encompassed a set of formal as well as informal checks and balances between the federal government, state government, local groups, national interests, and the individual farmer with a public means of ensuring accountability.

By contrast, the market-based agricultural welfare state largely aided larger farm operators, and especially large landowners. Only landowners or those with secure attachment to land could easily enter into the various cooperative marketing as well as relatively small scale farm credit programs that were enacted during the 1920s. One reason for this landowner bias partially lay in the farmers groups and members of Congress from wheat and corn growing areas who supported these market-based

interventions. Agricultural production in these areas was not enmeshed in the kinds of complicated social, political and economic structures that surrounded southern agricultural producers. Indeed, because of this regional tilt of these bills, southerners were largely indifferent to proposed market based legislation through much of the 1920s. Only during the end of the decade with a decline in cotton prices, did southern members of Congress begin to take an active interest in market-based agricultural programs. By the end of the decade, and before the New Deal, a cotton and corn alliance between Southern Democrats and Midwestern Republicans would be born (Lee 1979).

Race and the agricultural welfare state

The Civil War, and the three decades that followed it, was responsible for the creation of two types of agricultural citizenship for African Americans: one type of citizenship was formal inclusion (albeit separate and ultimately unequal) in the agricultural welfare state. The formal inclusion rested on explicit statutory language as well as direct federal control of funding. The Morrill Act of 1890, which established or enhanced white land-grant universities, also created state administered, but federally funded institutions of higher education for African Americans in the South. Direct federal funding was important as it allowed African Americans to maintain institutions in the face of attempts by many southern whites to eliminate public services for African Americans.

The second type of citizenship was discretionary citizenship in which the participation of African Americans in the agricultural welfare state was at the discretion of state legislatures. This dynamic was first captured in the establishment of the Hatch Act, which established experiment stations, and the Smith-Lever Act, in which the issue

of state control was open point of congressional debate. Under this second kind of agricultural citizenship the ability of African Americans to benefit from the federally funded agricultural welfare state was almost entirely dependent upon conditions within each local racial state, and more importantly the relative strength or weakness of southern congressional Democrats at a given moment (James 1988; Werum 1997).

From the establishment of the agricultural welfare state until 1940s, congressional attempts to expand the agricultural welfare state would confront the question of how funding for the agricultural welfare state would be allocated. Would it be by southern state legislatures, which would invariably mean that black institutions and black rural residents would receive little to none of the funding allocated to a given state; or would funding come directly from the federal government, thus ensuring African American participation in the agricultural welfare state?

The USDA-led efforts to prepare a post-World War II plan for American agriculture (Daniel 1985; Alston and Ferrie 1993). Under this new, large producer friendly regime, the benefits of agricultural citizenship were increasingly unavailable to many small farmers, as they were deemed economically unviable; and the benefits were actively denied to the black farmers of the South. The New South of mechanized and modern agriculture had no room for black labor or black or white tenant farmers. With the aid of federal officials, labor could be provided by cheaper, migrant Mexican labor; and the farm commodity, credit and loan system could be controlled by local elites for their own benefit (McConnell 1966). As one farmer's group in Arkansas complained about the emerging agricultural state,

“economic planning for this post-war period ...has been completely dominated by power company officials, plantation owners and other selfish interests whose view of the common people is not far advanced from the view point of slave owner....Labor and family farmers alike are considered objects for economic exploitation (Whayne 1992, 432).

The agricultural welfare state envisioned by the radical farmers of the late nineteenth century had come to an inglorious end. The “interests” had won. To understand this defeat of the “Farmer,” we must return to the contested beginnings of the agricultural welfare state.

The Civil War Congress and the enactment of the Morrill Act

From the early nineteenth century on, state agricultural societies began to agitate for federal support for agriculture (True 1928; Cross 1999). They found a champion in Justin Smith Morrill (Whig, R-VT) who starting in 1857 began introducing bills to create universities whose focus, unlike colleges and universities of the day, would be on the common man, and the need for better training and more research and development in the fields of agriculture and the mechanical arts. Although support for Morrill’s bills came from other northeastern Whigs (and later Republicans), southern Democrats, who were suspicious of any growth in the federal government, were the most implacable sources of opposition. Morrill’s first bill was not reported out of Committee on Public Lands. However, his next attempt was successful, passing in 1859 by the House and the Senate. President Buchanan vetoed the bill, stating that it was an unwarranted expansion of federal power in an area that had always been left to the states.²

² This veto was not unprecedented. In 1854, Pierce had vetoed a similar bill which would have funded state institutions for the insane (see Lee 1963, 25). Buchanan also vetoed an early Homestead bill.

The political and constitutional roadblock was removed with the start of the Civil War and the absence of the southern Democrats who had been opposed to not only Morrill's land-grant legislation but as Shelby McPherson argued, a host of other "Hamiltonian-Whig-Republican measures for government promotion of socioeconomic development (Currie 2006, 1143). In a "big bang" of national expansion, the Thirty-Seventh Congress enacted the following legislation" the creation of the Department of Agriculture, the Homestead Act, the Union-Pacific railroad, the abolition of slavery in Washington, D.C. and the territories, the outlawing of polygamy, and the focus of this paper, the creation of the land-grant universities.³

Compared to the pre-war debate, objections to this legislation (with the exception of some border state Democrats was perfunctory (Cross 1999; Currie 2006). Although Committee on Public Lands reported out the bill unfavorably, it nonetheless passed the Senate on a 32-7 vote, and then passed the House 90 to 25. As Morrill dryly noted in his diary about the votes, "the representatives of the states in rebellion were absent" (Lee 1963, 26). In July 1862, President Lincoln signed the Morrill Land Grant Act, which provided for the education of citizens in the "agriculture, mechanic arts, and military tactics." The purpose of the universities would be,

to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life' (Morrill Act, 1862, section 4).

³ Lincoln and the Civil War Congress were also responsible for the expansion of the army as well as the imposition of a range of taxes, including for the first time, an income tax.

To fund these institutions, each state or territory received 30,000 acres of public land for each senator and representative in Congress based on 1860 census.⁴ Proceeds from the land were supposed to be used to support the institutions.⁵ In addition, an annual appropriation was provided to each state. The initial was \$10,000 per year, which increased by \$1,000 each year for the next ten years.

Contained within the legislation was an important provision: states that were “currently in rebellion” were not eligible for the grants.⁶ In addition, the act indirectly provided for states to establish separate schools for African Americans. Only four states would take up this provision immediately after the war: Kentucky (1866), Virginia (1872), South Carolina (1872), and Mississippi (1871) (Davis 1933). In each of these states, blacks exercised a degree of political power in the state legislature or via national Republican Party politics.

The Hatch-George Act of 1887

By 1880, there were a number of forces pushing for the establishment of experiment stations path to the establishment of what would be know as experiment stations (True 1928). Nearly twenty years had passed since the creation of the land–grant universities, actors within the national government such as the USDA, within the land grant system (now organized as the) and those who saw themselves as outsiders – the farmers – were all unhappy with the current system.

⁴ According to Lee, the grant amounted to about 11.3 million acres, “or about one-half the state of Indiana” (Lee 1963, 26)

⁵ Ezra Cornell apparently was the most astute of the recipients, allegedly making nearly five times off of the land than the average state was able to (Lee 1963, 28).

⁶ Comer et al. suggest that some historians believe that this provision was “designed to entice the South to end the war” (). This seems unlikely.

The USDA-land grant coalition had begun in 1872 with the convening of a Chicago convention where USDA officials as well as politicians such as Morrill attended. The USDA-university coalition saw the capture of the experiment station movement as a way of reasserting their authority and power over the shaping of agricultural policy. The threat they saw was from the farmer's movement that began sweeping across the nation from the 1870s onward. Starting in 1883, fourteen bills would be introduced in Congress. The first bill was introduced in 1883 by Rep Holmes of Iowa, and reintroduced in 1885 by Rep Cullen of Illinois.

The debate was relatively non-controversial – under pressure from the farm groups – Congress was eager to enact legislation. The only point of contention was whether the stations would be under the control of the USDA or the state universities. The issue of race was not raised at all. The bill passed in the senate without a recorded vote, and in the House it passed 112 to 9 (True 1937, 123-29).

For reasons related probably related to the struggle between the USDA and the states, a clause critical to African Americans was inserted into the final version of the bill: “That in any State or Territory in which two such colleges may have been or may be so established the appropriation made by this act shall be equally divided between such colleges, *unless the Legislature of each State or Territory shall otherwise direct* (Seals 1991, 20, emphasis added). This clause was important because it would be the insertion of this clause by southern Democrats into agricultural welfare policy, which would allow for state control over funding.

Despite the future importance of the clause, there was no debate about the status of African Americans in the bill. One reason for this absence could have been the

increasingly hostile climate towards racial issues that was emerging across the nation in the aftermath of Reconstruction (Seals 1991, 21). It certainly did not help that Congress was under divided control; republicans held a slim 2 seat majority in the Senate, while the House and the presidency was held by the democrats. Moreover both sponsors of the bill were from the South; Rep. Hatch was from Kentucky, while Sen. George was from Mississippi.

A likely (though not wholly convincing) explanation for the non-inclusion of African Americans in the experiment station system was the fact that with the exception of the three land grant institutions, black institutions that could house an experiment station did not exist, thus excluding or controlling them as a class was not an issue. Nonetheless, an important precedent had been set with allowing funding for the experiment station to be controlled by state legislatures. Future programs of the agricultural welfare state that were attached to the experiment station would reflect this discretionary control. Since no provision was made for separate funding at the beginning, subsequently legislators did not feel obligation to provide any separate funding going forward.

One consequence of this was that African Americans would be recipient of technical knowledge rather than part of the institutional structure that would plan for the needs of rural America.

Morrill Act of 1890

The path to the Second Morrill Act was affected by several developments. First, was the continued important of organized agricultural interest groups (Sanders 1999). As they had argued earlier, these interest groups claimed that the current system of land

grant institutions were too academic, and not responsive to their needs. They pushed for legislation that would allow for greater not less federal oversight over these universities (Lee 1963, 31). Yet while the complaints of the interest groups were important, they simply added fuel to a movement by the new agricultural educational establishment to expanding funding.

One congressman complained, “[T]hey have buzzed in your ears, sir, and yours, and the ear of every member of this House. It has been an organized, strong, and combined lobby for the benefit of the agricultural colleges of the country” (Preer 1991, 323). The pressure from the farmers, and academics, as well as from the USDA was beginning to mount. Congress took notice, and once again Justin Morrill took action, proposing an expansion of the land grant system along with better oversight and control.

Yet the Congress that finally took notice of this issue was a Congress that was in a political world that very different from Congress that had enacted the first Morrill Act or even the Hatch Act. A new post-Reconstruction world was finally coming into view. Beginning in 1883, the Supreme Court overturned the Civil Rights Acts (Klarman 2004). Divided government with rotating Democratic and Republican control of the Congress ensured that these reversals were not rectified by congressional action.

The 51st Congress was the first Republican Congress in a unified government since 1883. It had two overwhelmingly important matters on the legislative agenda: money and civil rights (Calhoun 2006; Upchurch 2004; Cross 1999). Morrill’s wing of the Republican Party consisted of those who still felt some obligation to their southern African Americans, their political allies who were slowly being stripped of political rights by the ascendant white Democrats of the South. Facing of against Morrill were the

“money men,” such as Senator Nelson Aldrich largely from the Northeast, who did not feel that the parties energy and political capital should be spent on what was increasingly seen as a lost battle.

Despite the hostility of the “money men,” the reform or humanitarian wing of the Republican Party spent much of the 51st Congress trying to come to some resolution on how to protect black rights. The three major attempts, education (in the form of the Blair bill), emigration, and voting (the Federal Elections or “force” bill) all went down in defeat. Yet there was one small success: the Morrill Act. The Morrill Act benefited from two changes in Congress, one procedural and one institutional. The procedural change was the adoption of the Reed rules (Upchurch 2004, 66-74).

The Reed rules imposed order on legislative policymaking in the House by blocking the ability of the minority party to make delaying or obstructing tactics. This allowed the Congress to deal with the second institutional change that was confronting the House, the massive rise in spending. The 51st Congress would be known as the “Billion Dollar Congress.” Republicans as well as Democrats shared in this bonanza of spending. The Morrill Act provided more money to the states, especially to the southern states, that had not participated in the first Morrill Act.

Despite the prospect of free money, southern Democrats as well as Republicans were concerned about the impact of the funding on southern African Americans. Given the recent trend in southern politics and society as the nascent Jim Crow order began to take shape, Republicans were frank in their belief that white southerners would not deal fairly with their black population. Indeed, Sen. John Ingalls of Kansas remarked in debate,

“While I am inclined to be entirely liberal to the Southern people and to recognize fully the difficulties under which they labor, while I don’t impute to them any insincerity or any disingenuousness, I do not believe they like the colored people as well as they do the white people, and I think they must be put under bonds just the same as the Northern people must be put under bonds to do justice” (Preer 1991, 325)

Despite Ingalls’ statement, the overall debate reflecting the increasing reluctance of Republicans to oversee southern affairs, and increasing hostility from southern Democrats at any perceived attempts at “outside control” (Woodward 1951).

Morrill, sensing this divide, assured his fellow senators that the division of funds between white and black institutions would be left to each state’s discretion (Preer 1991, 326). Morrill added an amendment, “no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be in compliance with the provision of the act” (Cong Rec). In short, in order to persuade southern congressmen to support the bill, a separate yet equal provision was added. This preceded the Court ruling, *Plessy v. Ferguson*, that would come in 1896.

Yet while Morrill supporters recognized the amendment as government sanctioned inequality, given what was happening at the state level in the South, this was a remarkable achievement. In a number of states, exclusionists were waging a vigorous attempt to exclude blacks from public services (Woodward 1951). Even though Republicans gave in on the equality issue, they ensured that the funding for the black

schools would be distributed by the federal government and not by state governments that were increasingly controlled by hostile whites.

In the end, interest group pressure from farmers groups as well as the acknowledgement of the dictates of white supremacy brought white southerners around. It also did not hurt that Morrill was a ranking member of the Ways and Means Committee, and would be shepherding the tariff legislation that many Republicans were deeply concerned with. The Morrill Act was passed on a broad bi-partisan basis, and Harrison signs into law August 30, 1890. This would be the last discussion of formal inclusion of African Americans in the agricultural welfare state until 1914. The Republicans then turned to consideration of the Force bill; however after heated debate and parliamentary maneuvering were forced to ultimately abandon the bill (Calhoun 2006, 246-52). Republican congressional Reconstruction had come to an end.⁷ Indeed in the next elections, Republicans experienced a stunning loss of seats in the House. The 52nd Congress would be a period divided government; the election Cleveland in 1893, and Democratic Party control in both chambers, ended the Republican commitment to southern African Americans.

The response to the second Morrill Act by the southern states was rapid; within two years, almost all of them created parallel though not equal institutions for African Americans. The devil was in the details however. The law, however, did not spell out the specifics of what “just and equitable” meant; instead the legislation left the details to the secretary of the interior and the commissioner of education. In 1893 with Cleveland’s

⁷ Upchurch argues that this support of education was in keeping with the faint hope of some Republican that the failures of the Republican Party to fully support the creation of a democratic South would be redeemed in the long-run through better education for blacks and whites. In the long run, it was hoped that education and economic development would soften the (Upchurch 2004, 46-64).

election, Hoke Smith became Secretary of the Interior and would have some oversight authority over the federal distribution of the 1890 funds. While Smith was considered a populist on account of his support for education, he increasingly had no love for African Americans. Indeed he would run for the Georgia governor on such a virulent platform of white supremacy that it led to race riots in Atlanta. Together with Tom Watson, another former Populist, they would lead the campaign for the final and near total disenfranchise blacks thus bringing Georgia firmly within the Jim Crow order. As Senator, he would sponsor many of the signature pieces of legislation that would shape the agricultural welfare state. Yet as a southerner he was very clear that this state would not benefit blacks and whites equally (Werum 1997; Grant 1986).

Although Morrill funds were near equal at the time of enactment, this parity only lasted for about a decade (see Figure 1).

[Figure 1 about here]

From 1900 to 1970, the gap between white and black land grant institutions grew dramatically. It wasn't until 1971, that legislation was enacted to address this imbalance; \$12.6 million was allotted to the black land grant institutions by Congress; however this funding was to be routed through white institutions. To give a sense of the institutional imbalance, in fiscal year 1971, white institutions received \$25.8 million in funding, while black land-grant institutions received \$283,000 (Hightower 1973, 12).

Smith-Lever Act of 1914

Like the experiment stations before it, the extension movement arose out of the lobbying efforts of USDA officials, university based agricultural academics, the new public interest foundations such as the Rockefeller Foundation, and farmers groups such

as the Farmers Union. In keeping with their longstanding critique of the land grant universities, farmers groups wanted a way to offer practical and accessible help to the average farmer. Extension or county agents would bring the best practices, techniques and knowledge produced by agricultural researchers directly to the farmers using methods such as crop or livestock demonstrations (True 1928; Baker 1939; Burritt 1922). While the USDA in principle agreed with this approach, officials were eager to reign in this farmer's movement into a form that was more amenable to USDA control. In the South, state officials and university administrators were uneasy that the extension movement in the South was largely funded by Rockefeller funds, which were made available to black institutions such as Tuskegee in Alabama and Hampton Institute in Virginia. These institutions in turn began creating their own separate and black controlled systems of farmer education (Crosby 1977, 240).

Two factors powerfully shaped the contours of legislative policymaking in this instance. First, the legitimacy of the agricultural welfare state was no longer in question. Indeed, other groups such as women reformers looked to the agricultural welfare state as model for enacting their desired reforms (Clemens 1997; Muncy 1994; Skocpol 1992).

The second factor was the party composition of the federal government: the South "was back in the saddle." A southern Democrat, Woodrow Wilson, held the presidency; while both the House and the Senate were under Democratic control, with southern Democrats making up 35 percent of the House, and 43 percent of the Senate. Even more importantly southern Democrats were chairman of powerful committees such as Rules, Banking and Currency, Judiciary, Interstate and Foreign Commerce, and most importantly, Agriculture. These positions were held by southern Democrats because of

the seniority they accrued because their safe seats. During the Democratic interregnum of 1912 to 1918, a “southern imposition”: on the shaping of the agricultural welfare state existed (Farhang and Katznelson 2005; Werum 1997; Grant 1986).

In the House, hardly any debate occurred. Two hours were given for debate, with no real substantive criticism of the bill being voiced. The bill was passed on a voice vote of 177 to 9. The environment in the Senate was different as party control was not as rigid. It was in the Senate that the issue of racial equality was raised.⁸ Sen. Wesley Jones, Republican of Washington State, raised the issue. Like Senator Ingalls nearly 25 years earlier, Sen. Jones would raise doubts about the South’s commitment to educational equity:

There has not been the opportunity for the colored boy and the colored girl that has come to the white boy and girl...In other words, those who have charge of the colleges where the colored students go will have nothing to say as to how this money will be used or where it shall be used (Seals 1991, 22).

In his speech to the chamber he introduced statistics into the record, which laid out the unequal status of the black land grant institutions. To that end, Jones proposed an amendment similar to that in 1890 Act, which would apply the “just and equitable” standard to the funding (Preer 1991).

The then fairly new NAACP ironically supported Jones’ amendment, which called for the provision of a separate and equal standard. NAACP found itself in this incongruous position of agitating for the inclusion of separate and equal clause since it as

⁸ Cummins also objected to the formula, which benefited southern states because of their higher proportion of rural population (). Eighty percent of the South’s population lived in rural areas, and 35 percent of the country’s rural population lived in the South. The open secret that much of this funding would be denied to African Americans only made the funding disparity more galling for Midwesterners.

well as the administrators of the black land grant institutions believed that black institutions would not receive their fair share if funding was left up to the discretion of southern state legislatures (Seals 1991, 30-1). In short, the very claim of “separate and equal” had at least led to the issue getting a public hearing.

To this proposal Senator Hoke Smith, former progressive now racial supremacist answered, that:

“I will tell the Senator frankly what we will do. We will put it in our white agricultural college. We would not appropriate a dollar in Georgia to undertake to do extension work from the negro agricultural and mechanical college. It would be a waste of money (Seals 1991, 22)

This debate over the racial equity in funding was the “first time that discrimination had been openly discussed in Congress” since the debate over the second Morrill Act; Smith’s response, however, “reflected the supreme confidence of the South in getting its way” (Seals 1991, 22). The opposition to any equalization was led by a who’s who of southern Democrats: James K. Vardaman (MS), Furnifold Simmons (NC), Smith was floor leader. The supporters reflected midwestern and western Progressivism; it not only included Jones (WA), but also Cummins (IA), Clapp (MN), Weeks (MA), Works (CA), Gronna (ND), McCumber (ND), Sterling (SD), Sherman (IL).

In the end, the southern democrats won the debate and the vote. Jones’ amendment lost, 32 to 23. The conference committee of six members included four southerners. There would be no guaranteed funding for black institutions. Any extension services provided by the extension service would be allocated by the white institutions, although the actual service would be carried by black male and later female, agents.

Compared to their proportion of rural population, black communities were absolutely far more underserved in terms of numbers of agents, than white communities (see table 1).

[Table 1 about here]

In 1930, white extension work received about \$4.5 million from the federal government, while black extension work received about \$477 thousand.

The New Deal and the transformation of the agricultural welfare state

The Great Depression hit American agriculture hard, but southern agriculture the hardest. The Agricultural Adjustment Act of 1933, and its reincarnation in 1938 attempted to provide a floor under the agricultural sector by controlling production. For the south this meant, farmers adapting to crop acreage reductions and well as production quotas. These new production rules would be overseen by committees who would include the county extension agent. This approach toward market intervention continued but also expanded an approach that had been advocated by farmers since the 1920s. Small steps had been taken along the way: the Capper-Volstead Act of 1922, the Agricultural Credit Act of 1923, and the Agricultural Marketing Act of 1929; not to mention the ongoing, but ultimately unsuccessful attempts to enact the McNary-Haugen farm relief bills during the 1920s (see Appendix I).

Once again southern members of Congress played a pivotal role in the shaping of agricultural legislation. In this instance they ensured that the implementation of legislation would be under local control, and would benefit large growers at the expense of famers. The results in hindsight were predictable: tenants and sharecroppers were pushed off the land due to land conservation and retirement efforts, while payment subsidies would be directly pocketed by the landlord, rather than the tenant. The number

of black tenants and croppers in the South fell by 200,000 from 1930 to 1940 (Daniel 1985; Reynolds 2002).

By 1936, New Deal liberals had recognized another, new crisis in southern agriculture: the poor farmer, and especially the poor tenant farmer and sharecropper. Advocates both with the government and outside pushed for legislation which would soften the blow of the AAA. The result was the Bankhead-Jones Farm Tenant Act, which created the Farm Security Administration (FSA). This new legislation in some ways ended the democratic agricultural welfare state. Those who could not compete under modern conditions would essentially receive welfare. Indeed, the southern members of Congress saw the FSA as essentially a welfare program. Not only did they consistently underfund the program, but as soon as they were able, they cut off funding and essentially killed the FSA (Sullivan 1996, 124-129).

The extension program reflected this new explicit two tier system. White extension agents aided white farmers in their transition to modern agriculture providing access to technical information to credit for financing the machinery and acquire the acreage necessary to compete in the new agricultural market. Black extension agents were not given this power. Instead they were directed to help black farmers achieve self-sufficiency, a somewhat anachronistic goal in the post-war economy (Reid 2007; Wayne 1992, 1998; Crosby 1993). With little to keep them in the country, the number of black farm operators declined in 1945, the number of non-white farm operators in the south was approximately 475,000; by 1959 the number had decreased to about 138,000 (Reynolds 2002).

Conclusion

This paper explored the development of the agricultural welfare state and the role of congressional organization and race in its development. Substantive black involvement in the agricultural welfare state came to end during the 1920s and then especially in the New Deal as the agricultural welfare state shifted away from providing services to rural residents, to providing subsidies for agricultural producers. With no representation of their interest in Congress, a committee system with hardened jurisdictional lines dominated by conservative southern Democrats, and with no limited institutional structure on which to build, as was the case of the black land grant universities, African Americans were now at the mercy of the discretion of white bureaucrats and politicians and the almost exclusively white American Farm Bureau. This was the world of private power depicted by Grant McConnell (1966).

This research suggests that there should be a new look at current accounts of the development of nineteenth century policy. Much as King and Smith (2005) suggest in their work on racial orders, bringing the lens of race to bear on the institutional development of nineteenth century governance can reveal new patterns of heretofore hidden political and institutional orders (Orren and Skowronek 2004). Thus the role of the USDA and other federal bureaucracies as explored variously by Gaus and Wolcott (1940) to Carpenter (2001) can and should be re-examined. As too should the impact of interest groups on party politics and institutional development such has been done by Sanders (1999), Clemens (1997) and Hansen (1991). It suggests that the southern imposition was not merely an artifact of the New Deal, but has been a part of American policymaking for much of the nation's history, foreclosing in many ways the welfare state desired by liberal from the New Deal onward (Farhang and Katznelson 2005;

Katznelson, Geiger and Kryder 1993). On a broader level, this research suggests a way of rethinking the connection between state, society and the notion of “orders. For example, how can varieties on inclusion as well as exclusion, which may or may not be mutually constitutive, be considered? What is the nature of American citizenship?

As multi-million *Pigford* court case settled against the USDA revealed, this organization of private interest domination led to ongoing and pervasive discrimination by state agents, which denied African American as well as Hispanic farmers the subsidies and other types of support routinely given to white farmers. While migration and new technology may have largely driven out blacks from agricultural work in the rural south during the mid-20th century, government hostility to minority farmers; and, the latter’s lack of institutional and political leverage certainly helped to hasten the process. The institutionalization of Congress and shifts in America’s “racial orders” can together be used to explain African American’s limited participation in the agricultural welfare state at its inception, to their ultimate exclusion from it by the 1920s and 1930s. The development of the agricultural welfare contained the seeds of its own demise: the broad citizenship parameters set by the populist agricultural state gradually shifted, and the parameters and thus the benefits of agricultural citizenship become ever narrower. While this spelled the end of black farmers, it also spelled the end of the Jeffersonian yeoman ideal.

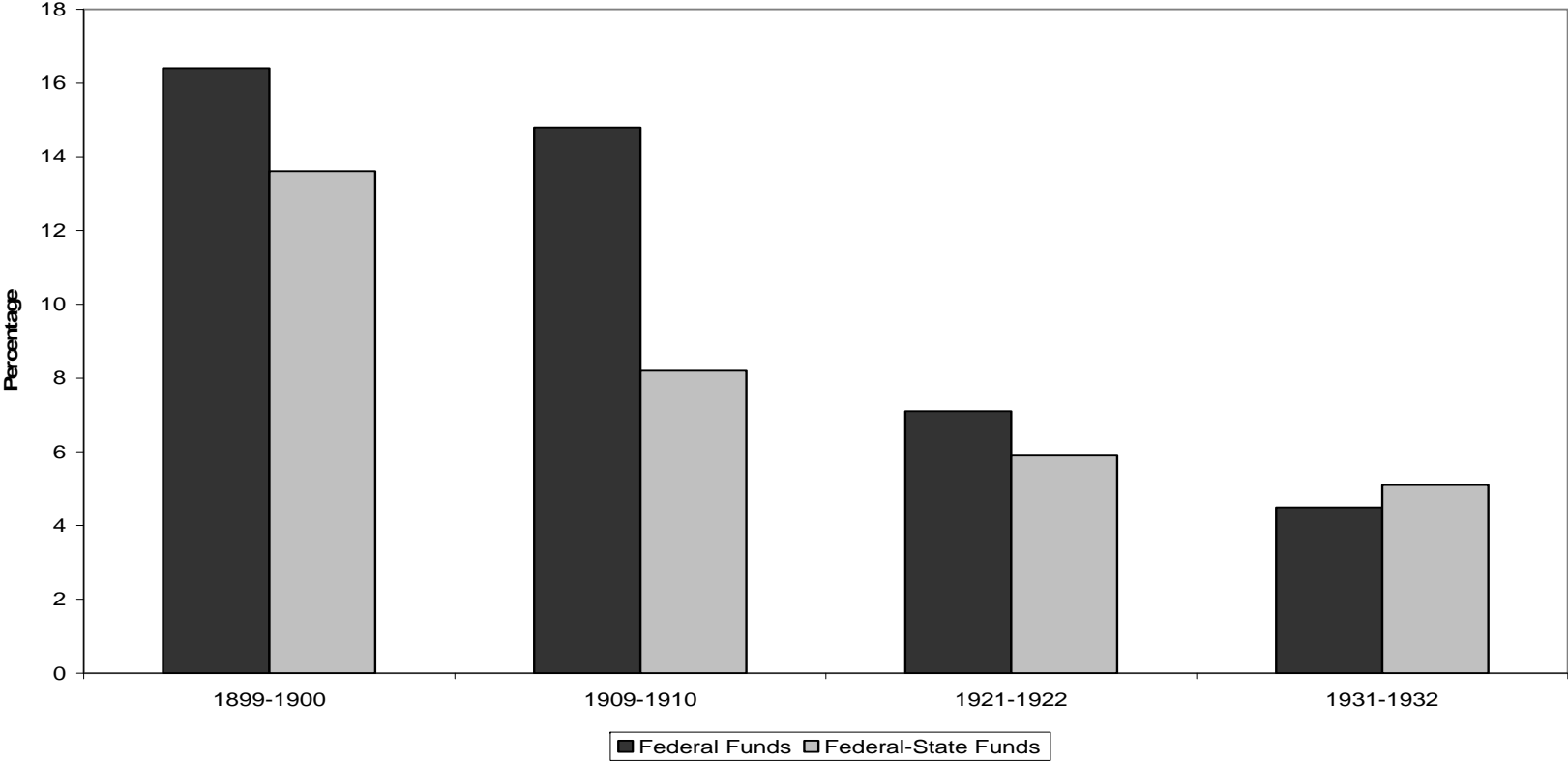
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Figure 1: Federal and Federal-State Funds Received by Blacks, 1899-1932



Source: Davis 1933

Table 1: African Americans and the Smith-Lever Act: Funding and Personnel

State	Black Population Pct., 1930	Pct of Extension Funds Spent on Black Personnel (1937)	Number of Black Extension Agents (1941)
Alabama	36	17	73
Arkansas	26	4	29
Florida	29	*	19
Georgia	37	6	50
Kentucky	9	*	7
Louisiana	37	5	20
Maryland	17	*	5
Mississippi	50	12	77
North Carolina	29	8	56
Oklahoma	7	*	20
South Carolina	46	8	37
Tennessee	18	3	21
Texas	15	8	87
Virginia	27	*	35
W. Virginia	7	*	5

Source: Davis 1933; Crosby 1983 * Information missing

Appendix I
Agricultural Welfare State Legislation: Services

Act	Purpose	Equality Clause
Morrill Act (1862)	Create state college & university system focused on agriculture & mechanics	No
Hatch-George Act (1887)	Agricultural experiment stations	No
Second Morrill Act (1890 Land Grant Act)	Expand land grant college & university system & authorized support for separate land-grant colleges for blacks	Yes
Adams Act (1906)	Increase amount appropriated to experimental stations	No
Morrill- Nelson Amendment (1907)	Permanent annual appropriation for USDA	Yes
Smith-Lever (1914)	Create agricultural & home economics extension program	No
Smith-Hughes (1917)	Establish vocational education system	Yes
Smith-Bankhead Act (1920)	Vocational education for industrial workers	
Clarke-McNary Act (1924)	Aid farmers in forestry management	No
Purnell Act (1925)	Further aid to experiment stations to expand the scope of agricultural research.	No
Capper-Ketchum Act (1928)	Expand Cooperative Extension System (Smith-Lever Act)	No
Additional Federal Cooperative Fund (1930)	Expand Extension work including the employment of specialists in economics and marketing.	No
Bankhead-Jones Act (1935)	Expand extension system & increase endowment and support of land-grant colleges.	Yes
Special Education Amendment Acts (1972)	Extend land grant system to Territories & Washington, D.C.	
Evans-Allen program (1977)	Extend extension program to 1890 Land Grant institutions (equal to at least 15% of Hatch Act appropriation)	
Tribal Colleges (1994)	Extended land grant university status and support to Native American colleges	

Agricultural Welfare State Legislation: Market based legislation

Act	Purpose
Federal Farm Loan Act (1916)	Established twelve regional Farm Loan Banks to serve members of Farm Loan Associations.
Capper-Volstead Act (1922)	Authorized and sanctioned the elimination of competition among farmers through cooperative association
Agricultural Credit Act (1923)	Created a Federal intermediate credit bank in each district to provide funds to commercial banks and other agricultural lenders for loans to finance production costs.
McNary-Haugen bills – 1924 - 1926 - 1927 - 198	- tariff protection - creation of Federal Farm Board to purchase farm surpluses and either hold them off the market until prices rose or sell them overseas
Agricultural Marketing Act (1929)	Created the Federal Farm Board from the Federal Farm Loan Board - strengthening farmer cooperatives and engaging in direct price stabilization operations with the \$500 million revolving fund made available to it
Agricultural Adjustment Act (1933)	Authorized production adjustment programs
Farm Credit Act of 1933	Established local production credit associations to make short- and intermediate-term production loans to farmers
Bankhead-Jones Farm Tenant Act (1937)	Authorized the Resettlement Administration, shortly thereafter renamed the Farm Security Administration, to implement a new program that made available supervised farm ownership loans with 40-year terms to farmers who lacked other credit sources to purchase their own land and to improve their farms and homes
Agricultural Adjustment Act (1938)	Established commodity price support programs. Authorized mandatory supply controls through acreage allotments and marketing quotas
Agricultural Marketing Act (1946)	Title I: Amends Bankhead-Jones, more money for agricultural research