AND THE DEVIL GOT ALABAMA AND GEORGIA: BLACK LAND OWNERSHIP IN THE SOUTH

by
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This paper was commissioned for the *Who Owns America? Land and Natural Resource Tenure Issues in a Changing Environment* Conference hosted by the Land Tenure Center at the University of Wisconsin-Madison (June 1995).

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Commissioned paper presented at the Symposium, "Who Owns America? Land and Resource Tenure Issues in a Changing Environment," Land Tenure Center, North America Program, University of Wisconsin–Madison, June 21-24, 1995. Robert Zabawa is Research Associate Professor and Coordinator of Social Science Research, George Washington Carver Agricultural Experiment Station, 100 Campbell Hall, Tuskegee University, Tuskegee, AL 36088. (334) 727-8114/8333.

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Abstract

The decline in the number of Black farmers and the erosion of their land base is well documented. Less well known are the individual characteristics of the farmers and their families that have contributed to this phenomenon. Through use of ethnographic, survey, and census data from the Black Belt region of Alabama, this paper will: (1) define the current status of land ownership among Black farmers; (2) highlight the importance of land ownership for farm survival; (3) examine the reasons why this resource is being lost at such a dramatic rate; and (4) offer prescriptive measures by which farms and land can be maintained into the next century.

"AND THE DEVIL GOT ALABAMA AND GEORGIA": BLACK LAND OWNERSHIP IN THE SOUTH[1]

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KEY WORDS: Black Farmers, Land Ownership, Intergenerational Transfers, Alabama

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Prologue

> *Mr. Gee is a tall man; we can see eye-to-eye at six feet two inches. He has to stoop as we leave his trailer and he walks purposefully, neither fast nor slow, never giving away that he is eighty years old. His hair is close cropped, but you can tell that if he were to let it grow it would be all white. He motions me to sit beside him on an old porch swing and we survey his pasture which needs help to feed his cattle. Inside, I had brought up the topic of land, and deeds, and wills, and now Mr. Gee begins his comments with a question: "You know why this land is as poor as it is, don't you?" He proceeds, "It was the first Christmas and God was going to send his gift to man. When Satan found out about this, he kidnapped the baby Jesus. When the Lord asked Satan why he had done what he did, Satan replied that he wanted a gift too in exchange for the baby. God agreed, and that's how man got Jesus and the devil got Alabama and Georgia!"*

INTRODUCTION

The decline in Black-operated agriculture in the United States is well documented, starting with Robert Browne's *Only Six Million Acres: The Decline of Black Owned Land in the Rural South* (8) and including, most recently, a special issue entitled "Blacks in Rural

America" in *The Review of Black Political Economy* (35). But it was the report by the United States Commission on Civil Rights, *The Decline of Black Farming in America* (45), that focused national attention on what Black farmers in the South already knew—that they had been in an agricultural "depression" for decades and an "endangered species" (25). More specifically, for the better part of the Twentieth Century, Black farmers have lost more farms and more land at a higher rate than their White counterparts. At the national level, Black farmers reached the summit of farm ownership in 1920 with 925,708 farms. By 1992, these numbers had declined to 18,816 farms. This was a decline of 98 percent as compared to a decline of 65 percent for White farm operators (see Table 1).

For the South in general (where the majority of Black-owned farms are located), and for Alabama in particular, the decline in Black farm numbers is just as acute. For example, from 1910 to 1992, Black-owned farms in Alabama declined by 99 percent, from 110,387 farms to 1,381. Comparatively, White-owned farms declined by 76 percent, from 152,458 farms to 36,370 (see Table 2).

Economically, Black farm operations are generally categorized as "small" (45), and in the South as "excessively small" (2:9), because they generate less than $20,000 in gross annual income. Ninety-three percent of all Black farms fall within this category (*Ibid.*). In Alabama, 83 percent of the farms operated by Blacks have gross sales of less than $10,000 annually (46).

A similar trend is exposed if land ownership is used as an indicator of agricultural development. In the United States, Black land ownership has declined from a 1910 peak of almost 16 million acres on farms under full ownership to under one million fully-owned acres in 1992 and just over two million acres in both full- and part-ownership (see Table 3a). On the other hand, land on White fully- and partly-owned farms has increased (see Table 3b). Black-owned land in Alabama has declined rapidly as well, from 1.5 million acres in full- and part-ownership in 1910 to just over 150,000 acres in 1992. This decline of 89 percent is compared to a decline of 35 percent of White land on fully- and partly-

owned farms (see Tables 4a and 4b). Although Black-operated farms in the United States have almost tripled in size over this 82-year period (from 51 to 143 acres), White-operated farms have more than tripled in size (from 153 to 473 acres) and are almost four times as large as Black-operated farms (see Tables 3a and 3b). The data from Alabama, again, represent an already familiar trend (see Tables 4a and 4b).

Finally, just as Black farm operations are concentrated in the lower sales categories, Black landowners are also concentrated in the lower farm size categories. At the national level, 46 percent of Black-operated farms are under 50 acres. This is compared to 44 percent of the Black-operated farms in Alabama (46).

Given these circumstances, Black-operated farms are: (a) surviving at or below the subsistence level (27); (b) relying on off-farm income in an economic environment of decreasing employment opportunities (19, 56); and (c) fighting structural barriers to development that have included discrimination in both the private and public/government sectors (19, 40, 45).

The Farmers

The farmers described here were participants in two research projects conducted by Tuskegee University. The first was a multidisciplinary small farm research and extension project funded by a grant from the USDA/Farmers Home Administration (FmHA)(see 50). This project included 26 Black farmers (25 males and 1 female) selected by FmHA County Supervisors, covering nine counties in or near the Black Belt Region of Alabama.[2] The goals of the small farm project included providing technical, economic, and social assistance to help the farmers become more efficient producers and to increase their standard of living. The farmers who participated in the project were, on average, older (51.7 years), had little formal education (9.7 years), had small acreages of owned land (88.1 acres), had large debts ($63,562) and debt-to-asset ratios (88%), and had a high

reliance on off-farm income (50 percent of the farmers having either full-time or part-time off-farm work). This first group of farmers will illustrate the importance of the ownership, particularly the multigenerational ownership, of land for farm survival.

The second group of farmers was part of a rural development survey project funded by USDA/Cooperative State Research Service (CSRS). In this project 120 Black farmers from five Black Belt counties were surveyed concerning farm production, nutrition, health, demographic characteristics, and attitudes towards farming and rural life (see 52, 55).

As in the first group of farmers, these participants were, on average, older (60 years), they owned limited acreage (87 acres), and they had limited formal education (55 percent did not have a high school diploma or its equivalent). This group of farmers will illustrate the importance of intergenerational transfer strategies (i.e., a will) for farm survival.

Table 5 compares the participating farmer groups from the two projects with the general Black farming population in Alabama and in the United States. All four of these farmer groups are similar in the areas of age and owned land, and for three of the groups, participation in the off-farm work force. On the other hand, the FmHA project farmers differ in terms of debts, assets, debt-to-asset ratios, and farm ownership.

Because the farmers were selected by their FmHA County Supervisors on the basis of need, two further factors can help explain the differences in farm ownership and debts between the project farmers and the general state and national samples. First, the census data used by Molnar and Adrian to investigate the general Black farming population in Alabama (27) pre-dated the most recent downturn in U.S. agriculture. Perhaps more importantly, the farmers had access to FmHA financing which allowed them to expand their farm operations through land purchases and rentals (including land with peanut and cotton quotas) and to purchase newer, larger, and often specialized (i.e., peanut and cotton) equipment for their expanded operations. These actions resulted in higher asset values and, in some cases, over-capitalization in machinery.

The increased investment in land and equipment also increased the farmers' debts, which later exposed them to acute financial distress due to the poor farm economy and southern droughts of the late 1970s and the 1980s, illustrated by their debt-to-asset ratios. On the other hand, Black farmers who either did not participate in government-sponsored loan programs, or who were denied access to such programs (see 45), may have been spared, to some extent, the farm bust years of the 1980s (3).

The purpose of this paper as illustrated by these two groups of farmers is four-fold. First, the concept of Black land ownership, its importance from a socio-economic perspective, and its loss are discussed in historic terms. Second, using a sample of Black farmers from South-Central Alabama, land ownership is discussed in terms of its effect on the farm. More specifically, the impact of multigenerational versus initial ownership is considered. Third, the reasons why this resource is being lost at such a dramatic rate will be examined. And fourth, given that Black-owned land is a scarce resource, and given that land has an important impact on the farm, prescriptive measures by which farms and land can be preserved into the next century are proposed.

THE SIGNIFICANCE OF LAND OWNERSHIP

Successful farming is of critical importance, especially for minority groups, because of the relationship between agriculture and land ownership. Researchers have noted that Black-owned land not in agriculture may account for possibly several million acres (2, 11). Such land is usually small in area and unproductive. On the other hand, land that retains its full productive potential, including agriculture, also retains a greater value for the economic development of its owners. As asserted by Hogan (17), full Black participation in the national economy is prevented because of a lack of a Black capitalist class. The evolution of a Black capitalist class was subverted when Blacks were either denied the ownership of, or were separated from, the means of production (land) as well as

from the products of their labor (cash crops) (*Ibid.*).

Land is part of a complex social, political, and economic matrix (26), and the denial of access to land has been a key element in Black economic underdevelopment. As Nelson comments: "In a society based on capitalism, land ownership becomes an essential and unalterable prerequisite for economic development and the exercise of substantial political influence" (30:83). Furthermore, Moyer et al. state that the value and control of land can be measured along such lines as wealth, status, equality, security, power, and piety (28). And more recently, a study that included 253 Black landowners from 14 counties in South Carolina found that land was important in establishing a sense of security, personal status, family heritage, a sense of self worth and independence, and to bequeath to succeeding generations (42).

Major benefits of land ownership for those who belonged to the first generations of Southern Black landowners included stability and longevity of residence. Stability allowed those Black landowners to act as mediators between the White and Black communities, to provide institutional leadership in churches, schools, businesses, and social organizations, and to find other avenues of employment off the farm to augment the family income (~~Raper, 1936~~ 34). This perspective is emphasized by Shimkin et al.:

> The highest status within the occupational rankings is occupied by the Black landowner. Such an individual is generally well respected and considered a source of leadership within the Black community. This has been especially true since the rise of the Civil Rights movement in 1963-1967, for it was the Black landowner that assumed political leadership in the country at the time (41:58).

Most importantly, it is the use of land, leading to a sense of personal power and independence, that makes land ownership valuable (7, 30). Loss of independence, and the related lack of control of and participation in social, political, and economic arenas, have many activists concerned about Black agricultural communities, the Black farmer, and Black land loss (40). Given the importance of land ownership, it is discouraging to see the

trend in Black land loss reaching the point where some predict that there will be no Black-owned farmland by the turn of the century (45).

Land Loss

Many might argue that there is some irony in any question concerning the loss of Black-owned land, since Blacks have never owned land in significant amounts. There is some merit to this observation, especially if one considers that the freed Blacks were potentially in a position to have access to millions of confiscated acres in the post-Civil War South. In Alabama and Mississippi alone, there were over 10 million acres in public domain (22). Despite unofficial redistribution plans initiated by the advancing Northern Army that fueled hopes for "forty acres and a mule," post-War land redistribution efforts never received the approval of both Houses of Congress nor the backing of the president. Further, the Freedmen's Bureau did not have the necessary power to enforce redistribution efforts or ensure the safety of Black landowners (or its own employees), and the newly-freed Blacks did not have money to purchase available land. On the other hand, the Blacks who did obtain land were the targets of "chicanery perpetuated under unscrupulous lawyers, land speculators, and county officials" to take away their land (26:55). Relying, in part, on the general illiteracy and the lack of education of Black landowners, these strategies still continue and include tax sales, partition sales, and foreclosures (see 8, 26, 30, 31).

Another cause associated with the decline in Black-owned land is the historical migration of Blacks from rural to urban areas. This traditionally rural population was, in part, pushed off the land by mechanization and poverty and pulled to the industrial centers in the North and West (6, 8, 12, 32). This trend will continue as long as potential heirs to farms perceive a higher standard of living and quality of life off the farm (3, 4, 5).

Access to Land

Since land is a resource that is difficult for Blacks both to obtain and retain, the farmers in the FmHA project were asked to describe their history in farming and that of past generations and to include all cases of land ownership. In most cases, the grandfather's generation was as far back as a farmer could trace. Additionally, because of the wide range in the sample farmers' ages (33 to 80), the three-generation time depth is broken into three 20-year generation sets within the sample to add another dimension of comparison to the farm generation sets (see Table 6).

Three observations are worth noting in an examination of Table 6. First, a high percentage of farmers own land in the current farm generation (85%). Those farmers who do not own land in the young and middle age generations started farming later in life. The landless farmer in the oldest generation unsuccessfully attempted to buy some land and then pursued a land renting strategy thereafter.

Secondly, in general, the rate of ownership improves with each succeeding farm generation: 50 to 52 to 85 percent. This trend is also present within the three generation sets, particularly across the oldest generation: 25 to 57 to 88 percent. A similar trend is found at the national level. The numbers of Black landless farmers (sharecroppers and tenants) is decreasing and the number of Black farmers who own land (though in smaller and smaller amounts) is increasing (7, 33).

Finally, a common goal of most farmers is to own at least part of the land they farm. As Beauford et al. comment: "The idea that a family can independently own and operate a farm has always been an important part of American tradition and ideology" (5:405). Each farmer category within and across generations has yet to achieve this goal. In fact, the cumulative total shows that for 69 cases of farmers there are only 44 cases of landowners (64%). Thus, for this sample of farmers, it takes over one-and-a-half (1.56)

generations of farming to obtain owned land for the farm.

In the post-Civil War era, Blacks were excluded from land ownership, in many cases due to racist and discriminatory practices. Today, given the recent economic climate on the farm, many current and potential Black farmers will continue to be prevented from owning land.

THE EFFECTS OF LAND OWNERSHIP

The family farm is the initial source of human capital (i.e., on-the-job training) and physical assets (i.e., credit, land, and machinery) for farm children starting out, as well as the future source of land for expansion via inheritance (see 21). For example, in 1946 a survey of farmers in the Southeast found that 32 percent had acquired land with some sort of family assistance, which accounted for 34 percent of the acreage and 33 percent of the value in land (44).

More recently, data from the 1987 Census of Agriculture showed that 17.7 percent of owned land in farms was acquired through purchases from relatives and 43 percent of the land was acquired through a combination of purchases from relatives and through inheritance or gift (47). The effect of family assistance is more readily apparent when land owners are classified as either "owner-operators" or "non-operator owners." For owner-operators, over half of owned land (58.5%) was acquired through purchase from non-relatives, while for non-operator owners, half of the owned land was obtained either through purchase from relatives or through inheritance or gift (see Table 7a).

Race is also a factor in terms of how land is acquired. While owner-operators for both Black and White farms obtain most of their land through purchases from non-relatives (see Tables 7b, c), Black farmers still obtain a significantly higher percentage of land from either purchases from relatives or through inheritance or gift than do White farmers (see Tables 7d, e).

For the 26 Alabama farmers participating in the FmHA project, the benefits of parents owning farmland affected the current farming generation in these ways: how much of the farm was owned land, where a farmer started out, how a farmer started out, and when a farmer started out (see Table 8a). Farmers with landowning parents currently own more land (113.7 acres) than farmers whose parents did not own land (62.5 acres). Further, over three-quarters of the farmers (76.9%) who had landowning parents started by owning land either through inheritance or purchase. The balance of these farmers (23.1%) started by renting farmland. Of this group who had landowning parents, all started farming on family land. Conversely, over three-quarters of the farmers whose parents did not own land started by renting land and the balance started by purchasing land. Finally, in all but one case (92.3%), farmers with landowning parents started to farm in the "traditional" manner with the farm as their first and major adult occupation. The group of farmers with parents who did not own land split (53.9% versus 46.2%) in terms of starting in the traditional manner as opposed to first working off the farm and subsequently returning to the farm.

It is important to note that family land alone does not guarantee success in succeeding generations. Rather, family land allows a person to start farming earlier in life. Together family land and early entry increase the potential for future success. For example, farmers who start in the traditional manner are not significantly different from each other in terms of owned land and the age they started to farm, regardless of whether their parents owned land or not (see Table 8b, row 1). On the other hand, farmers without landowning parents who started in the traditional manner are very different, in terms of owned land and the age they started to farm, from those who started later in life (see Table 8b, row 2).

STRATEGIES TO TRANSFER LAND

The effects of land ownership, especially multigc ıtional ownership, have been described in terms of how a farmer starts out, when a farmer starts out, and the quantity of owned land on the farm. It was also noted that more of the present generation of farmers own land than did their fathers or grandfathers. However, while more Black farmers may own land, they own smaller amounts (7, 33). From the farmers described here, 13 from the previous generation (50%) owned land averaging 225.9 acres, while 22 of their sons (85%) own land, but average 104.1-acre holdings (see Table 9a). Similarly, despite the fact that farmers with landowning fathers own more land than farmers with non-landowning fathers, the former average only half as much land as their parents, 113.7 acres versus 225.9 acres (see Table 9b).

In previous sections it was discussed how Blacks were prevented from owning land either through the lack of money or through more overt discriminatory practices. Blacks who owned land were seen as easy targets for take-away schemes involving tax sales and foreclosures. Another major factor in the loss of Black-owned land is found in the strategies, or lack of strategies, involved in the intergenerational transfer of land. How land is transferred from one generation to the next plays an important role in the decision to farm, and when to start. Both Groger (13, 14) and Salamon (36, 37, 38) have examined the effect ethnicity and the land transfer process have on the farm enterprise. Two cases with examples are presented here to illustrate both how land can be lost from one generation to the next and the importance of strategies aimed at specifically saving the farm and the land.

Case 1: Heir Property and Partition Sales

If a farmer dies without a will (intestate), his/her property is divided among his/her heirs and is called heir property. In the case of land, for example, the property is divided with shares going to the farmer's spouse and children. After the spouse dies, each child then shares equally in the land. The problem lies in that the land is held collectively among the heirs; and no one piece of the land can be rented, sold or developed without the consent of all of the heirs.

Land loss occurs when one of the heirs wants to sell his/her share of the property, a common scenario especially if an heir has moved off the farm. A partition sale occurs if the heirs cannot agree on a division of the land so that a share can be sold. The whole tract of land is then sold and each heir receives a percentage of the sale according to their share. Heir property shares can be extremely complicated, particularly if land has been passed through several generations without a will. Furthermore, heir property in the past has been an easy target for developers who purchase a distant relative's share and then ask that this share be sold, thus exposing the whole tract of land for sale (see 8, 26).

Example 1: Rationale for the Lack of Wills

The reasons behind the reluctance to write wills are many and include: a distrust for the legal system (40), a lack of formal education (26), superstition, and the reluctance to make a property decision that could cause family dissension. When 67 Black landowners who participated in the CSRS survey were asked why they did not have a will, their responses tended to fall into three broad categories: those who took a very passive attitude of putting it off until tomorrow, those who made an active or conscious choice not to have a will, and those who based their decisions on misinformation or the lack of information (see Table 10).

PASSIVE: "I JUST HAVEN'T GOTTEN AROUND TO IT." By far, most of the landowners without a will (58.2%) would express a passive line of thought such as "I just haven't gotten around to it," or "I keep putting it off," or "I don't have the time," or "I'll do it soon." Others in this category would have "no reason" for not having a will, or "never thought about it." In a few cases, landowners would not have decided or were not sure who they wanted to inherit their land, or they would have no response.

ACTIVE: "THEY CAN WORK IT OUT." Landowners who fall in the category of "they can work it out" (28.4%) would have made a conscious choice not to have a will, or, in a few cases, they were in the process of making a will. In the first instance, landowners would state that their relatives either knew what land would belong to them or that they could work out the land problems later upon inheriting it. Others were either not ready to make out a will or they thought such action was not yet necessary for a variety of reasons. In the second instance, landowners would simply indicate that they were in the "process" of having a will completed.

(MIS-)INFORMATION: "I JUST NEVER GOT THE INFORMATION STRAIGHT." A last important group of landowners (13.4%) fell into the informational category, or, rather, the category of being misinformed. Examples in this category would include not having a will because: "the land was not paid for," "a house was not on the land," "the land was not deeded off," the owner did not have any heirs, or the owner was confused about what was needed to make a will.

Example 2: The Age Factor

A closer examination of the data reveal that age may also play a significant role in terms of both resource accumulation (i.e., land acreage) and resource distribution (i.e., a will). In a survey of 382 farmers in the Southeast almost fifty years ago, Tharp concluded: "The age of owner influenced considerably the proportion [of farmers] that had made wills.

As age increased the proportion with wills also increased" (44:50). Specific results showed that: (1) less than 14 percent of the farmers with wills were under 45 years old; (2) two-thirds of the farmers with wills were 55 years old or older; and (3) almost 40 percent of the farmers with wills were 65 years old or older. In terms of land resources, approximately 35 percent of the farmers with wills owned less than 70 acres, another 35 percent owned between 70 and 219 acres, and 30 percent owned 220 acres or more. Finally, over half of the farmers with wills owned between 70 and 499 acres (44).

The trend for Alabama farmers almost half a century later follows a similar pattern. For example, on a general level, the farmers with wills were significantly older than the farmers without wills, 65.1 years versus 56.1 years, and they also owned significantly more land, 129.5 acres versus 53.9 acres, (see Table 11). One explanation that accounts for these differences is that these farmers are waiting until they are older to write wills and concurrently are accumulating more land during that time period.

To examine the influence of age more specifically, the farmers were classified by age into seven ten-year age sets (Tables 12a–d). Table 12a shows that almost three-quarters of the farmers (73.5%) with wills were age 60 years and above and over half of the farmers with wills were age 70 and above. This is compared to the farmers without wills, where less than half (47.8%) and a fifth (20.9%) are over the ages of 60 and 70, respectively.

Secondly, examining each age set independently, Table 12b shows that with each succeeding decade, the percentage of farmers with wills increased. In terms of land ownership, Table 12c highlights the fact that, regardless of the age set, the farmers with wills owned more land, on average, than the farmers without wills.

Finally, to investigate the relationship between age and the reasons for not having a will, farmers without wills are classified according to age set and rationale lines in Table 12d. The general tendency is for the younger farmers to have more active and mis-informational reasons for not having a will versus the older farmers who fall into the more

passive category.

Whatever the motivation, heir property has become "the traditional form of farmland ownership among Blacks" (40:41). A recent study of farmers in a three-county area of North Carolina found that 88 percent of the Black farmers did not have a will (*Ibid.*). Additionally, a regional study predicted that "89 percent of black landowners in the Southeast may die without making wills" (*Ibid.*).

Problems associated with heir property can also hinder farm productivity. One of the older farmers in the FmHA project jointly owned a pasture with some cousins. Despite recommendations from both an agronomist and an animal scientist to improve the pasture for his cattle, the farmer was reluctant to follow through for fear that his cousins would want to sell their share in the land and his investment would be lost.

Case 2: Equal Shares

A common strategy employed by farmers is to give each child equal shares in the family farm. The formalization of such wishes in a will prevents the problems associated with heir property and partition sales. On the other hand, the division of land equally among heirs is problematic because it increases the chances that the land will be removed from agriculture because it is fragmented beyond useful size.[3] As Groger (13, 14) points out, having many children is an asset for tenant farmers to increase production; but these same children are a liability for the landowner who must divide the land into many parcels.

Researchers have noted that not all Black-owned land is in agriculture (2, 11). Non-agricultural, Black-owned land may have originated as a farm that was divided among many heirs. For example, if the FmHA program farmers were to divide their land (averaging 88.1 acres) equally among their children (averaging 6.4 children/family), the land would be divided into 13.8-acre plots. The case of the "Smith Legacy" is presented to illustrate this fragmentation process.

Example 3: The Smith Legacy

The story of the Smith Legacy goes back to the sent Mr. Smith's grandfather who built a farm operation based on 1,000 owned acres. A general and highly productive operation, this farm produced or maintained over 125 acres of peanuts, 400 to 500 acres of corn, 75 acres of tobacco, 100 brood cows, 100 brood sows and 400 to 500 pigs. This first landowning Smith had six children and, upon his death, bequeathed to each of his offspring equal shares of land (167 acres) and a house on each share of land. Furthermore, in what is called the "Smith Will", with the reverence accorded a highly valued document, this grandfather stipulated that the land could never be sold outside of the family, nor could any debt ever be attached to it.

Mr. Smith's father, now a second generation landowner, started with his 167-acre inheritance and, through additional outside purchase acres of land, added 100 acres and then 260 acres of land. This Smith household had eight children each of whom received equal shares of the 527-acre farm, or approximately 66 acres.

By the late 1980s, the current Mr. Smith had inherited 100 acres from a cousin (not part of the original 1,000-acre farm) to add to his 66-acre inheritance from his father. He also was renting 216 acres (all but 40 acres from the Smith Legacy). Altogether, the Smith farm produces peanuts, soybeans, corn for feed, sorghum, hogs, and cattle. It is Mr. Smith's intention for his children, three daughters, to equally inherit his 166 owned acres.

The Smith Legacy is an example of how one generation has supported succeeding generations with a permanent base of a scarce and valuable resource—land. This land base, as inheritance, has allowed three generations of Smiths to farm (see Figure 1).

At the same time, the Smith land has experienced the effects of time and an increasing number of heirs. Starting with Mr. Smith's father, who was one of six heirs, succeeding generations are composed of eight and 26 heirs respectively.

Through the addition of outside land over two generations, Mr. Smith is able to leave his children a larger inheritance than their cousins, but the overall effect is still the same: each succeeding generation receives fewer and fewer acres and each generation will find it harder to farm.

The Farmers' Strategies

Of the Alabama farmers discussed here, only eight (31%) of the FmHA program farmers have a legal document concerning the disposition of their property after their deaths. All eight farmers with wills come from the landowner subsample. For the CSRS sample of Alabama farmers, over half (56%) do not have a will.

The basic desire of the majority of the farmers is to divide their land equally among their children. This kind of division has three formats—a family estate (similar to the Smith Legacy), joint heir property, or the actual division of land into specific parcels for specific children.

In fact, only two farmers (who are brothers) in the FmHA project have a different strategy to keep their respective farms operating into the next generation. While each brother has several children, only one child will inherit the farm and the other children will receive cash and other property.

The reality of the situation is that most of the farmers do not expect their children to farm. In one case, a farmer who comes from a large family had to incur a large debt so that he could buy out his siblings' shares of the farm to make it a viable operation. He plans to give each of his seven children an equal share of his 379 acres without any pressure to farm. In some instances, farmers work off the farm for the money needed to send their children to college and trade school to gain non-farm skills. In these cases, the major motivation concerning retaining the farmland is residential—a place to stay where there is family (see 29).

DISCUSSION AND CONCLUSIONS

There are many ways to describe the structure of Black-operated farms in the United States and Alabama. On the one hand, constraints to land and capital can be emphasized (and rightly so) to describe this limited resource producer. At the same time, forces at the national and international levels are affecting all farmers. Fiscal and monetary policies, farm programs started in the 1930s, and a half-century of technological change have all had a tremendous impact on the overall structure of American agriculture. Here large-scale farms (in terms of land and capital) are better able to take advantage of the innovation "treadmill" (9) than their smaller counterparts. However, one result of this treadmill, coupled with government policies for inflation and the federal deficit, was the farm crisis of the 1980s (see 15). While all farms were affected to some degree by the farm crisis, it can be argued that the small and medium full-time family farms were disproportionately affected. And Black-operated farms—farms that are among the smallest and the poorest in the nation—were and continue to be "particularly vulnerable" because they feel the effects of these forces "to a greater degree" (48:83,84).

The axiom that a farmer today has to "get larger, get off-farm work, or get out" is applicable here. Unfortunately, not many small and medium farm operators are in a financial position to expand. Research reported elsewhere indicates that the farmers described in this paper rely heavily on off-farm income, in many cases from their spouses (53, 54, 56). However, those areas where most Black farmers are located, i.e., the counties in the Black Belt region of the Southeast, have been described as the "back waters of the American economy", where most recently these waters have become "stagnant" (10). As Wimberley et al. state: "If the rural poor of the 1960s were the people left behind, those of the black belt are the people left out" (49:38). The decline in both the farm and off-farm economy bodes ill for the Black farm, particularly as heirs perceive a higher standard of

living off the farm.

Farming and, more specifically the land, however, have importance beyond agricultural production. There is a critical relationship between the agricultural sector and its resource base, land, that ties a people to the larger economy and economic development. Historically, Blacks have had limited access to this important resource base. But, as discussed here, those with a history of land ownership are better off than those without such a legacy. The question that remains to be answered is how can those who remain tied to the land maintain and preserve their holdings in the present and into the future? Schulman et al., hypothesize that as high as "89 percent of black landowners in the Southeast may die without making wills" (40:41). If this is true, then close to two million acres of land in full- and part-ownership is at risk. For the group of 120 Black landowners discussed in this paper, 56 percent of whom did not have a will, this would mean that over 87,000 acres of land in Alabama in full- and part-ownership is at risk. Compounding this problem is the fact that what is described here is a partial picture of farm conditions in rural America. If one were to include financial difficulties on the farm that add to pressure to sell, as well as personal financial difficulties of off-farm heirs who may find cashing in on their share of the farm attractive, then the risk of land loss increases significantly.

In the short term, the farmers discussed here need to be informed about the importance of heir property, partition sales, tax sales, and wills (26). As related from the responses of 120 Black land owners, there are many reasons why they do not have a formal strategy to pass this important resource to succeeding generations. And while the categories by which these farmers were described are subject to interpretation, they do highlight the extent of the problem concerning the lack of wills among Black landowners and they do capture distinct avenues for action to help address the problem.

For example, for those in the "passive" category, the importance of wills must be stressed. Those in the "active" category need to know that family disputes over heir property can lead to the dissolution of the farm both as a business enterprise as well as a

homestead. And those in the "information" category need to know, for example, that the lack of heirs does not prevent them from bequeathing their land to other persons or even organizations such as schools and churches that could make use of this resource. This last category is also a "catch all" group that indicates need for clear, concise, and understandable information in lay terms that addresses specific issues such as debt, taxes, estate planning, heir property and how they relate to land ownership.

Assistance in this direction can come in legal, educational, and financial forms from many sources. Groups already involved in this area include The National Association of Black Landowners, regional endeavors such as The Arkansas Farm and Land Development Corporation, and The Federation of Southern Cooperatives/Land Assistance Fund in Atlanta, Georgia and Epes, Alabama, and even local initiatives like the Elmore County United Development Association, Inc. in Alabama (see 1, 6). The land grant institutions, particularly the 1890 institutions and Tuskegee University through their cooperative extension programs, also have a special role to play because they have long-standing contacts within this community (23).

In the longer term, both the larger society and the individual farmer must reach an agreement about the value of the farm and the land from a social perspective and an individual perspective. The farm as resource base is important to the community in terms of political, economic, and social power. The farm as residence is important to the family and extended family across generations. And the farm as business enterprise is important for the immediate survival of the family.

Reaching such an agreement, however, is problematic. For the limited resource farmer to survive, comprehensive assistance is needed. Increased awareness and public pressure have given Black farmers access to programs that were previously denied them in the extension and finance areas. Some of the farmers described here, for example, were clients of the Farmers Home Administration, a government agency that was severely criticized for its lack of assistance on behalf of Black farmers (see 45). More recently, this

agency implemented a series of initiatives called the "Socially Disadvantaged Farmer Outreach, Training and Technical Assistance Projects" (later renamed the "Small Farmer Outreach, Training and Technical Assistance Projects") to be coordinated through the 1890 institutions and Tuskegee University. To date, these projects have been successful in securing financial and technical assistance to farmers who need it the most (39). At the same time, complete participation in the farm economy has exposed these farmers as never before to higher debt and financial instability.

Ultimately, however, it will be the farmers who will have to decide the direction they want their farms to take (economic, recreational, residential) and to develop specific strategies to head in that direction. The success of these strategies will require a partnership between the farmer and the community and the national government to see who—the farmer or the devil—gets Alabama and Georgia!

Epilogue

> *George Paris spent the better part of nineteen years as a project director for the Federation of Southern Cooperatives/Land Assistance Fund helping limited resource and Black farmers survive in an often hostile economic environment. A fourth generation landowner himself, George mentions something that his grandfather once told him that symbolizes what historically has been required for the Black farmer to survive: "Never start an argument but end all arguments, never carry an empty gun, and never sell the land!"*

Notes

1. Major portions of this paper are presented in 51, 52, 55. This research was supported by funds from USDA/CSRS (Grant No. AL.X-RD-l) and is No. 255 in the George Washington Carver Agricultural Experiment Station Journal Series. I would like to acknowledge the assistance of the Faculty and Staff of the George Washington Carver Agricultural Experiment Station, specifically Regina Adutwum, Ntam Baharanyi, Henry Findlay, Errol G. Rhoden and Abraham Woldeghebriel, Tuskegee University; the organizer of the session "Patterns of Farm and Forest Land Tenure in the South," Sarah T. Warren, USDA/Forest Service, at the Land Tenure Center Symposium *Who Owns America?*; the editorial assistance of Ms. Amy Kaiser; as well as the assistance of the County Supervisors and Staff of the Farmers Home Administration and most importantly, the help of the farmers of the Black Belt region of Alabama.

2. The "Black Belt" is a multi-county region in South-Central Alabama that first received its name due to the rich soil in the area. Sociologically, this region retains its name due to the larger numbers of Black residents and farmers in the area, as compared to the rest of the state, who formerly worked in pre-mechanized agriculture and whose ancestors were, in many cases, slaves. Also see 18, 49 for a complete discussion of the Black Belt region and history.

3. This dilemma is also experienced by the Amish who subscribe to the values of large families and farming in areas of rapidly declining available farmland (see 20, 24, 43).

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TABLE 1

Farms Operated by Blacks and Whites, United States, 1910-1992

Year	Black Farms	Percent Change		White Farms	Percent Change
1992	18,816	-18.0		1,881,813	-7.9
1987	22,954	-38.5		2,043,119	-7.1
1978	37,351	-57.3		2,199,787	-16.2
1969	87,393	-67.9		2,626,403	-23.2
1959	272,541	-51.3		3,419,672	-28.8
1950	559,980	-17.9		4,802,520	-10.7
1940	681,790	-22.8		5,378,913	+0.1
1930	882,852	-4.6		5,373,703	-2.3
1920	925,708	+3.6		5,498,454	+1.1
1910	893,370			5,440,619	
Overall percent loss 1910-1992		-97.9			-65.4

Source: 46

TABLE 2

Farms Operated by Black and Whites, Alabama, 1910-1992

Year	Black Farms	Percent Change		White Farms	Percent Change
1992	1,381	-24.5		36,370	-12.2
1987	1,828	-41.8		41,416	-12.9
1978	3,143	-68.2		47,573	-23.9
1969	9,873	-66.2		62,543	-27.7
1959	29,206	-49.0		86,522	-43.9
1950	57,205	-22.0		154,218	-2.6
1940	73,338	-21.8		158,382	-3.2
1930	93,795	-1.5		163,566	+1.7
1920	95,200	-13.8		160,896	+5.5
1910	110,387			152,458	
Overall percent loss 1910-1992		-98.7			-76.1

Source: 46

TABLE 3a

Black Farmland in the United States: 1910/1992

	1910[a]		1992		% Change	
Farm Type	**Acres**	**Mean**	**Acres**	**Mean**	**Acres**	**Mean**
Full Owner	15,961,506	81.5	973,282	84.1	-93.9	+3.2
Part Owner	3,114,957	68.6	1,087,491	209.8	-65.1	+205.8
Non Owner[b]	27,555,842	40.5	249,576	121.5	-99.1	+200.0
Total	46,632,305	50.6	2,310,349	122.8	-95.0	+142.7

Notes: [a]This year contains data on farmers classified as Indian (2.6%), Japanese (0.3%) and Chinese (0.1%).

[b]The Non Owner category in the 1910 census is broken down into Managers and Tenants (share, share-cash, cash, unspecified).

Source: 46

TABLE 3b

White Farmland in the United States: 1910/1992

	1910		1992		% Change	
Farm Type	**Acres**	**Mean**	**Acres**	**Mean**	**Acres**	**Mean**
Full Owner	448,961,809	142.1	251,584,371	231.9	-44.0	+63.2
Part Owner	130,516,345	238.0	518,771,252	885.2	+297.5	+271.9
Non Owner[a]	252,687,866	145.8	119,934,859	569.3	-52.5	+290.5
Total	832,166,020	153.0	890,290,482	473.1	+7.0	+209.2

Note: [a]The Non Owner category in the 1910 census is broken down into Managers and Tenants (share, share-cash, cash, unspecified).

Source: 46

TABLE 4a

Black Farmland in Alabama: 1910/1992[a]

	1910[a]		1992		% Change	
Farm Type	**Acres**	**Mean**	**Acres**	**Mean**	**Acres**	**Mean**
Owner[b]	1,466,719	85.9	156,843	125.4	-89.3	+46.0
Non Owner[c]	3,624,716	38.8	13,981	107.5	-99.6	+177.1
Total	5,091,435	46.1	170,824	123.7	-96.6	+168.3

Notes: [a]This year contains data on 56 farmers classified as Indian (35 owners and 21 non owners).

[b]The Owner category includes both Full and Part Owners because the 1910 census did not separate these categories for land ownership by state.

[c]The Non Owner category in the 1910 census is broken down into Managers and Tenants (share, share-cash, cash, unspecified).

Source: 46

TABLE 4b

White Farmland in Alabama: 1910/1992

	1910		1992		% Change	
Farm Type	**Acres**	**Mean**	**Acres**	**Mean**	**Acres**	**Mean**
Owner[a]	11,813,387	136.0	7,708,248	225.7	-34.7	+66.0
Non Owner[b]	3,827,490	58.3	550,616	249.0	-85.6	+327.1
Total	15,640,877	102.6	8,258,864	227.1	-47.2	+121.3

Notes: [a]The Owner category includes both Full and Part Owners because the 1910 census did not separate these categories for land ownership by state.

[b]The Non Owner category in the 1910 census is broken down into Managers and Tenants (share, share-cash, cash, unspecified).

Source: 46

TABLE 5

Comparison of Project Farmers to Black Farmers in Alabama and the United States

	USDA/FmHA Project Farmers	USDA/CSRS Survey Farmers	Alabama[1]	United States[1]
Age (yrs)	51.5	60.0	58.5	57.9
Land (acres)				
total land in farms	158.1		108.5	114.9
owned acreage	86.8[2]	87.0	87.0	80.8
Off-farm Work[3] (%)				
any	76.2		85.7	53.7
200+ days	42.9		32.8	32.9

Notes: [1]Source: 46

[2]Includes only farmers with owned land (n=19)

[3]Includes off-farm work for the operator only

TABLE 6

Land Ownership Across Generations

20-year generation set	Current farm generation	Father's farm generation	Grandfather's farm generation	Total
20-39	4/5 = 80%	3/5 = 60%	2/4 = 50%	9/14 = 64.3%
40-59	11/13 = 85%	6/13 = 46%	6/10 = 60%	23/36 = 63.9%
60-80	7/8 = 88%	4/7 = 57%	1/4 = 25%	12/19 = 63.2%
Total	22/26 = 84.6%	13/25 = 52.0%	9/18 = 50%	44/69 = 63.8%

Source: 51

TABLE 7a

Land Acquisition by Operator Status: Total Farmers

Total Farmers	Total Acreage[1]	%	Purchase Non-Relative Acreage	%	Purchase Relative Acreage	%	Inherit or Gift Acreage	%	Other Acreage	%
Owner-Operator	494,737	100.0	289,213	58.5	106,640	21.6	80,856	16.3	18,028	3.6
Non-Operator Owner	338,420	100.0	136,086	40.2	40,416	11.9	129,968	38.4	31,950	9.4
Total	833,157	100.0	425,299	51.1	147,056	17.7	210,824	25.3	49,978	6.0

Note: [1]Acreage (X 1,000)
Source: 47

TABLE 7b

Land Acquisition by Operator Status: Black Farmers

			Purchase Non-Relative		Purchase Relative		Inherit or Gift		Other	
Total Farmers	Total Acreage[1]	%	Acreage	%	Acreage	%	Acreage	%	Acreage	%
Owner-Operator	1,176	100.0	525	44.6	443	37.7	143	12.2	65	5.5
Non-Operator Owner	791	100.0	164	20.7	99	12.5	496	62.7	31	3.9
Total	1,967	100.0	689	35.0	542	27.6	639	32.5	96	4.9

Note: [1]Acreage (X 1,000)
Source: 47

TABLE 7c

Land Acquisition by Operator Status: White Farmers

Total Farmers	Total Acreage[1]	%	Purchase Non-Relative Acreage	%	Purchase Relative Acreage	%	Inherit or Gift Acreage	%	Other Acreage	%
Owner-Operator	414,584	100.0	236,162	57.0	97,458	23.5	68,849	16.6	12,120	2.9
Non-Operator Owner	187,548	100.0	71,552	38.2	21,875	11.7	86,721	46.2	7,400	3.9
Total	602,132	100.0	307,714	51.1	119,333	19.8	155,570	25.8	19,520	3.2

Note: [1]Acreage (X 1,000)
Source: 47

TABLE 7d

Land Acquisition by Owner-Operators: Black and White Farmers

Owner-Operators	Total Acreage[1]	%	Purchase Non-Relative Acreage	%	Purchase Relative Acreage	%	Inherit or Gift Acreage	%	Other Acreage	%
Black Farmers	1,176	100.0	525	44.6	443	37.7	143	12.2	65	5.5
White Farmers	414,584	100.0	236,162	57.0	97,458	23.5	68,849	16.6	12,120	2.9

Note: [1]Acreage (X 1,000)
Source: 47

TABLE 7e

Land Acquisition by Non-Operator Owners: Black and WhiteFarmers

			Purchase Non-Relative		Purchase Relative		Inherit or Gift		Other	
Non-Operator Owners	Total Acreage[1]	%	Acreage	%	Acreage	%	Acreage	%	Acreage	%
Black Farmers	791	100.0	164	20.7	99	12.5	496	62.7	31	3.9
White Farmers	187,548	100.0	71,552	38.2	21,875	11.7	86,721	46.2	7,400	3.9

Note: [1]Acreage (X 1,000)
Source: 47

Table 8a

Differential Effects of Farmland Ownership

		Father Owned Land (n=13)	Father Did Not Own Land (n=13)	Test of Significance
Current Owned Acres		113.7	62.5	T=1.59, P<0.063[a]
Start by Owning Land (inheritance/purchase)	N (%)	10 (76.9)	3 (23.1)	χ^2=7.54, P<0.006
Start by Renting Land	N (%)	3 (23.1)	10 (76.9)	
Start Traditionally	N (%)	12 (92.3)	7 (53.9)	χ^2=4.89, P<0.026
Start Later in Life	N (%)	1 (7.7)	6 (46.2)	

Note: [a]One-Sided T-Test of Difference Between Means
Source: 51

Table 8b

Differential Effects of Farmland Ownership and Farm Start

	Father Owned Land (n=13)	Father Did Not Own Land (n=13)	Test of Significance[a]
Traditional Start:			
N	12	7	
(%)	(92.3)	(53.9)	
Owned Acres	116.6	96.1	not significant
Age at Start (yrs)	22.2	21.1	not significant
Later Life Start:			
N	1	6	
(%)	(7.7)	(46.2)	
Owned Acres	79.0	23.2	
Age at Start (yrs)	30.0	33.3	
		Owned Land:	T=2.71, P<0.0200[b]
		Age Start:	T=5.41, P<0.0001

Notes: [a]One-Sided T-Test of Difference Between Means

[b]Test of Significance Based on Column 2

Source: 51

TABLE 9a

Land Ownership Across Generations: All Landowners

	N	Acres	T[1]	P
Previous Generation	13	225.9		
			2.82	0.004
Current Generation	22	104.1		

Note: [1]One-side T-test of Difference Between Means
Source: 51

TABLE 9b

Land Ownership Across Generations: Landowners with Landowning Fathers

	N	Acres	T[1]	P
Previous Generation	13	225.9		
			2.02	0.027
Current Generation	13	113.7		

Note: [1]One-side T-test of Difference Between Means
Source: 51

TABLE 10

Farmer Rationale for Not Having a Will

Response Type	Number	Percent
PASSIVE:	**39**	**58.2**
I haven't gotten around to it I keep putting it off I don't have the time I'll do it soon	21	31.3
No reason	9	13.4
Never thought about it	5	7.5
Haven't decided, not sure, who to leave the land to	2	3.0
No response	2	3.0
ACTIVE:	**19**	**28.4**
Heirs can work it out	5	7.5
Not ready	4	6.0
Not necessary yet	4	6.0
I don't need one	1	1.5
I just got married	1	1.5
Brother doesn't want her to	1	1.5
In the process of making one	3	4.5
(MIS-)INFORMATIONAL:	**9**	**13.4**
There's nobody to inherit	1	1.5
The land is not paid for	1	1.5
The land hasn't been "deeded off"	1	1.5
There's no house on the land	1	1.5
My father has a will	1	1.5
I put the land in my wife's name	1	1.5
I don't have any money	1	1.5
I never got the information straight	1	1.5
Lawyer difficulties	1	1.5
TOTAL	**67**	**100.0**

Source: 52

TABLE 11

Farmers With and Without Wills, Their Land and Age

TOTAL SAMPLE	N	%	Total AC	Mean AC	Age
With Wills	53	44.2	6,866.0	129.5	65.1
Without Wills	67	55.8	3,609.5	53.9	56.1
TOTAL	**120**	**100.0**	**10,475.5**	**87.3**	**60.0**
				T= 3.618	3.500
				P< 0.001[a]	0.001

Note: [a] One-sided T-test of difference between means
Source: 55

TABLE 12a

Percent Farmers With/Without Wills By Age Set

Age Set	% With Wills	% Without Wills
19-29	0.0	3.0
30-39	9.4	10.4
40-49	5.7	17.9
50-59	11.3	20.9
60-69	22.6	26.9
70-79	41.5	19.4
80-89	9.4	1.5
Total	100.0	100.0

Source: 55

TABLE 12b

Percent Farmers With/Without Wills Within Age Sets

Age Set	% With Wills	% Without Wills	Total
19-29	0.0	100.0	100.0
30-39	41.7	58.3	100.0
40-49	20.0	80.0	100.0
50-59	30.0	70.0	100.0
60-69	40.0	60.0	100.0
70-79	62.9	37.1	100.0
80-89	83.3	16.7	100.0

Source: 55

TABLE 12c

Average Acres By Age Set And Wills

Age Set	With Wills	Without Wills	Total
19-29	0.0	99.0	99.0
30-39	108.2	28.8	61.9
40-49	194.7	85.4	107.3
50-59	151.3	48.4	79.3
60-69	62.6	51.8	56.1
70-79	155.8	41.1	113.2
80-89	131.0	40.0	115.8
Total	129.5	53.9	87.3

Source: 55

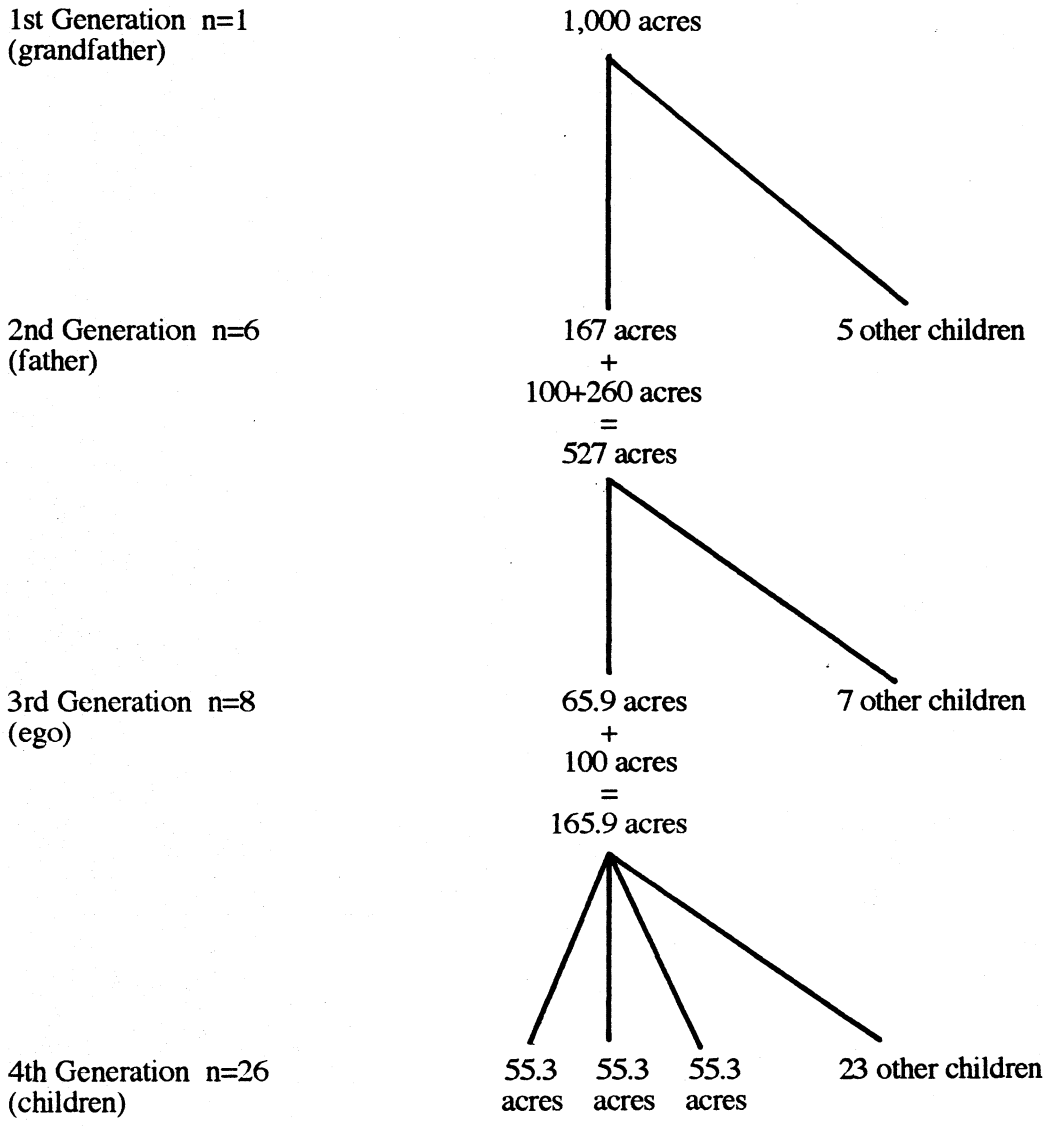
TABLE 12d

Farmers Without Wills by Rationale Within Age Set

Age Set	% Passive	% Active	% Mis-information	Total
19-29	0.0	50.0	50.0	100.0
30-39	28.6	71.4	0.0	100.0
40-49	53.8	30.8	15.4	100.0
50-59	57.1	28.6	14.3	100.0
60-69	77.8	16.7	5.6	100.0
70-79	58.3	11.7	25.0	100.0
80-89	100.0	0.0	0.0	100.0

Source: 55

Figure 1: The Smith Legacy



Source: 51