

## Black farmers get \$1.25 billion settlement

Written by Joe Leonard, Jr., PhD, U. S. Department of Agriculture  
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Following the march from Selma to Montgomery, America was changed forever. To claim that it would be welcomed or rapid would be to miss the relevance of the situation that Dr. Martin Luther King, Jr., and others accomplished on those long and winding, southern roads. These roads were fatal for some of the participants and dangerous for nearly all of those who followed Dr. King in those fateful days in March of 1965. But history teaches us that the relevance of a movement is not gauged by the moment, but by its long term results. When asked by some in the media and by his own staff how long it would be before African-Americans would receive voting rights, Dr. King responded by saying, "How long? Not long, because the arm of the moral universe is long, but it bends toward justice..."

I believe that Dr. King knew in 1965 that the struggle for justice was just beginning, and that it would ultimately stretch from fair housing to equal opportunity in education, employment, and accommodations. In the struggle for justice, the road winds and turns in many directions, and the longer justice is denied the more complicated and the longer it will take to straighten its arm back to its moral universe.

As a student of history and a person of moral conscience, I understand the teaching of Dr. King and the lessons of Selma as it factors into the settlement of the

*Pigford*

class action lawsuit. We see the moral compass of justice turning and it moved these African-American farmers from a state of frustration to that of satisfaction.

In 1997, a group of African-American farmers filed a class-action lawsuit, *Pigford I*, against the U.S. Department of Agriculture (USDA) in federal district court, alleging discrimination regarding participation in some USDA farm programs. The case was settled in 1999, with a Consent Decree, through which individual claims would be assessed and adjudicated in a court-approved claims process. There were concerns with the

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### *Pigford*

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Consent Decree when more than 63,000 potentially eligible African-American farmers who filed late claims were denied participation in the claims process. In response, Congress passed language in the 2008 Farm Bill, which allowed these African-American farmers to file lawsuits against USDA and, appropriated \$100 million for monetary relief. These cases have now been consolidated into a new lawsuit.

### *Pigford II.*

The Obama administration and USDA Secretary Tom Vilsack vigorously pursued the settlement of this case bringing closure to this longstanding and well documented case of discrimination, and subsequently *Pigford II* was settled in February 2010. The settlement contains a non-judicial, non adversarial claims process for awarding a total of up to \$1.25 billion - which includes the original \$100 million provided by the 2008 Farm Bill - to African-American farmers who meet specific eligibility requirements. To be eligible, farmers had to also have previously submitted a request to file a late claim in the 1999 *Pigford I* Consent Decree.