

Vermont Law School Summer Series

Racial Equity in Land, Farms & Food Systems

Course Schedule

Dates: Friday June 23 – Sunday June 25

Time: 10:00AM – 12:00PM & 1:00 – 3:00PM

Classroom Location

#208 Oakes Hall

Course Description

When the Constitution was drafted, Blacks were legally classified as property. Since then, the Emancipation Proclamation, 14th Amendment, and Civil Rights legislation have attempted to eliminate the anti-human treatment of the descendants of enslaved Africans. Unfortunately, these changes appear to be fundamentally at odds with American democracy's allegiance to the Founding Fathers' definition of property rights as witnessed in gross inequities throughout American institutions.

At the turn of the century, Blacks owned between 16-19 million acres of land; however, today, they own less than 2 million acres of land. In the modern era, significant legislation and institutional policy continue to perpetuate anti-black racism which is firmly rooted in disproportionate property dispossession. The corresponding wealth inequities in land have far-reaching implications for political, economic, and health inequities. Thus, racial wealth and health inequities highlight the lingering legacy of our Nation's shameful history.

This course will explore the unique opportunities presented by agriculture system policy to right America's original tragic wrong and create a model for eliminating systemic anti-blackness. The course will lay an analytical foundation through examining readings on critical race theory and agriculture policy. The course will explore, as a case study, the policy priorities of the Federation of Southern Cooperative/Land Assistance Fund a 55-year-old non-profit cooperative association serving Black farmers, landowners, and cooperatives throughout the South as they advocate for a community-led, cooperatively-owned, equitable food system.

Expectations & Evaluation

Students will be evaluated on class participation, as well as a final paper at the end of class.

Class participation: Students are expected to read the assigned material in advance of class, attend every class, and participate actively in discussion. Students will be evaluated on the use of critical thinking skills, active participation in discussions with both the lecturer and other students, and response to in-class discussion prompts.

Reflection paper: Students must complete a 5-10 page (double spaced) final paper to be submitted by July 2, 2023. Use class readings and discussion to outline a comprehensive strategy for addressing race-based discrimination and achieving racial equity in our food system.

READINGS:

Class 1 (June 23) – A Critical Race Theory Framework for Analyzing Discrimination in our Food System

[Unconscious Racism Revisited: Reflections on the Impact and Origins of "The Id, the Ego, and Equal Protection"](#)

[Author: Charles R. Lawrence III](#)

[Whiteness as Property](#)

[Author: Cheryl I. Harris](#)

[Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law](#)

[Author: Kimberli Williams Crenshaw](#)

[The Decline \(and Revival?\) of Black Farmers and Rural Landowners: A Review of the Research Literature](#)

[Authors: Jess Gilbert, Gwen Sharp, M. Sindy Felin](#)

[Black Agrarianism: Resistance](#)

[Authors: Dãnia C. Davy, Edward "Jerry" Pennick, Savonala "Savi" Horne and Tracy Lloyd McCurdy](#)

Class 2 (June 24) – Advancing Agricultural Racial Equity through Litigation

[The Pigford Cases: USDA Settlement of Discrimination Suits by Black Farmers](#)

[Authors: Tadlock Cowan & Jody Feder](#)

[The USDA Discrimination Cases: Pigford, IN RE Black Farmers, Keepseagle, Garcia, and Love](#)

[Author: Stephen A. Carpenter](#)

[American Rescue Plan Act of 2021](#)

[Plaintiff's Class Action Complaint](#)

[Federation's Motion to Intervene & Memorandum of Support](#)

[Federation's Appeal](#)

[Remedying Discrimination in Agricultural Lending: Analyzing the Legal Challenges Facing the Emergency Relief for Farmers of Color Act](#)

[Author: Jackie Cuellar](#)

[Rattlesnakes, Debt, And ARPA 1005: The Existential Crisis of American Black Farmers](#)

[Authors: Maia Foster & P.J. Austin](#)

Class 3 (June 25) – Toward Racial Equity in Food System Policy

[Heirs Property, Critical Race Theory, and Reparations](#)

[Authors: Conner Bailey, Ryan Thomson](#)

[Racial Equity in U.S. Farming: Background in Brief](#)

[Author: Alyssa R. Casey](#)

[Biden's Gambit: Advancing Racial Equity While Relying on a Race-Neutral Tax Code](#)

[Author: Goldburn P. Maynard Jr.](#)

[Fee Simple Failures: Rural Landscapes and Race](#)

[Author: Jessica A. Shoemaker](#)

[The Contemporary Relevance of Historic Black Land Loss](#)

[Authors: Dr. Dania V. Francis, Dr. Grieve Chelwa, Dr. Darrick Hamilton, Thomas W. Mitchell, Nathan A. Rosenberg, and Bryce Wilson Stucki](#)

[The Butz Stops Here: Why the Food Movement Needs to Rethink Agricultural History](#)

[Authors: Nathan A. Rosenberg & Bryce Wilson Stucki](#)