

# Where are the Black People?

Restrictive Covenants in Rural  
Areas,  
Contemporary Segregation, and the  
Repercussions on Conservation

Where do white people come from? -

The Homestead Act of 1862 was a law that gave away 270 million acres of public land to private citizens in the United States. The act was signed into law by President Abraham Lincoln during the Civil War.

## **Civil Rights Act of 1866**

- Defined citizenship and affirmed that all citizens, including formerly enslaved people, had the right to make contracts, own property, and receive equal protection. However, enforcement was weak, and discrimination continued.

## **Southern Black Codes (1865-1866)**

- Enacted in southern states to restrict Black Americans' freedoms, including property ownership, labor, and mobility, limiting economic and land ownership opportunities.

## **Freedmen's Bureau Act (1865-1872)**

- Established to help formerly enslaved people transition to freedom, assisting with property claims and education. Limited funding led to its eventual dismantling.

## **Special Field Order No. 15 (1865)**

- Set aside 400,000 acres of land in the South for Black families in 40-acre plots, known as "40 acres and a mule." This order was rescinded later in 1865 by President Andrew Johnson. - reparations for slave holders

## **Southern Homestead Act of 1866**

- Reserved public land in five southern states for freed Black people and loyal whites. However, poor soil quality and local resistance made it difficult for Black families to retain land.

## **Civil Rights Act of 1875**

- Guaranteed equal access to public accommodations and services, including property rights. Portions were later struck down by the Supreme Court in 1883, weakening its enforcement.

## **Jim Crow Laws (Late 19th and Early 20th Centuries)**

- Enacted at state and local levels, these laws institutionalized racial segregation, limiting Black people's ability to acquire and retain land and impacting economic and social mobility.

## **New Deal Policies (1930s)**

- Some programs offered benefits to landowners, but Black farmers—often tenant farmers rather than landowners—were largely excluded, leading to a decline in Black-owned farmland.

### **G.I. Bill (1944)**

Offered low-interest home loans and educational benefits to veterans, but discriminatory practices limited access for Black veterans, widening the wealth gap between white and Black families.

### **Shelley v. Kraemer (1948)**

The Supreme Court ruled that while private racial covenants were not illegal, enforcing them in court was unconstitutional under the Fourteenth Amendment.

### **Barrows v. Jackson (1953)**

The Supreme Court ruled that courts could not award damages to individuals attempting to enforce racial covenants, further discouraging enforcement of these covenants.



## **Civil Rights Act of 1964**

Targeted discrimination in public accommodations, employment, and education. It was part of a broader movement to dismantle racial inequality, setting the stage for further fair housing legislation.

## **Fair Housing Act of 1968 (Title VIII of the Civil Rights Act of 1968)**

Prohibited discrimination in housing based on race, color, national origin, religion, sex, familial status, or disability, specifically outlawing racially restrictive covenants.

## **Jones v. Mayer Co. (1968)**

The Supreme Court ruled that the Civil Rights Act of 1866 prohibited racial discrimination in private real estate transactions, reinforcing the Fair Housing Act.

## **Removal of Restrictive Covenants (Post-1968)**

Following 1968, restrictive covenants became illegal. Property owners began removing them from property records, with some states passing specific legislation to facilitate this process.

## **Civil Rights Act of 1988 (Fair Housing Amendments Act)**

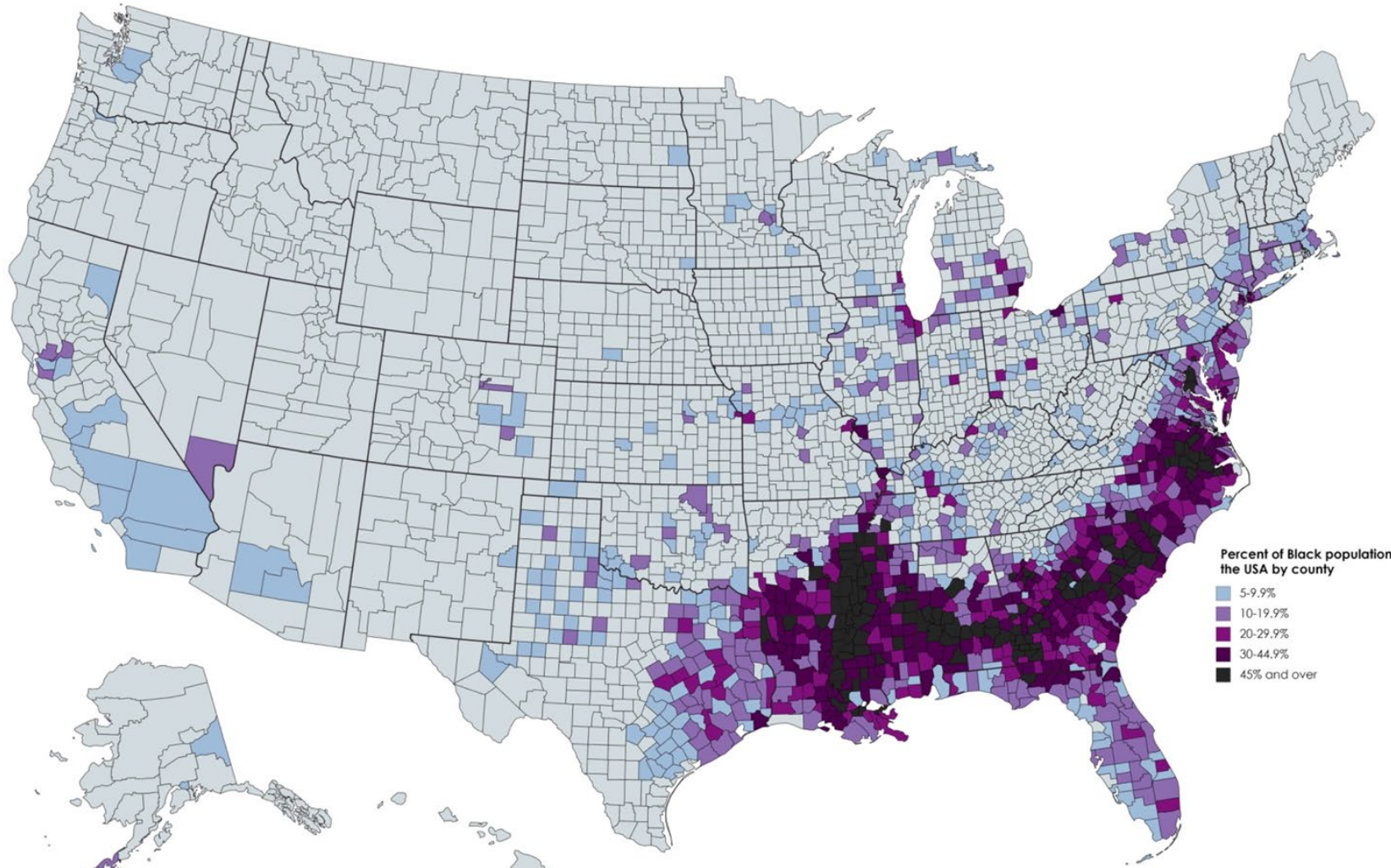
Strengthened the Fair Housing Act by granting HUD greater authority to investigate discrimination cases and providing victims with more avenues for seeking compensation.

## **Agricultural Improvement Act (2018)**

Known as the 2018 Farm Bill, it included provisions to assist Black farmers who had faced discrimination in federal agricultural programs, aiming to address the historic decline in Black-owned farmland.

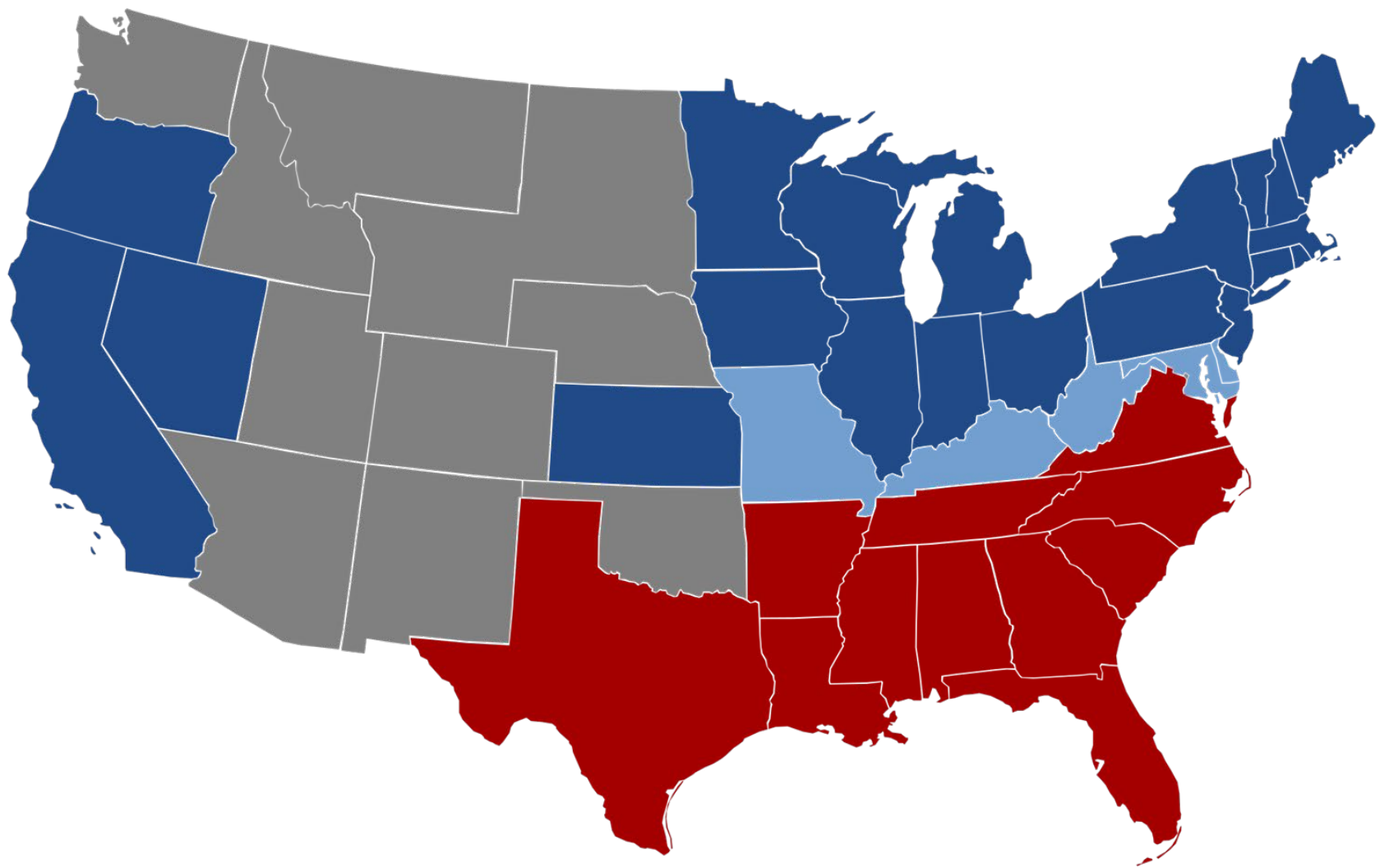
## **American Rescue Plan Act (2021)**

Included debt relief for farmers of color to address historic discrimination. Legal challenges have delayed full implementation.



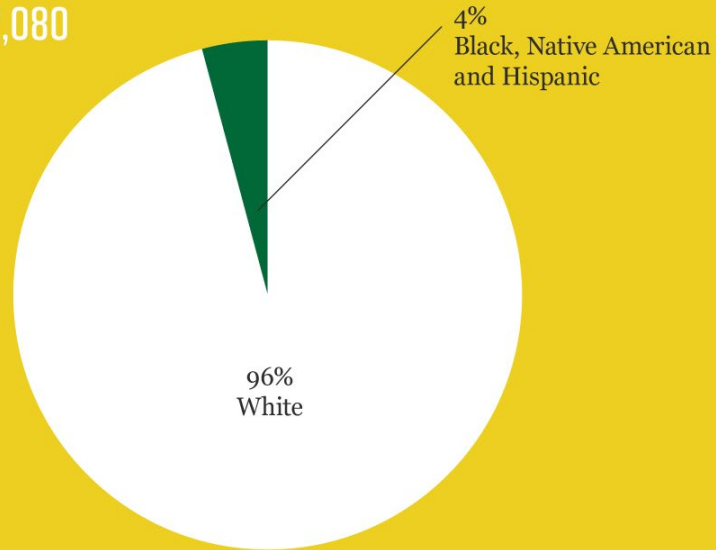
Percent of Black population in the USA by county

- 5-9.9%
- 10-19.9%
- 20-29.9%
- 30-44.9%
- 45% and over



# LAND OWNERS OF ALL PRIVATE U.S. AGRICULTURAL LAND

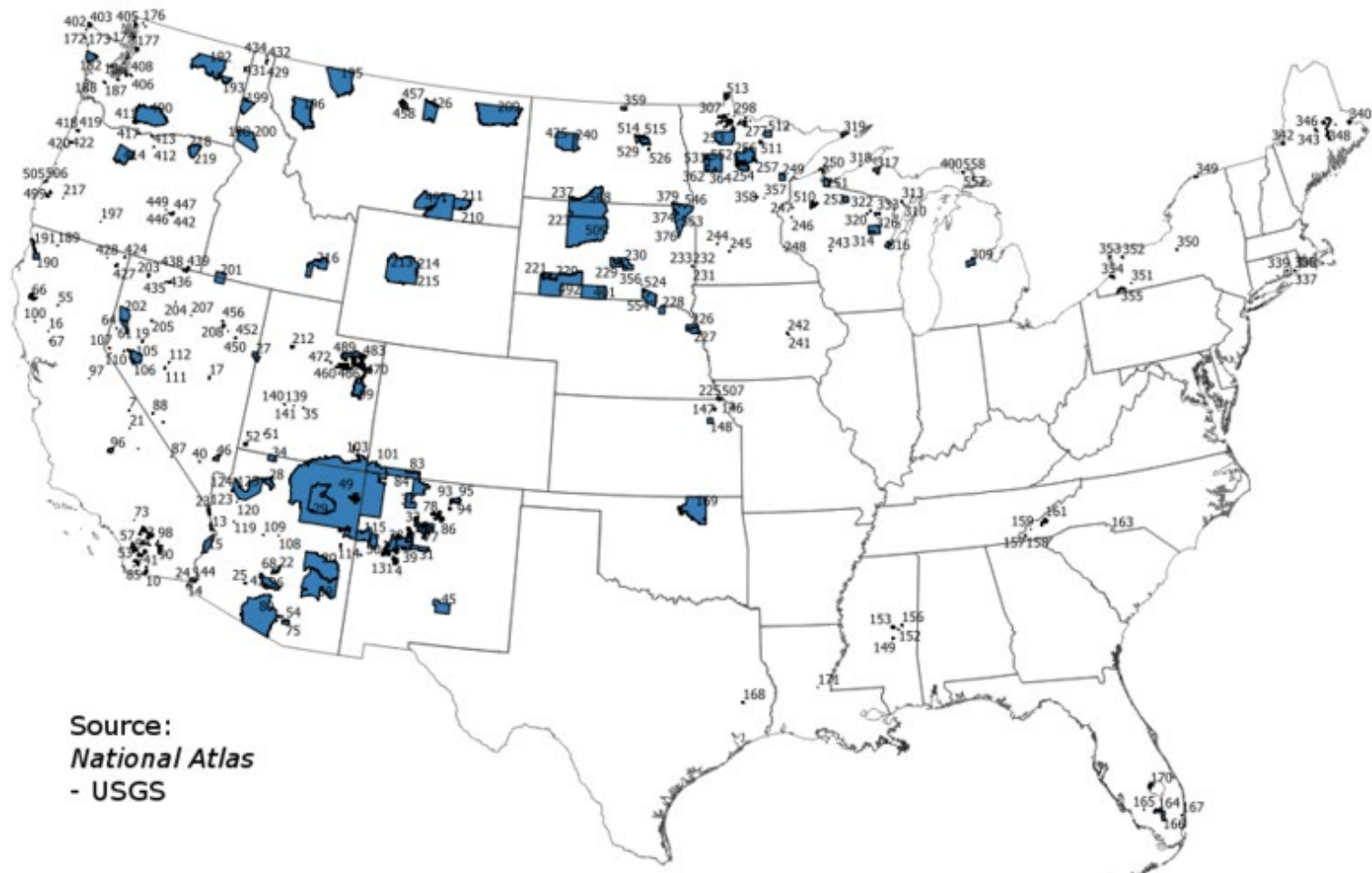
TOTAL: 3,412,080



WHITE: 3,218,751 / BLACK: 68,056 / NATIVE AMERICAN: 23,266  
ASIAN: 8,158 / OTHER: 27,290 / HISPANIC: 47,223

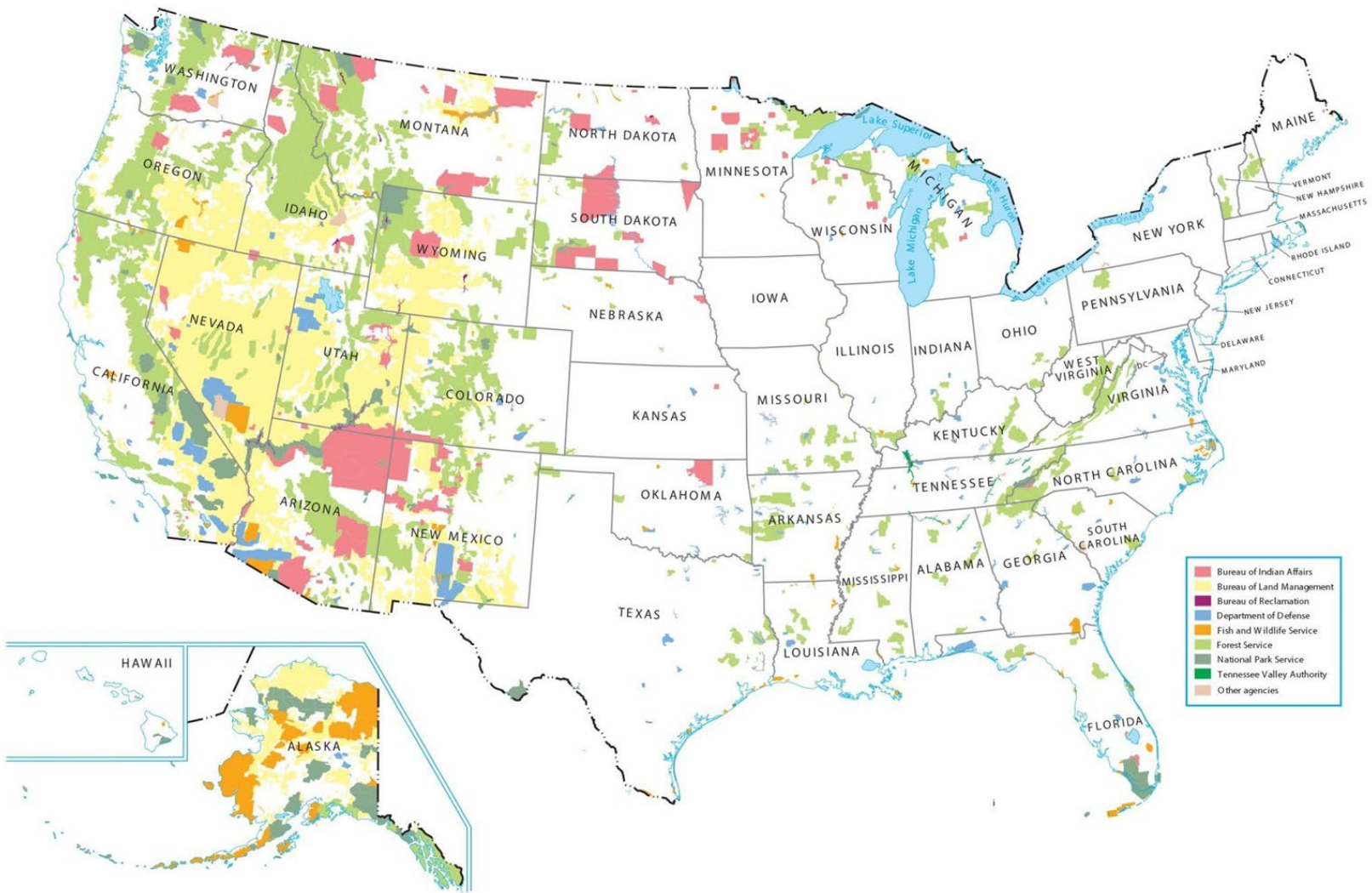
Gilbert, Jess, et al. "Who Owns the Land? Agricultural Land Ownership by Race/Ethnicity." USDA.gov, Rural America Volume 17, Issue 4/Winter 2002, [www.ers.usda.gov/webdocs/publications/46984/19353\\_ra174h\\_1\\_.pdf](http://www.ers.usda.gov/webdocs/publications/46984/19353_ra174h_1_.pdf). Accessed 13 July 2020.

# Native American Reservations in the Continental United States



Source:  
*National Atlas*  
- USGS

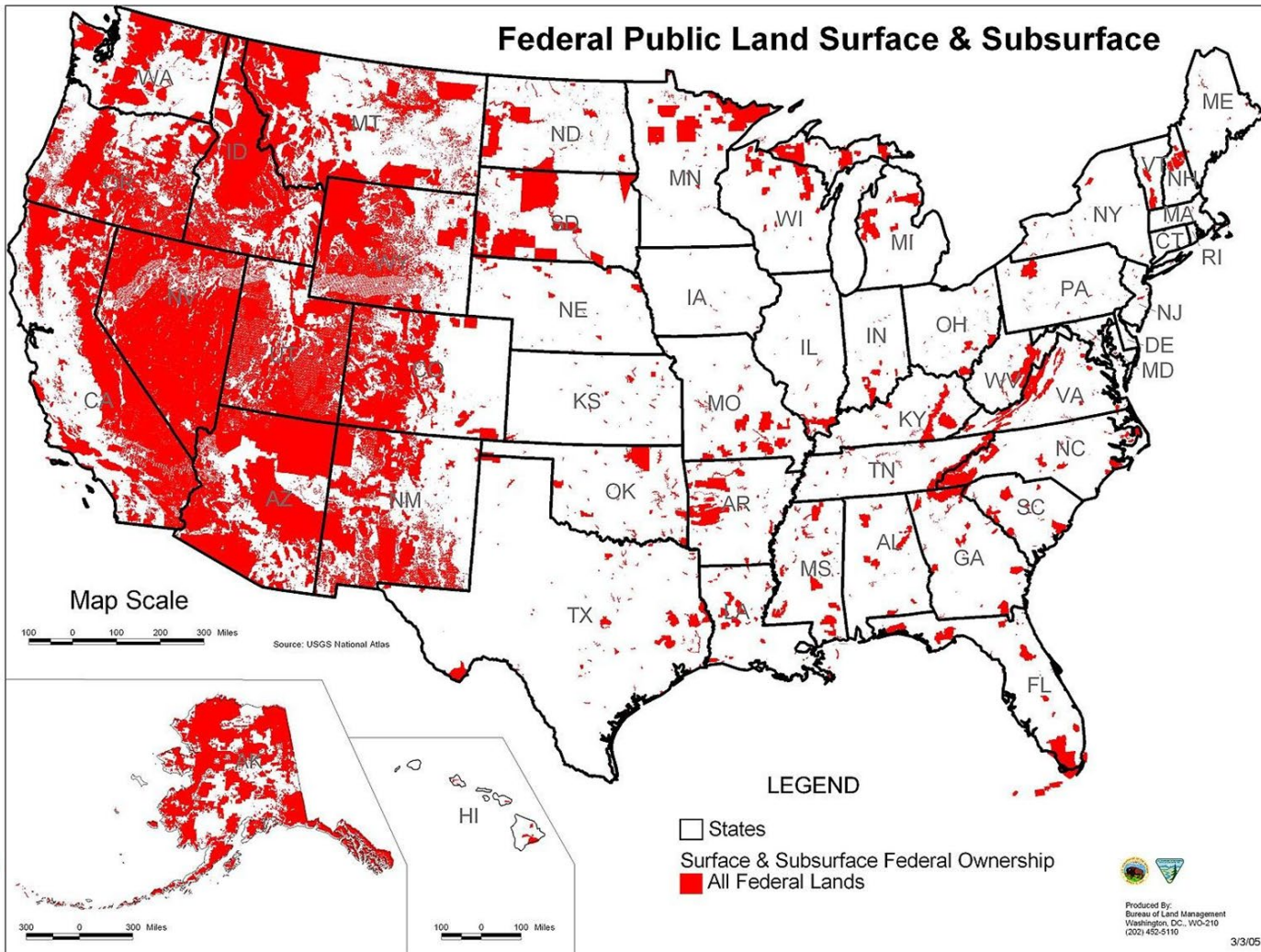




- Bureau of Indian Affairs
- Bureau of Land Management
- Bureau of Reclamation
- Department of Defense
- Fish and Wildlife Service
- Forest Service
- National Park Service
- Tennessee Valley Authority
- Other agencies

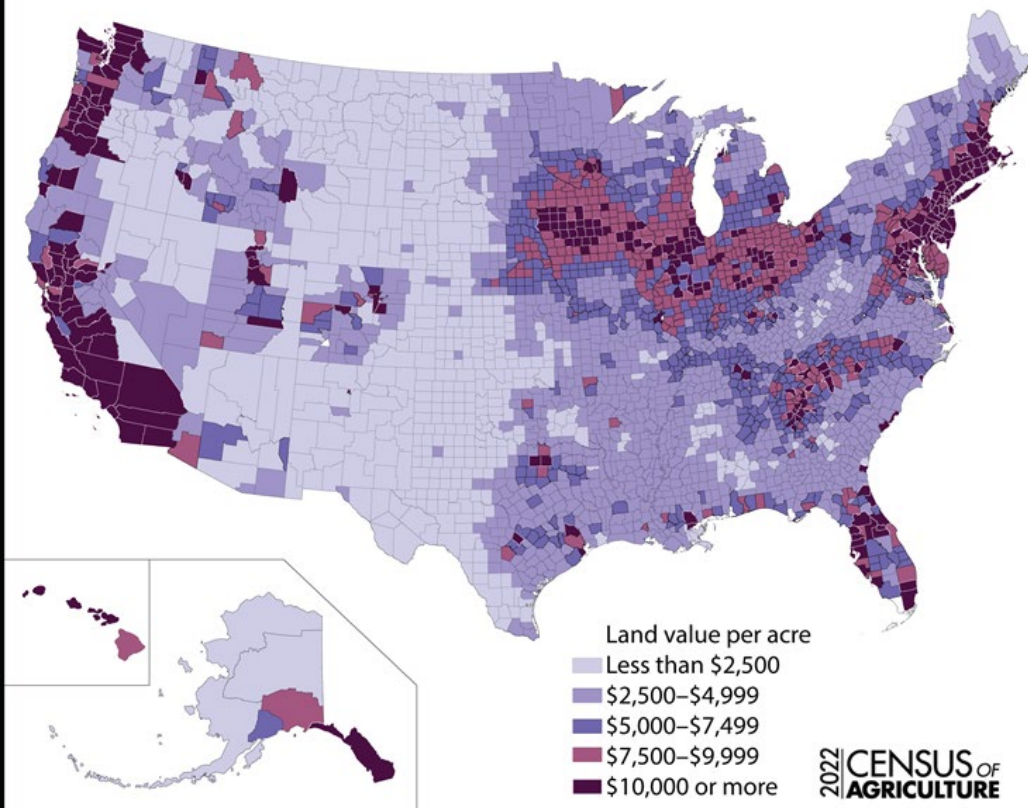


# Federal Public Land Surface & Subsurface



## Farmland value (including buildings) per acre by county, 2022

USDA Economic Research Service  
U.S. DEPARTMENT OF AGRICULTURE



Note: Unshaded areas indicate that data were not available because of Census of Agriculture data disclosure limitations. For Alaska, county-level data were grouped into five agricultural census areas.

Source: USDA, Economic Research Service using 2022 Census of Agriculture data from USDA, National Agricultural Statistics Service.

CHARTS of NOTE

96% of privately owned rural land in the United States is owned by people of European descent.

Black folks own less than 1% of rural land in the United States.

How and why has this happened?

which brings us to today's discussion

One could analyze socio-economic and political factors that have been at play in the Black community using the following:

- Black folks want to live among each other.
- Humans are naturally tribal and don't want to integrate.
- Owning land requires a particular understanding and/or education that has been historically difficult for Black folks to attain.
- Black folks moved to cities following industry and jobs and it wouldn't make sense for them to buy rural land.
- Credit scores, financial literacy deficiencies, etc.

I pose a question: during the “Great Migration”, why would so many Black folks, skilled and trained in agriculture, move to industrial cities up North? Why not move to the rural north or rural west? – one factor is “Racially Restrictive Covenants”

## **farmland Ownership and Operation**

### **1. White Americans:**

- White farmers own the vast majority of U.S. farmland. In the 2017 USDA Census of Agriculture, White-operated farms accounted for roughly 96% of all farmland, equating to around 856 million acres.
- These farms generate the majority of agricultural sales, underscoring the disparity in ownership and scale of operation between White and Black farmers.

### **1. Black Americans:**

- Black-operated farms represented about 0.5% of U.S. farmland in 2017, covering approximately 4.7 million acres. This is a significant decrease from the early 1900s when Black farmers owned close to 16-19 million acres.
- The limited acreage is also linked to smaller farm sizes on average, leading to lower production capacity and sales compared to White-owned farms.

## **Homeownership and Residential Land**

### **1. White Americans:**

- Homeownership rates are much higher among White Americans, with around 74.3% of White households owning homes as of 2023.
  - This reflects greater access to housing resources, lending opportunities, and generational wealth.

### **1. Black Americans:**

- The Black homeownership rate is significantly lower, at 45.7% in 2023. This disparity reflects systemic barriers Black Americans face, including discrimination in lending practices, income disparities, and historical redlining.

SO... HOW DOES THIS RELATE TO  
CONSERVATION?



## **Questions for the RCP gathering**

Who owns conservation land?

Are organizations rewarding families for history of racism - inadvertently or overtly..

How many Black folks own enough land to enroll in programs or to be considered for grants?

Is conservation a luxury thought?

Who can afford to not generate revenue from their property?

How have you seen black folks involved in conservation discussions?

Why dont you find more black folks or other so called marginalized peoples in the conservation world?

We are going to go through a series of questions where you can choose to participate. Participation is not compulsory - we respect your privacy but it will be great if you're willing to share if called.

What is the largest black owned and run conservation org that you are aware of?

When is the last time you found yourself  
somewhere with 50 people and 40 of the 50 were  
not like you?

What black person, either living or not, would you want to trade with and experience the full experience of their black life?

From whence does the conversation about diversity emerge?

How did this topic become part of a discussion within a field that is seemingly so not diverse?

who knows how to move forward?

who would be the knowledge holder here? 2 min

if there are so few Black people in the room, how would a group of non-Black people make decisions for them with any validity

Remember the humans