

## **An Overview of Conservation and Agricultural Policy: Questions From the Past and Observations About the Present**

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We tend to look at the past to judge the present and to project the future. From this comes the adage that those who do not learn history are doomed to repeat it. However, we can also learn from the dilemmas of the past and the present what difficulties should be addressed in the future. In this instance we will be considering unresolved questions raised in the past that will need to be dealt with in the future if we are going to overcome the roadblocks of the past that are still with us today.

Howard Tolley noted three conditions of American agriculture: 1) there are more people who want to farm than can adequately be supported by farm income alone, 2) the market for agricultural products is not unlimited – supply tends to outrun demand and 3) that American agriculture is incredibly diversified by region, commodity, and class of producers. He pointed out that within these conditions our agricultural policy has articulated three basic objectives.

1. To increase the incomes of farmers who produce commodities for sale on a commercial scale.
2. To raise incomes and improve the living conditions of those at a disadvantage within agriculture itself – this would include migrant laborers, sharecroppers, subsistence farmers and victims of drought or flood.
3. To encourage better land use (conservation) and more efficient production.

Tolley goes on to say that "Most governmental programs of both the distant and the recent past have been directed toward improvement in the conditions of commercial agriculture. It appears now that the last two of the groups of activities just listed will receive increasing attention in the immediate future, but to a considerable degree all three are interwoven. The problems of none of these will be solved separately; to some extent whatever approaches are made to solutions will be interdependent."<sup>(1)</sup>

I have been struck by the relevance of Tolley's statement, especially during the discussion leading to the 1996 Farm Bill. I first came across this statement in the late '80s and applied it to the 1990 Farm Bill. Tolley wrote this in 1940 to apply to future policy. Our focus here will be on conservation and the attempts at increased attention that Tolley called for.

In a recent television ad, David Brinkley intones that "ADM is supporting soil conservation so history does not repeat itself." This points to one very specific view of conservation referenced by the dust bowl of the 1930s that has become emblematic of the role of the U.S. Department of Agriculture. The scope of conservation seen as a public responsibility has changed over time and has been intertwined with price and income policy for farmers, property rights and a host of other things. While the initial view was focused narrowly, it has broadened over time.

### ***The Breadth and Depth of Conservation***

Bennett's view of conservation was often task limited to his central concern of soil conservation, but he had a broad view of the institutional and policy initiatives that might be required to combat soil degradation and a broad view of its root causes – believing that many of the most difficult problems were economic, and that the solution to the problem extended far beyond the techniques of soil management.<sup>(2)</sup> Bushrod Allin and Ellery Foster believed "conservation in a democracy means wise use of resources for the greatest good of the greatest number in the long run. This objective means that conservation must be concerned with more than the physical condition of natural resources themselves. It means relating the management of resources to the welfare and betterment of the

people as a whole."<sup>(3)</sup> Tolley had an equally broad view and a belief that government policy needed to encompass concerns of tenure systems, credit, education, tax policy and land use planning. Again in 1940, he also notes that "current policies designed to relate conservation with the acreage allotment and conditional-grant approach to income raising and crop control have met with favorable popular response. *Perhaps the national interest will require that those obtaining benefit or price adjustment payments in connection with the allotment program follow a system of farming that will more fully conserve the soil or control erosion than do their present systems.*"<sup>(4)</sup>

While Tolley's suggestion for conservation compliance has been adopted in our era, we need to recognize that the era of the New Deal reflected a public desire for a broad view of public responsibility where private responsibility was seen to have failed. Now we have been moving away from a broad view of public responsibility to a much narrower one. Part of the tension in the planning and administration of soil conservation has been in the scope of the definition. The broad scope view of the New Deal led towards the administration of the Agricultural Conservation Program for productivity enhancement and more direct farm income support.<sup>(5)</sup> This stemmed from the politically astute judgments by Bennett and other proponents of soil conservation to successfully link their more specific concerns about conservation to the national imperative of transferring income to the rural sector in the 1930s. It also stemmed from the concern that those using the land for their livelihood who are under economic pressure will stress or degrade the resource to maintain or improve their position.

The 1940 view was that "North America has seen a swift and spectacular wasting of resources on a grand scale . . . The western range lands have been ravaged and gullied as a result of overgrazing. Rivers have been contaminated by the dumping of filth until they are no longer habitable for fish or useful for recreation or fit for domestic water supply. Torrents of water rushing off stripped hillsides have intensified the savagery of floods, destroying property and lives and choking stream channels and costly reservoirs with sediment."<sup>(6)</sup>

The problems of soil conservation were seen as maladjustments between the soil and the farming system. According to this view, "obstacles to conservation are rooted deep in the political, economic, social and institutional structure. Unsuitable tenure relationships, uneconomic sized farms, lack of adequate credit, inappropriate taxing formulas, unstable economic conditions, absence of needed skills – all are formidable obstacles to the achievement of conservation."<sup>(7)</sup> In this view, dealing with conservation requires a total remedial agricultural program.

Allin and Fuller identify the problems needing solution to include the following:

1. Getting soil conservation applied in a reasonable time on all the farms and range lands that need it.
2. Figuring out how to divide conservation responsibilities between federal, state and local governments and private citizens in the most effective way to get the work done.
3. Finding a way to finance our investments in conservation so they can be treated as such and not as current expenses that threaten us with bankruptcy.
4. Doing all these things democratically, with a minimum of restraint on individual liberties.<sup>(8)</sup>

If one adds to soil conservation in number 1 above the broader concerns of water quality, wildlife habitat and open space, then this list from 1940 encompasses much of the challenge we have before us today.

### ***The Organizational Dilemmas***

Since the beginning of soil conservation programs there have been continuing organizational dilemmas. Part of this results from the broad functional mandate wanted by Bennett and the department in the conservation area. Bennett desired a broad mandate for Public Law 46 (the Soil Erosion Act of 1935) to include control of soil erosion, preservation of natural resources, control of floods, protection of reservoirs, maintenance of navigability of streams, protection of public lands and relief of unemployment.<sup>(9)</sup> An additional confounding factor evolved over time as Bennett and others in the Soil Conservation Service came to believe that SCS was the repository of the full range of the department's conservation concerns. The Pope-Jones Act (Water Facilities Act of 1937) and

Norris–Doxey Act (Cooperative Farm Forestry Act of 1937), the growing technical advisory role of SCS through the districts, and the transfer of functions from the Bureau of Agricultural Engineering to SCS, encouraged SCS in this encompassing view of their mission. The breadth of mission brought conflict with extension, interior and the Forestry Service among others.<sup>(10)</sup>

There were at least three critical points of contention. One was competition with extension involving farm bureau and the land grant colleges. Another was the conflict with existing agencies and departments like the Forest Service, the Corps of Engineers and Interior. Another was the arrangement with the Agricultural Adjustments Act that was both a source of initial strength and organizational reason for SCS's existence which evolved into a long term bone of contention.

In the 1930s, moving cash to rural areas was a major goal of the Roosevelt administration and of Congress. In 1933 rural incomes were 40 percent of urban incomes, and this was when there was 30 percent unemployment in urban areas. When the major mechanism for doing this under the Agricultural Adjustment Act of 1933 was struck down by the Supreme Court, soil conservation payments became the major vehicle under the Soil Conservation and Domestic Allotment Act of 1936. However, the payments were administered through the local offices established earlier by the AAA to administer the price activities under the original 1933 act. SCS was in the position of responsibility for much of the function under which cash was to be dispensed, but the dispensing of the cash was to be done by the operational arm of the AAA, be it the Production and Marketing Administration, Agricultural Stabilization and Conservation Service or the Farm Service Agency. There was no way this could be anything but a continuing bone of contention over roles and responsibilities.

#### ***Resulting Turf and Organizational Battles:***

The federal/local problems stemming from the growth of New Deal programs were well described by Milton Eisenhower and Roy Kimmel when Eisenhower was land use coordinator in USDA. Prior to the New Deal, USDA and the state agricultural colleges and universities worked well together. "The tasks in which they cooperated had been largely noncontroversial; the occasional differences that had arisen were over minor jurisdictional matters. Now, new and powerful federal agencies were barging into almost every local community, administering action programs that strongly affected local affairs and dealt with things which were far from being noncontroversial. It was not surprising that some state officials did not always agree with the concepts or purposes of the programs. Some felt that the federal workers were encroaching on the traditional functions of the state workers, were not acquainted with local conditions and could not adapt national programs to specific local needs. Some state workers could perhaps see themselves gradually falling into what Grover Cleveland once called a condition of innocuous desuetude. The federal agencies, meanwhile, were under a congressional mandate to attain certain objectives. They felt their responsibility keenly. They did not believe they could or should divest themselves of the responsibility the Congress had assigned. They knew that many of the problems were national in scope and could not be dealt with piecemeal on a purely local or state basis. Stresses and strains developed out of this situation which was in fact a phase of the old typically American problem of federal versus state jurisdiction."<sup>(11)</sup>

The turf issues were the source of unending skirmishes in Congress and in the field as well as within and between departments and agencies, state and federal organizations, and all of the above and private organizations like farm bureau, the National Association of Soil and Water Conservation Districts, and others that backed one side or another. The 1948 presidential election was a watershed event given the farm bureau's preparation for a Republican win and therefore a USDA that would side more with its axis including extension and Production and Marketing Administration aligned against SCS after the election.<sup>(12)</sup> In 1948, the Association of Land Grant Colleges and Universities warned Congress "to beware of a philosophy of permanent crisis which calls for a line of federal authority from Washington to the individual farm, factory or school."<sup>(13)</sup> In 1949 there was a drive by PMA to gain ascendancy by taking over expanded functions in many states. This was fought out bitterly in the states and in Congress. Finally, Secretary Brannon issued Memorandum 1278 in 1951, to try and deal with the turf issues on the USDA side. It delineated responsibility for conservation within the department and assigned responsibilities in the states that required face to face meetings of PMA, the Forest Service, SCS and the extension service in order to recommend practices and specifications for state and county conservation programs.<sup>(14)</sup>

However, the turf battle with extension continued about who should be responsible for the conservation help given to farmers. The issues of conflict were laid out by Milton Eisenhower, now president of Pennsylvania State College at the 1951 meeting of the Association of Land Grant Colleges and Universities. He also recommended that there be a merging of SCS and extension.<sup>(15)</sup> With something of a stalemate between the various warring parties, Secretary Benson eliminated the reason for regional offices and forced more consultation among the parties at the local level. Between Brannon's and Benson's actions to quell the strife and restore order, the farm bureau and extension lost the chance to take over the functions of soil conservation. The extent of these various conflicts and the seriousness with which the battles were waged is hard to imagine today. Now such issues are seen as politically much less important at both the state and federal level given the decline in the political importance of rural areas and agriculture.

### ***The Sole Mandate***

There developed under Bennett a sense that SCS was the keeper of the conservation flame, that it had the mandate and mission to plan and execute a national program of soil and water conservation.<sup>(16)</sup> Conservation was defined as what SCS decided to do.

After World War II, SCS took on more activities on a project basis. These included the Missouri Basin Program, the Small Watershed Program and the Great Plains Conservation Program. Project-based programs like the Small Watershed Program, under PL 566, were treated in Congress like public works programs and a growing proportion of SCS activities were funded by members whose primary goal may have been obtaining benefits for their home districts.<sup>(17)</sup>

The Great Plains Conservation Program was in reaction to the serious drought there in the 1950s. This program included cost sharing on a long term contractual arrangement based on a conservation plan for a given producer with the program being administered by SCS. One of the early concerns was the initial take resulting in large contracts with a high proportion of funds going to irrigation. Limitations were placed on this expenditure and on contract size. The GPCP was also made more attractive in 1960 with a change to allow the protection of cropland history for twice the length of the contract. One key to GPCP was the cooperation often achieved between different agencies like Farmer's Home and ASCS so that other forms of assistance could be brought to bear on achieving the goals of the GPP contract with a participating producer.<sup>(18)</sup>

As the various post World War II programs evolved, there arose more disagreement about what conservation was and what functions were appropriate. As the keeper of the flame, SCS often perceived outside critics as non-believers, but doubts grew. Circumstances and generations also changed. The generation of farmers that came of age in the 1940s who were actually touched by the dust bowl or driven by its message began to leave farming in the 1970s. Many of these individuals believed not only in the necessity of stewardship and conservation, but also in the public good aspect of conservation practices. These individuals had been engaged by the programs of the 1930s; the conservation works on the land, the allied Civilian Conservation Corps activities, and service on the soil and water conservation district committees, among other things.

By the time of the Russian grain purchases in the 1970s, the next generation was managing much of the nation's farmland. In the area of the GPCP, a Congressional study in 1977 found that 26 percent of the farmers in the program had plowed up their newly established grasslands for wheat production after their contracts expired. Allin and Fuller in the 1940s identified getting soil conservation established where needed in a reasonable time as a critical problem. With the experience of three generations we now can add the problem of maintaining conservation once it is established. In the mid 1990s, a commentary on this was provided by former Chairman of the House Agriculture Committee Congressman de la Garza during a discussion of conservation land retirement programs. When an argument was being made for more funds for conservation based cropland retirement he asked why the public should be asked to purchase the land for the third time – didn't the public own it already? The public had paid to put it into grass in the 1930s (it was then plowed up for World War II). The public put it into the soil bank in the 1950s (and it was plowed up again with high prices in the 1970s). The public put it into the CRP in the mid-1980s, and was now being asked to buy it back into the CRP so it wouldn't go under the plow. The response to his question was mostly silence – he was clearly asking the right question.

### ***Why Districts?***

The lore of the American Soil Conservation movement features the district as the core entity. The districts evolved from Bennett's search for an institution to carry out the program of soil conservation he had in mind that required a linkage to some local unit of government to go beyond the demonstration projects. In 1935, the Soil Erosion Service had demonstration projects on both private and public lands and those on public lands were administered by federal agencies. Interior required that public works funds be allotted to state and local units of government. If these funds and the manpower of the CCC were to be a core resource for soil conservation, there had to be a local vehicle to receive funds. There was also the belief that those receiving benefits ought to be organized collectively and assume critical responsibilities like enforcing the agreements the service made with landowners and operators. The enforcement of such contracts was also not a rewarding function politically for a federal agency.<sup>(19)</sup> The initial intent was to organize districts on the basis of watersheds – originally 76 major drainage basins. Part of the push for newly created districts rather than counties, was the conviction that counties were mostly poorly administered and that extension and other county-based interests were not sufficiently concerned with erosion and soil conservation to take charge of a major program with such goals. The department also believed that it would be unable to hold existing local organizations, like extension, accountable for funds and program specifications.<sup>(20)</sup> The design and composition of the conservation districts and the standard district law was strongly influenced by the turf war with the AAA, the Land Grant Colleges, extension and the farm bureau.<sup>(21)</sup>

The Standard State Soil Conservation Districts Law was a delegation of the state's police power which by local referendum enabled districts to enact and enforce land use regulations in the district to meet the soil conservation purposes of the district. Up to World War II, the land use regulation power was adopted by most states. This was not so during the war, and after the war a number of states deleted the power.<sup>(22)</sup>

At various times the SCS, the districts themselves and the NACD may have had somewhat different views of what the district was and what it was to do. At the height of USDA's land use planning movement, Washington probably had a more expansive view than most districts. More recently, obtaining constructive response through the districts to Section 208 of the 1972 Federal Water Pollution Control Act Amendments was a long process. While the districts are celebrated for their democratic role in the decision process, they also can cause heartburn within a strong line oriented federal agency.

There has been a closer link between the national and local entities for the ASCS which led Hardin to observe that the PMA was in some ways a publicly supported farm organization.<sup>(23)</sup> While there have been times when the conservation districts have acted to mobilize political support for SCS, sometimes at the urging of Washington, their purpose has generally been narrower. The soil conservation districts have clearly been political at times, but have not engaged as broad a spectrum of activities and interests as their competitors like farm bureau and the PMA.

### ***Planning for Everyone***

In the depths of the depression many put the blame for difficulties on the lack of planning. An individually driven market system was seen both as the cause of problems and as incapable of solving them. This widely held view held up centrally planned economies by the virtue of their ability to mobilize resources and put people to work. There was so strong an infatuation with the progress in economic mobilization made by the Soviet Union that the violence and pathologies of the system were overlooked. Many in the United States feared that government could become totalitarian as it had in the large number of European countries. Henry Wallace, and others in the Roosevelt administration, believed that it was important to mobilize citizens in a democratic and constructive way and reach to the grass roots not necessarily represented by existing establishment organizations, the most powerful of which were lining up strongly against administration programs. This was one reason for the creation of soil conservation districts.

The most direct and impressive democratic planning effort occurred in the late 1930s and early 1940s in the form of the cooperative land use planning effort. An agreement was made in 1938 between the Association of Land Grant Colleges and the Department of Agriculture (the Mount Weather Agreement). By 1940, there were 70,000 farm men and women cooperating as members of county

and community committees covering 1,120 counties in 47 states.<sup>(24)</sup> While leadership for this effort was provided by the Bureau of Agricultural Economics, its thrust was central to the long term goals of the SCS. The farm bureau perceived the public mobilization for this effort as a dangerous political threat to their dominant position and they were instrumental in having the effort killed in the early 1940s.

As one comes away from the discussions of planning, there is the sense that planning was acceptable when the wolf was at the door, but once immediate danger was past even voluntary local planning was a hard sell. Aldo Leopold described the situation thus; "We the public will furnish you free technical assistance and loan you specialized machinery, if you will write your own rules for land use ... But, after a decade of operation, no county has yet written a single rule."<sup>(25)</sup>

### ***Property Rights***

In 1940, the department took the position that

in popular opinion, in custom, and in the attitudes of legislatures and courts, landownership acquired a degree of absolutism which still puts the burden of proof on the public agency that would seek to restrict the employment of the rights of ownership." However "as our economic and social life have become more and more complex the broad public interest has been found to be increasingly affected by the unrestrained exercise of individual or corporate property rights in land. There is a growing opinion that land is vested with a paramount public interest, that private landownership is granted by society rather than being an inherent individual right, and that when it comes into direct conflict with the general welfare it must be restrained or the land must be converted with due compensation, into public property."<sup>(26)</sup>

The attempts to extend planning drew a reaction that at times pitted property interests and local business against operators who favored it for soil conservation. An advertisement placed in Eastern Colorado responding to controls against sod-busting illustrates this conflict;

This is your opportunity to break the shackles that have retarded the growth, development and prosperity of the eastern half of Cheyenne County. You can do this by voting against these unfair, un-American, dictatorial rules that prevent land owners from using their own land. Before these land rules were adopted, land owners had "marketable title" to their land. Now, through no action of their own, no matter how long they have been paying taxes, a serious encumbrance has been placed on their titles. They simply cannot farm their land unless they have farmed it during the last three years ... When a hungry world is asking for bread and meat is not the time to preach the doctrine of scarcity advocated by these proponents of these land use rules! All we ask is that other folks can use our good land as Directors of the Soil Erosion District use it themselves.... Just because they were fortunate enough to acquire some of the land that has been under cultivation for a long time is no reason why they should deny others the privilege of plowing enough of their land so that they, too, can establish homes and make a living out of their investment."<sup>(27)</sup>

With battle lines drawn, soon after the disillusionment with private action in the Depression, it is not surprising that the momentum for planning died. Suggestions have been made for tempering the opposing views with a land use ethic of informal rights, responsibilities and obligations on the part of both the landowner and government. These don't appear to be practicable given the swinging of the political pendulum more towards enforcing individual rights and the increasingly litigious nature of our civic interaction.

### ***Politics, Interest Groups and Policy***

Conflicts are argued out in different forums and decisions are made at different levels. These may be determined by the breadth of the question involved – narrow questions being heard and decided in limited forums. Agricultural policy in the 1940s was to a good extent in the hands of pressure groups, or at least kept in the bounds where pressure groups operated comfortably. During such times, individuals come to personify interests or policies. Bennett certainly personified soil conservation, in

like manner Robert Kerr from Oklahoma personified the development of water resources (especially in his home state), and Jammie Whitten personified other agricultural interests. In contrast, Hardin explains how the Brannon Plan "broke farm policy out of the hands of the "insiders" in agriculture and made it the subject of a general – and quite profound – debate."<sup>(28)</sup> One way to look at the development of soil conservation policy as well would be to identify those periods when such policy was in the hands of insiders and those instances when policy was at least partially broken out of the hands of insiders. A major shift, almost by definition, represents the influence of a different group or public goal. It is in these breakout periods when policy is in the much less comfortable world of broader national politics, and it is usually then when substantial changes are made.

Centralization or decentralization of power is a broad political question, and attracts a wide audience for discussion and decision. The pressure to move away from a distribution of projects covering particular congressional districts to more targeting on the basis of conservation need was a political decision. The original decision to take on more projects and see their location drift towards political alignment was also a political decision, but easier to slide into given the style and pressure of Congress.

There has been more broad "political" debate about conservation programs and the role of SCS since the mid-1980s. Some of this is certainly the result of new interests approaching the table, who, once they get inside, would be more comfortable acting as insiders with a narrower focus of debate. The new insiders often want to close the door after them.

My observation would be that much of the making of the 1996 Farm Bill was in the hands of insiders and that much of the process was in fact an insiders' process.<sup>(29)</sup> However, the 1996 act represents a complete departure from the method and structure of the old programs. The intriguing question is whether this departure from the existing structure will change the nature of and participation in the process. It certainly brings about a decline in the relative usefulness of commodity groups as compared with the more general farm groups. In retrospect, much of the period from the Brannon Plan to the 1996 act, domestic commodity policy was not much more than jiggering loan rates, target prices and set asides.

### ***Questions From the Past and the Present***

Our list certainly must start with those identified by Allin and Fuller

1. How do we get soil conservation applied in a reasonable time on all farms and range lands that need it?

I would also include the range of additional concerns here such as water quality, wildlife habitat, etc. We also found that we need to add a new second question;

2. How do we maintain the applications of conservation, etc. on the landscape?
3. How do we divide conservation responsibilities between federal, state and local governments and private citizens (and NGOs) in the most effective way to get things done?
4. How do we finance our investments in conservation so they can be treated as such and not as current expenses that threaten us with bankruptcy?
5. How do we do all these things democratically, with a minimum of restraint on individual liberties?

These are the questions that come to us from past history – questions seen as critical in earlier days that were not solved then. The kind way to view them is as legacies passed from one SCS or NRCS Chief to the next. Happily, some of the questions asked in the past have been answered or resolved, but we are certainly left with enough to deal with over the next few years. I would also note that the service and the department are addressing a number of these. The Conservation Reserve Program, the Environmental Quality Incentive Program and the "Locally Led" effort are attempting to address aspects of questions 1, 3 and 5. My own belief is that questions 2 and 4 also need special attention.

On the broader stage we need to go back to Howard Tolley and extend his statement that most efforts of government directed at agriculture from his day to ours have been directed towards the improvement of commercial agriculture. In addition, we have not had the increasing attention to either raise the living conditions of those at a disadvantage within agriculture itself or to encourage better

land use. These are the broader political issues that Hardin refers to that have less often been the focus of a general debate. I would hope that conservation would gain from such a debate.

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