THE POLITICAL IMPASSE IN FARM SUPPORT LEGISLATION*

To alleviate the severe depression in agriculture during the 1930's, Congress passed the Agricultural Adjustment Acts. Although the emergency of the thirties has long passed, the approach of that emergency legislation still forms the basis of our laws. Now, as then, the government undertakes to control supplies and to support prices at "parity" levels. If the producers of designated crops, called "basic" crops, agree to restrict the number of acres in production, they become eligible to receive government loans secured by the crops they produce. The amount loaned per bushel or pound of production is determined by the percent of "parity" established by law. A full, or 100% of parity price would give agricultural commodities a purchasing power with respect to articles that farmers buy, equivalent to the purchasing power of agricultural commodities in an earlier period, designated to serve as a standard of normalcy. Theoretically, the acreage restrictions should so reduce supply that market prices would rise above the percent of parity loaned, causing farmers to pay off their loans and sell their crops. Since the loans are secured only by the crops themselves, if the supply did not decrease, or

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*The Yale Law Journal wishes to acknowledge its great debt for many of the ideas expressed herein to Professor Robert H. Salisbury, Department of Political Science, Washington University, and to thank Professor Salisbury for permission to draw on research conducted by him. While our debt is great, he should not be held responsible for any misuse of his labors.

   For a contemporary discussion of the emergency necessitating remedial legislation, see Jennings & Sullivan, Legal Planning for Agriculture, 42 Yale L.J. 878 (1933).


4. BENEDICT, op. cit. supra note 3, at 332; KOONTZ & GABLE, PUBLIC CONTROL OF ECONOMIC ENTERPRISE 653 (1956).

5. The definition given is substantially that of the original Agricultural Adjustment Act, 48 Stat. 32 (1933). The definition has since been amended, 7 U.S.C. § 1301(a) (1)-(2) (1958), to accord with the new method of computing parity, adopted to "give recognition to changes in relationships among the prices of agricultural commodities themselves which have occurred since the base period 1910-1914," 7 U.S.C. § 1301 ("Amendments," 1948). The base period originally was 1909-14, 48 Stat. 32 (1933), but there have been some modifications in this period, and in the way it is applied to different crops. See BENEDICT, FARM POLICIES OF THE UNITED STATES, 1790-1950 at 376, 475-78, 483 (1953).

6. Since the loans are "without recourse," if at the end of the loan period the market price of the crop given as security is below the loan level, the farmer may default on the
the demand increase, sufficiently to raise the market price above the loan level, farmers would choose to keep the greater loan amounts, and let the government foreclose on the crops. The consequent removal of a part of the supply from the market, into government storage, would work to increase the market price—hopefully, above the loan levels so that the government would stop accumulating supplies. Thus, theoretically, the programs would work to even out fluctuations in supply, and to "support" prices by balancing supply with demand at the specified percent of a parity price. However, economic changes, especially technological innovations in agricultural production, have made these supports and controls even less effective. Over the long run, supplies have not been reduced, prices have remained below the support-loan levels set by law, and the government has accumulated tremendous quantities of the supported crops. There are now nearly nine billion dollars worth of agricultural commodities stockpiled, the storage of which, alone, costs the government over one and one-half million dollars per day. Virtually no one likes these results. Since there has been such full discussion of the disadvantages of the programs in both popular and scholarly publications, little would be gained by further detailing here the standard outrages and the commonplace enormities. The difficult question is: given the undesirability of the present situation, what can, in fact, be done about it?

There is considerable agreement on many broad, long-range objectives. But there is general disagreement as to how these goals should be implemented. Candidates and administrations, universities and farm organizations turn

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7. This is similar to the "ever-normal granary" concept, see Benedict, op. cit. supra note 5 at 332; Koontz & Gable, op. cit. supra note 5 at 653.

8. See note 12 infra and accompanying text.


11. See Davis, The Executive and Farm Policy, 331 Annals 92, 94 (1960).


14. See, e.g., President John F. Kennedy, Message to Congress of Jan. 31, 1962, N.Y. Times, Feb. 1, 1962, p. 14, col. 8; Heady, Agricultural Adjustment Problems in a Growing Economy vii (1958). Although all factions profess agreement on such broad goals as increased farm income, reduced government expenditure, and maximum freedom for the farmer, these goals have no functional meaning or importance. They do not provide a
out one "solution" after another. Although many may be economically sound, none has been adopted by Congress.

Conflicts among various political interest groups have prevented innovation in farm policy. Therefore, meaningful debate about possible solutions requires an understanding of the limitations imposed by the realities of politics. This Comment will describe the political interest groups active in the area of farm price-support legislation, and explain why and where the conflicts among them arise. Next, it will examine the effects of these political factors on the fate of a few of the more important recent proposals. Finally, having suggested the political requisites of a solution, the Comment will estimate which kinds of programs, if any, are likely to be enacted in the near future.

THE POLITICAL CONTEXT

Classically defined, a political interest or interest group is men, formally organized or not, who desire to obtain advantages through government, and who thereby come into conflict with other men. Conflict results either because the same advantage is desired by both groups, and is scarce, or because the second group would be at a relative disadvantage if the first group obtained its desires. This definition emphasizes groups because an individual cannot generally be a significant factor in governmental politics unless they exist as a basis for deciding whether to favor a proposed plan, nor, therefore, do they influence the actions politicians take.

15. See text at notes 128-62 infra.

16. For the most part, the interest groups active on agricultural legislation are those directly involved with agriculture—e.g., producers of agricultural commodities, processors of those commodities, manufacturers of farm implements. Interests outside the sphere of agriculture, such as labor unions, may occasionally take an active role; see the testimony of labor leaders in Hearings Before the House Committee on Agriculture, 84th Cong., 1st Sess., ser. E, at 267, 319, 320 (1955) ; note 146 infra and accompanying text. But they seldom do so, and when they do, it is usually the result of an alliance with some particular farm interests, see note 183 infra and accompanying text. Not only are the interest groups active on farm legislation largely confined to those engaged in agriculture, but, in fact, the effective groups are even more limited. The shape of our farm programs is determined, to a very great degree, by groups representing only the larger, commercial farmers; Hardin, The Politics of Agriculture in the United States, 32 J. Farm Econ. 573 (1950).

17. See Bentley, THE PROCESS OF GOVERNMENT 211-12, 222 (1949 ed.); Truman, THE GOVERNMENTAL PROCESS 33, 502-03 (1955). Political scientists will recognize that the analytical approach of this Comment is, generally, Bentleynian. It is not thought that Bentley's system accounts for the totality of political behavior, but only that the Bentley-Truman framework has proven to be a useful and productive tool in this case.


19. See text at notes 28-29 infra. Professor Truman has summed it up: "The activities of political interest groups imply controversy and conflict, the essence of politics." Truman, op. cit. supra note 17, at 502-03.

20. The term "governmental politics" is used to make it clear that the reference is to large-scale politics, as distinguished from small-scale, interpersonal, or "closed" politics; for the distinctions, and the differences in the role of the individual, see Kling, supra note 18, at 183-84.
less other individuals join with him. It requires no formal organization of groups because even unorganized groups can be effective political forces. And it uses the terms interest and interest group interchangeably because the present existence of a group is not required, but only the present existence of a common interest which could become an effective political force if that interest became the subject of political controversy.

Since agricultural price-support laws are a form of economic regulation, the groups concerned with them are usually based on economic interests. Rational, objective economic self-interest is not the sole determinant of political behavior; such behavior reflects the totality of the experiences of each of the participants. For example, a strong commitment to individualism rooted in religious beliefs may lead a farmer to place a higher value on goals other than maximum economic advantage, or may even shape his perception of the direction in which his economic interests lie. It is generally true, however, that farmers align themselves in accordance with identifiable economic interests and make political demands which would advance those interests. Consequently, it is important to determine what those patterns of alliance and conflict are.

**Inter-Crop Conflicts**

Where different crops compete for the same market, conflict may occur. To the extent a law benefits one crop, it puts the others at a competitive disadvantage. There are two major conflicts of this type. Since soybeans, corn, cottonseeds, dairy fats, and lard from meat animals are alternative sources

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21. See Truman, op. cit. supra note 17, at 502. Even an individual of great wealth, power, or influence will be effective only if he uses those powers to obtain the support of other individuals.
22. Id. at 51-52.
23. Ibid.
25. See generally, e.g., Lasswell, *Psychopathology & Politics* (1930); for a discussion of psychological factors specifically in farm politics, see Parks, *Historical Goals & Political Behavior in Agriculture*, in Heady, op. cit. supra note 14, at 270.
26. See, e.g., the remarks of Charles Shuman, President of the American Farm Bureau Federation, at their recent national convention:

The farm leader, who teaches Sunday school in Sullivan, Ill., said economic law was closely related to moral law. "When we turn to Government to negate economic truth and to avoid adjustments that are demanded by changing conditions," he said, "we are in reality rejecting God's law in favor of man's law."

for many fats, oils and shortenings, bills which benefit producers of one meet
opposition from producers of the others.28 Likewise, corn interests oppose bills
which would make wheat competitive with corn as a source of feed.29 At
present, artificially high wheat prices maintained by the government preclude
this use.

Supplier-Consumer Relation

Where some crops are consumed in the production of other agricultural
commodities and the consumers do not themselves produce substantial
amounts of these crops, their interest will conflict with the suppliers’ interest.
Livestock producers generally oppose any program which would increase their
costs by raising feed grain prices.30 Since the demand for any given meat is
highly elastic,31 livestock men believe they cannot increase prices to cover the
increased feed costs without substantially reducing their sales. But there are
some exceptions. Where farmers raising livestock also grow feed grains, they
are less likely to oppose grain supports.32 Hog and dairy farmers fall into this
category.33 Similarly, where the demand for livestock products is highly in-
elastic as in the case of fluid milk,34 these producers have less to fear from
increased costs because they can raise prices with little effect on sales. And
where periods of gestation and maturation differ among livestock, producers
of animals with short periods such as hogs may be more fearful of lower feed
prices than producers of animals with longer periods such as cattle.35 Since
this difference in gestation and maturation periods causes the cattle market to
respond more slowly than the hog market to an increase in grain supplies, hog
producers have a more immediate fear that their own market will be glutted.

“Diverted Acres”

Even where two crops do not compete for the same markets, government
programs favoring one may have a detrimental effect on the other. When
acreage allotments are placed on a crop to reduce its supply and raise its price,

15312 (1958) (remarks of Senator Proxmire).
29. See Farm Journal, Nov. 1958, p. 8; e.g., Hearings Before the House Committee on
Agriculture, 86th Cong., 2d Sess., ser. UU, at 95, 119 (1960) (remarks of Representative
Hoeven).
30. Pennock, supra note 27, at 176, 186. See N.Y. Times, June 4, 1961, p. 57, col. 2;
33. Ibid.
35. See Statement of E. Howard Hill, President, Iowa Farm Bureau Federation, as
quoted in “Farmers Never Win Gambling With Cheap Feed” (undated pamphlet, National
Farmers Union). For a discussion of the way in which the hog market responds, see Coch-
rane, Farm Prices 72-75 (1958). The period of gestation of a cow is 9 months, and that
of a sow 4 months; Webster’s New International Unabridged Dictionary 952 (3d ed.
the acres diverted from the production of that crop may be used to grow another. The increased supply of this second crop will depress its price, injuring those who had been producing it. When acreage controls were imposed on cotton and wheat producers, many of them diverted some of their acres into production of feed grain, increasing its supply and decreasing its price. Since climate, terrain, legal impediments, or the lack of expertise and capital may make it difficult for old feed grain producers to compensate for their decreased income by going into production of other crops, they opposed these controls. The use of diverted acres could create conflicts between a large number of crops which might be controlled, and a large number of other crops which might be grown in their place.

Agricultural Budget Allocation

Further conflicts may develop in the process of allocating the agricultural budget among different crops. Since the amount of funds that can be secured for price support programs is limited, and especially since legislators have perceived this to be the case, all crops may compete among themselves to maximize their individual shares of the available funds.

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36. 104 Cong. Rec. 16452 (1958) (remarks of Representative Harvey); Hardin, Farm Price Policy and the Farm Vote, 37 J. Farm Econ. 601, 609 (1955); McConnell, The Decline of Agrarian Democracy 79 (1953).
37. Ibid.
38. See Remarks of Representative Harvey in 104 Cong. Rec., op. cit. supra note 36.
39. Interview with Charles Shuman, President of the American Farm Bureau Federation, July 1, 1959.
40. See, e.g., the complaint of rice and sweet potato interests that they had been damaged by new production coming from acres diverted from cotton; Statement of Malcolm Dougherty, President, Louisiana Farm Bureau, Hearings on Proposed Modifications of the General Farm Program Before the Senate Committee on Agriculture and Forestry, 84th Cong., 1st Sess., pt. 5, at 2557 (1955).
42. Some of this took place in 1958 when Secretary Benson made it very clear that he would approve favorable treatment for a few crops, but not for all. In order to maintain their advantage, the favored crops were compelled to assist Benson in achieving his goal of lowered supports for the other crops. See Wall Street Journal, Aug. 2, 1958, p. 1; 104 Cong. Rec. 15157 (1958) (remarks of Senator Douglas). Another recent manifestation of such conflict occurred in dividing up the limited amount of Soil Bank funds in 1956. Interview with Mr. Wayne Darrow, publisher of the Washington Farmletter, July 8, 1959.
Intra-Crop Conflicts

New Areas v. Old Areas

When it becomes profitable to produce a crop in a new area, the interests of those who historically have grown the crop may conflict with the interests of the new producers. This conflict has occurred in both cotton and wheat. In an attempt to raise cotton prices, Congress restricted cotton acreage during the 1930's. Growing privileges were allotted to individual farms on the basis of what the land had produced on the average in several prior years. During World War II Congress dropped these restrictions. Increased wartime demand combined with technological innovations to stimulate new cotton production in the western states. Since the war, the old cotton South has attempted to stem this movement by supporting reinstatement of high support programs with acreage restrictions based on past production. This interest collides with that of the new producers. The latter group desires freedom to expand production. Since they can grow cotton more efficiently, lower prices have less impact on their profit margins. Moreover, lower prices may allow these growers to expand sales in foreign markets and even to capture the domestic markets of the old growers by driving them out of business.

Similarly, old wheat producers have sought to limit new sources of wheat. Government programs have raised wheat prices to attractive levels. Although these programs include history-based production restrictions, many Corn Belt farmers with no history of wheat production have been able to take advantage of the guaranteed, high wheat prices because the law has permitted any farm-

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43. MIGHELL & BLACK, INTERREGIONAL COMPETITION IN AGRICULTURE 274-75 (1951).
46. Ibid.
47. Ibid.; Interview with Representative E.C. Gathings, Member, House Committee on Agriculture, June 24, 1959.
48. Ibid; see 104 CONG. REC. 15160 (1958) (remarks of Senator Goldwater).
51. Interview, File No. 20, June 1959 (on file at Department of Political Science, Washington University, St. Louis, Mo.); see N.Y. Times, Nov. 5, 1961 (Financial), p. F9, col. 4.
52. Interviews with John Baker, Legislative Director, National Farmers Union, July 2, 1959, and Roger Fleming, Washington Secretary, American Farm Bureau Federation, July 8, 1959.
53. Ibid.
er to grow at least fifteen acres.\textsuperscript{54} Since this exemption has benefitted these new wheat producers but has hurt old producers by glutting their market, the exemption has become the subject of political controversy.\textsuperscript{55}

**Proximity to Markets**

When commodities are perishable, and historically have been produced near consumers, differences in proximity to markets provide another basis for conflict among producers. Farmers near markets argue for controls which will insulate their historical markets from more distant suppliers.\textsuperscript{56} But to the extent technological innovations allow the more distant suppliers to sell profitably in these markets,\textsuperscript{57} they oppose such controls.\textsuperscript{58} This conflict has been especially intense in the determination of so-called "milkshed" areas surrounding large milk-consuming centers.\textsuperscript{59}

**Competing Varieties and Grades**

As with different crops, different varieties and grades of the same crop which compete for the same markets may conflict over programs which would give one a competitive advantage over others. This conflict occurs only where the differing varieties cannot be grown on the same land; otherwise disadvantaged producers could switch to the favored variety. Arguing that their particular variety was not in surplus, but that in fact their crop's special attributes caused more demand for it than could be filled under existing acreage restrictions, producers of certain types of wheat have secured special, more favored treatment in wheat legislation.\textsuperscript{60} Growers of other, more abundant

\textsuperscript{54} Ibid; Interviews with Cotys Mouser, Chief Clerk, Senate Agriculture Committee, June 22, 1959, and Mabel Snyder, Agricultural Assistant to Senator Humphrey, June 26, 1959. In one Illinois county during the 1930s there were 126 farmers producing wheat, while in 1957, in the same county, there were 1,200; 104 Cong. Rec. 14947 (1958) (remarks of Senator Anderson). In 1956 alone, there were 10,006 new wheat growers in Illinois, 6,308 in Indiana, and 3,867 in Ohio—in that year approximately one million new acres were planted to wheat in the Corn Belt; 103 Cong. Rec. 5433 (1957) (remarks of Senator Carlson).

\textsuperscript{55} See note 52 supra.


\textsuperscript{57} See Miguell \& Black, INTERREGIONAL COMPETITION IN AGRICULTURE 276-78 (1951).

\textsuperscript{58} Interview with E.M. Norton, President, and Patrick B. Healy, Secretary, of the National Milk Producers Federation, June 22, 1959.


\textsuperscript{60} Interviews with Hon. E. A. Jaenke, U.S. Dept of Agriculture, Jan. 12, 1962; John Baker, Legislative Director, National Farmers Union, June 29, 1959; Mabel Snyder, Agricultural Assistant to Senator Humphrey, June 26, 1959.
varieties opposed such treatment because buyers who were unable to get enough of the preferred variety of wheat had been buying the more abundant variety as a substitute. Similarly, in seeking to have parity computed with long-staple cotton as the base, the newer, long-staple cotton producers seek advantages over the older, short-staple producers. Since in free markets the higher quality long-staple cotton would bring higher prices, and since relative price differences among varieties are maintained under the parity system, this method of computing parity accords all cotton relatively low prices, a goal sought by the newer, more efficient, long-staple, western growers and resisted by the older, less efficient, short-staple, eastern growers.

The Inverse

Where none of the conditions previously discussed are met, conflicts are not likely to occur. Tobacco price support programs, for example, have not engendered inter-crop conflicts. Since no other crop can be used as a substitute for tobacco, there is no inter-crop competition. Tobacco is not consumed in the production of other agricultural commodities. There have been relatively few acres diverted from tobacco to other crops as a result of acreage controls. Since small decreases in tobacco supplies increase prices significantly, tobacco programs have required little government subsidy, decreasing the likelihood of conflicts over budget allocation. Moreover, there has been little conflict within tobacco. Different varieties of tobacco do not compete; each variety has distinct uses. Since each variety can be grown in only a few well-defined areas, these areas are substantially immune from competition from any new areas. Moreover, differences in proximity to markets are not crucial in tobacco. Therefore, each of the reasons for conflict enumerated

61. Ibid. There is also some conflict among the various varieties and grades of wheat based on differential levels of export subsidy. For a description of the different problems of each of several varieties and grades of wheat, see BENEDICT, CAN WE SOLVE THE FARM PROBLEM? 502-03 (1955) ; Farnsworth, The Problem Multiplying Effects of Special Wheat Programs, 51 AM. ECON. REV., PAPERS & PROCEEDINGS 353, 353-54 (1961).


64. See note 62 supra.


66. See sources cited in note 74 infra.

67. This is true simply because tobacco is grown on so few acres. Interview with Hon. E. A. Jaenke, U.S. Dept. of Agriculture, Jan. 12, 1962.

68. See Halcrow, AGRICULTURAL POLICY OF THE UNITED STATES 71-72 (1953).

69. 100 CONG. REC. 133 (1954) (message of President Eisenhower).

70. Interview with Hon. E. A. Jaenke, June 16, 1959.


72. Ibid; 100 CONG. REC. 133 (1954) (message of President Eisenhower).

73. Because tobacco can easily be shipped long distances to market, no historical
above is not present in tobacco, and the tobacco programs have, in fact, proved particularly non-controversial in Congress.\textsuperscript{74}

\textit{Political Variables}

The shape that these inter-crop and intra-crop economic conflicts take in Congress may be conditioned by other, political factors. Some crops have superior access to key points in the legislative process. For instance, the Chairman of the House and Senate Agriculture Committees are spokesmen for tobacco and rice interests respectively.\textsuperscript{75} This not only gives those crops valuable support, but also discourages other interests from opposing them lest they should alienate such important legislators.\textsuperscript{76} Conflict is further minimized if the crop interests are small, wealthy businesses. The relative size and wealth of truck farmers, for example, enables them to exert pressure on Congress while attracting a minimum of public attention. The kind of program advocated bears also on the degree of conflict generated. Compare, for example, "marketing order"\textsuperscript{77} programs with price support programs. Proponents of a marketing order need not request Congress to review the details of a plan and vote subsidies to support it, but only to authorize the Secretary of Agriculture to enforce the marketing restriction plans designed and approved by the growers.\textsuperscript{78} And once established, marketing order programs are rarely reconsidered in Congress since they do not require periodic appropriations.\textsuperscript{79} Thus, the growers of many, smaller, more specialized crops—because of procedures which attract little attention thereby

\textsuperscript{74} See interviews cited at note 71 supra; 100 Cong. Rec. 133 (1954) (message of President Eisenhower); Williamson & Toussaint, \textit{Parity & Support Prices for Flue-Cured Tobacco}, 43 J. Farm Econ. 13 (1961).

\textsuperscript{75} The Chairman of the House Committee is Representative Harold Cooley, of North Carolina; for his affiliation with tobacco, see Jones, \textit{Representation in Congress: The Case of the House Agriculture Committee}, 55 Am. Pol. Sci. Rev. 358, 360-61 (1961). The Chairman of the Senate Committee is Senator Allen Ellender of Louisiana. Senator Ellender is identified with sugar, as well as rice interests; Interview, File No. 15, June 1959 (on file at Department of Political Science, Washington University, St. Louis, Mo.).

\textsuperscript{76} This is, undoubtedly, another factor tending to make the tobacco programs non-controversial; see notes 66-74 supra and accompanying text. More members of the House Agriculture Committee are clearly identified with tobacco than with any single crop; Jones, supra note 75, at 360.

\textsuperscript{77} "Marketing orders" may be issued by the Secretary of Agriculture, after notice, hearing and findings, to regulate the handling of certain agricultural commodities in interstate commerce. The orders may limit the total amount of any of these commodities, or any variety, grade, or quality thereof which can be bought, sold, or transported by all the handlers of them, and may allocate the total amount among the several handlers. 7 U.S.C. § 608(c) (1958).


\textsuperscript{79} Interview with Hon. E. A. Jaenke, U.S. Dep't of Agriculture, Jan. 12, 1962.
minimizing political controversy, and because of the limited amount of govern-
ment activity involved—have been able to secure beneficial legislation with
relative ease.

**Broader Interests?**

The conflicts discussed so far have been based on individual crop interests
or on interests within a crop. But do larger groups, each of which includes
several crop interests, play significant roles in agricultural policy-making?
The importance of two kinds of larger groups—the political party and the
national farm organization—should be considered.

**Political Parties**

Since farm policy is one of the few major issues in American politics on
which the Republican and Democratic Party platforms clearly differ, and
since roll call votes in Congress look partisan, party membership appears to
be an important determinant of politicians' behavior on farm price support
bills. If, however, the makeup of the parties is examined, this behavior can
be as easily explained on the theory that crop interests are the dominant

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80. The government's role is, in effect, limited to approving and enforcing a private
81. However, a currently proposed turkey marketing order has run into stiff opposi-
tion. Interview with Hon. E. A. Jaenke, U.S. Dep't of Agriculture, Jan. 12, 1962; see, e.g.,
But, generally, marketing orders have proved a relatively easy way for growers to
secure price protection for their limes or lettuce, hops or honeybees; Jaenke interview,
*supra*; for a list of crops which have already obtained the congressional authorization
for such programs, see 7 U.S.C. § 608(c)(2) (1958). A reading of the statute also
reveals why these programs have not been opposed by the canners of truck crops. The
statutes exclude from the coverage of the programs that portion of the crop that is "for
canning or freezing" (poignant feelings are aroused by the curious debility of the olive and
asparagus canners, who are specifically excepted from this protection). Instead of suffering
from increased costs due to marketing orders, it is even possible that canners' profits will
be increased. The rise in prices of fresh produce due to marketing orders may make the
canned variety more attractive to consumers. Secondly, the higher prices that the growers
receive for the better grades may permit them to settle for a decreased profit margin on the
lower, canning grades.
82. Compare the Democratic Platform, 15 Congressional Quarterly Almanac
776, 781-82 (1960) ("Measures to this end include production and marketing quotas
measured in terms of barrels, bushels, and bales, loans on basic commodities at not less
than 90% of parity, production payments, commodity purchases, and marketing orders and
agreements.") *with* the Republican Platform, *id.* at 794, 797 ("Use of price supports at
levels best fitted to specific commodities, in order to widen markets, ease production con-
trols, and help achieve increased farm family income."). At issue, of course, is the level
of price supports, and the strictness and scope of production controls, rather than the
complete abolition of either supports or controls.
83. See, e.g., Hardin, *Farm Price Policy & the Farm Vote*, J. Farm Econ. 601, 605
(1955).
forces. The congressional delegations representing each crop tend to be found in one party or the other. A survey of the party affiliation of Congressmen representing districts ranking in the top twenty in the production of each of several crops indicates the following pattern:

<table>
<thead>
<tr>
<th>Crop</th>
<th>Democrats</th>
<th>Republicans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rice</td>
<td>20</td>
<td>0</td>
</tr>
<tr>
<td>Peanuts</td>
<td>20</td>
<td>0</td>
</tr>
<tr>
<td>Cotton</td>
<td>20</td>
<td>1</td>
</tr>
<tr>
<td>Tobacco</td>
<td>17</td>
<td>3</td>
</tr>
<tr>
<td>Wheat</td>
<td>7</td>
<td>14</td>
</tr>
<tr>
<td>Dairy</td>
<td>4</td>
<td>16</td>
</tr>
<tr>
<td>Corn</td>
<td>2</td>
<td>18</td>
</tr>
</tbody>
</table>

Most rice, peanut, cotton, and tobacco producers have in common the desire for programs of production restrictions and price supports. The Democratic Party, with which they are affiliated, espouses these programs. Similarly, many dairymen and corn-hog farmers favor fewer controls, and embrace the Republican Party, which advocates this approach. Moreover, although there are conflicts among the crops within each party, the differences in crop interests between the two parties are greater. For example, some Southern (Democratic) crop interests conflict with Midwestern (Republican) interests.

84. The top 20 congressional districts do not necessarily have 20 Representatives, since a state which elects 2 Representatives at large may rank among the top 20 districts. In this table, both cotton and wheat have 21 Representatives. This survey was conducted in collaboration with Professor Salisbury, Washington University. The production rankings were computed from the county-unit data of the 1954 Census of Agriculture. The table shows the party affiliation of the Representatives of those districts in the 85th Congress, 2d Session (1958). Survey on file at Department of Political Science, Washington University, St. Louis. Cf. Jones, supra note 75, at 360.

85. It should be remembered that the great corn producing areas (and thus congressional districts) are largely coterminous with the great hog producing areas. Therefore, the preferences of their Congressmen for less controls may reflect their livestock producing interests; see note 30 supra and accompanying text. The fact that corn has not had a serious oversupply problem until relatively recently may also help to explain their lack of enthusiasm for control and support programs; see U.S. DEP’T OF AGRICULTURE, AGRICULTURAL STATISTICS 1960 at 33, Table 44 (1961). However, those farmers who raise corn for “cash grain” (i.e., they sell much more corn than they buy) have favored price supports; Interview with Walter Geoppinger, President, National Corn Growers’ Association, at Boone, Iowa, Sept. 1, 1960.

While there are also cross-pressures on dairymen, it has generally been in the interest of Republican dairy Congressmen to oppose the general farm price support programs because dairymen are feed consumers, and because they have other, special legal advantages, outside of the price support laws; see Pennock, Party & Constituency in Postwar Agricultural Price-Support Legislation, 18 J. Politics 167, 186-87 (1956); but see the reversal of position of dairy interests in 1958, when their own programs were threatened, Farm Journal, March 1958, p. 8. See also sources cited at note 59 supra.
because their products compete. Party regularity on congressional votes is, therefore, often consistent with the following of constituency interests.

Indeed, the nature of the particular crop interests within each party probably determines the party's agricultural policy. The case of wheat is instructive. Although one would expect wheat farmers to be aligned with the Democrats because wheat has a chronic problem of oversupply, of the top 20 wheat districts, 14 have Republican Congressmen. However, these Republicans are a substantial portion of those few party members who occasionally stray from the official party position and vote for the Democrats' programs. Furthermore, the Democrats have been making substantial gains in wheat districts

86. 104 Cong. Rec. 18862 (1958) (remarks of Representative Andersen). Midwestern corn, dairy, and soybean fats and oils compete with cottonseed oil; see note 28 supra and accompanying text. Land diverted from cotton production under control programs may be used to produce feed grains and livestock, in competition with Midwestern livestock men; see notes 36-39 supra and accompanying text; and therefore, Midwestern interests have tended to oppose high support and strict control programs for cotton. At the same time, Southerners have opposed high support and tight control programs for Midwestern crops, since the South has been moving into the production of corn, meat, dairy, and poultry products and would not want history-based allotments to prevent further movement; see Hadwiger, Discussion, in GOALS & VALUES IN AGRICULTURAL POLICY 231, 234 (Iowa State ed. 1961). There has also been some conflict between the two regions over the allocation of the agricultural budget, especially Soil Bank funds; see note 42 supra and accompanying text; cf. 104 Cong. Rec. 18862 (1958).

87. Furthermore, it is arguable that when the constituency interests within a party are less homogeneous, there will be less party regularity or "partisanship" on the vote. Since the Democratic Party has gained many new Congressmen in the Midwest feed grain producing areas, see 14 CONGRESSIONAL QUARTERLY ALMANAC 737-38 (1958), and since livestock production has become increasingly important in the Southern states, Johnson & Bachman, Recent Changes in Resource Use & In Farm Incomes, in PROBLEMS & POLICIES OF AMERICAN AGRICULTURE 9, 19 (Iowa State ed. 1959); Hadwiger, supra note 80, at 234, these conflicting crop interests within the Democratic Party have caused it to display less solidarity. At the same time, since the Republican policies have caused them to lose seats in areas with high farm price support interests, see 14 CONGRESSIONAL QUARTERLY ALMANAC 737-38 (1958), the elimination of these dissident elements from the Republican congressional delegation has caused that Party to display an increased percent of party regularity. Thus, on the wheat bills in 1959 and 1960, the two parties divided as follows:

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<tr>
<th></th>
<th>Democrats</th>
<th>Republicans</th>
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<tr>
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<td>Yea  Nay</td>
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<td>1959</td>
<td>117  63</td>
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<td>1960</td>
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15 CONGRESSIONAL QUARTERLY ALMANAC 368-69 (1959); 16 CONGRESSIONAL QUARTERLY ALMANAC 456-57 (1960). It is true that a large number of the Democratic dissenters came from urban districts, but this may merely reflect the fact that farm interests within the Democratic Party were not sufficiently united to apply effective pressure.

88. E.g., on the 1959 Democratic wheat bill, of the 12 Republicans who opposed their party's position and voted for the bill, 10 were from big wheat producing states; North Dakota, South Dakota, Colorado, Nebraska, Iowa, Kansas, Wisconsin and Minnesota (the 2 others were Bennett of Michigan and Springer of Illinois, both of whom are often
in recent years. In wheat therefore, the crop, not the party interest seems dominant. The two available studies on the problem support a generalized statement of this conclusion. A study of several roll calls on price-support bills during the period 1949-1955 found that Congressmen followed constituency interests to a greater degree than party. And a more recent study concludes that the pull of party as compared with constituency influences is even less strong in congressional committee maneuvering than it is in final roll call votes on the floor. In the agriculture committees, where most of the important compromises between crop interests must be worked out if a bill is to succeed, the unifying effect of party discipline is weaker, and loyalty to narrow crop interests is greater. There the impasse in agricultural policymaking has its roots.

National Farm Organizations

National farm organizations represent broad segments of the farm population, and therefore each includes many crop interests. The oldest and largest of these organizations are the American Farm Bureau Federation (AFBF), the National Farmers Union (NFU), and the National Grange. More recently the National Conference of Commodity Organizations and the National Farm Organization have been formed. The two organizations most influential politically, the AFBF and the NFU, have consistently been at odds on agricultural policy. But, as with the two parties, this conflict may be

mavericks on farm support bills); see 15 CONGRESSIONAL QUARTERLY ALMANAC 368-69 (1959).

In the 1956 House vote on the conference report on H.R. 12, providing mandatory supports at 90% of parity, 48 Republicans voted in favor, while 146 opposed. Among the 48 voting in favor were the entire, all-Republican congressional delegations of the states of North Dakota, South Dakota, Iowa, and Nebraska. In addition, the entire delegations, Republicans as well as Democrats, of the states of Colorado, Kansas, and Minnesota favored the bill, with the exceptions of Judd of Minnesota and Scrivner of Kansas. See 12 CONGRESSIONAL QUARTERLY ALMANAC 194-95 (1956).

See Pennock, supra note 85, at 174-75.
89. See, e.g., the interpretation of the 1958 congressional election results in 14 CONGRESSIONAL QUARTERLY ALMANAC 737-38 (1958); and the 1960 election of Democrat Quentin Burdick to the U.S. Senate from North Dakota, 18 CONGRESSIONAL QUARTERLY WEEKLY REPORT 1047, 1139, 1308 (1960).
90. Pennock, supra note 85, at 202, 209-10.
91. Jones, supra note 75, at 367 [Conclusion 1, C, (2)].
95. Talbot, Farm Organizations & the National Interest, 331 Annals 110, 112 (1960); Soth, Farm Policy, Foreign Policy, & Farm Opinion, 331 Annals 103, 109 (1960); see N.Y. Times, April 4, 1961, p. 27, cols. 5-8.
96. Talbot, supra note 95, at 112-14.
explained in terms of crop interests. Most crops affiliated with the AFBF—livestock, corn-livestock, and big cotton—would be benefitted by Republican free market policies, while the dominant crop interest in the NFU—wheat—depends on price support programs advocated by the Democrats. The conflicts among crops within each organization are less pronounced than the crop-based conflicts between the two organizations. Paradoxically, consistency in the policy positions expressed by the leaders of each organization may be a result of the multiplicity of internal conflicts. Since none of the many factions are strong enough to challenge the national leadership, entrenched organization spokesmen are usually able to disregard with impunity the objections of individual crops. While the dissidents are free to resign their membership, they rarely do so because of fringe benefits such as cheap insurance, cooperative buying and marketing, and social and educational programs.

As in those even larger conglomerations of interests, the major political parties, there is much evidence that the pronunciamentos of the national offices of the major farm organizations carry as much weight as the particular crop interests that they benefit, and no more. State Bureaus of the AFBF often appear at congressional hearings to oppose the position of the national organization when it conflicts with the interests of crops in their own states. But, even stronger evidence of the importance of particular crop interests as opposed to the organizational entity can be found in the experience of the National Conference of Commodity Organizations (NCCO). The NCCO, a confederation of existing single-crop organizations such as the National Milk Producers Federation and the Association of Virginia Peanut and Hog Growers, was formed in 1957 in reaction to the impasse on farm legislation. The idea was that through a series of compromises by the member crop organizations, a single bill, agreed to by all, could be presented to Con-

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98. Ibid.
99. The president of the AFBF, discussing the objections of their tobacco growing members to an AFBF policy position, said, "We are able to outvote them"; see interview with Charles Shuman, July 1, 1959; cf. Christenson, THE BRANNAN PLAN 144 (1959). See also McConnell, THE DECLINE OF AGRARIAN DEMOCRACY 80-81 (1953).
100. Interview with Earl C. Smith, former president of Illinois Agriculture Association (the State Farm Bureau), and vice-president of the AFBF, at Detroit, Illinois, April 1957.
102. See sources cited at note 94 supra; NCCO, list of attendance, September 25-26, 1957 (mimeo).
gress in 1958.\textsuperscript{103} Many of the interests of member crops, however, conflicted with each other.\textsuperscript{104} Since each member got less than it wanted, all had a general reluctance to press the final bill on the Congressmen with whom they had special influence.\textsuperscript{105} The bill failed,\textsuperscript{106} as did the NCCO a year later,\textsuperscript{107} demonstrating not only the dominance of narrow crop interests, but also the intensity of conflict among them.

\textit{Economic and Political Change}

The politics of agricultural policy-making has not always been so complex a process of particularized, but vigorous conflict among many small, but adamant farm interest groups. In 1921, Congressmen representing a broad range of agricultural interests, and including members of both parties, joined together in the “Farm Bloc,” a formally organized group bent on securing federal laws to alleviate the agricultural depression which had followed World War I.\textsuperscript{108} In spite of some conflict within the bloc,\textsuperscript{109} it functioned with increasing success. In the early '20s it achieved the passage of several laws designed to loosen farm credit, and lower the freight rates for transporting crops to market.\textsuperscript{110} Later, with the McNary-Haugen bills, the bloc attempted to secure more direct support for low farm incomes.\textsuperscript{111} This movement culminated in the passage of the first Agricultural Adjustment Act during the early New Deal.\textsuperscript{112} In the later '30s and early '40s, farm bills continued to

\textsuperscript{103} Ibid.
\textsuperscript{104} Interview with E.M. Norton, President, and Patrick B. Healy, Secretary, of the National Milk Producers Federation, leading organizers of NCCO, June 22, 1959.
\textsuperscript{105} Ibid.
\textsuperscript{106} Ibid.; 14 CONGRESSIONAL QUARTERLY ALMANAC 271-72 (1958).
\textsuperscript{107} Mr. Norton said, “We are making no attempt to revive the organization”; Interview, supra note 104.
\textsuperscript{108} The Bloc was organized at a meeting of six Democratic and six Republican Senators in the Washington offices of the American Farm Bureau Federation on May 9, 1921. It was later enlarged to include twenty-two Senators. CAPPER, THE AGRICULTURAL BLOC 9-11 (1922).
\textsuperscript{109} The membership and the lines of organization were relatively definite and formal. Senator Kenyon was the recognized leader, and when he went on the federal bench a year later, he was succeeded by Senator Capper. KILE, THE FARM BUREAU THROUGH THREE DECADES 109-10 (1948). A similar group existed in the House, but it was somewhat more loosely organized. CAPPER, supra at 12; BENEDICT, FARM POLICIES OF THE UNITED STATES, 1790-1950 at 182 (1953); but see KILE, supra at 101.
\textsuperscript{110} CAFFER, op. cit. supra note 108, at 148-49.
\textsuperscript{111} Id. at 157-60; see Hibbard, Legislative Pressure Groups Among Farmers, 179 Annals 17, 19 (1935); BENEDICT, FARM POLICIES OF THE UNITED STATES, 1790-1950 at 199 (1953); KILE, THE FARM BUREAU THROUGH THREE DECADES 102-03 (1948).
\textsuperscript{112} See Black, The McNary-Haugen Movement, 18 AM. ECON. REV. 268, 271, 405, 410-11, 427; SCHLESINGER, CRISIS OF THE OLD ORDER 110 (1957). For the votes on the 1927 bill, see 5 CONGRESSIONAL QUARTERLY ALMANAC 108 (1949); for the 1928 votes, see 69 CONG. REC. 6283, 7771-72 (1928).
\textsuperscript{113} 5 CONGRESSIONAL QUARTERLY ALMANAC 108 (1949); see note 1 supra and accompanying text.
sweep through Congress, with the bloc managing to secure favored treatment for agricultural commodities in the Price Control Act of 1942—even in the face of opposition from a wartime President who had party majorities in both houses.

Today, however, there is no farm bloc. Instead, there is intense conflict among farm Congressmen, reflecting the concerns of the presently dominant, narrow, particularized interests. Two reasons for this change are suggested.

First, the original goals of the bloc were modest and conservative—perhaps even palliatives designed to head off the more radical demands of some farm groups. And its early successes were facilitated by the non-controversial nature of the bills. As the depression became even more widespread and severe, common privation created near consensus on the necessity of doing something. After Congress had responded to these relatively non-controversial demands by adopting a program of production control and price support, and after increased income had made many crop interests less desperate, the relevant issues concerned how individual crop, variety, or area interests would be treated in subsequent legislation. When all interests are losing money it is comparatively easy for them to unite, but as their condition improves they may begin to feel they can afford the luxury of internal conflict.

Second, the rapid technological change in agriculture in recent years has also contributed to the change in the pattern of conflict in farm politics. Chemists have provided improved fertilizers, dusts, and sprays; biologists have developed new hybrids, serums, and artificial insemination techniques; and engineers have designed new machines and irrigation methods. Al-

113. Id. at 103-04.
114. Id. at 102, 110, 112; Hardin, Farm Price Policy & the Farm Vote, 37 J. FARM ECON. 601, 604 n.9 (1955).
116. Ibid.
117. SHANNON, AMERICAN FARMERS' MOVEMENTS 85-86 (1957).
118. Ibid; see also BENEDECT, op. cit. supra note 110, at 181, 198. Many of the original farm bloc's bills passed by such large margins as to suggest that they were, in fact, non-controversial; see CAPP, op. cit. supra note 108, at 159-60.
119. See, e.g., Jennings & Sullivan, Legal Planning for Agriculture, 42 YALE L.J. 878, 917-18 (1933); Soth, Conflicts in Farm-Price Policy, 9 ANTIOCH REV. 60, 61 (1949).
121. For a more generalized statement on the relation of technological change to political change, see TRUMAN, THE GOVERNMENTAL PROCESS 502 (1955).
122. See Calvert, Technological Revolution in Agriculture, 1910-1955, in 30 AGRICULTURAL HISTORY 18, 19 (1956); for the most recent data, see U.S. DEP'T OF AGRI-
though natural conditions of terrain, climate, soil type, and access to markets lead different areas to specialize in different crops to some extent, these recent technological innovations have accelerated the process of specialization. Since it is expensive, and usually inefficient for a farmer to acquire the machinery and skills necessary to raise each of several crops, the farmers in each region have concentrated on the few crops best suited to that land, adopting only as much of the new technology as those crops require. Therefore, any given region is now likely to contain fewer crop interests than was the case when agriculture was less specialized. Since political representation is allocated geographically, each Congressman now has fewer interests in his district than formerly. This limits his concern to a narrower range of interests. Moreover, the localization of particular crops means that there is less overlap of interests among the several congressional districts. Consequently, less common ground exists among the Congressmen to form a basis for compromise, and all the economic conflicts within agriculture are able to obtain political expression. In addition to specialization, dividing the old farm bloc into many narrow factions, technological innovation has also changed the configuration of farm interests by creating several entirely new interest groups, not previously contained by the bloc. Such new interests may occur through the introduction of a new crop or variety, which changes the interest of an old farming area, or through technological changes which open a new area to agriculture. Thus, in its several ways, technological change has produced a proliferation of farm interests.

**IMPASSE**

This proliferation of interests within agriculture has created a stalemate on farm policy. Congressional procedures are such that a concerted minority interest can usually block action distasteful to it through various obstructive tactics, if the interest has sufficient access to strategic points in the legislative process. Many farm interests have access through the agriculture committees, without whose approval no farm bill is likely to be adopted. The proliferation of interests has meant that there are now many groups, each

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124. See, e.g., the case of grain sorghum, 104 Cong. Rec. 16452 (1958) (remarks of Representative Harvey); N.Y. Times, Nov. 12, 1961 (Financial), p. F1, col. 5.
125. See, e.g., the introduction of new, long-staple cotton into the Southwest through improved technology, notes 43-51 supra and accompanying text.
126. See Talbot, *Farm Legislation in the 86th Congress*, 43 J. Farm Econ. 582, 595, 605 (1961).
127. *Id.* at 585-90.
trying to obstruct the others’ programs. The sum of all these obstructionist tactics has been impasse.

The AFBF Plans

The fate of some recent proposals of the American Farm Bureau Federation (AFBF), the largest, most influential farm organization, illustrates this impasse. In an effort to achieve its general goal, reliance on free market forces to solve the ills of agriculture, the Farm Bureau has suggested, as a first step, the lowering of price support levels.\textsuperscript{128} To accomplish this the AFBF advocates abandonment of programs tying support levels to a "parity" concept.\textsuperscript{129} Instead, the AFBF would peg the level of price supports at a given percentage (probably between 75 and 90) of the average market price of the crop over the three preceding years.\textsuperscript{130} In addition, acreage restrictions would be removed.\textsuperscript{131} The Farm Bureau argues that such rolling-three-year average supports would, by approximating free market prices, effect a more efficient allocation of resources, yet insure that possible price declines would be gradual.\textsuperscript{132} More recently, the AFBF has advocated a "crop land adjustment" program as an alternate path to freer markets.\textsuperscript{133} Under this plan, the government would rent from farmers, on the basis of competitive bids, a predetermined number of acres which would then be removed from production entirely.\textsuperscript{134} Price supports and acreage restrictions would be eliminated.\textsuperscript{135} Participation in the program would be voluntary, and except for the land idled, resources would be allocated by free market forces.\textsuperscript{136} But the blow to those hardest hit by this change would be somewhat softened: presumably, those farmers who were able to make the least profit from their acres would offer them to the government at the lowest price. And to the extent the idling of land lessened the production of these low value, super-abundant crops, it would benefit the lower cost farmers still producing them by raising their prices.

\begin{footnotes}

\textsuperscript{128} See, \textit{e.g.}, Wall Street Journal, Dec. 5, 1961, p. 17, cols. 2-3; Nation's Agriculture, Jan. 1962, p. 8.

\textsuperscript{129} \textit{14th CONGRESSIONAL QUARTERLY ALMANAC} 272 (1958); Nation's Agriculture, Jan. 1962, p. 7.

\textsuperscript{130} \textit{Ibid.}; Interview with Charles Shuman, President of AFBF, July 1, 1959.


\textsuperscript{132} Interview with Charles Shuman, President, AFBF, July 1, 1959; Interview with Roger Fleming, Secretary-Treasurer, AFBF, July 8, 1959. The price declines would be gradual since market prices in the past were supported by supply control operations. Even in the second year under the system, two-thirds of the rolling three year average supports would come from the period of supported pricing. Thus, not until the fourth year of the program would the average be entirely composed of prices set under a free market system—and, whenever the system was used it would insulate the farmer from a precipitous decline in any one year.


\textsuperscript{134} \textit{Ibid.}

\textsuperscript{135} \textit{Ibid.}

\textsuperscript{136} \textit{Ibid.}
\end{footnotes}
However sound these proposals may be from an economic standpoint, their political appeal is slight. Two major interest groups would benefit. Interests such as livestock producers and food processors which consume supported products would benefit from the elimination of price supports. And interests in new areas, having no history of production, would benefit from the elimination of acreage restrictions. But ranged against these interests would be all groups whose crops are currently supported. Supports and restrictions are particularly important in such super-abundant crops as wheat. The present system is also very important to growers who have acquired a history of production. And, of course, all those interests which would suffer from abandonment of the present system oppose the AFBF proposals.

The Brannan Plan

In a sense, the plan sponsored by Charles F. Brannan, President Truman’s Secretary of Agriculture, was also directed at the establishment of free markets in agricultural commodities. But the Brannan Plan was opposed by many of the same interests which now support the Farm Bureau’s movements in that direction. The contradiction is more apparent than real. Although Brannan would have allowed the total production to sell at whatever price it would bring on the free market, thus eliminating storage costs, his Plan imposed such a strict system of production controls that it has become a political symbol of the very antithesis of a free market. In addition, if any decreases in farmers’ net incomes occurred under free market pricing in spite of the restrictions on supply, the Brannan Plan called for “compensatory payments” to the farmers. In other words, the Plan would have directly

137. One study estimated that if restrictions were removed and price supports lowered to levels that would permit an orderly reduction in wheat surpluses over a 7 to 10 year period, net cash receipts would have decreased 60% to 75% by 1965 from the 1955-57 level. S. REP. No. 77, 86th Cong., 2d Sess. 28-29 (1960). The report was prepared by the technical staff of the U.S. Dept of Agriculture in conjunction with Dr. W.W. Wilcox, Library of Congress, and the Land-Grant Colleges Interregional Technical Advisory Committee on National Policies for Agricultural Prices and Income (usually called IRM-1, not because it means anything, but because nobody can remember the full name).

138. See notes 43-55 supra and accompanying text.

139. Mr. Brannan, a lawyer, started his career as an attorney for the Resettlement Administration in the mid ’30s, and worked his way up through the ranks. He is now General Counsel of the National Farmers Union. Interview with Hon. Charles F. Brannan, at NFU Annual Convention, in Springfield, Illinois, March 17, 1959.


141. See Soth, op. cit. supra note 140, at 15.

supported farmers’ incomes, while only indirectly supporting their prices through production control. Since many different factors affect farm income, making it difficult to determine how much the new program had decreased each farmer’s net revenues, and thus how much compensation he was entitled to, the Plan proposed to base payments on the difference between the prevailing market price for each bushel the farmer produced and the legislated "parity" price.\textsuperscript{143} But this made the size of the payments dependent on the size of the output, necessitating strict planting restrictions to minimize surpluses, raise prices, and avoid great costs to the government.\textsuperscript{144} As another measure to reduce the cost of the programs, and to encourage the “family farm” size of productive unit, the Plan limited the total amount of compensatory payments to any one farmer.\textsuperscript{145}

While the Brannan Plan received some support from lower-income farm groups, from the most severely distressed crops (like wheat) to whom it offered a port in a storm, and from labor unions who apparently hoped that the free market pricing would result in cheaper groceries, the opposition was more than enough to overwhelm it.\textsuperscript{146} In fact, the Plan was caught in a cross-fire because it had both free market and production control aspects. Livestock farmers, as consumers of supported commodities, feared that the strict acreage restrictions would drive up prices. Processors opposed the production controls which would reduce their volume of business. And, new producing areas were opposed to these history-based allotments for the same reasons that they oppose the present ones. Big farmers, generally, argued that the tight controls, the direct support of incomes by government, and the limitation on the amount of payments to any one producer which would give proportionately fewer benefits to larger farmers, all added up to “socialism.”\textsuperscript{147}

At the same time, the Plan was opposed by many of the interests that favor high price supports.\textsuperscript{148} The producers presently receiving price supports were afraid that the acreage restrictions would not be sufficient to keep prices up, necessitating very large payments to give them full compensation, and that the growing urban power in Congress would prevent the continuation of substantial appropriations for these purposes.\textsuperscript{149} Furthermore, corn and small

\begin{footnotesize}
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\item 143. See Christenson, \textit{The Brannan Plan} 34-35 (1959); Benedict, \textit{op. cit. supra} note 140, at 485.
\item 144. See Benedict, \textit{op. cit. supra} note 140, at 486.
\item 145. \textit{Id.} at 487; Christenson, \textit{op. cit. supra} note 143, at 39-40, 70-71.
\item 146. See Salisbury, \textit{supra} note 142, at 216-17; SotH, \textit{op. cit. supra} note 140, at 15-17; Christenson, \textit{op. cit. supra} note 143, at 163.
\item 147. See Salisbury, \textit{supra} note 142, at 216-17; SotH, \textit{op. cit. supra} note 140, at 15, 145; Christenson, \textit{op. cit. supra} note 143, at 87-88.
\item 148. See McConnell, \textit{The Decline of Agrarian Democracy} 142 (1953) (quoting 74 \textit{Wallaces' Farmer & Iowa Homestead} 886 (1949); Christenson, \textit{op. cit. supra} note 143, at 163.
\item 149. This was thought to be especially likely since direct payments would make the extent of the subsidies much more obvious than do price supports; see Christenson, \textit{op. cit. supra} note 143, at 38, 80; Salisbury, \textit{supra} note 142, at 217.
\end{enumerate}
\end{footnotesize}
feed grain interests feared that if the price of wheat dropped, wheat would compete with them as animal feed. These interests made a prediction about the results of the Plan on farm prices which was the exact opposite of that made by the consuming interests, but the two conflicting groups shared a common fear of the new, untried scheme.

Proposals of University Economists

Many economists have suggested the desirability of ultimate return to a free market system. Of course these proposals would meet the same opposition as the AFBF plans, unless they contained more appealing transitional schemes. Some economists, however, do not seem to take the political requisites of success into account. In his “Forward Pricing” plan, for example, Professor D. Gale Johnson would rely primarily on the free market, but would moderate its effect by requiring the government to estimate and guarantee probable free market prices before farmers made production decisions. Like the AFBF plans, “Forward Pricing” would seem subject to fatal objections. To the extent super-abundant crop interests believe the government will accurately predict free market prices, they will fear precipitous price declines. Eleven years after proposing his plan, Professor Johnson noted that he had not observed “any substantial political support” developing for it. Another economist, Professor Hendrik S. Houthakker, has recognized the necessity of “appeal to agricultural interests in Congress,” but his plan seems to lack such appeal. To ease the transition from price supports and acreage restrictions to free markets, Professor Houthakker would have the government make payments to farmers based on the number of acres they normally have in production of crops which had been supported. It seems doubtful, however, that this compensation would mollify the large number of interests presently benefitting from government programs since the payments would be very modest and would decline in succeeding years.

150. See note 29 supra and accompanying text.
152. See N.Y. Times, Feb. 1, 1962, p. 14, col. 2 (President’s Agricultural Message to Congress); note 137 supra and study cited.
153. Johnson, supra note 151, at 130.
155. Id. at 64-65.
156. Id. at 64-66. The political flaw is summed up by Houthakker himself. While reassuring the reader that he is aiming toward an absolutely free market, and that his program would be only a transitional measure, he concludes with a particularly unfortunate metaphor: “The appeal of this proposal ... is to those who ... recognize the wisdom of tempering the wind to the shorn lamb.” Id. at 66. If you inform the sheep that they are about to be shorn, you can hardly expect them to behave like lambs, or to stand still while you fleece them.
The "Do-It-Yourself" Plan

Since all of the various farm interests, or even a working majority of them, cannot agree on an overall approach to the farm problem, the Kennedy Administration's first proposal was a system whereby each crop could write its own program. The Secretary of Agriculture would appoint a committee representing the producers of the crop to draw up a plan. If approved by the Secretary, and two-thirds of the crop's producers voting in a referendum, the plan would become law unless Congress vetoed it within 60 days. Quite apart from the objection that a myriad of crop programs working at cross purposes would make no economic sense, this Kennedy "do-it-yourself" plan was killed for good political reasons. Congressmen who had achieved seniority in the agriculture committees were unwilling to relinquish their personal power to shape farm legislation; and the particular interest groups they favored were unwilling to have them relinquish it. Moreover, competing crop interests feared that while they might be able to work out delicate compromises with other interests in the normal legislative process, under the do-it-yourself plan they would be presented with a fait accompli; they would then have to muster enough power in Congress to overturn this program within 60 days. This first Kennedy proposal died in committee.

Prognosis

Given the proliferation of narrow, conflicting interests within agriculture, can any politically feasible program be designed to achieve decreased agricultural production? The passage of the 1961 Emergency Feed Grains Bill indicated that some changes can be made. This program offered feed grain producers higher price supports in return for 20% acreage reductions. In addition, if the land taken out of production of feed grains was not planted in other crops, the government paid a rental for it, either in cash or in grain. To further induce participation in the plan, the Secretary of Agriculture was authorized to sell government stocks of feed grains at less than

157. See N.Y. Times, March 17, 1961, p. 1, col. 6. This proposal was similar to one element of the Poage Bill, which had been defeated in 1960; see Talbot, Farm Legislation in the 86th Congress, 43 J. Farm Econ. 582, 595 (1961).
159. Ibid; adverse action by a majority of either house would prevent its adoption. The bill was later amended to provide that the plans be placed before Congress for the 60 day period before the referendum of farmers was held; N.Y. Times, April 18, 1961, p. 22, cols. 3-4.
164. Id. at p. 15, col. 3.
the support price, to depress the prices on the open market where non-participants would have to sell. 166

Although the Emergency Feed Grains Bill has received strong criticism, the present trend seems to be toward trying to achieve more satisfactory results within the framework of the old high supports and tight controls approach. Critics have argued that the controls have not really been effective; farmers have always found a way to increase output on the acres remaining in production. 167 The Administration has answered that, in spite of this, their program last year effected the first reduction in feed grain supplies since the end of the Korean War. 168 And their opponents have replied that this decrease was purchased at too great a cost. 169 To an extent, the Kennedy Administration would agree with these critics. Therefore, in his recent farm message to Congress, the President proposed to make controls more effective by applying them directly to the amounts the farmer sells, as well as to the number of acres he plants, through a system of "marketing quota certificates." 170 These stricter controls have already received opposition from those interest groups that oppose the present systems of control—the consumers of supported commodities, the processors whose volume of business would be reduced, and the growers of supported crops in new producing areas (since allocation of certificates would also be based on production history). 171 In addition, the marketing quota controls may be opposed by some of the interests that support the present system of acreage limitation. The very ineffectiveness of the present controls has made it possible for many producers of supported crops to avoid severe cut-backs in production, thus allowing them to make great profits at the prevailing, relatively high level of price supports. 172 However, since these farmers have been in the forefront in advocating the support and control approach, it would be very awkward for them to oppose an attempt to make such a system really work. In spite of the opposition to tighter controls, many observers believe there is a good chance Congress will adopt

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166. N.Y. Times, March 10, 1961, p. 15, col. 3.


169. Id. at p. 1, col. 1; p. 17, col. 2.


Professor Willard Cochrane, formerly of the University of Minnesota, now chief economic adviser to Secretary Freeman, suggested this sort of program in a book some three years ago; COCHRANE, FARM PRICES 168-78 (1958).


172. See, e.g., the prediction that dairy farmers might oppose tighter controls since, "Thanks to the Government's open-end purchasing commitment and to increased price-support rates, this clan has been faring pretty well." Wall Street Journal, Dec. 13, 1961, p. 1, col. 1; and the observation that such opposition is beginning to take shape; N.Y. Times, Feb. 19, 1962, p. 18, col. 1.
the certificate plan for wheat, where the oversupply problem is very serious.\textsuperscript{173} Such a program is favored by the National Farmers Union, the National Association of Wheat Growers, and the National Grange.\textsuperscript{174}

When the same farm interests control both the legislative and the executive branches of government, there is a greater possibility of enacting changes in farm policy. Since there is a broad correlation between commodity interest and party affiliation,\textsuperscript{175} to that extent, innovation will be more likely when the same party controls both branches. During the first two years of the Eisenhower Administrations, the Republicans also controlled Congress, and Republican farm interests were able to switch the level of price supports from a "rigid," 90\% of parity, to a "flexible" (and lower), sliding scale.\textsuperscript{176} During the next six years, after the Democrats gained control of Congress, the President vetoed several bills that reflected the Democratic configuration of farm interests,\textsuperscript{177} and Congress refused to pass several measures reflecting Republican interests which were supported by the Agriculture Department.\textsuperscript{178} The fact that the Democrats now control both branches does not guarantee that change will be easy to secure, however. Republican-oriented farm interests, like any determined minority having access to strategic points in the legislative process, will often be able to prevent the passage of new legislation obnoxious to them, although they might not have sufficient power to secure positive gains for themselves. And, there is enough diversity of crop interest within the Democratic Party to cause serious intra-party conflict.\textsuperscript{179} Moreover, this crop conflict divides the congressional and Presidential wings of the Party somewhat: the Southern crops control the congressional machinery,\textsuperscript{180} and the Northern-wheat-National Farmers Union interests dominate the Department of Agriculture.\textsuperscript{181} It is clear, however, that any change which is to be enacted must at least come within the limitations imposed by the broad aggregate of Democratic farm interests—which is to say that it must come within the system of supports and history-based controls.\textsuperscript{182} Therefore, it seems, the most attractive prospect available is to make these programs as

174. Ibid.
175. See notes 84-87 \textit{supra} and accompanying text.
176. \textit{10 Congressional Quarterly Almanac} 100 (1954).
177. See, \textit{e.g.}, \textit{12 Congressional Quarterly Almanac} 387 (1956); \textit{15 Congressional Quarterly Almanac} 238-41 (Wheat Bill), 242-43 (Tobacco Bill) (1959).
178. See, \textit{e.g.}, \textit{12 Congressional Quarterly Almanac} 94 (1956); \textit{15 Congressional Quarterly Almanac} 94 (1959).
179. See note 87 \textit{supra}.
181. Secretary Freeman is a former Governor of Minnesota; see also the large number of NFU men appointed to high Department of Agriculture posts; N.Y. Times, March 5, 1961, p. 50, cols. 1-2.
182. See notes 84-87 \textit{supra} and accompanying text.
effective as possible in controlling supply; by raising the market price above support levels, this would minimize the amount of produce the government would have to absorb and the amount of payments the government would have to make.

No great changes can be expected in farm policy until there has been a substantial realignment of interested groups. This need not require an alteration of farm interests. A significant increase in the activity of non-farm interests on agricultural legislation might effect revision. An aroused consumer public, for example, could secure major reforms of the programs. But in politics the participants appear to observe a rule similar to the legal doctrines of standing, or sufficiency of interest. Unless they are more directly involved or have a more immediate interest in the issue at hand than do all the members of the public, they take little part in the controversy. Since grocery bills are commanding smaller and smaller shares of the household budget, it is especially unlikely that the public will become sufficiently aroused to effect a major change. Furthermore, the complexity of agricultural problems makes it peculiarly difficult to develop any broad public opinion informed enough to be influential.

It is also unlikely that the immediate future will bring enough change in the configuration of farm interests to produce major innovations in policy. Technological advance has created many smaller and more specialized interest groups—and, in many cases, the interests of these groups conflict. Therefore, power has been fragmented. There is now no bloc with sufficient power to move policy in any one direction. Moreover, the multitudes of narrow interests generate multitudes of narrow issues, which are likely to be highly technical. The bills sometimes become so complicated that even the

183. See Tolley, The Administration's Score on the First Round, 43 J. Farm Econ. 1032, 1036 (1961). Although urban newspapers occasionally publish an editorial attacking the programs; see N.Y. Times, March 12, 1961, p. 10E, col. 2; city Congressmen, usually very sensitive to public opinion, still feel that it is safe to vote for bills that will aid the farm interests in their Party; interview with Hon. Victor Anfuso, U.S. Representative from Brooklyn, N.Y., former Member of House Committee on Agriculture, July 1, 1959; see also N.Y. Times, March 10, 1961, p. 1, col. 8; p. 15, cols. 1-3; N.Y. Times, April 9, 1961, p. 34, col. 3; especially if they can secure rural support for urban bills in return; see 104 Cong. Rec. 17634-35 (1958) (remarks of Representative Anfuso).


185. See notes 121-25 supra and accompanying text. Because of the interrelations among crop interests, the increase in the number of interests has produced an increase in the number of points of contact, and therefore of possibilities for conflict, among them; see KEY, POLITICS, PARTIES, & PRESSURE GROUPS 149 (3d ed. 1952).


187. See id. at 1027.
farm interests cannot discern how each of them would be affected.\textsuperscript{188} There is now more conflict, and it is more complex and particular. The result has been impasse in agricultural policy-making. It is likely to continue.

\textsuperscript{188} In 1960, Representative Hoeven, ranking minority member of the House Committee on Agriculture, opposed the passage of a farm bill, asking, "Does it make sense that we should in these last days of the session pass a bill which is so complex and so complicated that no one really knows how it will affect our agricultural economy?" 16 \textit{Congressional Quarterly Almanac} 331 (1960).