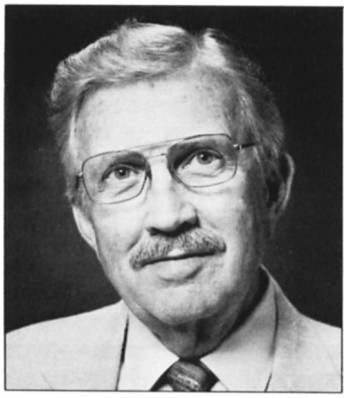

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Agricultural research is on trial

On March 12, 1984, in a small courtroom in Oakland, California, publicly supported agricultural research by the University of California was brought to a non-jury trial before an Alameda County Superior Court judge. In a complex landmark case that has been more than five years in preparation, California Rural Legal Assistance (CRLA) and Public Advocates, Inc. — both publicly funded bodies — contend that agricultural research and Cooperative Extension programs, as conducted by the University of California, violate a public trust and are in conflict with the federal Hatch and Smith-Lever Acts.

The plaintiffs' allegations of wrongdoing by the University are wide-ranging, but the basic assertion is that the Division of Agriculture and Natural Resources operates primarily for the benefit of large "agribusiness" in California to the detriment of other segments of society. It is specifically alleged that University research in the development of agricultural machinery and related projects has the purpose and effect of displacing farmworkers, causing the demise of the small family farm, causing deterioration in the quality of rural life, and creating more expensive, less nutritious food for consumers.

As relief, the plaintiffs seek a requirement that, as a precondition to undertaking any agricultural research, the University assess the social impact of the project, particularly on farmworkers and small farms, and submit research proposals to a committee of noninvolved persons for approval.

Rejection of the allegations of impropriety is based on easily demonstrated facts. Because most UC research is "size-blind," there is no size advantage for farmers in utilizing 95 percent of the information developed. As for machinery benefiting only large corporate-style farming, statistics reveal that there are more small farmers engaged in farming in California today than there were 20 years ago. The mechanization and other technological advances of recent decades have, in fact, helped small farmers persist in the face of rising costs and foreign competition. As for the alleged disadvantage for farmworkers, mechanical aids for harvesting and processing agricultural products have led to stabilization of and higher wages for the agricultural labor force, and the preservation of a number of agricultural activities in California that might otherwise have had to shut down completely.

When the Hatch and Smith-Lever Acts were adopted nearly a century ago, there was no question within the largely rural population that agricultural research and extension education by Land-Grant colleges were in the nation's best interests. Today, with the industrialization of U.S. agriculture and with less than five percent of the population engaged in producing this country's food and fiber, the "public" seems to have lost sight of the value of the agricultural enterprise. Availability of food at relatively low cost, the numerous job opportunities in the entire food-fiber production and marketing system, the unsurpassed U.S. agricultural productive capacity, freedom from dependence on agricultural imports for our basic food needs, and the availability of many of our agricultural products for foreign trade all coalesce to emphasize the unique position the United States enjoys among all nations in fulfilling the food and shelter needs of our people.

That the conduct of research now finds itself in a court of state law rather than in the federal legislative body is ironic. The only state law at issue is an alleged linkage to a public trust statute that governs gifts of public funds. We are confronted with the allegation that public funds yield exclusive benefits for a few large private agricultural business firms who make insignificant gifts to the University in return for the results of the research projects. This allegation fails to recognize the nature of the benefit and its distribution among producer, supplier, and consumer.

The social impact analysis of contemplated research called for by the plaintiffs would have a destructive impact on creativity and innovation in research. All research, whether in agriculture, engineering, physical science, medicine, the arts, humanities, or social sciences, has potential positive and negative impacts on societal values and structural configurations. The challenge to us as a people is not to stifle inquiry into the unknown, but to be wise enough to incorporate new knowledge into the fabric of living a better life within an organized society. Programs conducted by the Land-Grant Agricultural Experiment Stations and Cooperative Extension are undertaken on the assumption that an enlightened society will accept or reject findings and practices based on what it sees as being in its best interests.

The broadest participation in the benefits from a technologically based agriculture in the United States accrues to the consuming public. The national interests of the United States are served by supporting, through research, extension, and other actions, the efficient production, processing, and marketing of the products of agriculture.

The nation must pay attention to this case and its resolution. Future research for agriculture supported by public funds is in the hands of a Superior Court judge in Oakland. The outcome of this case may well rank in importance with the Morrill Land Grant Act of 1862, the Hatch Act of 1887, and the Smith-Lever Act of 1914.

Editorial note:

On April 18, Judge Winton McKibben, presiding judge of the Alameda County Superior Court, ordered a 30-day delay in the trial of CRLA vs. the University of California after Judge Spurgeon Avakian became seriously ill. A decision on whether a new judge will be assigned to the case is expected May 16.