

# Agricultural High Modernism and Land Reform in Postwar France

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*In the three decades following the Second World War, French farming was transformed. At Liberation in 1944, the vast majority of French farms looked as they had in the nineteenth century, but by the middle of the 1970s, France was the world's second largest exporter of agricultural goods. To achieve this rapid transformation, the French state pursued a high modernist program of agricultural industrialization. As part of this program, the state created a highly controversial land reform organization, the Société d'aménagement foncier et d'établissement rural (SAFER). Through focusing on a single case study that pitted a local community against the SAFER, this article demonstrates how the French state was able to engage farmers in a brutal war of attrition while simultaneously refusing to take full responsibility for the social consequences of its modernization mandate.*

**G**UY BILLON WAS A MODEL FARMER who embodied the agricultural ideal of postwar France. He worked a profitable 235-hectare farm in Burgundy, a parcel of land that he had taken over from his father and that he planned to pass on to one of his own three children. He was one of the lucky ones who had managed to continue farming through the 1950s, surviving the first wave of postwar state-mandated modernization that had already forced many to leave the countryside. He worked hard and was well respected by his neighbors in Sergines, a rural county in the Yonne. As a tenant farmer, however, he was vulnerable. When his lease was up in 1964, the owner announced plans to sell, and Billon was unable to come up with the asking price. Farmland in the Yonne, which lies in the fertile environs of the Paris Basin, was a highly sought-after commodity, and so the price was steep—over one million francs.

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When the Soyers, a farming couple from the outskirts of Paris, stepped in to acquire the farm for themselves, they invoked the wrath of the entire community. Protests were mounted, petitions were filed, shady local notaries tried to cash in, and through a series of lawsuits and appeals, a critical mass of concerned locals struggled to defend themselves against the long arm of the state.<sup>1</sup>

The shift to an industrialized agricultural system, designed to support an ever-expanding number of food consumers with an ever-diminishing number of food producers, is one of the most important developments of the modern era, and nowhere was this transformation effected so quickly and so thoroughly as in France. At the close of World War II, the agricultural sector was, for the most part, a backward relic of the nineteenth century. Yet by the mid-1970s, France had become the world's second largest exporter of agricultural goods. At the end of the 1980s, just 6 percent of the French labor force was still working in agriculture—compared with 33 percent at the end of the war.<sup>2</sup> Whereas one French farmer had fed seven people in 1960, a generation later, a single farmer was feeding forty.<sup>3</sup> A process that began in the United States at the turn of the twentieth century was delayed by fifty years, and yet, the French still managed to close the gap, becoming one of the world's leaders in agricultural trade.

The French story is exemplary in that the twentieth-century industrialization of food production was an endeavor that was undertaken by a wide variety of states, from communist China to capitalist Canada. Governments and international development agencies the world over restructured their farm sectors and achieved unprecedented gains in agricultural productivity. Many of the tools used to industrialize French farming were common to other efforts. The government offered subsidies to support major commodity crops. Extension services promoted new seeds and new techniques. The use of chemical inputs rose dramatically. Machines replaced human and animal power. Agricultural credit was made available to enterprising farmers.

What makes the French case anomalous, however, is the speed with which agriculture transformed. Other global powerhouses of twentieth-century agriculture—for example, the United States, Denmark, and Australia—started a slow and steady process of industrialization in the late nineteenth century. France, however, hid behind tariff walls and emerged from World War II with an agricultural sector that lagged well behind those of its more efficient neighbors. While the average French yield for grain was sixteen quintals per hectare at the end of the 1940s, it was as high as thirty in Denmark and

twenty-nine in Belgium (one quintal = one hundred kilograms). Statistics for other staple commodities, such as sugar beet and potatoes, were similar.<sup>4</sup> In less than thirty years, however, France caught up and became the breadbasket of the European Economic Community (EEC).

The French state was able to effect this large-scale transformation through a combination of sticks and carrots. While generous government aid was made available by way of early retirement subsidies for aging farmers, the state also routinely dispossessed farmers of their land and their livelihoods. As a process that drew on authoritarian models, the industrialization of French agriculture exhibits what anthropologist James Scott has termed “the ideology of high modernism.” In his seminal *Seeing Like a State*, Scott explores the history of large-scale, state-led social engineering projects. He begins with several histories of various states increasing their power by improving the legibility of their inhabitants and landscapes through population registers, cadastral surveys, and the standardization of weights and measures. Scott then goes on to examine several examples of how twentieth-century states manipulated this newfound power and legibility to realize high-modernist schemes (e.g., Soviet collectivization and postcolonial development in West Africa). According to Scott, the ideology underpinning these projects was rooted in technocratic expertise, rational planning, and a belief in linear progress.<sup>5</sup>

As historians of twentieth-century France well know, the French government created a vast state apparatus centered around the French Planning Office in the aftermath of World War II. Less known, however, is that this struggle to rebuild relied entirely on the transformation of the farm sector.<sup>6</sup> There could be no recovery, let alone growth, in the secondary and tertiary sectors without massive increases in agricultural efficiency and output. In an attempt to redeem itself after the German occupation and return France to its rightful place within the constellation of global powers, the French state turned to high-modernist, technocratic expertise and rational planning.<sup>7</sup> As Scott argues, high-modernist projects most readily emerge in times of political instability: war, economic depression, revolution.<sup>8</sup> In the aftermath of the German occupation and the collapse of the Vichy government, it was unclear how the French state would reestablish itself. As French historian Herrick Chapman has recently argued, the process of war reconstruction in France was not in fact realized until 1962 with the termination of the Algerian War and the solidification of the Fifth Republic.<sup>9</sup>

While high-modernist logic informed much of postwar agricultural policy, nowhere was it more forceful than in the realm of land use and proper-

ty rights. In 1960, the French state created the Society for Developing and Settling Rural Land (*Société d'aménagement foncier et d'établissement rural*, or SAFER), a semi-public organization tasked with overseeing the real estate market in agricultural lands. Endowed with the right to preempt sales and substitute itself for buyers on the open market, the SAFER prompted many critics to accuse the government of Soviet-style authoritarianism.<sup>10</sup> Large-scale land reform was associated with Mao's agricultural revolution and Stalin's collectivization. While the French state certainly did not engage in the same forms of violence as the Chinese and Soviet governments, it nevertheless ruthlessly pursued a program of land redistribution that abrogated individual property rights and restricted life choices for French citizens. The architects of French postwar planning conscripted farmers into a brutal war of attrition, one in which those who were strong enough to survive absorbed the assets of those who were not.

Scott argues that the high-modernist projects of the twentieth century shared four elements in common: 1) "an administrative ordering of nature and society"; 2) a high-modernist faith in "scientific and technical progress" and "the expansion of production"; 3) an "authoritarian state that is willing and able to use the full weight of its coercive power to bring these high modernist designs into being"; and 4) "a prostrate civil society that lacks the capacity to resist these plans."<sup>11</sup> Scott also notes that high modernism operated on a spectrum. Its most extreme manifestations (Soviet Russia and China) occurred in areas where there were no liberal-democratic institutions to resist the utopian visions of authoritarian leaders. France, of course, does not fall into this category. The governments of the postwar period were all beholden to a strong and active civil society. French farmers protested modernization plans repeatedly. Nevertheless, France achieved the kind of social and economic transformation that has generally been possible only under authoritarian regimes.

I would argue, therefore, that wholesale distinctions between "authoritarian" and "democratic" obscure the actual practices of postwar governance. State behavior is often inconsistent. At the turn of the twentieth century, the strongest liberal democracies in the world carved up the Global South in an imperialist frenzy. In the 1950s, the democratic Canadian government forcibly removed Aboriginal children from their communities in order to place them in boarding schools where they were routinely beaten and often died of mistreatment. In the same period, the United States launched a massive public-housing initiative that ultimately led to impoverished life outcomes for racial minorities. In other words, democratic states have consistently engaged in

authoritarian, high modernist behavior. The French state was democratically elected and answered to a strong civil society, but at the same time, it pursued a ruthless modernization program in its quest to boost economic performance and compete on the global stage.

The SAFER was the most extreme manifestation of this ruthlessness. A closer examination of its inner workings reveals the lengths to which the French state was willing to go in its pursuit of economic progress. As a high-modernist institution created by a democratic state and subject to robust public critique, the SAFER lays bare the contradictions of French agricultural modernization. While some farmers benefited from SAFER decisions regarding land use distribution, many others did not and were forced to retrain or retire. For the winners, the SAFER was a godsend, a capitalist carrot. For the losers, however, the SAFER was an authoritarian stick. The French National Archives are replete with letters from farmers addressed to the SAFER, the Ministry of Agriculture, and to the President of the Republic himself seeking recourse in the wake of what they deemed unjust decisions regarding land redistribution. But remedy was rarely granted.

The absence of remedy reveals the second contradiction that lay at the foundation of both the SAFER and agricultural modernization more broadly. The French state vaunted the positive outcomes of modernization while offloading responsibility for collateral damage to local authorities. This is the contradiction that lies at the heart of the Billon case. As the Soyers and the farmers of Sergines continued to pursue their interests through the French courts, it became abundantly clear that the French state had no interest in taking responsibility for the creation of a highly controversial institution that could abrogate property rights and put farmers out of business. Even though it had been constituted by the state and was subject to oversight from both the Ministry of Agriculture and the Ministry of Finance, the French government insisted that the SAFER was, in fact, a *semi*-public institution. This designation allowed the French state to distance itself from SAFER decisions and to dodge responsibility for the consequences of its cutthroat industrialization policies. So, when the community of Sergines rallied around Billon and challenged the state to provide a remedy to his situation, the state replied that the workings of individual SAFER offices were the responsibility of local officials and not of the state administration that had created the organization in the first place. The Billon Affair, as it came to be called, reveals that the French state was more than happy to take credit for the economic growth that result-

ed from agricultural modernization while sidestepping responsibility for the social consequences of its high-modernist policies.

The SAFER was created in 1960 as part of the Orientation Laws, an omnibus bill introducing extensive agricultural reforms aimed at modernization. Organized regionally, each SAFER office monitored the local real estate market in farmland. In practical terms, this meant that the SAFER acted as a land bank of sorts, purchasing and storing lands before redistributing them to individual buyers. Farmers interested in acquiring lands from the SAFER submitted an application that was reviewed by a local office. Through these redistributions, the SAFER sought to advance the agenda of structural reform in the agricultural sector by creating larger farms composed of contiguous holdings. In short, the SAFER increased the legibility of the agricultural real estate market.

In addition to buying lands freely on the open market, the SAFER also had the authority to preempt sales by substituting itself for an already established buyer. This right of preemption was controversial and only narrowly passed in the legislature.<sup>12</sup> For opponents of the measure, it was tantamount to an abrogation of property rights. For supporters it was an important tool that would further the modernization mandate. To appease the fierce and vocal opposition, a long list of restrictions accompanied the new legislation. For instance, sales within the immediate family and to contiguous neighbors would be exempt. Additionally, sales to farmers who had been expropriated through the right of eminent domain could not be subject to preemption (the French state regularly exercised this right to build highways, airports, and hydro-electric dams). It was this exception that the Soyars cited when making their case against the SAFER of Burgundy, arguing that they had been displaced because of the growing suburbanization of Paris.

Because preemption tended to lead to legal complications, it typically accounted for only a small fraction of a given office's acquisitions. Most often, the SAFER purchased lands openly on the market without exercising preemption and then redistributed them to area farmers. While these transactions produced fewer conflicts than those resulting from preemption, decisions regarding which farmers would benefit from the SAFER were nevertheless often contested. The committees charged with deciding who would and who would not receive SAFER lands were staffed by representatives from local unions, banks, cooperatives, and government organizations. In other words, these committees were staffed by individuals who possessed significant power at the local level. These individuals had been given a national mandate to im-

prove the structure of agricultural land holding, but it was solely up to them to judge how best to pursue improvement within the confines of their local jurisdictions. The archives are rife with charges of nepotism and backchannel dealing.

Preferential treatment and local politics lay at the foundation of the Billon Affair. In 1964, the Soyers ended their lease because it was likely that the lands they had been farming would be expropriated for urban expansion. Located on the outskirts of Paris, the area would almost surely be converted for the purposes of suburbanization, and the state preferred to arrive at amicable agreements rather than resort to asserting eminent domain. Thanks to a state subsidy, the Soyers were granted a generous settlement. Later that summer, they made an offer on the farm occupied by Guy Billon and notified him that he would have until March of 1966 to vacate the property. It was at this point that Billon went to the local chapter of his farm union to ask for advice and was told to consult with the administrators of the SAFER, who then assured him that should the Soyers acquire the farm, they would preempt the sale and either allow Billon to purchase those hectares that he could afford or locate a buyer who would be willing to offer Billon an eighteen-year lease. That Billon could so easily be robbed of his good fortune by well-heeled outsiders upset the local SAFER administration, which in many respects viewed the case as a turf war. Defending Billon was about defending Burgundy in the face of Parisian privilege. That is not to say that Burgundian farmers were struggling. Parts of the area, and in particular the Yonne, boasted very profitable, well-structured farms that grew major commodity crops like wheat and sugar beets. The objection to Parisian buyers was not class-based so much as it was a contest of regional pride.

In the minutes of a meeting of the administrative council held in May of 1969, before the Billon Affair had reached its conclusion, council members complained about what they characterized as the predatory behavior of Parisian buyers who took advantage of sellers in the Yonne. One council member was recorded saying, "The tenant farmer of the Yonne is a victim of the purchasing power of his counterparts from the Paris Basin. We must figure out how to arm the SAFER so that it can support its local farmers."<sup>13</sup> While Billon's case may have been one of the few to make national news, his situation was hardly unique. The threat of losing lands to the deeper bank accounts of those farmers who were being expropriated in the Parisian suburbs was very much a concern, particularly in the regions bordering the capital. SAFER offices fought hard to protect their own as outsiders encroached on local lands,



often skirting the rules in order to do so.

This kind of backroom deal brokering led many to accuse the SAFER of corruption. In the pages of the centrist *La France Agricole*, the nation's most widely read agricultural paper, writers and editors routinely charged that the SAFER abused its authority. In 1973, an editorial accused the SAFER of engaging in favoritism by prioritizing claims made by the friends of local representatives.<sup>14</sup> In the same year, a dozen farmers in the department of Lot banded together and filed a formal complaint of corruption with the Ministry of Agriculture.<sup>15</sup> The Ministry deemed the accusations worrisome enough that it contacted the Ministry of Justice to investigate the operations of this particular office.<sup>16</sup> It was then reported back that there were fourteen active court cases involving this branch of the SAFER.<sup>17</sup> While it was not unusual for SAFER offices to be sued, it was highly unusual for one office to be embroiled in fourteen cases at once. Nevertheless, the branch never faced a formal censure. And when farmers wrote to the Ministry of Agriculture directly (a widespread practice as evidenced by the voluminous correspondence housed at the French National Archives), they were almost always told that the state would not intervene in the decisions of a local SAFER office.

The combination of local administration and near-absolute power due to a lack of consistent government oversight created an institution that was ripe for charges of corruption and abuse of authority. Centralized high-modernist planning subjected farmers to a set of exacting standards. When they attempted to meet those standards by enlarging the size of their farms, only to be thwarted by a state-mandated institution, farmers were understandably frustrated. By simultaneously endowing local SAFER offices with sweeping powers over the market in agricultural lands and denying plaintiffs recourse through public channels, the state betrayed the very farmers it promised to support. The checks and balances that normally allow civil society to hold the government accountable simply did not work with any consistency when it came to the SAFER. As a high-modernist organization endowed with the authority to suspend individual property rights, the SAFER was able to push the limits of democratic politics, and when French citizens objected to these abuses, the French state usually turned a blind eye.

The Billon Affair, however, forced a reckoning by putting the entire apparatus of the SAFER on trial. While the suit began as a local matter that pitted preempted farmers against the regional office of Burgundy, it ultimately made its way to the highest court of the land, compelling the state to take a stand on whether it was responsible for the instruments of modernization that it had



created. Ultimately, the state would declare that the SAFER was a semi-public institution and therefore not the responsibility of the state.

The Soyers were incensed when the SAFER preempted the sale in order to keep Billon on the land. Claiming that the preemption had been unlawful because it had been carried out against expropriated farmers, the Soyers filed a civil suit. The district court that heard the case decided that the SAFER had, in fact, acted within the limits of the law. The Soyers' claim to have been expropriated, the court ruled, was unjustified given that they had come to an amicable agreement under the assumption that expropriation was imminent despite not actually having been subject to the rule of eminent domain.<sup>18</sup>

Most importantly, however, in terms of how the case progressed through the process of appeals, was the determination of the court that the SAFER had acted in accordance with the mandate that had been handed to it by the French state. This mandate, according to the decision of the court, was to protect the general interest of the French farm sector.<sup>19</sup> The issue of the general interest and the role that the SAFER was or was not mandated to play in its protection quickly became the reference point for the legal debate that developed around the Billon case. More precisely, the debate turned on the question of whether the proper function of the SAFER was to defend the public good or to manage private interests. The answer to this question would determine not only the outcome of the Billon case but also the legal jurisdiction for all SAFER cases and, by extension, the degree to which French farmers could use the tools of civil society to challenge the high-modernist behavior of the state.

If the SAFER was indeed bound to protect the public good, and if it received this mandate directly from the government, then all cases involving this institution would have to be held in the administrative courts, where the state would be held accountable. If, however, the SAFER had merely been constituted by the state but was left to make its own decisions regarding the competing claims of individual farmers, then jurisdiction would fall to the judicial courts, where cases would be treated as private rather than public matters.<sup>20</sup> Through the process of appeals, the very nature of the SAFER was called into question as lawyers, judges, and journalists debated the extent to which the state could be held accountable for its actions.

The Soyers, angry not only that they lost the claim but also that they had to bear full responsibility for court costs, disputed the ruling in the appellate court of Paris.<sup>21</sup> They charged that "the intervention of the SAFER was, if not damaging, then certainly useless, outside the purview of its mission, and ef-

fectected . . . with the sole purpose of favoring the occupying tenant.”<sup>22</sup> No longer pursuing the case on the grounds that they belonged to the privileged category of expropriated farmers, the Soyers were instead arguing that the SAFER of Burgundy had failed to act according to its public mission by favoring the private interests of a particular individual.

In 1967, the appellate court decided in favor of the Soyers and reversed the original decision, determining that the SAFER of Burgundy had not been justified in exercising its right of preemption. The presiding judge concluded that the SAFER had “over-reached its mandate to protect the general interest in exercising its right of preemption exclusively for the personal interest of the occupying tenant” and had acted out of fear for the public order rather than out of respect for the letter of the law.<sup>23</sup> Again, the issue of whether the SAFER was acting on behalf of the public or private interest was central to the legal interpretation of the case.

Many farmers and local politicians in the department of the Yonne were furious with the appellate court’s decision. In response, the SAFER of Burgundy requested that the case be heard by the Supreme Court, which in turn quickly decided that the legal status of the claim was sufficiently complicated to have the suit moved to the *Tribunal des Conflits*, the legal body responsible for determining jurisdiction.<sup>24</sup> The disagreement between the court at Sens and the appellate court of Paris hinged upon their different understandings of the SAFER mandate. While the former had decided that the SAFER was acting in the general interest as an arm of the state, the latter had determined that this was a case of a private mediating body favoring one individual’s personal interest over that of another.

While waiting for the *Tribunal des Conflits* to reach a decision, various actors weighed in on the debate. Shortly after it was announced that the case would remain on hold until the question of jurisdiction was settled, its legal status was discussed in the pages of *La France Agricole*. In his regular column, “La Chronique juridique,” P. H. Bernard began by explaining that those who argued that cases regarding the SAFER ought to be heard by judicial courts often based their claims on the fact that the SAFER made decisions regarding private property and that private property was distinctly a civil matter, not an administrative one.<sup>25</sup> Bernard persuasively argued that it was not, in fact, so simple. To prove his point, he discussed the administrative makeup of the regional SAFER branches. The administration of each office was made up almost entirely of representatives from public bodies (such as the Chambers of Agriculture and the Crédit Agricole). Moreover, no SAFER could be

formed without the approval of the state, and, perhaps most importantly, all preemption decisions were subject to the oversight of representatives from the Ministries of Finance and Agriculture. He concluded by stating, "in spite of the appearance of being a private organization, the mandate is one of public interest." Not only were local branches of the SAFER run by men and women who doubled as public administrators and officeholders, but the SAFER was likewise required to seek permission from the state when practicing the controversial right of preemption. No direct mention of Billon was made in the article, but—given the timing of its appearance and the direct overlap—it seems clear that Bernard was weighing in on the legal debate that erupted around the case.<sup>26</sup>

Locally, Billon's supporters rallied and did what they could to ensure that he would be able to stay on his farm. In a letter addressed to the prefect of the Yonne, each and every mayor within the county demanded that the state lead an investigation into the "revolting and untrustworthy persons" who were at the heart of the affair and who had left the SAFER with no choice but to preempt. They added that it was "the law of the jungle" that had justified the Soyers' legal suit and that it was to this law that Billon had fallen prey. The plaintiffs then signed off with an ominous ultimatum: "The mayors and deputy mayors of the county of Sergines finish by telling you that the affair, at present, is very serious and may have dreadful consequences. If their final appeal is not taken into consideration before the end of 1969 . . . they will be forced to make a weighty decision."<sup>27</sup> There was no hint as to what this decision might be, but one can only surmise that these mayors, as representatives of an incensed constituency, were prepared to defend their local interests regardless of what the nation's courts would ultimately decide.

When local officials presented thinly veiled threats of public disruption, representatives further up the ladder had good reason to pay attention. Farmers in the Yonne began protesting with the initial purchase made by the Soyers and continued to do so throughout the various stages of the legal proceedings. Indeed, French farmers had a history of violent protest that had repeatedly threatened to disrupt the social order throughout the 1950s and 1960s.<sup>28</sup> In a nation that had recently witnessed the upheaval of 1968, the threat of widespread discontent was not to be taken lightly.

The prefect of the Yonne, well aware of the violent lengths to which farmers were willing to go, worried about the social and political stability of the department. He forwarded the menacing letter to both Minister of Agriculture Jacques Duhamel and President Georges Pompidou, asking his superiors

to appreciate the “national scope” of the situation.<sup>29</sup> Leaders within the major farm unions were already frustrated by what they considered to be the judicial system’s strict interpretation of the SAFER mandate and were watching the case closely, ready to use its result to mount a national attack on agricultural policy. The prefect closed his letter by stating that it was his duty to report that “public order would be gravely disrupted should Mr. Soyer take possession of his farm.” Billon’s case provided the unions and the farmers they represented with an opportunity to demand greater accountability from the state. While such demands were routinely made in the streets and within the negotiating chambers of the government, the Billon case presented an opportunity to establish a binding legal precedent for that accountability.

Tensions mounted as the court date drew near. In October, agricultural representatives in Burgundy met to discuss the matter and to draft a formal petition calling for the protection of the right of preemption and the assurance that Billon would remain on his farm. Among the signatories were a deputy and a senator of the Yonne as well as the presidents of the departmental chapters of the major farm unions. After expressing concern that the current case risked undoing all that the SAFER had accomplished and defending both the personal and professional integrity of Billon, the signatories finished by stating that should the courts decide in favor of the Soyers, they would “reserve the right to act in any manner that they deem necessary in order to arrive at a solution that conforms to the interests of both agriculture and justice.”<sup>30</sup> Once again, Billon’s supporters were threatening to disrupt the social and political order should Billon be forcibly removed from his lands and the scope of the SAFER mandate be narrowly restricted.

For the SAFER, the legal suit was about legitimizing its authority. Deciding that cases against the SAFER ought to be decided in judicial rather than administrative courts effectively denied the SAFER the legitimacy of state power. The Orientation Laws mandated agricultural industrialization, and the SAFER had been created in order to oversee that process. If the SAFER was not free to preempt when it saw fit, its authority would be meaningless, subject to the whims of local judges who may or may not know anything about the interests of the farm sector.

For the Ministry of Agriculture, however, the case was less about legitimizing authority than about minimizing the dedication of state resources to defending SAFER decisions in court. As one member of the ministry argued, accepting responsibility for the SAFER would establish a dangerous precedent.<sup>31</sup> Not only would the administration risk taking on additional financial

responsibilities but, and more importantly, it would also have to create a formal system to receive the future complaints that would surely come its way should the courts deem the SAFER a public institution. To make his point, the ministry official drew attention to the other instrument of land reform, that of *remembrement*. Because the state had taken full administrative command of its operations, disgruntled property owners took their complaints directly to the government (the French National Archives are indeed teeming with formal complaints).<sup>32</sup> *Remembrement*, the regrouping of lands, was a process by which the entire cadastral map of a given county was redrawn in order to create a more efficient pattern of local landholding. With private property lines being redrawn by state-employed surveyors, often against the will of property owners (a simple majority vote was enough for the process to be adopted), petitions challenging new local maps were numerous. This was both an administrative and financial burden that the Ministry of Agriculture did not want to assume.

For those within the halls of power who wanted to evade the consequences of agricultural industrialization, the SAFER was a means of carrying out agricultural policy without legally implicating those who had devised it. If a branch of the SAFER made a decision that an individual farmer wished to contest, a local court judge would make a decision based on his or her interpretation of the law. While the Ministry of Agriculture and even the President of the Republic himself received numerous letters of complaint, they consistently deflected responsibility to the SAFER. In all but a few cases, the state left the SAFER offices to their own devices, content to leave these decisions regarding property rights to local politics. But as the archival record attests, farmers constantly demanded that the state assume responsibility for adjudicating these rights.

On December 8, 1969, the fate of the Soyers' claim on the farm at Sergines and the legal status of the SAFER were finally decided. And in the end, both sides emerged victorious. Minister of Justice René Pleven presided over the deliberation, aiming to end the deadlock that had plagued the discussion of the Billon Affair. That Pleven presided highlighted the importance of the case. The *Tribunal des Conflits* was then one hundred twenty years old, and this was only the seventh time in its history that the minister of justice himself had been called to preside.<sup>33</sup> The court closed the legal matter of state responsibility once and for all in deciding that the Soyers' case would be heard at a judicial hearing. In its decision, the court argued that the right of preemption had been clearly established by the law and that the administrative courts

would only hear cases in which the law itself was in question. The legality of preemption had never been at issue—simply its exercise in the particular case involving the Soyers and Billon.<sup>34</sup> The SAFER of Burgundy would answer on its own for its decision to preempt, and the state was off the hook.

The Soyers went on to win their case, the judicial courts deciding that the SAFER had preempted the sale without adequate justification.<sup>35</sup> But the Soyers never took possession of their land. Billon continued to work his farm throughout the legal proceedings, and by the time the Soyers were named the legal owners, it became clear that removing Billon would inspire fierce local resistance if not outright violence.

In early April, Minister of Agriculture Jacques Duhamel wrote to the minister of justice to inform him that if Billon was told to leave his land, there would be a serious conflict with farmers, agricultural organizations, and local political figures.<sup>36</sup> After outlining the background of the situation, he suggested that the case be sent to another round of appeals to maintain social and political stability in the region: "It seems to me necessary to draw your attention to those considerations that might concern the preservation of public order. In effect, the local, departmental, and regional professional agricultural organizations, as well as the civil authorities . . . were extremely affected by the decision of the Paris courts. . . . I worry that protests of a certain intensity will arise if the decision of the Paris courts is considered definitive."<sup>37</sup> While the courts had finished with the case, local administrators were wary about putting the final decision into effect.

At the end of June, Billon still occupied the land that had been purchased by the Soyers, and state officials were still figuring out how best to resolve the situation. The Soyers were willing to sell, hesitant to take up residence in a community that had treated them with nothing but hostility. But their asking price was high, and, on top of the purchase price for the land, they were demanding that the buyer (the SAFER, Billon, or the Ministry of Agriculture) also cover the entirety of the legal expenses the Soyers accrued as a result of the lawsuit. The Ministry of Agriculture ultimately approved the offer in order to protect public order but insisted that the process be carried out quietly. The state, after all, had just been absolved of responsibility for contentious SAFER cases. Publicly intervening to overturn the results of this legal decision risked stripping the state of its newfound freedom.<sup>38</sup>

The abstract, high-modernist planning of the state had come face-to-face with the messy politics of its real-world application. While ambitious technocrats in Paris dreamed up the land-use policy, it was locally elected politicians



who were forced to contend with its consequences. Redrawing cadastral maps and redistributing farmland in order to rationalize the agricultural landscape looked good on paper. On the ground, however, it created social and political discord. The technocrats at the Ministry of Agriculture were forced to bend to politics and to maintain Billon on his land. But they did so only under the condition that it be kept quiet in order to preserve a facade of technocratic proficiency.

The subtitle to James Scott's *Seeing Like a State is How Certain Schemes to Improve the Human Condition Have Failed*. Scott argues that without an appreciation for local knowledge and practices, abstract centralized projects are bound to fail. In 2014, the SAFER was evaluated by the French Court of Auditors, an administrative body that conducts financial and legislative audits of public institutions. The findings were not favorable. As the final report reveals, the SAFER continues to behave inconsistently due to a lack of public oversight. Fifty years after the Billon Affair, the SAFER continues to face accusations of corruption and calls for greater state intervention in its operations.<sup>39</sup>

In many ways, the SAFER was indeed a failure. It was originally conceived as a tool to make it easier for farmers to navigate the highly competitive market in agricultural real estate and to curb land prices. By overseeing the entirety of transactions in a given region, the SAFER was supposed to exercise technocratic expertise in the name of rational planning. Plots would be bought and sold in order to maximize productivity, which in turn would raise agricultural revenues and contribute to the overall expansion of the French economy. But in the end, the SAFER did not curb rising prices in the real estate market for agricultural lands, and it hurt at least as many farmers as it helped. The archival record is biased in favor of Billon—the documents regarding the case were produced by his advocates. But there is no real evidence to suggest that the Soyers were any less deserving of remaining on the land. The allocation of farmland according to the market logic of capitalism was replaced by an equally arbitrary mechanism. Some farmers were favored, others were not, and it would be folly to assume that the distinction between the two was based on anything other than the vicissitudes of local politics.

Because land is a finite resource, the process of redistributing it was often a zero-sum game, one in which one farmer's gain was another's loss. These kinds of stakes were often deemed too high for democratic governments. The United States considered widespread land reform both in the wake of the abolition of slavery and during the Great Depression. Former slaves were

famously promised forty acres and a mule only to be denied by President Andrew Johnson and the wealthy (white) southern landowners who held his ear. The end result was a Freedmen's Bureau without the power to enact the land reforms that had been promised during the Civil War.<sup>40</sup> In the 1930s, several land reform proposals circulated as part of the New Deal. The Farm Security Administration, in particular, intended to address the landless agricultural poor. But in the end, genuine land reform proved to be too radical a solution.<sup>41</sup> Land reform was certainly more common in Europe than it was in the United States. Most of western Europe engaged in some kind of practice designed to improve agricultural efficiency through land consolidation.<sup>42</sup> The SAFER was, in fact, modeled on a Swedish land bank that was similarly designed to encourage the rationalization of landholding.

What set the French apart was scale. Much of western Europe experienced massive upheaval in the countryside in the twentieth century as nations urbanized and industrialized, but only France sought to become the primary agricultural producer of the region. The stakes could not have been higher in trying to transform a nineteenth-century holdover into a primary driver of international trade. In consequence, the government pursued modernization with unrivaled ambition.

The reticence on the part of the United States to engage in wholesale technocratic authoritarianism has prompted sociologist Jess Gilbert to suggest that American agricultural industrialization be understood as an example of "low modernism." By turning Scott on his head, Gilbert maintains that New Deal farm policy was based on the democratic participation of farmer-citizens.<sup>43</sup> Rather than fully embracing a high-modernist planning ideal, men like Henry A. Wallace and M. L. Wilson drew on local expertise to advance agricultural development. It might be tempting to embrace the ideology of low modernism when assessing the planning efforts of liberal democratic states as well as to question Scott's original taxonomy. Gilbert may be right to argue that the American experience of agricultural industrialization is best understood as an example of low modernism. It was a process that unfolded over the course of several generations, from the establishment of the first agricultural extension colleges to the Agricultural Adjustment Act, and this more leisurely chronology allowed for local participation. At the very least, it allowed for the softer forms of coercion that Deborah Fitzgerald identifies as the building blocks of an industrial logic that transformed the American farm sector.<sup>44</sup>

The French case, however, destabilizes the overly simplified categories of

authoritarian and democratic. At the authoritarian extreme, high-modernist states incapacitate civil society. The French government did not go so far as to rob its citizenry of the space to protest its agricultural policies, but it did use the highest court in the land to absolve it of direct responsibility for those policies. The Billon case set a precedent for stripping civil society of its legal power vis-à-vis the administration. This was not low modernism. And this was not the coercive power of an industrial logic. This was a categorically high modernist denial of state accountability.

The French government was more than happy to take the credit for growth while foisting responsibility for its social consequences onto local and regional institutions. Given the general refusal of both the Ministry of Agriculture and the office of the president to intervene in SAFER decisions, it is clear that state administrators, exhausted by the legal troubles that *remembrement* produced, came to see the SAFER as a means of deflecting responsibility for the agricultural revolution that they had mandated. The fallout of these modernization policies was often brutal. At every turn, the French state forced sacrifice on the countryside, maintaining that while a minority suffered in the short-term, the nation as a whole would emerge triumphant.

## NOTES

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1. The bulk of the archival data for this case study is drawn from CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, case file marked “Sergines”; and SAFER of Burgundy, Dijon, onsite archives. This last collection is an assortment of papers and boxes housed in the basement of the SAFER offices in Dijon. Accordingly, the citations for this material will reflect that lack of organization.

2. Pierre Barral, *Les Agrariens Français de Méline à Pisani* (Paris: Presses de la Fondation Nationale des Sciences Politiques, 1968), 217; Pierre Alphandéry, Pierre Bitoun, and Yves Dupont, *Les champs du départ: une France rurale sans paysans?* (Paris: Editions La Découverte, 1988), 32.

3. Annie Moulin, *Peasantry and Society in France since 1789*, trans. M. C. and M. F. Cleary (Cambridge, UK: Cambridge University Press, 1991), 181.

4. CAC, Fontainebleau, 800401 Ministère de l'agriculture, Art. 7: Conférence européenne sur l'organisation des marchés agricoles, 1952–54.

5. James Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998).

6. There is a rich French-language literature on agricultural industrialization, especially within the field of sociology. English-language studies of the same, however, are few and far

between. For example, see Peter H. Amann, *The Corncribs of Buzet: Modernizing Agriculture in the French Southwest* (Princeton: Princeton University Press, 1990); Alphandéry, Bitoun, and Dupont, *Les champs du départ*; Venus Bivar, *Organic Resistance: The Struggle over Industrial Farming in Postwar France* (Chapel Hill: University of North Carolina Press, 2018); Henri Mendras, *La fin des paysans; changement et innovations dans les sociétés rurales françaises* (Paris: SEDEIS, 1967); Gordon Wright, *Rural Revolution in France: The Peasantry in the Twentieth Century* (Stanford: Stanford University Press, 1964).

7. For example, see Régis Boulat, *Jean Fourastié, un expert en productivité: la modernisation de la France (années trente-années cinquante)* (Besançon: Presses Universitaires de Franche-Comté, 2008); Bernard Cazes and Philippe Mioche, eds., *Modernisation ou décadence, contribution à l'histoire du plan Monnet et de la planification en France* (Aix-en-Provence: Publications de l'Université de Provence, 1990); Richard Kuisel, *Capitalism and the State in Modern France: Renovation and Economic Management in the Twentieth Century* (New York: Cambridge University Press, 1981); Philip Nord, *France's New Deal: From the Thirties to the Postwar Era* (Princeton: Princeton University Press, 2010).

8. Scott, *Seeing Like a State*, 97.

9. Herrick Chapman, *France's Long Reconstruction: In Search of the Modern Republic*, (Cambridge, MA: Harvard University Press, 2018).

10. For example, see "Cela se fait déjà: La S.A.F.E.R. du Languedoc-Roussillon," *Fraternité paysanne*, July 13, 1961; and "Quoi de nouveau cette semaine?" *La France Agricole*, Apr. 13, 1973.

11. Scott, *Seeing Like a State*, 4–5.

12. The National Assembly voted on the Orientation Laws after months of heated debate, much of which was centered around the creation of the SAFER. The laws were passed with 295 votes in favor and 175 against. See Michel Debatisse, *La révolution silencieuse; le combat des paysans* (Paris: Calmann-Lévy, 1963), 183.

13. SAFER of Burgundy, Dijon, onsite archives, Procès Verbaux du Conseil Administratif, twenty-second session, May 30, 1969, 4.

14. "L'Office Foncier: la pire des S.A.L.A.F.E.R." *La France Agricole*, Feb. 23, 1973.

15. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. Art. 19. Aveyron-Lot-Tarn (SAFALT), 1970–1975, group letter of protest addressed to the Ministry of Agriculture, Mar. 20, 1973.

16. Ibid., letter from the Ministry of Agriculture to the Ministry of Justice, Apr. 12, 1973.

17. Ibid., letter from the Ministry of Justice to the Ministry of Agriculture, Apr. 14, 1973.

18. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, summary of affair to date written up by unknown author, n.d.

19. Ibid.

20. In France, legal cases involving government agencies are heard by the administrative courts as they are understood to be covered by public, rather than civil, law.

21. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, summary of affair to date written up by unknown author, n.d.

22. *Semaine Juridique* (1968), Section II—Jurisprudence; 15317 1° AGRICULTURE—Orientation agricole. S.A.F.E.R. Droit de préemption. 2° COMPETENCE ADMINISTRATIVE OU JUDICIAIRE—Droit de propriété. S.A.F.E.R. Organismes de droit privé. Droit de préemption. Compétence judiciaire (Paris, 8° Ch., 13 mars 1967; époux Soyer c. S.A.F.E.R. de Bourgogne).

23. Ibid.

24. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, letter of protest signed by the mayors of Sergines and addressed to the president of France and the Ministry of Agriculture, n.d.

25. P. H. Bernard, "Recours contre une décision de rétrocession prise par la SAFER: Quelle est la juridiction compétente?" *La France Agricole*, Jan. 5, 1968.

26. For more on how the SAFER operated and how their offices were constituted, see CAC, Fontainebleau, 880333 Répertoire numérique des archives de Jean Roche, ingénieur du Génie rural et des eaux et forêts, Art. 89: Organisation nationale des SAFER, 1962–1973, "SAFER de Gascogne–Haut Languedoc, janvier 1967"; Hubert Buchou, *Partager la terre: l'histoire des SAFER* (Biarritz: Atlantica, 1999); Société d'aménagement foncier et d'établissement rural (Languedoc-Roussillon), *La SAFER Languedoc-Roussillon: juin 1961–décembre 1965, activité de la Société d'aménagement foncier et d'établissement rural Languedoc-Roussillon* (Montpellier: SAFER Languedoc-Roussillon, 1966).

27. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, letter to the prefect of the Yonne, Nov. 17, 1969.

28. For more on the protests, see "L'agriculture française en évolution," *Combat*, July 14, 1959; "Pourquoi la crise dans les campagnes," *L'Express*, January 14, 1960; "Pourquoi ce malaise paysan?" *France-observateur*, Feb. 18, 1960.

29. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, letter from the prefect of the Yonne to the minister of agriculture and President Pompidou, Nov. 17, 1969.

30. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, petition addressed to the prefect of the Yonne, Oct. 23, 1969.

31. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, letter from Ganteil to Pierre Marquet, Dec. 4, 1969.

32. The French National Archives contain several hundred linear meters of filed complaints, court proceedings, and judicial rulings. Unfortunately, these holdings are restricted for one hundred years. For accounts in the press of how *remembrement* divided communities, see R. A., "Wormhoudt ne veut plus du remembrement," *La France Agricole*, Aug. 30, 1974. Among the many complaints leveled against the procedure, farmers charged that the mayor was planning to set aside ninety hectares of otherwise viable farmland for the creation of a golf course. See also "Sur 18,000 parcelles de la Combe de Savoie: une expérience malheureuse," *La France Agricole*, June 21, 1974; and Michel Mortagne, "Dossier noir du remembrement en pays vosgien," *La France Agricole*, Nov. 9, 1973.

33. "M. Pleven préside lui-même le tribunal des conflits," *Le monde*, Dec. 9, 1969; and P. H. Bernard, *La France Agricole*, Chronique juridique, Aug. 1, 1969.

34. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, text of the Tribunal des Conflits decision, Dec. 8, 1969.

35. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, letter from Ganteil to Rigaud, June 26, 1970.

36. In February of 1970, a local politician in Sergines wrote to the Secrétariat Général de la Présidence de la République with the same message—that the occupation of the Soyers would

cause serious trouble. See CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, letter from Rigaud to Woimant (Conseiller Technique au Secrétariat Général de la Présidence de la République), Feb. 5, 1970.

37. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, letter from Duhamel to Monsieur le Garde des Sceaux Ministre de la Justice, Apr. 17, 1970.

38. CAC, Fontainebleau, 800389 Ministère de l'Agriculture, Correspondance concernant les particuliers en relation ou en conflit avec les SAFER, Art. 25: Bourgogne, 1964–1973, letter from Ganteil to Rigaud, June 26, 1970.

39. Cour des Comptes, *Rapport public annuel 2014: Tome I—Les SAFER: les dérives d'un outil de politique d'aménagement agricole et rural*, [https://www.ccomptes.fr/sites/default/files/EzPublish/2\\_1\\_2\\_SAFER\\_Tome\\_I.pdf](https://www.ccomptes.fr/sites/default/files/EzPublish/2_1_2_SAFER_Tome_I.pdf) (accessed Oct. 20, 2018).

40. The literature on Reconstruction and land ownership is vast. For example, see Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York: Harper & Row, 1988); Claude F. Oubre, *Forty Acres and a Mule: The Freedmen's Bureau and Black Land Ownership* (Baton Rouge: Louisiana State University Press, 1978).

41. For more see Charles Kenneth Roberts, *Farm Security Administration and Rural Rehabilitation in the South* (Knoxville: University of Tennessee Press, 2015).

42. For example, see Rosa Congost and Rui Santos, *Contexts of Property in Europe: The Social Embeddedness of Property Rights in Land in Historical Perspective* (Turnhout, Belgium: Brepols, 2010).

43. Jess Gilbert, "Low Modernism and the Agrarian New Deal: A Different Kind of State," in *Fighting for the Farm: Rural America Transformed*, ed. Jane Adams, 129–46 (Philadelphia: University of Pennsylvania Press, 2002).

44. Deborah Fitzgerald, *Every Farm a Factory: The Industrial Ideal in American Agriculture* (New Haven: Yale University Press, 2003).