



Food Oppression
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I am grateful for the opportunity to deliver this lecture and look forward to answering your questions. As a Fulbright scholar at King's College London, I will be looking at how food oppression operates in the United Kingdom. This lecture focuses on the United States but has global implications because of how the United States has exported unhealthy foods around the world to support its agricultural industries. I'm going to start by showing you some slides of the latest incarnation of the alt right obsession with milk.

These are protesters at a New York anti-trump art installation, He Will Not Divide Us. Neo-Nazis danced shirtless chugging jugs of milk, saying their action demonstrated their opposition to 'the vegan agenda.' Milk also entered the twitterverse, replacing Pepe the Frog as the emoji symbolizing white superiority in the twitter names of newsworthy white supremacists.

This is Richard Spencer, president of the white nationalist think tank National Policy Institute, and Tim Treadstone, alt right social media personality Baked Alaska, with glasses of milk in their twitter names. And this is some poetry and a map tracking lactose intolerance that was much discussed on alt right websites.

For movie fans, there is a terrifying scene in the Best Picture nominated Get Out of a white supremacist slowly sipping on a glass of milk.

This association between white supremacy and milk is not new. In fact, it has been around for about 100 years. In the 1920s, a National Dairy Council pamphlet explained, "the people who have used liberal amounts of milk and its products," meaning white people, "are progressive in science and every activity of the human intellect."

A 1933 History of Agriculture of the State of New York declared that "A casual look at the races of people seems to show that those using much milk are the strongest physically and mentally, and the most enduring of the people of the world. Of all races, the Aryans seem to have been the heaviest drinkers of milk and the greatest users of butter and cheese, a fact that may in part account for the quick and high development of this division of human beings."

A few years ago, in my article The Unbearable Whiteness of Milk, I explored how the United States Department of Agriculture, or USDA, policy around milk also harms people of color. Despite overwhelming medical evidence that milk consumption is linked to serious illnesses and some not as serious conditions, such as lactose intolerance, the USDA continues to encourage people to drink milk through the federal dietary guidelines and to dispose of surplus milk that the Farm Bill mandates it to purchase by giving it to communities of color directly or indirectly through nutrition programs, where

people of color are disproportionately represented, such as the Supplemental Nutrition Program for Women and Children, or WIC. and school lunchrooms.

The USDA created a marketing branch from a dairy farmer check-off program called Dairy Management Inc. that designed award-winning, race-targeted advertising and partnered with fast food companies to create products with more cheese, including Dominos 7 cheese pizza.

Although white people eat the most fast food, it makes up a disproportionate amount of the diet of people living in poor, urban communities of color. This is an example of **food oppression**. Food oppression is facially neutral food-related law, policy, or government practice that creates health disparities along race, gender, and class lines.

These disparities include high blood pressure, diabetes, cancer, heart disease, strokes, and obesity. The food, agricultural, and pharmaceutical industries' influence over government policy contributes to these disparities. In the United States, poor diet has overtaken smoking as the primary cause of avoidable deaths. Cultural myths about personal responsibility that ignore structural determinants of food choice, as well as racial stereotypes, make these disparities appear natural.

Another example of food oppression is the overwhelming presence of fast food in public schools. In exchange for the donation of much-needed resources, fast food companies engage in intensive marketing to public school students. Teachers give out coupons for fast food as a reward for good grades. They distribute materials like fire safety guides with fast food coupons inside. Students and classes that raise the most money during Parent-Teacher Organization drives earn fast food prizes.

Fast food is also on school buses, score boards, school signs and games, and the site of school fundraisers. This pervasive marketing contradicts the expectation that schools will look after the physical well-being of our children. It also disproportionately affects students of color, who attend public schools at higher rates than white students, and participate more often in the USDA school lunch, breakfast, and milk program. Students of color are disproportionately eligible for free lunches. These students often live in neighborhoods, called food swamps, that are saturated by fast food outlets.

Through its Commodities Program, the USDA uses its school meal programs to dispose of the surpluses that result from the Farm Bill's subsidies of certain products, including milk, meat, soy, and corn. When they enter school meals, these commodities take the form of corn dogs, chicken nuggets, tater tots, sausage links, and pizza. These processed foods contribute to high rates of obesity and type 2 diabetes, which Black children suffer from at greater rates. The US government provides further support for unhealthy eating at school by calling pizza a vegetable.

Even though young people of color have the highest rates of food-related health problems, the fast food companies have recently zeroed in on them for new marketing schemes. These young people are extremely attractive to fast food companies for a number of reasons. First, they tend to spend more money on fast food than their White peers. Second, they are considered trendsetters, definers of what is or will soon be considered cool. Third, they are particularly vulnerable to targeted marketing because they are in the unique position of developing their personal and racial identities at the same time, and very open to outside influences.

Youth of color also overwhelmingly have cell phones, even when their families cannot afford computers or tablets at home. Fast food companies track the location of these cell phones and deliver coupons to customers who are within a few blocks of their outlets. In many urban neighborhoods of color, young people are *a/ways* within a few blocks of a fast food place. And always on their phones.

When they get into a McDonald's, they are encouraged to become brand ambassadors and do their own, free advertising for the company by sending out snaps on snapchat with the McDonald's logo and its messages in the frame. Kids can also engage in this type of free advertising while they are texting. For even younger kids, there are racially targeted McDonald's games and apps.

If the USDA wanted to counter the fast-food industry's marketing tactics, they could do so, even without regulating. Eighth graders who perceived healthy eating as an act of social justice made better food choices. These students acted in defiance against corporations that market to vulnerable children and engineer junk food to make it addictive. Appealing to their values of autonomy and social consciousness was more effective than teaching them about long term health consequences.

The USDA is unlikely to fund this kind of truth campaign because it would go directly against the agency's interests. Most of the fast-food industry's political contributions go to Republicans and the reign of our fast-food president just ended.

Racial stereotypes disguise the impact of government action on health disparities. The media often portrays Latinx and Blacks as overweight, lazy, and weak-willed. And the myth of personal responsibility casts individuals as in complete control of their diet and health when, in reality, food choices are constrained by external, structural circumstances.

Now I am going to talk about two USDA nutrition programs that contribute to racial health disparities, the Food Distribution Program for Indian Reservations and the National School Lunch Program.

Much of the problem with these programs is their role as a vehicle to distribute subsidized commodities to assist the USDA dispose of surpluses created by the Farm Bill. Congress enacted the first Farm Bill, the 1933 Agricultural Adjustment Act (AAA), as part of the New Deal legislation responding to the Great Depression.

The AAA had the twin goals of supporting American agriculture and alleviating food insecurity. It accomplished these goals by subsidizing foods that were filling, leading to overproduction of certain foods like corn, wheat, and soy, while neglecting to support others, including fruits and vegetables. Although this strategy succeeded in reducing hunger, it contributed to the next food-related public health crises, obesity and type II diabetes.

Subsidized commodity foods dominate the programs designed to get food to low-income students and Indigenous people, the National School Lunch Program and the Federal Distribution Program for Indian Reservations.

The history of food 'assistance' to Indigenous people goes much further back than the New Deal. Colonization involved the deliberate destruction of traditional foodways. As part of the Indian assimilation project, President Washington vowed to "ruin their crops on the ground and prevent them planting more." This policy led to mass starvation.

Later, President Jackson ironically justified the 1830 Indian Removal Act that authorized the forced dislocation of Indigenous people to the west by the fact that tribal lands could no longer support the Indigenous way of life after the damage done by American theft and occupation.

After the 1851 Indian Appropriations Act codified the creation of Indian reservations, the Office of Indian Affairs, housed under the War Department, took charge of distributing rations that the government

distributed to prevent starvation resulting from its displacement of Indigenous people from their homes, land, and food sources. The United States wielded rations as a weapon, withholding them from families who resisted their children's removal to boarding schools or rejected Christianity. The 1862 Dakota War, sparked by the deliberate withholding of rations, ended in President Lincoln ordering the execution of thirty-eight Dakota men, the largest mass execution in U.S. history.

Sadly, the rations that the government did provide were made up of low quality and unfamiliar foods. The US deliberately left traditional foods out of assistance packages to try to steer Indigenous people toward a 'civilized' lifestyle. Then, in 1949, the government began sending commodity surpluses to reservations. FDPIR became an official program in 1977 as an alternative to the Supplemental Nutrition Assistance Program (SNAP or Food Stamps) because of the obstacles to accessing SNAP benefits posed by reservations' isolation.

Today, Indigenous people have more type II diabetes than any other racial or ethnic group. This form of diabetes often leads to paralysis, amputation, and blindness. The Indigenous rate of deaths from diabetes is 177% higher than for any other group. Indigenous adults are diagnosed with obesity 60% more often than white adults. On the Dakota reservation, life expectancy for males is between forty and fifty years old, as opposed to seventy-six in the general population. Indigenous people have higher infection rates and have suffered twice as many deaths from Covid-19 than whites. Indigenous peoples' higher rates of underlying high risk-factors of obesity and diabetes partially account for this.

'Commods,' another name for FDPIR boxes, contribute significantly to these disparities. Activist Charles 'Red' Gates recounted testimony he gave to government representatives about the boxes in 1991:

"Did you ever see what's in these cans?" This guy said, "No. Show us. We want to see," so I grabbed a can of pork and I told him, "You're going to get a bad smell. It doesn't smell good and it doesn't look good when I open it, so you take a look." I got a can of chicken, a can of beef, and a can of pork. The first one I opened everybody crowded around. [...] I opened it up, and as soon as I opened it up a couple of them backed away and grabbed their noses and their mouths. When I began to dump it out they both ran outside and threw up. That's what they were giving us [...] and I showed them all the connective tissue, the blood vessels. It was some pretty terrible stuff."

Because the proteins and produce in the boxes are often undesirable or inedible, many recipients only eat the sugars and carbs.

The contents of the boxes are supposed to reflect the dietary guidelines created by the USDA and the Department of Health and Human Services every five years. Bernard and Brown describe these guidelines as "amount[ing] to, perhaps inadvertently, the nutritional equivalent of smallpox-infected blankets." Their gross inadequacy likely reflects the guidelines' allegiance to the food and agricultural industries

Karuk ceremonial leader Leaf Hillman describes nutritional colonialism through FDPIR as "a modern extension of tribal termination and genocide." The USDA defends the poor nutritional quality of the boxes by claiming that they are supplemental but one third of program participants rely on them for all their food.

Commods and their effects are so pervasive that, for some people, they have become wrapped up in a pan-tribal Indian identity, bridging gaps between tribes because only Indians can have a 'commod bod.'

Commodity cheese is beloved across communities. A quiz titled "How to Tell If You're 'Rezzed Out'" includes the question: "Every time you see a line, you jump in thinking that you're getting surplus cheese." Musician Wade Fernandez, a member of the Menominee tribe, sings "Commodity Cheese Blues." The song includes the lyrics "I went downtown to the commod shop; Met the blues 'cause they were out of stock. Tell me please when I'll get my commod cheese." "Visa cheese" is "a mode of exchange in which a block of commodity cheese can purchase other goods or services. And a 2006 *Indian Country Today* article observed, "Some Lakota still say to this day that the only brick of gold the Lakota people got out of the Black Hills is the brick of cheese rationed out on commodity day."

Aside from being highly processed, commodity cheese causes discomfort for many Indigenous people who suffer from lactose intolerance and the other more serious health conditions linked to dairy consumption.

The most controversial commod is frybread, a delicious creation born of the need to convert flour, sugar, and oil into something palatable. To some, frybread is a unifying symbol. In the movie *Smoke Signals*, the main character Thomas tries to be a 'real Indian' by wearing his Frybread Power shirt.

But frybread has also become emblematic of bad health and a focal point of outsiders who attribute high rates of diabetes in indigenous communities to bad choices. Frybread's famous fan, singer Keith Secola, contends that, "Frybread has killed more Indians than the federal government." Indigenous activist Suzan Shown Harjo, who launched a debate with her 2005 new year's resolution to stop eating frybread, said: "If frybread were a movie, it would be hard-core porn. No redeeming qualities. Zero nutrition."

Frybread is not a traditional food although it is sometimes treated as one, but it is a symbol of resistance to the disregard to indigenous health demonstrated by the sad contents of FDPIR boxes. FDPIR contributes to "nutrition transition" - a shift from being underweight and experiencing high rates of communicable diseases to being overweight and suffering from nutrition-related diseases.

But the structure of the program sometimes also leads to hunger. Elders who receive social security are not eligible for FDPIR boxes, even though their social security income is not enough to cover food. The boxes also create stigma, leading some people who are eligible for the program to choose not to participate. Some distribution centers have addressed this problem by switching from boxes to shelves where participants can browse and select what they want. But it is still a problem in most places.

Instead of trying to teach program participants how to make do with what they get by distributing pamphlets and FDPIR cookbooks, the USDA should expand the quality and types of food that it offers. It should source FDPIR food from local reservations instead of limiting the products offered to ones with national distribution, and community members should run and guide the program.

Turning back to school lunches: as part of the New Deal, the federal government began buying surplus commodities and funding programs that hired cooks to make meals and serve them in schools across the country. By 1942, the school meal programs were feeding six million students, but after the US joined WW2, surplus food was diverted to feed troops, reducing the number of school meals served.

Forty percent of draft rejections during the war were because of poor nutrition, motivating Congress to officially create the National School Lunch Program in 1946 as a matter of national security. By 2009, obesity was responsible for a large percentage of military recruit rejections.

Now, in addition to contributing to racial health disparities, the NSLP also contributes to food insecurity. There is a stigma attached to free school meals. Some students whose families don't qualify or sign up for the program but can't afford to pay for lunch must endure lunch shaming from cafeteria workers who humiliate them by tossing out their full lunch trays, writing on their bodies, making them perform chores in the cafeteria, or giving them a cold sandwich instead of a hot lunch.

Many of these students prefer going hungry to putting up with this kind of abuse. In 2020, a Pennsylvania school district sent a letter home with students whose families owed \$10 in lunch debt, threatening to have the children sent to a foster home. The district refused offers to pay off the students' debts. There is a movement now calling for universal school lunch to eliminate this problem.

The National School Lunch Program creates separate nutritional tracks for low-income students and students of color, resulting in life-long health disparities.

For the last part of this lecture, I am going to talk about 'first food' oppression. While researching milk, I started to think about breast milk and came across the story of Anne Mae Fultz. Annie Mae was a Black and Cherokee woman from Reidsville, North Carolina, who lost the ability to hear and speak in childhood. She was married to Pete, who was a tenant farmer twenty years older than her. They had six children already when she learned that she was pregnant with triplets. On her doctor's orders, she left the tobacco farm to stay in the hospital a few weeks ahead of the birth. When her daughters finally arrived at 1 in the morning on May 23rd, 1946, she was surprised by a fourth baby, hiding behind her sisters.

Annie Mae's perfect babies became instant celebrities, reported on by papers all over the country. Universal Studios even sent a film crew from LA to capture the event. Annie Mae's doctor, Fred Klenner, was white and an unapologetic racist. He was a vocal supporter of Hitler, who he called misunderstood. He also believed that he could cure anything from gum disease to polio with vitamin C.

Dr. Klenner seized the opportunity he saw in the girls' fame to try to prove these controversial theories by experimenting on them. He started injecting the girls with 50 milligrams of ascorbic acid on the day they were born. Next, ignoring the names that Annie Mae lovingly picked out for her daughters, he gave them all the first name Mary, then the names of his wife, sister, aunt, and great-aunt: Ann, Louise, Alice, and Catherine. Finally, Dr. Klenner started a bidding war among formula companies competing to become the girls' corporate godfather.

St. Louis' Pet Milk company won the rights to use the sisters in their promotional materials. Through the contract, Fred Klenner managed to maintain control over the girls until they became adults. He had Pet Milk buy some barren land from his father-in-law for the family and install a window in their nursery where people could pay to look at the girls in the weekends, like a human zoo.

He kept the girls isolated from other kids, including their siblings. And he had Pet Milk hire nurses from his hospital so he could continue his experiments. Annie Mae couldn't travel with the girls so their nurses went to Washington DC with them for a feature for Ebony magazine. While there, although no politician would agree to meet with them, they ran into President Truman, who thought they were pretty and took an iconic picture with them. The girls experienced things their parents could only dream of – staying in hotels, going on airplanes, appearing on television, and marching in parades.

Pet Milk's sales went through the roof. But the famous sisters lived in poverty all their lives. When they turned six and were ready for school, Dr. Klenner convinced a judge to take them away from their family and make nurse Elma Saylor and her husband Charles their guardians.

Elma convinced Pet Milk to extend the contract until the girls turned 18, when they met another President – John F. Kennedy, Jr. The girls were asked to leave college after struggling for two years. The Saylor family moved them up to Peekskill where they tried unsuccessfully to break into the Manhattan night club scene. All four sisters were diagnosed with breast cancer at the age of forty-five. By age fifty-five, Catherine was the only sister left. She passed away in October 2018.

Pet Milk's campaign featuring the girls was the first to target Black families to buy anything except for cigarettes, alcohol, and beauty products. In the first half of the twentieth century, companies believed in a trickle-down theory of marketing – that Black consumers would want whatever white consumers wanted. Of course, they were wrong. And the adorable, light-skinned Fultz sisters were the perfect models for a crossover campaign that opened the door to a new era of marketing of formula and other products.

Formula was necessary for many Black women because they could not afford the luxury of staying home to nurse their babies. Even when welfare, introduced in response to the Great Depression of the 1930s, began to offer support for single mothers, it excluded most Black women. Later, when more Black and Brown women began to receive welfare, attitudes toward the program changed. It started to look more like a handout than a government responsibility.

In 1996, welfare reform in the Temporary Assistance for Needy Families Act made it possible for states to require new mothers to go to work as soon as their babies were born or lose their benefits. Several states forced mothers to give up the labor they did at home to do low wage, low skilled work outside the home.

In these types of jobs, breastfeeding is nearly impossible. Employers that see their workers as disposable and interchangeable don't provide paid breaks or safe spaces to pump milk. The United States has no federal law requiring employers to give parental leave. And two thirds of women who bring suits against their employers for breastfeeding discrimination end up losing their jobs. Laws and policies that make it difficult for new mothers to breastfeed disproportionately harm Black women, who have the lowest rates of breastfeeding in the United States. Their rates are low even compared to Latina mothers, who have a similar economic status. And people support laws and policies that create obstacles to breastfeeding largely because of widespread stereotypes about Black mothers like the Welfare Queen.

In the popular imagination, the Welfare Queen is a single, deviant, Black mother, who has children just so she can get benefits to spend on luxury cars, purses, and fancy food. This myth grew from the stereotypes born during chattel slavery to justify the cruel separation of Black mothers and children. The modern Welfare Queen combines elements of Mammy, Jezebel, and Sapphire. Mammy was the perfect caretaker of white children but neglected her own. This myth made stealing enslaved women's breast milk to give to white babies seem logical. Jezebel was a lustful Black woman who could never be raped because she always desired sex. Sapphire was a sharp-tongued ball buster without a maternal bone in her body.

The lie of the Bad Black Mother continues today through popular culture and news media. It explains why images of breastfeeding mothers are almost always white. And almost the only images of Black mothers breastfeeding are in formula ads and National Geographic.

The reality is that breastfeeding is hard for almost everyone. But doctors and nurses are not trained to give lactation advice. And they assume that Black women just don't want to breastfeed, so they offer them formula instead of help. Hospitals in Black neighborhoods have fewer 'baby-friendly' practices, like rooming babies and moms together. Predominantly Black cities are often 'first food' deserts that lack resources for new mothers. People attack Black women for breastfeeding in public. And the government gives formula away for free to women who participate in WIC but not organic or healthier formulas. And the USDA gets rebates from the formula companies that pay for most of the WIC program.

These aren't the only ways that the government and the medical profession support the formula industry. Pediatricians give out free formula in their offices to get perks like conference funding from the formula companies. The United States is the only country that refuses to sign on to an international agreement that prohibits formula marketing to pregnant people and new parents and would limit race targeted marketing. At the 2018 World Health Assembly, when Ecuador proposed a resolution promoting breastfeeding, the United States threatened it with trade and aid sanctions until it withdrew it.

Black parents and infants suffer from health problems and conditions linked to formula feeding, including infant mortality, at much higher rates than other mothers and babies. This is what I call 'first food' oppression. The Fultz Quads and first food oppression are the subject of my book *Skimmed: Breastfeeding, Race, and Injustice*.

Thank you again for the opportunity to share my work with you.

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Further Reading

Freeman, A. *Skimmed: Breastfeeding, Race, and Injustice*, Stanford University Press (2019).
<https://www.sup.org/books/title/?id=28151>

Unconstitutional Food Inequality, 55 Harv. C.R.-C.L. L. Rev. 840 (2020).

You Better Work: Unconstitutional Work Requirements and Food Oppression, 53 U.C. Davis L. Rev. 151 (2020).