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## Foreword: Toward a New Compact With Rural America

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# FOREWORD

## TOWARD A NEW COMPACT WITH RURAL AMERICA

*Anthony F. Pipa* \*

Rural America has a proud history of playing a central role in the country's rise to economic and political prominence. Its agriculture, minerals and energy resources, textile and other manufacturing industries, transportation networks, and natural assets and beauty have been critical to growing the overall wellbeing and prosperity of American society.

Yet, rural America has been significantly challenged by changes in the national and global economy. Even before the COVID-19 pandemic, employment and labor rate participation in rural places had not recovered from the Great Recession to their pre-2008 levels. Rural places experienced a net loss in population for the first time ever in the 2020 census,<sup>1</sup> and disparities between rural and urban areas are reflected in income,<sup>2</sup> employment, housing, edu-

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1. KENNETH JOHNSON, UNIV. OF N.H. CARESEY SCH. OF PUB. POL'Y 1 (2022), <https://scholars.unh.edu/cgi/viewcontent.cgi?article=1446&context=carsey> [<https://perma.cc/G3DM-ZQTF>].

2. CLARA HENDRICKSON GALSTON, MARK MURO & WILLIAM A. GALSTON, BROOKINGS INST., COUNTERING THE GEOGRAPHY OF DISCONTENT: STRATEGIES FOR LEFT-BEHIND PLACES 28 (2018), [https://www.brookings.edu/wp-content/uploads/2018/11/2018.11\\_Report\\_Countering-geography-of-discontent\\_Hendrickson-Muro-Galston.pdf](https://www.brookings.edu/wp-content/uploads/2018/11/2018.11_Report_Countering-geography-of-discontent_Hendrickson-Muro-Galston.pdf) [<https://perma.cc/8GLZ-T3AQ>].

cational attainment,<sup>3</sup> and life expectancy<sup>4</sup> (a statistic which has been especially affected by the opioid crisis).

These challenges faced by rural areas have fed a national narrative of rural decline, one which implies that rural places are increasingly obsolete or unable to thrive in a twenty-first century economy that rewards agglomeration and is defined by the exchange of information and knowledge. Combined with voting patterns, the idea of rural decline has also fed a narrative about a national urban-rural political divide, with an underlying assumption that the resentment of rural residents lies at the heart of an acute political polarization. Indeed, the media has spawned an entire cottage industry based on the subject and narratives. Two recent opinion editorials by Paul Krugman in *The New York Times* within three months of each other—one asking if anything could be done to “assuage rural rage”—offer a case in point.<sup>5</sup>

Yet among all the angst and ink spilled on rural decline and the urban-rural divide, too little is said about rural policy: what federal, state, and local governments could be doing differently to help rural places and people thrive. This 2023 edition of the *University of Richmond Law Review* and its accompanying Symposium entitled *Overlooked America: Addressing Legal Issues in Rural United States*, offer a welcome correction to this absence. Its collection of Articles makes a significant contribution to discussions of rural policy, investigating the extent to which public policies and regulations are enabling opportunity or failing to protect the interests of rural people and places, and provoking ideas and recommendations on what can be improved and made more effective.

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3. Mark Muro & Andre M. Perry, *Regional Divergence Is More than an Economic Dilemma—It's a Civil Rights Issue*, BROOKINGS INST.: THE AVENUE (Jan. 28, 2020), <https://www.brookings.edu/blog/the-avenue/2020/01/28/regional-divergence-is-more-than-an-economic-dilemma-its-a-civil-rights-issue/> [https://perma.cc/G7WG-RKD6]; *Rural Education*, U.S. DEPT OF AGRIC.: ECON. RSCH. SERV. (May 28, 2020), <https://www.ers.usda.gov/topics/rural-economy-population/employment-education/rural-education/> [https://perma.cc/8KHM-H6PZ].

4. Leah R Abrams, Mikko Myrskylä & Neil K Mehta, *The Growing Rural–Urban Divide in US Life Expectancy: Contribution of Cardiovascular Disease and Other Major Causes of Death*, 50 INT'L J. EPIDEMIOLOGY 1970, 1971 (2021).

5. See generally Paul Krugman, Opinion, *Can Anything Be Done to Assuage Rural Rage?*, N.Y. TIMES (Jan. 26, 2023), <https://www.nytimes.com/2023/01/26/opinion/rural-voter-s-economy.html> [https://perma.cc/PPZ2-R6BD]; Paul Krugman, Opinion, *Working Out: Facts, Feelings and Rural Politics*, N.Y. TIMES (Oct. 21, 2022), <https://www.nytimes.com/2022/10/21/opinion/rural-america-politics.html> [https://perma.cc/2RCW-FFQC].

After all, historically, public policy has played a critical role in facilitating connections between rural places and the rest of America, which resulted in relative geographic equity. In the late nineteenth through mid-twentieth centuries, lawmakers paid close attention to the local and regional effects of federal policy. The Interstate Commerce Act of 1887, for example, sought to create an equal playing field for businesses in all regions by ensuring that railroad rates did not favor one community over another. From the creation of land grant universities and the cooperative extension system in the late nineteenth century to landmark rural electrification and housing efforts in the 1930s and 1940s, federal policymakers have a successful and creative history of helping rural communities thrive.

However, policy changes over the past several decades have not been friendly to rural places. Major shifts in antitrust enforcement,<sup>6</sup> the globalization of trade,<sup>7</sup> and the global movement of capital and goods have been challenging for rural economies.<sup>8</sup> Deregulation of the transportation and telecommunications industries has also had major implications,<sup>9</sup> and the glacial policy response to the opioid crisis added fuel to the fire.<sup>10</sup>

Even productive federal policy has also at times consciously discriminated against communities of color in rural places, sometimes accompanied by marginalization of racial groups by state governments. Eighty-six percent of persistently poor counties (defined as poverty rates above twenty percent for thirty years) are entirely rural, and nearly sixty percent of the population in those combined

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6. See generally Robert Manduca, *Antitrust Enforcement as Federal Policy to Reduce Regional Economic Disparities*, 685 ANNALS AM. ACAD. POL. & SOC. SCI. 156 (2019).

7. See generally David H. Autor, David Dorn & Gordon H. Hanson, *The China Shock: Learning from Labor-Market Adjustment to Large Changes in Trade*, 8 ANN. REV. ECON. 205 (2016).

8. See generally Robert Manduca, *Place-Conscious Federal Policies to Reduce Regional Economic Disparities in the United States*, WASH. CTR. EQUI. GROWTH (Jan. 14, 2021), <https://equitablegrowth.org/place-conscious-federal-policies-to-reduce-regional-economic-disparities-in-the-united-states/> [<https://perma.cc/7Y3E-JVY8>].

9. Ganesh Sitaraman, Morgan Ricks & Christopher Serkin, *Regulation and the Geography of Inequality*, 70 DUKE L. J. 1763, 1786–98 (2021).

10. See Vanda Felbab-Brown et al., Paper Series, *The Opioid Crisis in America: Domestic and International Dimensions*, BROOKINGS INST. (June 2020), [https://www.brookings.edu/wp-content/uploads/2020/06/0\\_Overview.pdf](https://www.brookings.edu/wp-content/uploads/2020/06/0_Overview.pdf) [<https://perma.cc/KK6W-AZQ5>]; see generally Janet Currie & Hannes Schwandt, *The Opioid Epidemic Was Not Caused by Economic Distress but by Factors That Could Be More Rapidly Addressed* (Nat'l Bureau of Econ. Rsch., Working Paper No. 27544, 2021).

counties identifies as a racial or ethnic minority.<sup>11</sup> Those people experience a dual burden of race and place, and any serious racial equity agenda should include a rural agenda. Yet, the U.S. political and policy elite seem mostly unwilling to consider that policy decisions play a key role in remedying or causing the challenges facing rural America.

The U.S. does not have a coherent federal policy, nor a shared policy perspective, on how a diverse set of rural geographies, populations, and economies can thrive in the twenty-first century.<sup>12</sup> A bewildering array of programs are available for community and economic development spread across the federal government, but they are exceptionally hard to access by the volunteer elected officials and the thinly staffed local governments throughout rural America. Many of these programs are outdated and not necessarily well-matched to the needs of rural communities today.

Perhaps most troubling is the dismissiveness and even contempt heaped onto rural people by portions of the political class. While Krugman's analysis suggests that rural places are disproportionately benefiting from redistribution of public revenue (even as rural voters remain resentful and full of "rage") deeper analysis shows that rural communities in general are likely starved for the type of investment that would enable economic and social renewal.<sup>13</sup> Thus, rural communities' suspicions that policymakers do not have rural interests at heart—well, they may have a point. Such surface-level analysis and the sweeping stereotypes that result in "rural bashing"<sup>14</sup> undermine the recognition of basic interdependencies between rural and urban places that are fundamental to the health and future of the country and its economy.

Take, for instance, the importance of strengthening resilience to climate change and conserving the country's natural assets. The solar and wind farms that will result in cleaner energy; the

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11. LANCE GEORGE & KEITH WILEY, HOUS. ASSISTANCE COUNCIL, RURAL RESEARCH BRIEF: THE PERSISTENCE OF POVERTY IN RURAL AMERICA (2022), <https://ruralhome.org/wp-content/uploads/2022/04/rural-research-brief-persistent-poverty-2021.pdf> [<https://perma.cc/AZ3D-Q66C>].

12. See ANTHONY F. PIPA & NATALIE GEISMAR, BROOKINGS INST., REIMAGINING RURAL POLICY: ORGANIZING FEDERAL ASSISTANCE TO MAXIMIZE RURAL PROSPERITY 4 (2020), <https://www.brookings.edu/wp-content/uploads/2020/11/Rural-Dev-Assistance-Brief.pdf> [<https://perma.cc/APQ9-JR2U>].

13. See generally APPALACHIA REVISITED: NEW PERSPECTIVES ON PLACE, TRADITION, AND PROGRESS (William Schumann & Rebecca Adkins Fletcher eds., 2016).

14. Kaceylee Klein & Lisa R. Pruitt, *Rural Bashing*, 57 U. RICH. L. REV. 965 (2023).

minerals that will be necessary for batteries; the locations for producing those batteries; the practices in regenerative agriculture that will reduce methane gases and sustain the soil's ability to produce crops—all will rely on rural America.<sup>15</sup> How that happens, who benefits, and how well communities manage these changes are clear and present policy issues that require authentic discourse and basic respect if policymakers and the country as a whole are to find a productive, constructive way forward.

The interpretation of United States laws and policies, and the extent to which they obstruct or support rural places and people to take advantage of opportunity, are at the nexus of our nation's ability to reweave the social fabric and create a new compact between its rural areas and the rest of the country. It requires recognizing our interdependencies, our mutual interests, and our shared humanity. The Articles contained herein get us started—it is incumbent that we build on these contributions to take their ideas forward and provoke new and constructive policy debates.

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15. *Expand Rural Role in Renewable Energy and Ecosystem Services*, UNIV. N.C. SCH. OF GOV'T: BLDG. ASSETS FOR THE RURAL FUTURE, <https://www.sog.unc.edu/resources/microsites/building-assets-rural-future/expand-rural-role-renewable-energy-and-ecosystem-services> [https://perma.cc/U9HQ-PQ5B].