

Storm over the Rangelands (17 January 2023)

Ensnorced snugly inside by my old thankfully reliable gas heater while a winter rain (once normal here, but scarce these past twenty years) drizzles outside, prompted by a book picked up last week at the public library bookstore, I've spent the most of the day reminiscing (and browsing the Web) about the perennial struggle between ranchers and conservationists (later, environmentalists) over private use of public lands that has been at the core of many battles in my years of activism.

From the remnants of what Bernard De Voto in 1947 called "The Great Land Grab" (<https://harpers.org/archive/1947/01/the-west-against-itself/>), to the Sagebrush Rebellion of the 60s-80s; to the 80s-90s Wise Use (aka, Takings) Movement, People for the West, People for the USA and associated efforts; to the recent Bundy family and friends hijinks at the Malheur Wildlife Refuge and elsewhere; up to and including the ongoing dispute about cattle on the San Pedro Riparian National Conservation Area and the neighbor vs neighbor often uncivil war over groundwater use here in the Sulphur Springs Valley; the arguments for and against public ownership and/or use of public lands and water has been the undying fire beneath most efforts to conserve and preserve our public lands.

And of course, it is part and parcel with other threads in the pervasive divisiveness on a number of divides in our body politic (over matters as local as monitoring individual wells to nationwide states rights debates).

A quick google search will turn up a digital library of documents on these private/public issues. For some of my own forays into the stew, see titles in the "Looking at the Planet" collection on my website (michaelgregoryaz.net), in particular the "Preservation of the World" chapter - link to the pdf below).

The public vs private struggle goes back a long way, preceding even the early days of the "opening of the west" under Jefferson (when it was, as now, inseparable from the foundational land grab of Native American lands by European colonists). The arguments were rife in the 19th Century, from the expansionist push of the Jacksonian era up through the Homestead Act of 1862, the 1872 creation of Yellowstone National Park (followed forty-four years later by establishment of the National Park Service under Woodrow Wilson); the 1881 creation of the Forestry Division within the existing Department of Agriculture; the 1891 creation of the national Forest Reserve System (originally under DOI, transferred to USDA with establishment of the USFS in 1905); and the 1903 creation of the National Wildlife Refuge System under Theodore Roosevelt.

The conflict between conservationists trying to end overgrazing on public lands and ranchers trying to maintain "customary rights" and rights under state laws came to a head toward the end of the great drought of the 1930s (cf. the Dust Bowl) during negotiations on what became the Taylor Grazing Act of 1934 under FDR. The TGA, largely shaped by FDR's Sec. of Interior, Harold Ickes (who fought with USDA-FS to keep rangelands under DOI), established grazing districts and rules for rancher's access to feed and water on public lands.

The TGA was intended to "stop injury to the public grazing lands [excluding Alaska] by preventing overgrazing and soil deterioration; to provide for their orderly use, improvement, and development; [and] to stabilize the livestock industry dependent upon the public range."

It covered lands under jurisdiction of the Forest Service and other agencies but was mainly concerned with lower elevation rangelands then under jurisdiction of the Department of the Interior (estab. 1849) and the DOI agencies that in 1946 became the Bureau of Land Management. The TGA is still today the principal law governing grazing on public lands, though it was substantially modified under the ecosystem perspectives of two 1976 laws: the National Forest Service Management Act (for USFS) and Federal Lands Policy Management Act for BLM (the first enacted by Congress without Nixon's signature, the second signed by Ford, both then severely restricted in application under Reagan -- which, incidentally, suggests a place where attention by the Biden administration might do some serious good).

The ranching (aka Beef) lobby insisted on and achieved many concessions under the TGA, but the BLM and USFS rules under the law, as well as the whole notion of federal ownership, have continued to be major issues in the ranching industry.

Which brings me back to the book that set me off on this ramble: Wayne Hage, *Storm over Rangelands: Private Rights in Federal Lands* (Bellevue, Washington: Free Enterprise Press, 1989, 1990, 1994). The title page announces that the book is a "Project of the Free Enterprise Defense Fund." The back of the title page notes that "the Free Enterprise Press is a division of The Center for the Defense of Free Enterprise."

It's easy to see how this book might be considered a handbook on private property rights, especially for advocates. I wouldn't be surprised if it is well-known in college classes on environmental history and politics and ranchers' homes. I'd never come across it before, but the introduction to the third "edition" I have is by Ron Arnold, a name well-known in the public lands grazing arena.

Arnold, who passed away last year, began his writing career in the mid- to late 70s as a contributor to pro-industry logging and mining journals. In 1981 he published an admiring biography of Reagan's Interior Secretary, James Watt. In 1984, he became Executive Vice-President of Alan Gottlieb's Center for Defense of Free Enterprise and started the FE Press there a few years later, which published several more of his books, including *Ecology Wars* (1987) and *Ecoterror: The Violent Agenda to Save Nature*, the titles of which exemplify his predilection for combative rhetoric which he used not just because it made for effective metaphors but because he professed to really believe that the environmental movement was a plot by rich Democrats and liberal politicians to overthrow the American way of life.

He was first president of the American Freedom Coalition (1989), and by the 90s was the recognized leader in the growing Wise Use Movement, the main purpose of which, he has been widely-quoted as saying, is "to destroy the environmental movement." He was also widely-recognized as, from 1989-1991, being closely connected to the Rev. Sun Myung Moon's Unification Church.

In 2004, Playboy ran a profile of him by reporter Dean Kuypers titled "The Guru of Wise Use." The headline read: The spiritual father of the Bush administration's environmental policies says we shouldn't be timid about timber.

https://en.m.wikipedia.org/wiki/Ron_Arnold