AN EVIL IN THE SEASON
The Cattleman's Welfare System Begins

T. H. Watkins

The current system of federal subsidies to the western cattle industry was born out of the Great Depression and Dust Bowl era. The 1934 Taylor Grazing Act was intended to rescue, as well as to regulate, desperate stock growers. It entrenched local ranchers' control over federal lands management; granted permits erroneously regarded by many as akin to a property right; and established a system of cheap grazing fees. Today, most public lands grazed by livestock remain in an ecologically unsatisfactory condition.

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State-owned lands southwest of Tucson, Arizona. In the drier regions of the West, Dust Bowl–like landscapes are not some distant memory, but part of the current reality of livestock-grazed lands.

Whether you think of it as a little mom-and-pop cow-calf operation barely carving out a sustainable living or as a corporate monster raising cows for feedlots the size of Rhode Island, the western cattle industry has been riding the backs of taxpayers for nearly seventy years. At issue is the fee that the government of the United States charges ranchers to graze animals on federal grasslands, a fee so low compared with real market values that it amounts to a subsidy—one that is such a travesty, even economic conservatives can join with extreme environmentalists to agree it should be ended.

That subsidy is the gift of a history born in hard times, the hardest hard times that the West so far has ever suffered. The economic desolation of the Great Depression combined with a largely human-caused environmental disaster to inspire the cattle industry to give up its fondly held delusions of rugged individualism—just long enough to plead with the New Deal government for help. The New Dealers obliged, only to have their noblest hopes seized by the industry, which cheerfully transformed the government's well-meaning program into an engine of convenience. For the rest of the century, the livestock industry was assured it would receive federal benefits with a minimum of federal control—at a cost to the land we still do not know how to measure fully.

The Great Depression was at its deepest ebb: nearly 13 million people were out of work. Adding to the general misery, a terrible drought began in the lower Mississippi River Valley in 1930, and in 1931 the drought shifted westward. In the spring of that year, it was the upper Midwest that began to suffer; over the next three years the misery spread south and west into every state between the Front Range of the Rockies and the Ohio and Mississippi River Valleys. There was a brief respite for some states in 1932, but between June of 1933 and May of 1934 the plains states experienced the lowest rainfall on record, while from the Flathead Range in Montana to the San Juans in southern Colorado, winter snowfall in the Rockies ranged from one-third to one-half of normal—and in New Mexico the Sangre de Cristos received little more than a dusting.

With drought came heat, more heat than millions had ever experienced, even in the plains, where the most ordinary summer could be a torment. Everywhere in the agricultural checkerboard of the heartland, crops not already eaten by grasshoppers shriveled under the withering blight of the sun, and livestock grew skeletal and frantic with thirst and hunger, in some places "dropping dead in their tracks from the heat." Journalist Meridel Le Sueur took an exploratory bus trip across Minnesota and into North Dakota, "trying not to look at the ribs of the horses and the cows, but you got so you couldn't see anything but ribs, like beached hulks on the prairie, the bones rising out of the skin. You began to see the thin farmer under his rags and his wife as lean as his cows."[1]

On September 9, 1934, reporter Lorena Hickok reported from eastern Wyoming to Harry Hopkins, head of the Federal Emergency Relief Administration in Washington, D.C.: "I saw range that looked as though it had been gone over with a safety razor."[2]

There was an "evil in this season," wrote James Agee in *Fortune*, the words accompanying a numbingly effective portfolio of drought photographs by Margaret Bourke-White. It was a time when much of the Northern Hemisphere was "little better than a turning hearth, glowing before the white continuous blast of the sun."[3]

Then there was the wind, as much a part of the geography of the plains as the buffalo grass through which it rippled. In a drought, the wind became an enemy collaborating with sun and heat to test the limits of human patience. "A high wind is an awful thing," Le Sueur wrote in describing what she experienced in 1934. "It wears you down, it nags at you day after day, it sounds like an invisible army, it fills you with terror as something invisible does."[4]

It was not just the wind itself that scraped at the nerves in this evil season but the burden it carried, the direct consequence of generations of disregard for what the land could and could not be expected to do. It was a lesson that should have been learned long before, of course, as early as 1864, when in *Man and Nature*, George Perkins Marsh had cited the nations of antiquity to demonstrate how entire empires could disintegrate once their land had been abused beyond redemption. In this country, Marsh's warnings had been validated during the ecologically ruinous 1880s. Out on the High Plains, millions of cattle, half-starved because the western range had been packed with animals and brutally overgrazed for years, perished during the winter of 1886–1887 in what was called the "Big Die-Up." When the spring winds swept the land clean of snow, carcasses dotted a landscape that Theodore Roosevelt, anticipating Lorena Hickok, described as "a mere barren waste; not a green thing could be seen; the dead grass eaten off till the country looked as if it had been shaved by a razor."[5]

In the 1930s, millions of acres on the Great Plains that had not fully recovered from the abuses of the 1880s still lay open to livestock use and intensive agriculture—and it was on these lands that much of the land-wrecking boom of the World War I years had just played out. The temptation had been considerable. As the terrible engine of war had begun grinding across the European landscape in August 1914, all but obliterating the ability of the warring nations to feed themselves, the demand for American-grown food had swollen to unprecedented levels. Henry C. Wallace, editor of *Wallace's Farmer* (and father of Franklin Roosevelt's secretary of agriculture), declared that the United States had a "moral responsibility to feed the hungry people of the world."[6] Farmers and ranchers cheerfully accepted the obligation, planting and harvesting more and more bushels of wheat and other grains, raising and shipping ever-increasing numbers of cattle and other livestock, while prices for all agricultural products rose in an exhilarating demonstration of the principles of supply and demand. When the United States entered the war in April 1917, setting up a Food Administration for War that put in place artificially high price supports to encourage even more production, farmers and ranchers could be forgiven for believing that it was impossible to lose money.

At the war's end, as a recovering Europe clamored for food, the levels of prices and production remained high well into 1920, even after the government removed its price supports. Then European demands for relatively expensive American food suddenly began to decline as cheaper wheat from Australia and Canada, and cheap beef and other meat products from Argentina and elsewhere, came in on suddenly submarine-free shipping lanes. An anti-inflation Federal Reserve announced an end to the easy credit of the war years. Prices sank every bit as dramatically as they had risen, the slide continuing throughout the rest of the decade, while farmers and ranchers desperately stepped up production, hoping to make up in volume for steadily declining prices.

By the 1930s, then, much of the western land had been broken and exposed by repeated plowing, leached of its nutrients by constant planting and replanting, grazed down to the dirt by cattle and sheep, its topsoil skinned off in sheets or gullied by water erosion during wet years. And it was on these lands that the sun had been doing some of its most devastating work during the drought years.

So now the wind: it came down on all that exposed and crippled land; scooped up hundreds of millions of tons of it as dust, then boiled it all up into choking clouds that rolled across entire states and at least twice—in May 1934 and March 1935—sailed so high into the jet stream that airborne earth from the Great Plains darkened eastern cities in the daytime and dusted the decks of transatlantic liners. However dramatic, the jet stream storms of 1934 and 1935 gave the East the barest taste of what had become a commonplace misery in the plains states. On March 15, 1935, after portions of Texas, Oklahoma, and Kansas already had experienced two weeks of intermittent dust storms, a big one swept down from southeastern Colorado and for the next several days shut much of Kansas down in a gloom of dust. That storm had no sooner abated when another piled across the southern plains from Oklahoma on March 24, this one destroying half the wheat crop in Kansas before sweeping up into Nebraska and killing virtually all of that state's wheat. Then came the sudden "black blizzard" of April 14, which concentrated most of its terrific energy in Kansas, stranding hundreds of travelers, burying and killing one child, and lasting so long that its gale-force winds (in some storms they reached 60 or 70 miles an hour) and light-obliterating dust inspired apocalyptic terror among many, particularly when they were accompanied by a drop in temperatures of nearly 50 degrees in a matter of hours. "This is ultimate darkness," one victim wrote in a daily log. "So must come the end of the world."[7]

"By the middle of last August," the October 1934 issue of *Fortune* declared, "a good third of our part of the continent was one wide crisp. The great map in the Washington office of Relief Administrator Harry Hopkins showed 1,400 counties in twenty-two states, of which 1,100 were counted as harmed beyond all help."[8]

"I have been so moved by the distressing effects of a widespread drouth," President Franklin D. Roosevelt remarked in a speech delivered while on a cross-country train tour in August 1934, "and at the same time so strengthened in my belief that science and cooperation can do much from now on to undo the mistakes that men have made in the past and to aid the good forces of nature and the good impulses of men instead of fighting against them."[9]

Generally speaking, the New Dealers would discover that it proved easier to harness the tools of science to aid the good forces of nature than to invoke the spirit of cooperation and build on the good impulses of human beings—whom Roosevelt and his people would find (then as always) maddeningly unpredictable and not easily squeezed into sociopolitical molds. Take the western cattle industry. For more than sixty years, cattlemen and the politicians who serviced their needs and parroted their philosophies had resisted any sort of federal control over what could and could not be done on the public grazing lands of the West, save for those laws—such as the Desert Land Act of 1877, the Enlarged Homestead Act of 1909, or the Stock Raising Homestead Act of 1914—that either had been designed to service the cattle industry's desires or could be manipulated easily to its advantage. Armed with protestations of "frontier independence," however conditional, and driven by the fear, however exaggerated, that government action might seriously weaken its hegemony, the cattle industry at first refused to have anything to do with the New Deal's relief programs. But not for long.

More than half the public grasslands of the West were overgrazed and eroded by the end of 1933. Further, it was becoming clear that the rapidly spreading drought was going to inflict terrible losses on cattle from the Mississippi River Valley to the Rocky Mountains, and as far west as Arizona. There was, the Department of Agriculture estimated, a surplus of anywhere from 8 to 10 million head of cattle alone, and by December 1933 the industry was ready to adjust its position with regard to government help.[10] "Traditionally independent though he be, whether he likes it or not," warned F. E. Mollin, secretary of the American National Livestock Association, "the cattleman today is very much in the 'new deal,' entirely unable to cope single-handedly."[11]

What the cattlemen wanted, and what the government ultimately gave them in the Jones-Connally Farm Relief Act of 1934, including an appropriation of $200 million in drought relief money, was a simple purchase program that would reduce the number of existing animals without interfering with any cattleman's desire to keep his cows popping out more calves.

The program began on a fairly modest scale in the last week of May 1934 with the planned purchase of 50,000 animals per week in 121 counties in Minnesota, North Dakota, and South Dakota. The payment schedule was a complicated, two-part system that gave the seller anywhere from one to fourteen dollars a head as an outright purchase price, in addition to anywhere from three to six dollars a head as a relief "benefit." The two figures, each dependent on the age and condition of the animal being sold, could not add up to more than twenty dollars. Those cattle too diseased or emaciated to be useful as food were shot at the point of purchase and buried in pits; the rest were shipped off to the Federal Surplus Relief Corporation for slaughter and distribution as relief food.

A maximum of twenty dollars a head was not as much as cattlemen might have liked, but it was a good deal better than nothing, a conclusion many found inescapable as the drought burned its way across the plains with increasing ferocity. By the end of the summer, the Drought Relief Service had received so many demands for help that the government expanded its relief territory all the way to Texas and began to purchase cattle with extravagant fervor, particularly after Congress obliged by appropriating another $500 million for general drought relief. Soon, nearly 600,000 cattle were being shot or shipped every week. Goats and sheep were added to the list, and before long thousands of those animals also became government issue.

Too many animals, some Department of Agriculture officials began to worry, and at the end of August it was announced that the program would cease when the total number of purchased cattle reached 7.3 million, after which relief efforts would concentrate on helping to feed and care for remaining herds. This plan did not sit well with the industry. "It would be doubtful economy," the *American Cattle Producer* editorialized, "to do a good job of buying seven million cattle and then quit just when the program could be properly rounded out with a little more time and money."[12] In November, after the industry had turned the full force of its political artillery on the Roosevelt administration, the government rethought the situation and agreed to buy another 1.5 million cattle before shutting the program down entirely at the end of January 1935, when even the cattle industry had to admit that it was no longer needed. So many cattle had been killed that market prices were on the rise, soon surpassing the twenty-dollar maximum per head provided by the law.

While arguably necessary to keep the cattle industry from being annihilated by the drought, the cattle purchase program—even though it reduced the number of grazing animals significantly for a while—would have done nothing to help the land itself if the livestock industry had been left to return to the unchained habits of the past, as many conservation-minded folk feared it would do. Among those people was Interior Secretary Harold L. Ickes, who in October 1934 declared that "an evil that is the twin of the destruction of our forests is the destruction of the public range through over-grazing. Herds of sheep and cattle, totaling more heads than the range can reasonably support, literally stand about hungrily waiting for a venturesome blade of grass to stick its head through the soil."[13]

By the time the secretary had come up with this cunning image, he had, he hoped, gone a long way toward helping to ensure that such overgrazing could finally be brought under control. The instrument of this hope was the Taylor Grazing Act, legislation largely contrived by Senator Edward S. Taylor of Colorado, a man who had spent most of his public life rejecting the notion that the livestock industry or any other aspect of western life should be subject to any sort of federal interference. But the drought years had changed his thinking, he said. Saving the land was a job "too big and interwoven for even the states to handle with satisfactory co-ordination. On the western slope of Colorado and in nearby states I saw waste, competition, over-use, and abuse of valuable range lands and watersheds eating into the very heart of western economy. . . . Erosion, yes, even human erosion, had taken root. The livestock industry . . .was headed for self-strangulation."[14]

Taylor introduced the first version of his legislation early in 1933, but since one of its provisions would have given the states veto power over federal regulations, Ickes testified against it, and the bill died in committee. The second version, introduced in 1934, did not include the offensive stipulation, and Ickes supported it vigorously. The bill called for 173 million acres of vacant and otherwise unappropriated public domain lands outside Alaska to be withdrawn from entry by any existing land laws. Eighty million acres of these lands were to be divided up into grazing districts that also would include national forest grazing lands. Those individuals "within or near a district who are landowners engaged in the livestock business, bona fide occupants or settlers, or owners of water or water rights" would be allowed to graze animals on these district lands under a ten-year permit system that stipulated the number of animals permitted on the land (subject to revision in any given year at the discretion of the secretary of the interior). For the first time, stockmen would be required to pay for this privilege—five cents per cow per month and one cent per sheep per month. Half the money would go back to the states for redistribution in the affected counties, while one-fourth would be reserved for range improvements. The program would be managed by a Division of Grazing in the Interior Department, and on the local level by district managers selected from the local population, with the aid and counsel of local advisory boards consisting of seven cattlemen and seven sheepmen appointed by the holders of grazing permits in the region, with a Division of Grazing employee appointed by the Interior Department.

As the bill came up for hearings, many livestock organizations waded in against it. A. A. Jones, head of the Arizona Wool Growers Association, went so far as to testify that "there isn't any such thing in the Southwest as overgrazing." Opposition among livestock interests was not unanimous, however, with stockman Farrington Carpenter of northwest Colorado speaking for many others when he said the bill was the industry's "only chance against being completely wiped out of existence."[15] Indeed, some of the most significant objections to Taylor's bill came not from the livestock industry but from Chief Forester Ferdinand A. Silcox and Agriculture Secretary Henry Wallace, both of whom complained that the bill gave far too much power to local stockmen and issued a specific warning against one particular amendment offered successfully by Nevada senator Pat McCarran. This stipulated that no grazing permit could be denied if doing so would "impair the value of the livestock unit of the permittee, if such unit is pledged as security for any bona fide loan."[16]

The amendment had been revised to provide that no "permittee complying with the rules and regulations laid down by the Secretary of the Interior" would be denied any permit. Still, Silcox worried that the stipulation remained loose enough to be open to interpretation. As in the earlier legislation that Ickes had opposed, the chief feared that the clause would give these permits the status of private property "which the Secretary could neither diminish, restrict, nor impair."[17] In passing along Silcox's comments that the bill—as presented to the president for his signature—was a bad idea, Wallace added: "An empire of 173 million acres should not be disposed of in language of doubtful meaning. It should be conserved by a law expressed in direct, specific, and unequivocal terms. This is not a measure of that kind."[18]

Nevertheless, it was the only measure likely to get through a Congress whose public land committees were occupied almost entirely by western congressmen and senators, most of whom were supported by the livestock industry. It also was a measure that Roosevelt wanted, however imperfect it might have been. On June 28, 1934, he signed it. On November 24, he issued an executive order withdrawing the first 80 million acres (an additional withdrawal of 62 million acres would be made in December 1935), while Ickes appointed bill proponent and stockman Farrington Carpenter head of the Division of Grazing. "In more ways than one," Ickes told an assembly of stockmen in Denver on February 12, 1935, "the Taylor Grazing Law is not merely a regulatory measure to upbuild and maintain the public range and to control its use in the interest of the stockmen of the nation. It is a Magna Charta upon which the prosperity, well-being, and happiness of large sections of this great western country of ours will in the future depend."[19]

Ickes believed it, and so it might have been in a perfect world. But in the long run, the worries of Silcox and Wallace proved closer to the mark. The Division of Grazing (later renamed the U.S. Grazing Service) did erect some useful guidelines for the future management of the public grazing lands that especially foresightful ranchers were happy to follow, and this redounded to the benefit of some land in some areas. But Silcox was right about the permit system. The grazing permits were regarded as property, and any attempts to revoke or reduce them were viewed as assaults on private property rights. Not that the managers of most grazing districts were inclined to do anything of the sort. They were local people who had to answer to their neighbors for their actions, and even if they disagreed with the advice offered by the industry-weighted boards looking over their shoulders, few were brave enough to contradict it. On most of the grazing lands of the West, short-term profit (or the dream of it) continued to come at the expense of long-range protection, a condition that would prevail even when the Grazing Service was wedded to the General Land Office to create the Bureau of Land Management (BLM) in 1946. Nearly sixty years after passage of the Taylor Grazing Act, a study undertaken by the Natural Resources Defense Council and the National Wildlife Federation could estimate that no less than 100 million acres of BLM grazing land were still in "unsatisfactory" condition.[20]

Nor have the welfare traditions of the cattle industry been seriously tampered with in the decades since the New Deal (as have Aid to Dependent Children and other New Deal programs for the deserving poor, most of which are now left to the tender mercies of the individual states). Today, it costs only $1.35 per AUM (animal unit month—the amount of forage required by a cow-calf pair for a month) to graze cows on federal land; in some areas, this is as little as one-tenth the cost of doing the same on private lands. Grazing private cows on public land—the industry piously insists against all logic—is a right, not a privilege, and any restriction on that freewheeling tradition strikes at the heart of the West. And its politicians still rise up to defend that curious position with the passion of acolytes in some obscure religion, exerting so much muscle that the Department of the Interior fairly trembles when men like Senator Conrad Burns of Montana come to call.

It probably would be too much to say that Bernard DeVoto's famous outburst in "The West Against Itself" in *Harper's* magazine—"Cattlemen and sheepmen, I repeat, want to shovel most of the West into its rivers"—holds true today with the same force it did when he wrote it in 1947, but there is still validation for his conclusion. The fulfillment of "the great dream of the West, mature economic development and local ownership and control," he wrote,

> envisions the establishment of an economy on the natural resources of the West, developed and integrated to produce a steady, sustained, permanent yield. While the West moves to build that kind of an economy, a part of the West is simultaneously moving to destroy the natural resources forever. That paradox is absolutely true to the Western mind and spirit. But the future of the West hinges on whether it can defend itself against itself.[21]

Severely eroded land, Coronado National Forest, Arizona.