

## Hunting for Cowboys

Rainer Knopff

[Published in 2013 in **Hunting and Weaving: Empiricism and Political Philosophy** edited by Thomas Heilke and John von Heyking. South Bend IN.: St. Augustine's Press.]

Barry Cooper loves cowboys. His most recent book on Canadian politics – *It's the Regime, Stupid* – is subtitled “a Report from the Cowboy West.”<sup>1</sup> The book begins with Barry accompanying his rancher friend Sandy Soutzo to a Medicine Hat cattle auction; it ends (leaving aside the “Postscript”) with the two friends at a similar auction in 2008, this time in High River. Between these bookends – in a chapter asking “Cowboy Conservatives?” – Barry trashes C.B. Macpherson's *Democracy in Alberta* for neglecting “the economic activity whose existence is annually celebrated in the Calgary Stampede, the cattle industry.”<sup>2</sup> Those familiar with Barry's life in Alberta – “the west of the West”<sup>3</sup> – know that he enjoys not only auctions, but also roundup and branding festivities. Barry clearly loves cowboys.

Barry also loves to hunt, not only in the metaphorical sense of stalking the truth, but also in the sense of producing game for the dinner table. Each fall he and several friends, including me and my sons, become enthusiastic locavores, stocking our freezers with locally produced organic meat. Barry has kept meticulous notes on our adventures afield over several decades, and has circulated them as a prized volume of reminiscences among his hunting buddies. A casual hunter would not go to such lengths. Barry clearly loves hunting.

In the southern Alberta context, these two loves of Barry's – cowboys and hunting – are complementary in some ways and at odds in others. This “essay” – and I borrow the term advisedly from Barry, who uses it often (including to characterize *It's the Regime, Stupid*) – explores these relationships and tensions. The conflicts between cowboys and hunters are particularly interesting because they replicate the broader political tensions Barry sees in the Canadian “regime” between the ethos of the “Cowboy West” and the conflicting “garrison” mentality of “Laurentian” (i.e., central) Canada. Simply put, too few Alberta hunters are imbued with the cowboy ethos, as Barry understands it. Like the Canadian regime as a whole, the Alberta regime has its own inner contradictions.

\*\*\*\*\*

The place to begin is with another of Barry's friends, the now sadly departed Ralph Hedlin. In 1971, Ralph and his son Paul co-authored *Game Policy Needs in Alberta* on behalf of the Western Stock Growers' Association. The document explored a longstanding “conflict of interest” between hunters and ranchers, one that was “inevitable and irreconcilable” under existing game laws but that might be resolved to the mutual benefit of both sides with appropriate policy change.<sup>4</sup> The conflict stemmed from the “insistence of the modern Alberta hunter that game is ‘free,’”<sup>5</sup> despite the fact that there are real “supply cost[s]”<sup>6</sup> for landowners, whose provision of game habitat often conflicts

with their economic interest. Maintaining or improving the habitat on which game animals depend is an “economic disutility”<sup>7</sup> for the landowner whenever income can be produced through less habitat-friendly practices (e.g., grazing game cover or replacing it with crop production). In short, it often pays the landowner “to assault the game population on the habitat side.”<sup>8</sup> This is obviously not in the hunter’s interest.

Of course, the habitat that benefits the ranching economy – i.e., grassland for cattle grazing – also benefits some game species (such as grass-consuming elk), but this simply gives ranchers “a built-in incentive to minimize the number of [competing game] animals” on their land.<sup>9</sup> In such cases, the interests of ranchers and hunters might coincide to some extent, because hunters can help reduce the competing wildlife, especially with the cooperation of the relevant government authorities. This is precisely what has occurred for years in the Milk River Ridge area of southern Alberta, where a small, annual “pest control” elk hunt, targeted at cow elk, keeps the herd at a miniscule size of about 200 on a landscape that could support thousands of these animals. The Milk River Ridge is one of Barry’s favored hunting grounds, but he does not hunt elk there; indeed, he rarely sees any. A few elk hunters benefit from such “pest control” hunts, but elk hunting as such suffers.

The Western Stock Growers Association wanted to change the incentives that lead ranchers to reduce the supply of game and wildlife habitat. Ranchers, hunters, and the environment would all be better off, in their view, if game and habitat became benefits rather than costs for landowners. “At a minimum,” argued the Hedlin report, the rancher’s “cost of supplying game [must] be covered,”<sup>10</sup> but it would be even better to exceed this “minimum” and enable landowners – through access fees and the like – to realize a positive income from game and game habitat. Wherever such market incentives had been tried, the report maintained, game habitat, and thus the supply of game, had improved, to the ultimate benefit of not only hunters but also the environment. In short, the Stock Growers Association – the “cowboys” on this issue – were making the case for “market environmentalism.”

In promoting market environmentalism, Alberta’s cowboys were fighting an uphill battle, and their most vociferous opponents were the very hunters who, the Hedlins claimed, would share in the policy’s long-term benefits. The Hedlin report recognized and understood this opposition, underlining the extent to which frontier history had “burned deep in the consciousness” of hunters “that game was ‘free.’” Existing law embodied this view by defining game as a public resource, something that no individual could own, and by lodging management of this resource primarily with the state (as representative of the public owners). As far as hunting was concerned, public management could legitimately ration access – e.g., through license fees, bag limits, and lottery draws for certain “tags” – but landowners had no right to charge fees for hunting access. Such fees were, and still are, legally prohibited in Alberta. It is ironic, from an environmental perspective, that landowners *can* charge energy companies for access to mineral resources, which are also publicly owned.<sup>11</sup> To realize similar, and more environmentally friendly, benefits from hunting access, the Stock Growers in the 1970s knew they had to overcome the strongly entrenched view that “game was free.” They failed, suffering defeat at the hands of a hunting lobby for which “paid hunting” – i.e., payments by hunters to landowners – was anathema. It was the defeat of “market environmentalism” by an ethos that favors bureaucratic public control.

Which brings us back to Barry Cooper, who is no fan of bureaucracy. *It's the Regime, Stupid* is above all an extended critique of gratuitous bureaucracy. Excessive bureaucracy, says Barry, enervates citizenship, leads to dependency and corruption, and often undermines the very ends it purports to pursue. On the last point, for example, the Canadian Wheat Board (CWB) has not served the interests of western grain farmers by monopolizing the marketing of regulated grains. Evidence of the counterproductive effect of this misguided attempt at supply and price management is that “[i]n Ontario, which is not subject to CWB control,” – i.e., where the market, rather than bureaucracy, prevails – wheat production has increased by nearly 75 per cent [while] in the [bureaucratized] West it has declined by almost 40 per cent.”<sup>12</sup> Barry does not romanticize markets, but he certainly prefers them to bureaucracies.<sup>13</sup>

Among other things, this means that Barry favours “market environmentalism” when it is feasible. Writing about Canada’s national parks, he and Sylvia LeRoy conceded that “full-fledged privatization of national parks is probably not feasible nor perhaps even advisable,” but nevertheless emphasized the “many market solutions that can be harnessed to the environmental cause.”<sup>14</sup> Park user fees, for example, “can go a long way toward regulating use,”<sup>15</sup> and thus help balance the preservation and human enjoyment of wilderness. Concerned with “the dangers of public land management through bureaucratic regulation,” LeRoy and Cooper pointed to “the obvious alternative [of instituting] a regime of stable property rights and positive incentives that make environmental protection an opportunity and a responsibility, not merely conformation to regulatory necessity.”<sup>16</sup>

Preferring market mechanisms, including market environmentalism, to bureaucratic regulation is one of the features of the “cowboy vision”<sup>17</sup> Barry so admires. Not that cowboys are immune to the blandishments of government subsidy or bailout in times of economic hardship – such as during the BSE (“mad cow”) crisis – but, comparatively speaking, the cowboy ethos promotes a greater degree of self-reliance than the survivalist “garrison-state” mentality that grew out of the historical experience of “Laurentian” Canada. In the cattle business, Barry reminds us, “the price at auction is the market price. No one quarrels with it or complains.”<sup>18</sup>

Barry has not written about “user fees” for hunters, but it is a safe bet that he sees eye to eye with his old friend Ralph Hedlin on this issue – and also with his friend Ted Morton, who revived the Hedlin proposal in 2007. Ted joined the University of Calgary Political Science Department in 1981, the same year Barry arrived. He and Barry quickly became regular hunting partners (and both became part of the “Calgary School” discussed in Tom Flanagan’s contribution to this volume). In 2004, Ted took leave from the university and won a Progressive Conservative seat in the provincial legislature. In 2006, he was appointed Minister of Sustainable Resource Development (SRD), a portfolio that included all matters related to hunting and fishing policy (some of us used to joke that no one was better suited to be “Minister of Hunting and Fishing”). Ted was also a friend of Ralph Hedlin, and had read the 1971 Stock Growers report. He thought the report had addressed real problems and that those problems were becoming more acute because of the evolution (or decline) of the cattle industry.

The Hedlin report explored how market based mechanisms might induce ranchers to “supply” more game and game habitat. The result would have been a kind of income “diversification” for ranchers. There was no indication in the report, however, that such

diversification might have helped secure the continued viability of ranching on the landscape. The report appeared to assume that cattle ranching was, in itself, a sustainable economic activity. This was no longer a safe assumption in the mid-2000s when Ted Morton became minister of SRD. By this time, the economic viability of cattle ranching in Alberta was in question. The BSE (“mad cow”) crisis, escalating feed-grain prices, and the rise in the Canadian dollar were putting great pressure on already marginal ranching operations. Especially in recreationally attractive parts of southern Alberta, ranchers (few of whose children were inclined to take over such marginal operations) had strong incentives to sell off parts of their holdings, thus fragmenting the landscape in ways that often degrade wildlife habitat – and that certainly do not foster or benefit hunting.

Blaine Marr, a southern Alberta rancher, eloquently described the problem:

[T]he sell off of prime rangeland and wildlife habitat along the eastern slopes of Alberta... has been going on for years, but has greatly increased after BSE collapsed the cattle market. The purchasers of this land are not ranchers, they are baby boomers retiring and eager to invest and develop. These ranches and the habitat they protect are disappearing forever, which causes shrinking hunting opportunities every year. Do not be surprised when hunters go back to their favourite ranch where they get access every year, that someone else will answer the door. This person will have no idea what they want, and may have no intention of ever allowing hunting.<sup>19</sup>

Some kinds of industrial diversification – e.g., selling access rights for energy development – could provide needed income diversification for some ranchers, and thus help resist the kind of fragmentation Marr describes, but such industrialization can also be ecologically costly.

If ranchers in the past had too few incentives to maintain game habitat, at least they helped maintain the kinds of extensive, non-industrialized open spaces that some wildlife needed. The persistence of such open spaces was now in doubt. The kind of hunting-based economic diversification favoured by the Hedlins had apparently helped stabilize the ranching economy in other jurisdictions. Could similar ecological benefits be realized in Alberta? Deciding to find out, Minister Morton appointed a Land and Wildlife Stewardship Working Group (LWSWG) to investigate and make recommendations. (Full disclosure: I served on that committee.)

Coming to essentially the same conclusions as had the Hedlins, The LWSWG recommended a policy initiative entitled Open Spaces Alberta (OSA). This initiative had two components. The first, known as Hunting for Habitat (HFH), proposed giving large landowners an allocation of game tags that they could sell on the open market. Where similar models had been implemented – e.g., in Utah – ranchers had begun to derive as much as 25%-30% of their revenue stream from hunting.<sup>20</sup> Not only did this income diversification help stabilize their operations, but it entailed significant habitat improvements and increased game supply. Areas that had previously followed the same elk suppression model as we find on Alberta’s Milk River Ridge saw elk herds increase from a few hundred to several thousand. To see if similar benefits could be realized in Alberta, the LWSWG proposed that a program along these lines be piloted in Alberta’s Wildlife Management Unit (WMU) 108, which includes the Milk River Ridge. A pilot

was also proposed for the adjacent WMU 300 to the west, which includes foothills and mountain rangeland of such majestic beauty, and hence recreational value, that it is subject to the kind of intense fragmentation pressure described above by Blaine Marr (Marr ranches in WMU 300).

The second OSA component, the Recreational Access Management Program (RAMP), offered participating landowners public assistance in managing hunter access to their properties and provided very modest financial compensation (at taxpayer expense) for the costs and inconveniences of such access. As an access management program with minimal financial compensation, RAMP was not expected to play a significant role in stabilizing land and improving habitat; those were the functions of the HFH proposal. RAMP was to be piloted along with HFH in the same two WMUs.

As in the 1970s, Alberta's "cowboys" – i.e., ranchers – were generally in favour of the economic incentives in the OSA proposal, while Alberta's hunting organizations passionately opposed any form of "paid hunting." The hunting lobby was particularly incensed by HFH, which involved direct payments by hunters to landowners. RAMP was somewhat less controversial because its financial compensation of landowners came from the general public rather than in the form of direct "user fees," but even RAMP was seen as an unacceptable form of "paid hunting" by many hunters.

Minister Morton accepted the LWSG's recommendations and proposed pilot studies of both HFH and RAMP in WMUs 108 and 300. Intense controversy about the program became an issue in the 2008 provincial election, however, leading Premier Ed Stelmach to kill the HFH pilot studies. The less controversial RAMP proposal survived, and three-year pilots began in 2009. These pilots were subsequently reduced to two years, and recession-induced budgetary constraints ended RAMP's financial compensation component after the first year.

The demise of the RAMP studies illustrates the weakness of relying on the general public purse for such programs. More importantly, the "free game" mindset of Alberta's hunters had once again defeated any direct "user fees" paid by hunters directly to private suppliers of game and game habitat. The result was the loss of an ecologically promising kind of economic diversification for ranches. At least for certain game animals in some areas, such as elk on the Milk River Ridge, the result was also the continued bureaucratic rationing of a limited supply of hunting opportunities. Here, as with Barry's Wheat Board example, we see the expansive and liberating potential of markets being constrained by perverse incentives and bureaucratic control.

If Alberta's hunting controversy has some parallels with the Wheat Board issue, it has even stronger ones with the perennial Canadian health care debate. Like game, health care is widely seen in Canada as a good that must be "free," at least in the sense that users should not directly pay providers. So strongly entrenched has this view been that Canada shares with Cuba and North Korea the dubious distinction of being the only countries whose citizens generally cannot purchase private insurance for care covered by the public system. Here, too, the result is bureaucratic rationing of procedures and long waiting lists.

The health care and hunting debates are parallel also in the intolerance for middle-ground approaches exhibited by the critics of market incentives. For those critics, the health-care choice is one between US-style privatization and the existing Canadian/(North Korean, Cuban) model. They see no sustainable middle ground. Any step out onto the "slippery slope" of private provision threatens to send us careening all

the way “down” to the American model.

For opponents of “paid hunting,” Texas and Europe play the bogeyman role occupied by the United States in the health care debate. In these jurisdictions, hunting opportunities are entirely a function of private markets, and the so-called “public hunter” is unknown. The “public hunter” – someone who pays the government for a license and perhaps a draw “tag,” but who otherwise hunts “for free” – plays the role of the patient accessing “free” health care in publicly funded systems. As in the health-care debate, every move to “paid hunting” allegedly puts us on the slippery slope to complete privatization – and to the utter demise of the public hunter.

But not all slopes are slippery and many stable middle-ground systems exist. With respect to health care, most western democracies – Britain, Australia, Germany, Switzerland, and France are just a few prominent examples – occupy a middle ground in which paid access to a private system co-exists well with a public system. These systems out-perform Canada’s on many outcome measures, and do so at lower cost to the taxpayer. Among other things, they are not nearly as plagued by long waiting lists on the public side. They represent the kind of “third way” (neither American nor Cuban) that former Alberta Premier Ralph Klein once proposed as a health care approach for Alberta.

Similarly, not all jurisdictions that allow “paid hunting” end up with the Texas model. Utah, for example, requires landowners who sell allocated tags on the open market to provide comparable opportunities to “public hunters.” In this context, ranchers no longer seek to suppress elk but allow this now valuable animal to multiply (much as MRI machines tend to multiply in response to private incentives). True, Utah’s “public hunters” get only partial access to the expanding elk herd, but their access is much better than it was when the state pursued the kind of “pest-control” hunts that still exist on Alberta’s Milk River Ridge. As already noted, moreover, the economic diversification provided to Utah’s ranchers helps maintain the kinds of open spaces desired by many environmentalists. Nor are there any signs of Utah sliding down a slope that ends in Texas. As with health care, so with game management: stable mixed systems exist and produce better outcomes than their wholly public (and fully bureaucratized) alternatives. The HFH proposal in Alberta, which explicitly eschewed the Texas model, was an adaptation of Utah’s mixed system. It proposed the same kind of “third way” with respect to game management that Premier Klein had suggested with respect to health care.

Both “third way” proposals failed. The health care version failed, to a considerable extent, because of federalism. True, there was strong opposition to privatization within Alberta itself, but to this was added the weight of the “Ottawa-led PR campaign about the importance of health care to the definition of Canadianess.”<sup>21</sup> For Barry, this “propaganda campaign ... convey[ed] the message that Canadians are defined by the government-funded services they consume, especially medical services.”<sup>22</sup> Even though health care falls within provincial jurisdiction, moreover, the government funds come in part through transfer payments from Ottawa. This means that Ottawa can punish provincial moves toward what Barry considers “sensible privatization”<sup>23</sup> by withdrawing transfer payments. That is precisely what Ottawa threatened in response to Klein’s “third way” in health care.

There was no similar federal contribution to the failure of the “third way” in game management. In both the early 1970s and again in the late 2000s, the cowboy approach was defeated entirely by a domestic Alberta hunting lobby devoted to the shibboleth of

“free game.” Alberta may be the heart of the “cowboy west,” but some Albertans dissent from the cowboy ethos on at least some issues. The dissenters, moreover, are sometimes powerful enough to win the day, even without “Laurentian” allies.

\*\*\*\*\*

I end this essay where Barry ends his, at the 2008 High River cattle auction he attended with Sandy Soutzo. At that auction, Sandy told Barry that 90 percent of cow-calf operators were over sixty. “He found this demographic fact troubling,” reports Barry. “What lay ahead? Could the industry continue?”<sup>24</sup> A good question! The cowboy ethos can, of course, outlast cowboys themselves, just as the “garrison” mentality of Laurentian Canada persists even though the original “garrisons” are now museums. Still, it would be sad if actual cowboys continued to decline in the “cowboy west.”

“The young guys,” Sandy told Barry, “just aren’t interested. They think it’s just too hard.” For many ranches, the hardship is surely explained in part by the economically marginal nature of the operation. Diversification would help, bringing in new revenue streams to make it worthwhile for “the young guys” to stay on the land and keep it whole rather than selling it off piecemeal in the manner reported by Blaine Marr. A hunting economy based on some degree of “user fees” – an economy in which sportsmen hunt “for” (i.e. “on behalf of”) cowboys – has contributed to this kind of beneficial diversification in other jurisdictions. To date, Alberta’s hunters have refused to “hunt *for* cowboys” in this sense. This refusal may hasten the future Sandy Soutzo worries about, a future in which “hunting for cowboys” (as in seeking to find any) will become increasingly difficult.

---

<sup>1</sup> *It's the Regime, Stupid: A Report from the Cowboy West on Why Stephen Harper Matters*, (Toronto: Key Porter, 2009).

<sup>2</sup> *Ibid.*, 114

<sup>3</sup> *Ibid.*, 113

<sup>4</sup> J. Paul Hedlin & Ralph Hedlin, *Game Policy Needs in Alberta*, (Toronto: Hedlin, Menzies, and Associates, Limited, 1971), 8.

<sup>5</sup> *Ibid.*, 4.

<sup>6</sup> *Ibid.*, 5.

<sup>7</sup> *Ibid.*, 6.

<sup>8</sup> *Ibid.*, 5.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*, 41.

<sup>11</sup> See Curtis Eaton, Allan Ingelson and Rainer Knopff, “Property Rights Regimes to Optimize Natural Resource Use – Future CBM Development and Sustainability,” *Natural Resources Journal*, 45:2 (2007).

<sup>12</sup> *It's the Regime, Stupid*, 135.

<sup>13</sup> *Ibid.*, 162.

<sup>14</sup> Sylvia LeRoy and Barry Cooper, “Off Limits: How Radical Environmentalists are Stealing Canada’s National Parks,” *Public Policy Sources*, vol. 45, A Fraser Institute Occasional Paper (2000), 49.

---

(<http://www.fraserinstitute.org/publicationdisplay.aspx?id=13264&terms=national+parks>)

<sup>15</sup> Ibid., 49.

<sup>16</sup> Ibid., 50.

<sup>17</sup> *It's the Regime, Stupid*, 127.

<sup>18</sup> Ibid., 11.

<sup>19</sup> Blaine Marr, "A Landowner's View of Open Spaces Alberta," *The Pincher Creek Echo*, April 11, 2008

(<http://www.pinchercreekecho.com/ArticleDisplay.aspx?archive=true&e=1961240>)

<sup>20</sup> Haynes McCoy, N., D. Reiter and J. Briem. 2003. Utah's Cooperative Wildlife Management Unit Program: A Survey of Landowners, Operators and Landowner/Operators. CWMU Association and Jack H. Berryman Institute Rangeland Resources Department, Utah State University. 37 pp.

<sup>21</sup> *It's the Regime, Stupid*, 180.

<sup>22</sup> Ibid., 181.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid., 242.