What we lack most keenly is a sense of beauty and the love of it. Nothing is more gorgeous in color and form than a Kansas sunset; yet it is hidden from us. The Kansas prairies are as mysterious and moody as the sea in their loveliness, yet we graze them and plow them and mark them with roads and do not see them. The wind in the cottonwoods lisps songs as full of meaning as those the tides sing, and we are deaf. The meadow lark, the red bird, the quail live with us and pipe to us all through the year, but our musicians have not returned the song.¹

—William Allen White, 1922

One would be hard pressed to find a people more ambivalent than Kansans when it comes to living in their environments. The Euro-Americans who created this state arrived with the unabated resolve to transform what they considered an unproductive wilderness into a garden. Their views assumed that the landscape had been unaffected by the Indian peoples who had once occupied it. In their minds Indian peoples were, after all, uncivilized and lived in a state of raw nature. They were considered little different from bison and wolves in that they did not consciously shape their surroundings, but simply took what was available from the land to live a hand-to-mouth existence. Elsewhere in this issue, Bruce Kahler captures this aspect of Kansas thinking when describing former governor John A. Martin’s view of the land prior to full-scale Euro-American settlement as an “unpeopled land.”

James E. Sherow is a fourth-generation Kansan, raised in Maize. After a four-year stint in the U.S. Air Force, he pursued BA degrees in secondary education and history from Wichita State University. In 1978 he received his MA in history from Wichita State University, and then taught social studies at Turner High School in Kansas City. In 1982 he entered the history PhD program at the University of Colorado, and graduated in 1987. He taught history at Southwest Texas State University from 1988 until 1992, when he accepted the Kansas history position at Kansas State University. He is the author of three books, and over twenty journal articles and book chapters. His primary academic interests are environmental history, Kansas history, the American West, and the history of North American Indian peoples.

Contrary to this pervasive thinking, poet Walt Whitman perceived something quite different in the wild grasslands: the very essence of American democracy. Atop Mount Oread in Lawrence, Kansas, Whitman was struck by “that vast Something . . . which there is in these prairies, combining the real and ideal, and beautiful as dreams.” On the same excursion, he depicted the grasslands as “America’s Characteristic Landscape.” More than this, preserving such a landscape became linked in Whitman’s mind with nurturing democracy. “I conceive of no flourishing and heroic elements of Democracy . . . without the Nature-element forming a main part—to be its health-element and beauty-element—to really underlie the whole politics, sanity, religion and art of the New World.” The characteristic landscape of America, the Nature-element part that would breathe life into its democracy, would become the most endangered ecosystem in North America by 2000.2

Euro-Americans arrived in the state with a purpose other than to preserve the wild grasslands, and that one overriding goal was to domesticate the “wilderness” and render “productive” all that was a part of it. Craig Miner is correct in observing Kansans’ overarching faith in economic growth. According to Miner, this conviction would lead to boom and bust cycles, but, more than this, it also led to a depreciation of the wild. Over the last 150 years, Kansans have converted an Indian-managed wild grassland into a Euro-American domesticated grassland. This transformation is so complete that Kansas has the least amount of publicly owned land in the entire nation.3 Putting land into private hands so that it could be domesticated and rendered profitable was the aim of the people who formed this state, and has been the guiding principle ever after.

Some Kansans have been outspoken proponents for increasing public lands in the state. Former Republican Governor Mike Hayden, the secretary of the Kansas Department of Wildlife and Parks during the Graves, Sebelius, and Parkinson

administrations, strongly supports creating more public land for wildlife conservation and outdoor recreation. His message is clear: “as long as we have a mentality that resists government investment in the form of public lands, the rest of the world, and even our own citizens, will not be able to see, access and benefit from what Kansas has to offer.” Still, voices such as his remain a minority, albeit a growing chorus, in the state.4

A quick retrospective on a few topics will illustrate my point. The Kansas family farm, as Pamela Riney-Kehrberg portrays in her essay, is an iconic symbol in the state despite the fact that, for all practical purposes, it is an emblem of a bygone era. The myth is powerful, and, as such, any attempt to use land for any other purpose is often opposed. As Jim Leiker attests in his essay, Kansans bask in an imagined past, one that rescues a “rural, agrarian people, waxing poetic about the prairies . . . from having to think about complex urban and environmental problems.” As a result, many wildlife species have been eradicated in Kansas, and others are in severe decline. Even in those areas where wildlife was reintroduced, such as deer, the success of it seems unsure. The attachment to private ownership of land has also played itself out in Kansas courts, where lawsuits over access to the state’s streams have been heard. In the end, Kansans lack easy access to the prairies, and they find it is illegal to canoe nearly all of the waterways in the state.

So serious were the first Kansans’ aspirations that they initiated a new form of college, one that in addition to teaching the traditional arts and sciences, would also embrace a faith in the economic growth that came through mechanical and agricultural endeavors. In 1858, the founders of Bluemont Central College, primarily Isaac T. Goodnow, Joseph Denison, and Washington Marlatt, wrote into the charter of the school the establishment of an agricultural department. The “purpose” of this department was to achieve and demonstrate through “practical results the agricultural advantages of Kansas, especially the capabilities of the high prairie lands.” Those men never had any intention to leave intact prairie grasses and wildlife.5

In 1863 this little college became, in essence, the first operational land grant college in the nation. With the passage of the Morrill Act, and President Abraham Lincoln’s signing of it into law on July 2, 1862, Congress created the foundation for state institutions of higher education that would, through “such branches of learning as are related to agriculture and the mechanical arts[,] . . . promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.” The founders encapsulated this goal in the motto of Kansas State Agricultural College, “Rule by Obeying the Laws of Nature.” Rule is the operative word here. This rule would occur by not only “obeying” the laws of nature, but by employing these same laws, once understood, to conquer the grasslands, and render them economically productive for their inhabitants.

So, how has our rule by obeying the laws of nature affected the wild in Kansas? The Kansas Department of Wildlife and Parks has the charge of protecting state and federally designated endangered or threatened species. More than any other species, aquatic ones appear on the endangered or threatened lists. As of August 2009, the department has identified sixty species of mammals, birds, reptiles, amphibians, fish, and invertebrates as either threatened or endangered. Of these sixty animals, forty live in the streams and rivers of the state.6

Wildlife and streams in Kansas were much different 150 years ago. J. R. Mead once waxed eloquent about a valley that he named Paradise, in Rooks and Russell counties.

The Mecca of the Hunter’s Dream, and the Indian’s Delight. The beautiful valley, clear, cool water, plenty of wood for camp fires, abundance of game of the grandest sort in the world! . . . [H]ere roamed the grand buffalo and slothed the noble elk, the timid deer, antelope, lordly strutted the turkey gobbler and sulked the wolf, coyote, the lynx, the coon, possum, skunk, porcupine, beaver and other game in abundance. The ducks, geese, prairie chickens, and the quail here found their home, seldom disturbed by man.7

Today, the water in Paradise Creek is unsuitable for drinking, and should not be used for either industrial purposes or irrigation. Still, it is deemed safe for livestock to drink, and apparently the fish caught in it are okay to eat. On a larger scale, of all the streams monitored in the state, according the Kansas Department of Health and Environment, 63 percent failed to support aquatic life, contact recreation, or food procurement.8

When it comes to wildlife conservation, Kansans have thought more in terms of food procurement or sport than wildlife preservation for its own sake. Early in the history of the state, a concern over the destruction of the bison herds failed to protect those animals. In 1872 the state legislature passed a bill preventing the “wanton destruction” of bison. Governor James M. Harvey failed to sign the bill into law. By the 1880s the central plains had been hunted almost to extinction, as is depicted in this 1914 drawing by M. S. Garreston titled The End, 1883, which shows the collection of one set of buffalo bones after another alongside the plowing of the cleared plains.

Harvey failed to sign the bill into law, and it died as a pocket veto. Despite this looming expiration of a valuable resource, the legislature took no further steps to prevent what became the nearly complete extinction of bison in the state. Only the private initiatives of people such as Charles “Buffalo” Jones of Garden City, saved the last remnants of the once vast southern herd. But even Jones was ambivalent about saving the “wild,” as he experimented with domesticating bison by crossbreeding them with cattle, resulting in the “cattalo,” also called the “beefalo.”

Even the game laws passed to protect herds of deer and elk from overhunting failed to meet their objectives, and by 1912 hardly any deer, elk, pronghorn deer, or wild turkeys could be found in the state. It would take the Kansas Department of Wildlife and Parks, and its predecessor agencies, a century of hard work to reintroduce these animals. As is evident on too many highways, deer and wild turkeys are in abundance now. The reintroduction of elk, and pronghorn, on the other hand, has shown less success.

Similar attitudes have driven the preservation of waterfowl. George Knapp’s revision of Kansas water law in 1945 inadvertently protected the wetland habitat of migratory birds from the effects of nearby agricultural pump irrigation. Knapp, the chief engineer in the state, received his engineering training at Kansas State College, and was shaped in this thinking by a seventeenth-century worldview of nature. In the early 1600s, such luminaries as Frances Bacon began refining a view of human power that relied upon, amongst other ideals, the notion that nature could be dominated through applied science. Bacon was clear about his objective: “I am come in very truth [i.e., the results of objective, scientific research] leading to you nature with all her children to bind her to your service and make her your slave.” Knapp embraced this ideal, one that appealed to him for its ability to break down the operations of hydrological systems into mathematical formulas subject to human control.

With this principle in mind, Kanpp led the way toward rewriting the state’s water law. The result was passage of the 1945 Water Act, one of Knapp’s most satisfying personal achievements. His idea was to put water to efficient and economic use by overturning the old riparian doctrine that had discouraged people from investing in water development. For him, to continue employing the riparian doctrine, which essentially guaranteed


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Kansas’s prairies have been preserved chiefly for utilitarian purposes. The Konza Prairie, comprised of land purchased from 1971 to 1979 through the efforts of Lloyd Hulbert at Kansas State University and the Nature Conservancy with funding from 3M heiress Katharine Ordway, is an 8,600-acre bluestem prairie reserve that serves as an outdoor laboratory for the scientific study of the effects of human activity on tallgrass ecosystems. Originally named, as shown in the photograph above, the Konza Prairie Research Natural Area for the Kansa Indians, the reserve changed its name to the Konza Prairie Biological Station in 2000. Photograph courtesy of the Konza Prairie Biological Station.
all land owners along a waterway an equal share of the stream’s flow, would result “in underdevelopment, permitting the water to flow out of the state and on toward the ocean, as an economic waste and loss of a valuable natural resource.” In this, Knapp espoused the overriding drive toward economic development as described in Miner’s essay.

Knapp’s purpose for preserving the water in Cheyenne Bottoms Wildlife Area, for example, was to preserve the area for hunting rather than for the health of the waterway itself. Knapp’s new water law of 1945 contained an unusual provision that created a senior water right for “recreational uses,” such as waterfowl hunting, on Walnut Creek, which supplied the Bottoms. At the time, Kansas was one of a few states that recognized beneficial water rights for recreation, and placed such rights on equal par with agriculture or domestic uses. This meant that in times of failing stream flows, irrigators with water rights to Walnut Creek post-dating the rights to the Bottoms could not shut off rights supplying the Bottoms by claiming that, as farmers, they possessed rights of a greater “beneficial use.”

This became a test case during a drought in the early 1990s. In January 1992 Carl Pope, the chief engineer for the Kansas State Board of Agricultural Water Division, set up an Intensive Groundwater Use Control Area, limiting the amount of water those irrigators holding junior water rights could pump for irrigation. In so doing, Pope protected the more senior rights to Walnut Creek that supplied the Bottoms. The junior right holders, farmers who depended on irrigation, howled that the state was favoring ducks over people. Pope’s decision, however, did not set a precedent placing the welfare of wildlife over that of agriculture; it merely affirmed senior water right holders to limit the amount junior right holders could withdraw in times of scarcity. That the right holder was a wildlife area scarcely mattered under Kansas water law.

The protection of Cheyenne Bottoms as a wildlife preserve stands out as an aberration when compared to the struggle to retain any remaining stands of the wild grasslands in the state. Lloyd Hulbert’s efforts to create a grassland preserve highlights how, to do so, he had to embrace utilitarian, economic values. Hulbert’s interest in the outdoors early in his life led him to major in zoology and wildlife management at Michigan State University. He entered graduate school at Cornell University, but World War II interrupted his work. After the war, he completed his PhD in plant ecology at Washington State University, and accepted a position at Kansas State College in 1955.

When he arrived in Manhattan, Hulbert encountered a biology department already considering how to develop a scientific reserve for the study of tallgrass prairies. The worth of “biological stations,” places where scholars could acquire firsthand experience with the ecosystems of a particular region, had been circulating among academics for about a decade. Hulbert threw himself wholeheartedly into the effort to create the first bluestem prairie research station. It would take a decade of hard work and the assistance of many others, such as Ted Barkley, a well-known plant taxonomist on campus, before Hulbert’s dream came true.

Hulbert identified two main tasks necessary to accomplish his project: first, a location for the preserve had to be found. Secondly, the financial
Most of Kansas’s ten thousand miles of rivers and streams are privately owned today, and while past residents of the Sunflower State could “sport” on rivers like the Solomon, pictured here around the turn of the twentieth century, Kansans now have quite limited access even to the state’s publicly owned waterways. Since 1990, when the Kansas Supreme Court upheld the rights of riparian landowners to block public access to state-owned waterways on their property, canoeing publicly owned water in the streams of Kansas is effectively illegal; hence, the bumper stickers often seen in the state: “Decriminalize Canoeing in Kansas.”

wherewithal had to be acquired to fund the project. Theo Cobb Landon, the wife of former governor Alfred M. Landon, owned a tract of land about eight miles to the south of Manhattan. Hulbert and Barkley, working in conjunction with the Kansas State University Foundation, worked out an agreement to purchase the land in 1968. Dr. David McKnight owned an additional 7,000 acres adjacent to, and north of, the Landon tract. He indicated his desire to sell the land, and Hulbert seized the opportunity and began negotiating a purchase agreement.

This land, however, had a high price tag. The university lacked the funds necessary to acquire the land, so Hulbert and Barkley turned to the Nature Conservancy. While keenly interested in this acquisition, the Nature Conservancy also needed a source of funding for the purchase. Barkley and Hulbert had a contact, one who proved instrumental in sealing the transaction: Katharine Ordway, heiress to the 3M family fortune. She passionately wanted to preserve remaining segments of the tallgrass prairie, and this particular opportunity appealed to her. After extensive negotiations, Ordway provided $3.6 million to purchase the McKnight rangeland for the Nature Conservancy. In turn, the conservancy entered into a lease arrangement with the Kansas State University and the Division of Biology. With the Landon tract added to the McKnight purchase, Hulbert’s dream for a tallgrass research site, what is now the Konza Prairie Biological Station, an 8,600-acre reserve, became a reality.

As its first director, Hulbert oversaw an ambitious scientific research program aimed at investigating the effects of fire and grazing on the tallgrass ecosystem. The National Science Foundation established the Long-Term Ecological Research (LTER) program in 1980, and, guided by Hulbert, Konza became one of the first six LTER sites established in the United States. The reason for Hulbert’s success in creating the station rested upon its economic premise. The research was meant to inform regional ranchers and farmers about the ecology of the tallgrass prairies so that they could use the information to improve their production and profits. Konza Prairie Biological Station is not a preserve; rather it is a scientifically manipulated area designed to produce data of a utilitarian nature.12

Parks, on the other hand, lack a strictly utilitarian value, and this has made the creation of grassland parks in Kansas nearly impossible. One would think that creating such a park would be important, given that many ecologists argue that “worldwide, grasslands are the most imperiled

ecosystem.” Perhaps Alfred Runte, a historian of national parks in the United States, hit upon the reason why it has been so difficult to create a national park in the grasslands. Congress does not designate a place a national park simply because it is scenically beautiful or historically important. The land itself, Runte maintains, must be of limited, or “worthless” economic value. The resources of the grasslands have always had rich economic potential, and, as we have already seen, Kansans quickly converted them into commodities owned by private stakeholders. Even when the Kansas legislature authorized the Forestry, Fish, and Game Commission to create state parks, one of its key provisions read that any proposed site had to be “almost solely of recreational value.”13

The route toward a national Tallgrass Prairie Preserve near Cottonwood Falls illustrates Runte’s contention. During the Eisenhower administration, a 60,000-acre site in Pottawatomie County had support from Manhattan and its surrounding communities. Then Secretary of the Interior Frederick Seaton and his brother Edward Seaton, a newspaper owner in Manhattan, endorsed the prairie park. The state legislature even appropriated $100,000 to purchase the land if Congress would pay the remaining costs. Public hearings were held and Manhattan’s political leadership stood solidly behind creating the park. However, the park bill never made it out of a congressional subcommittee.

When the Kennedy administration took up the issue, one event more than any other heralded the demise of the proposal. In December 1961, then Secretary of the Interior Stewart Udall and National Park Service Director Conrad Wirth were observing the proposed land for the prairie park from their helicopters. Their pilots landed on Twin Mound and there to greet them was a shotgun-wielding Carl Bellinger. Bellinger, a rancher, leased the land where the helicopters landed, and after a brief and somewhat cordial visit with the secretary of the interior, the rancher ordered Udall to get off “his” land. In fact, Udall not only left the site, but he and Park Director Wirth never returned.

As symbolic as the Bellinger-Udall confrontation is, two other factors accounted for the demise of the Pottawatomie Prairie Park idea. First, the construction of Tuttle Creek Dam and Reservoir generated extensive local distrust of the federal government. The farm families that once lived in the Blue River Valley actively opposed the building of the dam by the Army Corps of Engineers. They had lost their farms and towns after nearly a decade of bitter protest during both the Truman and Eisenhower administrations.14

Second and more importantly, ranchers and their organizations actively opposed the park. This is why Hulbert emphasized over and over again as he worked to establish his project that Konza Prairie had to be a scientific field laboratory and not a prairie park. Hulbert knew that a scientific station had utility, as its research findings could produce economic value for ranchers and farmers. A park, on the other hand, would take agricultural

lands out of production. When Hulbert tried to enlist the support of politicians for a park in 1975, he received this response from state Senator Don Christy, a rancher advocate from Scott City, Kansas:

If you wish to see all facets of the prairies as they once were except for the few wild animals which can be seen in the zoo, all you have to do is drive through the tallgrass system now. . . . Consequently, I see no justification for removing that kind of acreage from the food producing capabilities for this nation. Thanking you for writing, but do not count on my support for this piece of federal or state legislation.15

The prevalence of this attitude meant that more than twenty years would pass before President Bill Clinton, on November 12, 1996, could amass enough political support to sign the bill creating the Tallgrass Prairie Preserve, a dream realized by the tireless campaigning of dedicated supporters such as Senators Nancy Landon Kassebaum and Robert J. Dole.

Still, this legislation failed to create a truly public and accessible park. The bill stipulated that the National Park Service could acquire no more than 180 acres of land, that the remaining acreage had to be held in private ownership, and that cattle ranching must be retained on the preserve. The National Park Trust (NPT) became the private owner, and the National Park Service (NPS) administered and maintained the preserve. In 2002 the NPT donated 32 acres to the NPS, the site of a historic ranch house and outbuildings. By 2004 only a couple of miles of trail stood open to the public, while nearly 10,800 acres of the rest remained bound in a thirty-five year lease with Texas cattleman Edward Bass. At the same time, the NPT faced serious difficulties financing the preserve, and only through the efforts of then Governor Kathleen Sebelius did the Nature Conservancy intervene and acquire the land and Bass’s lease in 2005. Even now public access is restricted and overnight camping prohibited.16

Not only is public access to the open prairies of Kansas nearly nonexistent, so, too, is public access to the publicly owned waters of Kansas. On first blush, this statement appears completely illogical, and perhaps it is. But that’s Kansas as reflected in the case of Meeks v. Hayes (1990), fought over rights to a beautiful stream in southeast Kansas called Shoal Creek. In Cherokee County, a small company, Holly Haven Canoe Outfitters, rented boats for use on Shoal Creek. Along one portion of the creek, Jasper Hayes owned property on both sides of the streambed, and, as a riparian landowner, believed that canoeists were trespassing on his private property whenever they floated by, or over, his land. Riparian landowners have legal possession to the halfway point of a streambed on any non-navigable watercourse. Shoal Creek is defined as non-navigable, and its

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15. Don Cristy to Lloyd C. Hulbert, March 24, 1975, file 1, box 5, Konza Prairie Research Natural Area Collection, 1897–1995, Special Collections, Hale Library, Kansas State University, Manhattan.
waters are subjected solely to state control.

The canoeists and outfitters believed that they had a perfect legal right to float the creek despite Hayes’s objections. One key proviso in Knapp’s formulation of the Kansas Water Act of 1945 reads that “all the water within the State of Kansas is dedicated to the use of the people of the state.” Logically, canoeists believed, floating on publicly owned water was a public right. But they found out otherwise.

Hayes took matters into his own hands and erected an electric fence over the creek between the land he owned on both sides of the streambed. Of course, this put a damper on the operations of the Holly Haven Canoe Outfitters. Not surprisingly, the situation went to court, and Chris Meeks, the Cherokee County attorney, took up the case for the outfitters against Hayes. The Kansas Wildlife Federation (KWF) provided the funding for Meeks, and the Kansas Canoe Association joined as “friends of the court” to assist Meeks and the KWF. The case ended up in the Kansas Supreme Court, and, with the considerable backing of several large farm organizations, Hayes prevailed in the 1990 decision.

In essence, canoeing publicly owned water in the streams of Kansas is illegal; hence, the bumper stickers often seen in the state: “Decriminalize Canoeing in Kansas.”

So it goes in Kansas; William Allen White was right. If he were here today, I could imagine him writing that while our values seem set on turning the land into commodity first and foremost, our sunsets, gorgeous in color and form, remain hidden from us. Our prairies are as mysterious and moody as the sea in their loveliness, yet we graze them and plow them and mark them with roads and cannot hike or camp on them. Our creeks and rivers wind through beautiful hills and valleys, and yet we cannot canoe their public waters. We are still waiting for our musicians and poets to reveal the songs the wind blows in the cottonwoods and those that the meadowlarks and the red birds pipe to us all through the year. We have yet to preserve the “characteristic landscape” of America. KH