## BY JOHN C. PHILLIPS.

THIS paper is a frank attempt to analyze the differing mental horizons of ornithologists and sportsmen. It may pinch a toe here and there. If it does, then it is not so much my fault as the fault of the subject I am trying to handle, for the subject is extremely complex and touches a wide variety of human interests.

Years ago almost the whole field of conservation, sport and ornithology could be followed in the pages of one or two journals. Now we have a perfect flood of periodicals, all so specialized that the different groups of people interested in wild life have little mutual exchange of thought. We have become detached specialists. This has lead to a sort of mutual distrust which is unfortunate. Each little group reads its own inspired journals and few persons can follow the flood of outdoor news these days and get any clear picture of the general trend of thought, or the actual conditions surrounding different forms of wild life.

The ornithologist may say that sportsmen have made a mess of things. He often distrusts the aims and methods of sportsmen for various reasons. What are these? Well, let us see. The sportsman is in more or less of a dilemma himself. His own interests are very diversified and very often the desires of one group are absolutely at variance with the aims of another group. If the sportsman has any intelligence at all he freely admits this, as you would all realize if you followed his writings.

All this is not so much the fault of the individual as it is due to a very unfortunate attitude of the State towards game in general. Nearly every one of our states has been content to sit still, sign up rosy annual reports from its Fish and Game department and exploit its wild life resources through high pressure salesmanship in the disposal of sporting licenses. They have failed to think, in terms of figures, of the very important relationship between numbers of guns and amount of game available and even if they did what could they do about it?

<sup>&</sup>lt;sup>1</sup> Read at the Salem meeting of the A.O.U. October 23, 1930.

The truth is that the theory of ownership of game in this country is not adapted to modern conditions at all. Especially is this true of improved or partially improved farm lands. The State claims title to all the wild life, which was a fine thing in colonial times, or indeed up to fifty years ago; but this legal fiction, if I may be so bold as to call it that, is a very inadequate prop now. Practically, what the State does now is to calmly inform the landowner that he shall not derive any benefit from the game on his land, no more benefit than any wandering stranger has a right to. Peculiar is it not?

So it seems to me that the State must be prepared to do far more than it is doing now, and to accomplish this there must be a higher license fee. If not that, then the State must frankly take the landowner into partnership, give him far more responsibility and latitude in the matter of game management, protect him from irresponsible and unwanted shooters, and in the last analysis create some very strong incentive for him to care for and encourage wild life. As a matter of fact the State will have to do both these things.

If we have learned anything through experience it is this: (and let the ornithologist and lover of nature ponder well upon it) that you cannot build up a wild life stock by prohibition alone. That you cannot expect to encourage real protection or to encourage real production when game is more of a liability on a person's land than it is an asset. This is actually a fact in many places today. Would you expect potatoes to flourish on a farm where they were constantly stolen from the field, and when at the same time the market price had dropped to zero? But that is exactly what we are asking our game birds to do today in most of our northern industrialized states.

Now at this point I think we should call attention to the fact that protection of all non-game birds is so intimately bound up with our present State systems for the administration of fish and game that the two cannot be separated. What I mean to say is that if our fish and game system, such as it is, should break down, the whole fabric of wild life protection goes with it. You know what happens in a city when the police go on strike? The same condition would soon creep into our woods and fields the moment the wardens, the potential protectors, were removed. It is only a short step from fairly good conditions to a situation where wholesale bootlegging of game and large destruction of non-game birds for food is likely to take place.

Now what other sources of misunderstanding are there? Well, perhaps the most important one is this. We can for the sake of argument divide all persons concerned with wild life into two great groups. First, those who are frankly interested in game because it is a means of satisfying a certain definite "urge of the chase" common to mankind for thousands of years. The practical-minded sportsman of the intelligent sort wants to see game perpetuated so that his own sons can enjoy the things he has enjoyed, so that some of the hardier sports will be left in this steamheated world for those who demand something more satisfying than golf and ping-pong. Some of you may regard this as an unfortunate, irrational state of mind. Maybe it is but I would remind you that it exists and is a potent force to reckon with.

Secondly, on the other side, you have the great mass of people who want a stock of wild life for its own sake, who get from it an adequate aesthetic satisfaction by feeling its mere presence. Of course I am arbitrary in this division of the genus Homo because very many sportsmen are lovers of nature in the best sense, and very many bird lovers tolerate sport because they see so many of their best friends deriving such enormous enjoyment and so much of increased health from engaging in it. They are willing to live and let others live.

But the fact remains that we have those two great groups, with similar desires in the restoration of wild life but with rather widely separated basic reasons underlying their desires.

On the one hand, the matter-of-fact, practical sportsman-conservationist, on the other the idealistic, somewhat theoretical, lover of nature, probably farther advanced up the ladder of evolution, as measured by an increased sensitiveness towards animals. How can a congress consisting of these elements ever meet on common ground without misunderstanding and mutual irritation? That is the sad picture we have to face. Well, I do not know that they ever can unless both sides are willing to give and take, willing to cast aside a good many cherished beliefs and hopes. The sportsmen must realize more fully that the title to all wild life in this country is legally held by the State and that because of this all people have a stake in its welfare. All people should be ready and willing to aid, at least through taxation, in policing these natural resources, leaving to sportsmen their numerical restoration and artificial production—game restoration programs in other words.

Sportsmen must be made to understand many things. They must look at all wild life in a broader way. It is foolish for their journals to tell them that they can have abundant game if only they will exterminate predatory birds or something of that sort. We know they cannot. The only way to handle this delicate question of Hawks and Owls is to protect all species of predatory birds, with two or three exceptions, except when they are doing or about to do damage. Sportsmen should discourage the destruction of Hawks for sport alone, but at the same time leave the farmer or the game breeder absolutely free to protect his own property.

And what of the bird lovers? They must come to accept a good many "home truths." I can only mention a few that seem to me important. First, let them get into the game of conservation as they did in former days, but let them come in with their eyes open, accepting the present system of State conservation as it actually exists. I abhor the word "conservation" since it has become so liable to commercialization and because it implies restriction rather than production. If nature lovers refuse to take into consideration the real status of things, the growing popularity of sport, the difficulties of the State game departments, the part that practical politics is always bound to play, the painful situation of the landowner and the real, not theoretical, situation of our game species, then they will do more harm than good. They must face facts, not theories or dreams.

Bird students must admit the, to them, disagreeable fact that field sports are far more popular today than ever before. That in the long run it is better so, although the situation today may look dark enough. If anything is needed to prove this statement about **popularity** of sport let the ornithologist study the rapid increase in sporting licenses which has far outstripped any increase in population. Let us also realize the huge extent of the commercial interests involved today. Many of them are dependent on a stock of wild life. I admit they have been interested up to now in exploiting its destruction. But we can just detect the dawn of a better day, for the far-seeing elements are frankly worried and are appointing their best brains to study the many problems which threaten to put an end to their own very particular line of commercialism.

And nature lovers must realize that man is the greatest and last of the predators, that he has existed on this very imperfect globe because he has dominated nature. The battle still continues, only man is nearly through fighting for his life and limb and is now fighting rodents and insects and diseases to protect his food supply. But he remains a killer for all that, though more and more he becomes an intelligent and controlled killer.

The nature worshipper's millenium in which he pictures an inviolate nature is not yet to be. Man, since he has elected to live in cities needs the allurements of the outdoors more than he ever did before. We shall find some more practical American wild life policy. It is a good sign that we are talking about it today and that some States have advanced far along the road towards providing and regulating recreation with gun and rod. We have many interesting experiments in progress. The so-called Horton Law in Michigan (Acts 249, 1929), the Williamston plan in Michigan and some recent developments in farmer-sportsman relationships in Texas.

Do not, however, expect that we can solve the widely differing problems of our vast continent by any common methods, any uniform American game policy. We are too diverse for that.

Federal control is right, and we are glad to have it, but in the end practical accomplishment in the matter of adequate restoration of water areas, of adequate protection, etc., will rest with the States. The Federal Government can lead and demonstrate but it cannot do all. The present attitude of many States is to "pass the buck" to the Biological Survey in matters affecting migratory birds. This is not a healthy sign.

Be not too impatient with the man who believes in sports. He numbers among his fraternity an enormous proportion of very conservative persons who can be moved but slowly. The pro-

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gressive sportsman can go ahead only just so fast as he can show the great mass of the less enterprising that what he is trying to do is eventually for their own good. The game and fish commissioner is tied to the same horse amd he has his political fences to keep in repair at the same time. He is seldom in a position to lead. He has to hedge, cajole, flatter and generally do the best he can.

Take the laws next. Prohibitions that do not prevent are only a step backwards. We cannot expect much more prohibition, I mean more prohibition of sport. We have reached the limit in this direction. A further curtailment of the shooter's activities would result in many cases in demoralization, in a breakdown of all law enforcement. Therefore to bird lovers I say, be as patient as you can; work with the established system in your State, difficult as it may be, as it almost certainly will be. Try to understand the point of view of a State legislator listening for the first time to some conservation bill. Those are the minds you must understand in the final analysis.

Let bird lovers work for those things that have a real bearing on the future of our birds and game. Let them cultivate a sense of relative values which I am sorry to say have often been lacking. A good many of our lady friends are wasting a lot of time, a lot of money, and getting themselves a good deal laughed at because they fail to grasp these points. You can easily get the whole sanctuary idea discredited unless sanctuaries actually do a service in some definite way. It is a waste of badly needed funds to set aside tracts of land where no definite purpose is contemplated or accomplished. The practical politican will begin to ask what you are trying to do, what is the State being let in for, and how much will it cost the taxpayer for future maintenance? The practical local sportsman has got to be shown also that these areas are actually serving a definite end in providing a harbor for a rare species, protecting a breeding colony, or restoring an area ruined by commercial exploitation. If you cannot show something of this sort to the ordinary man on the street, your efforts will finally be discredited.

So let us be a little more careful in the choice of areas. Every state will eventually have to have a plan for its open spaces for recreation, for forests, for reservations of all sorts. The naturalist can help in the making of such a plan. And there is the appalling threat of oil. We must all pull together on that. Oil is killing countless thousands of our finest water birds, our marine ducks, loons, auks, grebes and gulls. The situation is getting worse and gradually even our inland waters are being polluted from the wash of city gutters, garage overflows and filling stations. We have two distinct problems; the problem of mineral oils dumped on the high seas, an international problem; and we have the pollution of inland waters, which has been nobody's business but which ought to be and will be some time the business of a Federal agency.

I might mention here the obvious necessity of selecting applicants for shooting licenses on the basis of some knowledge of wild life and the laws protecting it. It is not morally right for the state to turn loose upon a long suffering public a herd of "shotgun toters" about whom it knows nothing. And as I said before the farmer must be given more protection from the irresponsible shooter who has no particular place to go and does not know how to behave when he gets there.

Of course one could go on enumerating what the bird student might do, but we cannot go on forever. The main thing is for us to realize the enormous difficulties, the enormous complexity of trying to adjust our wild life resources so as to fit into the modern industrial development of the country. The motor car is not only a potential destroyer through its presence as a time saver, it is an actual destroyer of wild life on all our improved highways.

I doubt if many of you realize the lack of constructive ideas and the total absence of co-operative spirit that one finds among many of our sportsmen. I believe they are the most conservative group we have in this country. Every new idea is regarded with the utmost suspicion. They have to be shown; and it takes time, costly time. If you do not fully understand what I mean in this connection I think you would if you sat through endless hearings, as I have, listening to proposed changes in our game laws.

Paper conservation is easy; real conservation demands the patience of a Job; the optimism of a Roosevelt.

Massachusetts Game Protective Association.