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RANCHING AND STATE SCHOOL LAND IN CIMARRON COUNTY, OKLAHOMA

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ABSTRACT—Ranchers in Cimarron County, Oklahoma, have turned to leasing school trust land to sustain and sometimes expand their operations. Changes in the land tenure process have undergone profound transformations in the last 20 years, greatly impacting land use in the region. Coupled with an almost decade-long drought, land managers pursuing seemingly “traditional” agricultural practices call upon increasingly complicated, mixed private and public tenure options in order to make ends meet. Using a political ecology framework, we examine conflicting relationships between school land, the state, and local land managers as well as the sustainability of cattle ranching on school trust land in Cimarron County, Oklahoma. We conclude that school trust land needs to be re-envisioned in order to ensure the greatest good for the greatest number of people as well as to uphold traditional rights and livelihoods of those in Cimarron County.

Key Words: land tenure change, Oklahoma Panhandle, political ecology, ranching, school trust land

INTRODUCTION

The socioeconomic and environmental implications of a highly variable climate, as evidenced by recurrent drought events in Oklahoma’s Panhandle, and subsequent agricultural change make land-use issues surrounding these events significant not only to the region but also increasingly to the national and international global environmental change communities (IPCC 2000; Turner 2002; UN 2006; GLP 2005). Above and beyond the impact of drought or any other environmental catalyst in a region, land degradation is intimately linked to the land tenure system in use (Ostrom 1990; Gibson et al. 2000). This study addresses sustainability issues regarding land tenure, drought, and environmental degradation on school trust land in Oklahoma’s Cimarron County (Fig. 1). Cimarron County is the second-largest producer of cattle in Oklahoma, and public land leases play a major role in ranchers’ livelihood strategies. According to Grossman (2000:126), over 40% of all American farmland is leased. Leased school trust land is therefore crucial to successful agriculture in the United States.

Over 20% of the land in Cimarron County, or approximately 235,000 acres, is school trust land, which is state-owned land leased “for the production of income for the support and maintenance of the common schools and the schools of higher education” (CLO 2010). This represents almost one-third of all school trust land in Oklahoma (Oklahoma Ad Valorem Forum 2006). As ranches have decreased in number and increased in size since the 1930s (Lowitt 2006), ranchers have turned to leasing school trust land to sustain and/or expand operations. Often, rented sections of school trust land have been in a lessee’s family for generations. However, changes in the tenure process have undergone profound transformations in the last 20 years, greatly impacting land use in the region. Furthermore, in the summer of 2008, as the result of extensive drought, many families were required to abandon school trust land (Whited 2008). Land managers pursuing seemingly “traditional” agricultural practices call upon increasingly complicated, mixed private and public tenure options in order to make ends meet. Here, we use a political ecology framework to explore the complex and often conflicting relationship between school trust land, the state, and local land managers in the region. Additionally, we examine the sustainability of cattle ranching on school trust land in Cimarron County, Oklahoma.
LITERATURE REVIEW

Political Ecology

A subdiscipline of both geography and anthropology, political ecology seeks to understand land degradation by combining ecological concerns within a broader political economy (Blaikie and Brookfield 1987; Black 1990). Political ecology approaches do not take either environment or environmental issues for granted. “Environment,” instead of being a concrete apolitical entity, is inherently “politicized.” Political ecology therefore emphasizes deeper explanations in understanding environmental degradation through a critical and questioning eye. Environmental issues are also seen as social justice issues that may arise when “haves” and “have-nots” struggle over access to and control over resources, or as a result of conservation, governance, and development policy failures (Robbins 2004). Here also, the very idea of degradation itself may be questioned, as agencies in power may use environmental discourse and policy as a means to control marginalized, oppressed, or seemingly powerless groups (Peet and Watts 1996; Rocheleau et al. 1996; Watts 2000). Frontiers are regarded as some of the most contested areas on earth and consequently are highly vulnerable to environmental degradation (Schmink and Wood 1992). Political ecology recognizes the winners and losers inherent in the development process, seeking at its core sustainability through both social and environmental justice (Hecht and Cockburn 1990). The use of political ecological approaches in land-use studies provides alternative understandings of environmental problems by focusing on the complex and often conflicting qualities of user groups at the local level, placed within a broader political and economic system (Zimmerer and Bassett 2003; Biersack 2006).

Role of Property and Resource Management

Political ecology draws heavily upon resource management found in common property theory, both incorporating and challenging its ideas. In the “commons” literature, common-pool (environmental) resources such as tropical forests, national grasslands, the air, and the oceans are generally seen as public goods (McKean 2000). Common-pool resources generally have two main characteristics: they are subtractable (their resources can be depleted) and habitually difficult to control (Gibson et al. 2000:6). Furthermore, the sheer size and vast spatial dimension, or broad geographic distribution, of common-pool resources make them generally difficult to control and monitor, and thus make them at least partially open-access in nature as well as susceptible to abuse. Often, common-pool resources are better managed under a common-property, joint system of resource management where proper management requires ongoing commitment from a collective of individuals at both local and state levels. In some cases, degradation may not be perceptible until the damage done is seemingly irreversible, as in past cases of aquifer depletions or grassland degradation. Thus, subtractability, market forces, and their complex nature make the control of such resources highly vulnerable to environmental degradation.
A variety of factors influence the level of successful management of common property arrangements, such as the size and characteristics of the land users, their invested social capital, their level of agreement with the rules, perceptions regarding fairness and equality in terms of perceived costs and benefits of proper resource management, and the nature of outside pressures such as market and political conditions (Hall 1997; Gibson et al. 2000; Ostrom 2005). Neither common property nor private property systems, however, should be viewed as superior; various works demonstrate the pros and cons of both in regard to land change (see Turner et al. 1993; Mendelsohn 1994; Tucker 1999; Ostrom and Nagendra 2006). Furthermore, several studies illustrate that the majority of property systems are neither purely private nor common but are instead mixed, dynamic, and fluctuating between the two (Rocheleau and Edmunds 1997; Geisler and Daneker 2000). In our case, the school trust land of Cimarron County can be viewed as a complex, mixed tenure system, incorporating components of private management on public lands. As Souder and Fairfax (2000:91) explain, it is an oversimplification to conclude that the state trust lands can be thought of as falling between private approaches to ownership and public concepts. The trust lands are, quite specifically, the oldest approach to public ownership in U.S. history, and significantly different from either bare public or bare private title.

Given the unique character of school trust land, as well as the considerable role it plays in terms of local, regional, and national farming (Grossman 2000), it is important to gain a comprehensive understanding of how historical and contemporary factors shape school trust land’s use and continual evolution. Ideas of “trust,” “reciprocity,” and being “of the people” contribute to the management of public school trust land, representing an influential component of its sustainability (Souder and Fairfax 2000:94). Yet, in Cimarron County, governance is currently highly contested between land managers and the state. Given that perceptions matter, conflict between stakeholders often leads to the increasing social marginalization of some land users as well as increased environmental degradation (Bassett 1988; Peluso 1992). In what follows, we first discuss our research methodology and provide background on the study site. We then discuss the cultural and historical importance of cattle ranching in the development of the U.S. frontier. Next, we explore the evolution of school trust land in the region from the past to its present contestation. Lastly, we discuss implications for the environmental, economic, and social sustainability of the region.

**METHODS**

Because of Cimarron County’s complexity in both landscape and its governance, we employed a variety of research methods, triangulating data to verify our findings as we proceeded with analysis. We relied upon archival research and primary and secondary resources from government agencies such as the U.S. Department of Agriculture (USDA), the National Resource Council (NRC), and the U.S. Census Bureau in order to construct the historical evolution of state school land and its use in Cimarron County. Our research also involved collecting historic legal documents and archival data from Oklahoma’s state capital library, the Allen Wright Memorial Library, which has significant archival holdings concerning state school land, including sales and lease information managed by the Oklahoma Commissioners of the Land Office (CLO).

In order to construct current land-use issues in Cimarron County, we drew upon local, state and regional news, as well as CLO reports. We supplemented this data with 20 semi-structured, open-ended interviews and oral histories, which were conducted with traditional cattle farmers in Cimarron County in areas dominated by school trust land. In the spring of 2008, the research team collected 10 oral histories from both men and women through the Oklahoma State University Library’s “Oklahoma Oral History Project.” In the summer of 2008, our research team returned, collecting 10 more oral histories. We recorded the oral histories via video and/or audio, as well as note taking, and later transcribed them. Oral histories took one to three hours to complete and focused mainly on issues surrounding land tenure, migration, land use, drought, and land management issues in Cimarron County. In the summer of 2009, we returned again, updating and verifying information with many of the same individuals. Furthermore, key-informant interviews were also conducted at the county level in Boise City with officials from the county government, the U.S. Department of Agriculture (USDA), and the National Resource Council (NRC). Oklahoma State University’s Institutional Review Board approved all research regarding human subjects before our research team began the study.
Context

Historically known as No Man’s Land, the Oklahoma Panhandle (approximately 6,000 square miles) emerged in 1845 when Texas was admitted to the Union as a slaveholding state. Slaveholding areas could not extend north of 36 degrees, 30 minutes north latitude, and Congress mandated that the southern borders of Colorado and Kansas and New Mexico’s northern border be set at 37 degrees. Meanwhile, the area east of the Panhandle was identified as Indian Territory (Healy and Dosh-Healy 1992; Lowitt 2006). Thus, the small strip of land that remained went ungoverned until 1890 when through “manifest destiny” the United States added it to the Oklahoma Territory (Weeks 1996; Wynn 2004). Oklahoma became a state in 1907, merging what had been Indian Territory and Oklahoma Territory, including the Oklahoma Panhandle. The Oklahoma Panhandle, comprising Beaver, Texas, and Cimarron counties, was soon transformed into an important cattle- and wheat-producing region for the United States (Egan 2006; Lowitt 2006).

Drought is a normal part of Oklahoma’s climate, and Cimarron County is susceptible to extremes both in temperature and precipitation. Six major drought events have occurred in the Panhandle in the last 100 years: 1890s, 1909–18, 1930–40 (the Dust Bowl), 1952–58, 1962–72, and 2000–present (Oklahoma Climatological Survey 2006). The Oklahoma Water Resources Board claims that Oklahoma may be in the beginning stages of a dry cycle at least equal to that experienced during the first half of the twentieth century (Tortorelli 2007). Cimarron County, with the driest climate in Oklahoma, has been the epicenter of what the U.S. National Drought Mitigation Center calls an “exceptional” drought—the most severe drought category (Lindsey 2008). During intense drought, native grasses for grazing become insufficient to support cattle, pushing many ranchers to sell more cattle than they intended to sell, sometimes selling the entire herd, thus driving market prices down. Even conservation reserve lands may be affected because the forage they produce may be used for feed in emergency (e.g., drought) situations. This practice may hinder vegetative recuperation and therefore promote soil erosion (Hays 2008).

Though the three Panhandle counties have similar challenges concerning land use, Cimarron County holds distinct challenges because of its varied landscapes, biodiversity, and semiarid climate. Cimarron County’s landscape is unique in the Panhandle, because it is where “the Rocky Mountains meet the short grass prairie . . . [and] where many species are at the easternmost or westernmost portions of their range” (The Nature Conservancy 2009). The county is a landscape of transitions, where cropland in the southeast changes to cattle country comprised of grassland and mesa country in the northwest.

RESULTS AND DISCUSSION

Historic Importance of Cattle Ranching

Cattle drives and ranching have long been a part of the Anglo-Saxon heritage of the Oklahoma Panhandle. Particularly in the area of northwest Cimarron County, the land has provided good grasses for cattle ranching but little else. It has served as grazing land and temporary range for cattle before they were fattened, marketed, or moved farther north (Hodge 1937; Gress 2000). Throughout most of the 19th century, no one technically owned the land or grass. Ranchers and cattlemen owned only their camps and cattle, and possessed certain range rights developed on a first-come, first-served basis and by means of mental boundaries and support from cattlemen associations (Webb 1931). Cattlemen associations in effect became the governing bodies concerning land use and land rights, acquiring authority to deal with rustlers (cow thieves), grass pirates (unauthorized grazing), water rights, unbranded cattle, fencing, quarantine regulations, inspection of trail herds, and the time and manner of roundups (Dale 1965:76). The charge of American manifest destiny to push westward, homesteading under the auspices of the special virtues and destiny of the American people, however, brought settlers to the area (Weeks 1997; Nugent 1999). Near the end of the 19th century, ranching became incorporated as part of this agrarian ideal of independent landowning individuals. The U.S. government allowed squatter homesteaders to legally enter the Panhandle as early as 1886, but because the land had not been surveyed, settlers could only (unofficially) claim squatter’s rights (Gress 2000).

When the 1890 Organic Act admitted No Man’s Land to Oklahoma Territory, squatter settlements extended about 90 miles into the Panhandle from its eastern edge, approximately 80 miles away from Cimarron County (Baird 1994). In 1889 the land run on the unassigned lands motivated over 10,000 squatters to leave the Panhandle in hopes of securing land with clear title. This exodus left about 3,000 people, mostly cattlemen, in the Panhandle. When in 1891 the government completed surveying the Panhandle for homesteading, settlers came, but not as they had when other territorial lands opened for settlement. In part this may have been due to officials not amending
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the Homestead Act to allow settlers to acquire larger landholdings, a requirement for economic survival in the harsh, fragile, and limited environment of the Panhandle, especially in Cimarron County. Here, the 160-acre tracts were merely a fraction of the land needed for economic survival. Though settlers could acquire an additional 160 acres if they planted trees, 320 acres still fell significantly short of needed land, particularly for ranching, so settlers turned to leasing land from the government (Gress 2000).

By 1910, Cimarron County’s population had surpassed 4,500 and continued to increase until the 1930s Dust Bowl, which heavily reduced the county’s population and number of farms (USCA 1940; Forstall 1995). By 1950 the population recovered, but it decreased in every subsequent census with continued projected population decline (Forstall 1995; Wilson 2009). Additionally, since 1950, Cimarron County has been characterized by a general decrease in the number of farms and an increase in the average farm size (Table 1) (USCA 1950).

In 2007 the main source of employment in the county came from farming (over 36%) (ODC 2009). Indeed, Cimarron County has remained predominantly rural, sparsely populated, and agriculturally based. The county holds a significant place in the state and national economies, ranking second in the state for all agriculture and in the top 2% in the nation for cattle production (National Agricultural Statistics Service 2002; USCA 2007). While wheat, sorghum, corn, and hay contribute approximately 18% of the market value in Cimarron County’s agricultural productions, with over 39% of its land in irrigated cropland, the county’s main commodity is cattle, with over 58% of its land dedicated to pasture and rangeland (USCA 2007).

Evolution of State School Land

When No Man’s Land became a part of Oklahoma Territory, its land tenure system became more complicated not only in terms of private land as explained above, but also in terms of public lands. In a series of acts and ordinances dating back to the Land Ordinance of 1785 inspired by westward expansion and the need to support a national government (including public education), the federal government made public provisions for land settlement (Rainey 1937; Nugent 1999). In every Oklahoma surveyed township, which included 36 sections of 640 acres each, sections 16 and 36 were to be set aside for the benefit of public schools. If these sections were already homesteaded, then “in lieu of lands” had to be provisioned. Since the Panhandle was much less settled, vast amounts of its lands were designated as “in lieu of

Table 1: Cimarron County Farm Characteristics

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
<th>Number of farms</th>
<th>Average farm size (acres)</th>
<th>Average farm value (2007 equivalent) (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1910</td>
<td>4,553</td>
<td>1,307</td>
<td>224</td>
<td>2,132 (46,892)***</td>
</tr>
<tr>
<td>1930</td>
<td>5,408</td>
<td>887</td>
<td>1,203</td>
<td>16,594 (204,292)</td>
</tr>
<tr>
<td>1940</td>
<td>3,654</td>
<td>605</td>
<td>1,536</td>
<td>9,156 (134,017)</td>
</tr>
<tr>
<td>1950</td>
<td>4,589</td>
<td>616</td>
<td>1,788</td>
<td>49,674 (423,549)</td>
</tr>
<tr>
<td>1959/1960*</td>
<td>4,496</td>
<td>505</td>
<td>2,001</td>
<td>99,708 (701,923)</td>
</tr>
<tr>
<td>1969/1970*</td>
<td>4,145</td>
<td>600</td>
<td>1,811</td>
<td>165,819 (928,064)</td>
</tr>
<tr>
<td>1978</td>
<td>3,600</td>
<td>490</td>
<td>2,184</td>
<td>419,497 (1,319,690)</td>
</tr>
<tr>
<td>1982**</td>
<td>3,648</td>
<td>458</td>
<td>2,358</td>
<td>894,528 (1,898,306)</td>
</tr>
<tr>
<td>1987</td>
<td>3,891</td>
<td>458</td>
<td>2,197</td>
<td>517,319 (932,552)</td>
</tr>
<tr>
<td>1997</td>
<td>3,067</td>
<td>481</td>
<td>2,239</td>
<td>705,351 (908,021)</td>
</tr>
<tr>
<td>2007</td>
<td>2,664</td>
<td>557</td>
<td>1,875</td>
<td>939,651 (908,021)</td>
</tr>
</tbody>
</table>


**Open bidding for school lands begins.

lands” (Hodge 1937). That said, in the same year as the Organic Act, the governor of Oklahoma proclaimed that “you men who have failed to locate on homesteads, settle on good quarters of school trust land, cultivate them as your own and when Oklahoma becomes a state you shall own them as your homes” (Golobie 1904:5 quoted in Gress 2000:89). These “last-chancers” hoped that Oklahoma would follow other states who sold school trust land to those who had cultivated them. Eventually, Oklahoma would sell some of its school trust land to its citizens, but first, beginning in 1891, Oklahoma Territory leased school land (Gress 2000).

The Enabling Act of 1906 provided additional school trust land for the soon-to-be (1907) state of Oklahoma. The act designated sections 13 and 33 of townships or “in lieu of lands” for state educational institutions and public buildings. Once again, the Panhandle became the site for replacement lands in part because so little unoccupied land remained in the rest of Oklahoma, but perhaps more so because of the government’s need to quickly choose new college lands before statehood, which was only months away (Gress 2000). Thus, the new college grant lands were almost exclusively in the Panhandle, and the majority of them in northwest Cimarron County, where the “acreage is comparatively worthless for anything but grazing purposes” (Hodge 1937:64). At statehood, Oklahoma had approximately 3.2 million acres in school trust land. Leasing to private individuals continued, but beginning in late 1909, approximately 1.29 million acres were authorized for sale. Land sold was classified as Grazing B lands, which meant one person could purchase as much as two sections and noncontiguous sections if necessary. By 1932, over 2 million acres had been sold (Hodge 1937). Large quantities of land were sold in Cimarron County, but because so much land in the county had been designated as “in lieu of lands” for the school trust, large amounts of school trust land continued to exist (Gress 2000). Sales increased for brief periods due to foreclosures during the Dust Bowl and World War II years, but since then the sales of land have been small. Today the school trust fund, long managed by the Commissioners of the Land Office, holds 739,035 acres (25% of the original school land) of which 233,780 acres are in Cimarron County, comprising 20% of the county’s land (see Fig. 2) (Souder and Fairfax 1996:48; Oklahoma Ad Valorem Forum 2006). This represents almost one-third of all school lands in Oklahoma, far outweighing the second leading county, Texas County, with 5.6% of its land in the trust (Oklahoma Ad Valorem Forum 2006). School trust land has continued to be leased for “support and maintenance
of common schools and schools of higher education,” being used primarily for grazing and agricultural purposes (Souder and Fairfax 1996; CLO 2010).

In most cases the general leasing conditions for school trust land have included a term of five years, with no base property requirements, and subleasing was allowed. The lessee owned moveable improvements, and the state owned any permanent improvements to the land. Significantly, the state made no credits or adjustments to leases for lessees’ provisions of services and improvements to the land such as fencing, water improvements, noxious weed control, construction of buildings, and high administration costs based on unique land requirements (Souder and Fairfax 1996:130). Lease amounts and initial bids were determined by county-level government appraisers, but school trust land was leased in a way that gave favored treatment to the lessee following a “traditional lessee-oriented pattern: fees were low (3% of appraised value), existing lessees had virtually absolute preference rights to renew the state leases” (Souder and Fairfax 1996:108), meaning lessees either leased without bidding competition or were allowed to meet the highest bid. Thus, though lease terms were only five years, the lessee could count on that land for their cattle and/or agricultural operations practically in perpetuity. Indeed, families have leased thousands of acres of school trust land for generations, so much so that the governor of Oklahoma’s encouragement in 1890 of ranchers and farmers to “cultivate [school trust land] as your own” developed into a reality even though most ranchers have always owned only a relatively small amount of land compared to the land they must lease in order to have viable ranch operations.

The bidding system for school trust land, however, changed in 1982, when the Oklahoma Education Association sued the State Land Board over its leasing practices and won. The court noted in its decision that the preference-right system violated ideas associated with “trust” principles (Souder and Fairfax 1996:108). Revisions to the lease system included full market appraisal fees and competitive bidding but failed to revise any stipulations concerning services and improvements to leased land by the lessee. Accordingly, beginning in the mid-1980s, revenues for surface land leases, including fees and lease amounts, increased 80% (Souder and Fairfax 1996). Surface state leases account for approximately 5% of all yearly income for the school trust fund and 14% of all yearly distribution of funds; therefore, the increase in yearly revenues based on Oklahoma moving from a “custodial retention [of school land] in favor of lessees to active management for the benefit of beneficiaries” has had a significant positive impact for the school trust fund (Souder and Fairfax 1996:109). The impacts for those leasing school trust land in Cimarron County, however, have included negative cultural and economic changes that are challenging a way of life and economic survival for families and small communities not only in Cimarron County but also in all of Oklahoma.

Conflict and Contestation Regarding State School Land Today

Analysis of our interview transcripts reveals several key themes regarding perceptions of the impact of open bidding on school trust land. Mainly they are loss, changing land use and demographics, increased risk, changing ideas of stewardship, and complex relationships with the state. We explore these themes below in order to address their social, economic, and environmental implications.

Loss. In 1982, when the Oklahoma Supreme Court ruled that ranchers should not have preference to school trust land nor should the Oklahoma legislature set maximum lease prices (Oklahoma Education Association v. Nigh 642 P.2d 230 [Okla. 1982]; The Economist 1997), the rather cozy, long-term relationship between the state and its lessees in the region changed indelibly. Because of the open bidding policy, leasing prices have been driven beyond what some ranchers can afford (in extreme instances changing from $3 to $23 per acre), forcing land users to lose access to land that has long comprised significant portions of their ranches (Whited 2008) and sparking animosity and conflict among some land managers. In a semiarid region where stocking rates are one head of cattle for 30 or more acres, most land managers we interviewed express genuine fear of being outbid. In an area where there are few livelihood alternatives and economic opportunities, getting outbid can result in downsizing one’s herd, having to liquidate it completely if one’s own landholding is too small or degraded, and in extreme cases bankruptcy and foreclosure. As one rancher who owns only a small section of 700 acres, and whose family leased one section of land for over 60 years, explains, “We used to have 5,000 acres of state school land, and we got outbid on that so we lost it. That kind of gave us incentive to sell our cows and get out of the business” (anonymous personal interview, spring 2008). Another rancher succinctly explains the impact of getting outbid: “It’s kind of hard to have a cattle ranch with no land. Pretty difficult” (anonymous personal interview, spring 2008). Land managers who have been outbid have limited options such
as meeting the bid, selling the family farm, moving on, and/or starting a new business such as agritourism or a bed-and-breakfast in order to survive.

**Changing Land Use and Demographics.** The new lease system seeks to “maximize distributable income . . . and enlarge the trust” (CLO 2009:4). As such, historical ties of families to school trust land in Cimarron County have been severed. Under the latest enterprise, money talks, while tradition becomes less important. Where in the past, renting preference went to families living on and already working the land, now it goes to the highest bidder. This has resulted in both changes to the demographic makeup of the lessees as well as the type of land use in the region. Out of 203 state lessees in 2007, approximately 32 were out-of-state lessees, leasing a total of approximately 40,000 acres. Furthermore, 11 were out-of-county leases, leasing a total of approximately 8,000 acres (Cimarron County Clerk’s Office 2007). This leads to a decrease of approximately 20% in available lands for local residents. Increasingly, lessees do not live in the region; many hold the leases for hunting and recreational purposes only, investing very little in terms of time and money in both the community and region.

Generally, locals often perceive outsiders with suspicion. Many argue that outsiders are committed to neither the community nor the land (nor its proper management) to the same extent as are insiders. As one cattle rancher explains:

> As far as the land leases and things, you know, that has really destroyed some long, long-time families that have lived here their entire lives. And due to the advertisement that, “Come to the Panhandle of Oklahoma and lease state land, for hunting property or camping and whatnot,” well, people don’t have the right concept of what is going on, and so some of them do bid these long-time ranchers off their property. When they do, they just ship their cattle, they’re done. And they may be just like myself, fourth generation, and one day their life’s over. And so, I don’t agree with it. I think if the state needs more money for the schools they need to approach the people that have been the caretakers of it and say, “Times are changing, we need to go up on the lease. And if you can lease [the land at] that [price], [then] you can keep it.” ‘Cause our money is just as good as anyone else’s downstate. And give us first choice to say, yes, I can pay more money, I can pay whatever you’re wanting, and keep that family unit together. A prime example: a man run my lease up this year. He was from Chandler, Texas. The gentleman wanted that land just to hunt on. He could care less. He’s going to be here in the fall of the year, he could care less about Oklahoma. And he wasn’t even a resident, the man didn’t even live in our state. He could care less about the schools, the community or anything. It’s kind of a sore spot with us (anonymous personal interview, spring 2008).

Cattle ranchers express strong ideas of community empowerment and the importance of working together, citing that local ranchers do not bid against other local ranchers for property that is already in use. They also perceive that land worked by someone is, indeed, *their* land. There is a notion of entitlement granted to the lessee, even if they do not own the land. As one rancher explains, neighbors “respect one another, and it’s part of their ranch, part of their livelihood. We honor that with one another. I wouldn’t want them to lose theirs and hopefully they wouldn’t want us to lose ours” (anonymous personal interview, spring 2008). Yet another rancher states, “If we lost all of . . . [the school trust land] we had, we’d [all] be out of the business” (anonymous personal interview, spring 2008).

**Growing Risk and Changing Ideas of Stewardship.** The uncertainty that arises from the open bidding system has made ranchers aware of growing socioeconomic and environmental risks, which are only exacerbated with the current uncertain economic climate. For the school trust land to be successfully managed, land managers must be invested in taking care of the land. With their future now uncertain (in five-year increments with no preferential treatment given to the lessee), many land managers express difficulty caring for leased land like it was their own, as they have done in the past. As one rancher argues,

> We have taken care of it, and we still do take care of it, because it’s right there mixed in with our deeded land and we take care of that. We build fences on it, we provide the post and the wire and whatever. If there’s no corrals, we put . . . [in] corrals, we put up windmills and tanks. Well, after they start doing this [open bidding], you’re a lot more cautious about doing these things,
because you’re thinking, if somebody comes in and gets this, we’ve put all this improvement on here. They are supposed to either pay you for it or you have to remove it, but we’ve watched and that does not seem to be working out real well (anonymous personal interview, spring 2008).

Local ranchers perceive outside lessees to be the least responsible land managers, arguing that outsiders have little or no attachment to the land, making little or no investment in the future of the region. Local ranchers complain of outsiders that come in for three to five years, overgraze the land and then move on, leaving the degraded land for the locals to rehabilitate. Locals call this “land jockeying,” coming in from the outside, running up land prices, subleasing for profit, and then leaving after a short time. Local ranchers complain that leasing land again after land jockeys have leased it often forces them to rest the land for a period because of extreme land degradation. Yet the local rancher must continue to pay the land rent. In contrast to outside lessees, local ranchers see themselves as “environmentalists” who have an intimate attachment to and knowledge of the land.

Complex Relationships with the State. Although almost one-third of school trust land is in Cimarron County, residents express conflicting ideas regarding the actual role of the state. The reason is two-fold: residents often feel ignored by the state but at the same time say that they want to be left alone. For example, residents of the area repeatedly refer to themselves as the “stepchild” of Oklahoma, stating that they are often ignored or neglected even though they make a valuable contribution to the state in terms of the revenue from school trust land that they provide and their long-term commitment to such a historically important and underpopulated region.

In 2008 the Commissioners of the Land Office reported record high revenues (CLO 2009:1), yet Cimarron County Public Schools received the lowest amount of school funds compared to any other county in Oklahoma (Table 2) (CLO 2009:21). Through the years, this has been the relationship between Cimarron County Public Schools and the school trust fund. Though the distribution of funds per student enrolled appears more equitable than not, costs associated with facilities and other programs are difficult to determine on a per-student basis in terms of equitable allocation of funds. Furthermore, the money from surface leases of state trust land also goes to state universities and colleges, of which Cimarron County has none. County residents we interviewed perceive their funding to and from the school trust fund as unfair, and press for investment in basic infrastructure such as roads and health care.

<table>
<thead>
<tr>
<th>Top counties receiving school trust funds from surface leases</th>
<th>Surface lease contribution (acres)</th>
<th>Amount public schools received from school trust funds (USD)</th>
<th>Amount spent per student enrolled (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oklahoma</td>
<td>4,562</td>
<td>9,318,590</td>
<td>40.67</td>
</tr>
<tr>
<td>Tulsa</td>
<td>0</td>
<td>9,219,513</td>
<td>41.29</td>
</tr>
<tr>
<td>Cleveland</td>
<td>4,950</td>
<td>3,309,141</td>
<td>40.76</td>
</tr>
<tr>
<td>Comanche</td>
<td>29,733</td>
<td>1,872,245</td>
<td>43.55</td>
</tr>
<tr>
<td>Canadian</td>
<td>3,365</td>
<td>1,728,001</td>
<td>40.65</td>
</tr>
<tr>
<td>Rogers</td>
<td>0</td>
<td>1,204,644</td>
<td>42.64</td>
</tr>
<tr>
<td>Muskogee</td>
<td>0</td>
<td>1,135,085</td>
<td>41.36</td>
</tr>
<tr>
<td>Creek</td>
<td>0</td>
<td>1,095,084</td>
<td>44.65</td>
</tr>
<tr>
<td>Pottawatomie</td>
<td>17,093</td>
<td>1,072,976</td>
<td>43.26</td>
</tr>
<tr>
<td>Payne</td>
<td>21,588</td>
<td>844,631</td>
<td>41.63</td>
</tr>
</tbody>
</table>

Sources: CLO 2009; Oklahoma State Department of Education 2009.
Additionally, in the summer of 2008, the state declared emergency drought conditions in Cimarron County, ordering some lessees to take cattle off their land because of the lack of vegetation and the increased likelihood of degradation subsequent to drought conditions (Whited 2008). The economic devastation to residents in the county was not simultaneously addressed. In fact, the state governor had never been to Cimarron County even though severe drought had been ongoing since at least 2000. Some frustrated residents advertised a $50 reward in the Boise City News for anyone that could bring the governor to Cimarron County in order for him to see firsthand the economic devastation ranchers (and farmers) were facing (York 2008).

The governor did finally visit Cimarron County on July 16, 2008 (Whited 2008), granting ranchers, in some instances, critical grazing rights on federal lands in the Conservation Reserve Program. The region consequently received federal disaster status, and those ranchers holding USDA insurance were to receive a partial reimbursement for their losses, which were substantial. However, funds were not dispersed until the end of 2009, and ranchers were therefore required to tough it out for a year before they could begin to see light at the end of the tunnel. Although lessees abandoned their rented land (often being forced to do so), they were still required to pay the outstanding lease on the land, as the rents were not forgiven or reduced. This situation, compounded with the influx of cattle on the market in times of duress, caused ranchers great economic hardship. Key informants at both the USDA and National Resources Conservation Service (NRCS) offices stated significant losses in terms of both cattle numbers and economic gains for 2008. Furthermore, we know of at least two households that have filed bankruptcy, others that have since sold out, many that have significantly downsized, and others that are “just barely hanging on.”

That said, residents report having little attachment to Oklahoma, stating that in part they “want to be left alone.” In 2009 an NRCS official noted that many ranchers who lease school trust land in Cimarron County are not interested in the outside world and do not want the outside world to know about them. According to this official, some ranchers believe that if they “are quiet,” they “won’t be bothered.” Moreover, ranchers and residents we interviewed repeatedly discussed the strong “pride” and “independence” of those that live in Cimarron County. One rancher explained, “You just kind of exist and don’t feel a part of any state. It’s like [Cimarron County’s] its own country.” At the same time, some Cimarron County residents align themselves with Colorado, New Mexico, or Texas, where they tend to do more business, expressing sentiments such as “we feel more a part of Amarillo, Texas, than Oklahoma, in terms of community” (anonymous personal interview, summer 2008). This reflects ideas of community that are situated at regional levels based on shared ideas and ways of living, lacking a state identity. One informant asserted, “We are called No Man’s Land for a reason,” intimating the inattention of the state, but this statement also reflects many Cimarron County residents’ desire for physical and social remoteness and self-reliance (anonymous personal interview, summer 2009).

CONCLUSIONS

In this study, we have used a political ecology framework to provide insights about the historical importance of cattle ranching in Cimarron County, the evolution of state school land, and the highly contested nature of school trust land today. We conclude by questioning the social, economic, and environmental sustainability of the current system of governance regarding school trust land in Cimarron County.

Recognizing the important role that school trust land plays in supporting public education, it is not our intention to take sides in this debate between the actors most directly involved. However, we raise a few critical points about the viability of the current system. Common property theory tells us that perceptions matter. If land managers do not perceive the system to be fair, if the system is not perceived as a win-win situation between land users and land managers, or if land users do not perceive the potential benefits of conservation for the future, then they are less likely to invest in preserving the resource base today. With an uncertain future, a situation emerges where it may make more sense for the land user to maximize profits in the now, thereby possibly compromising future environmental sustainability and creating a tragedy of the commons in the making (Hardin 1968; Dawes 1973). As drought conditions worsen, and land users perceive growing risk, changing ideas of stewardship brought by newcomers, and dwindling economic returns on their investment, they will be forced to adjust their land use and management decisions accordingly. This can have profound potential implications on the future environmental sustainability of the system.

Souder and Fairfax (2000:102) argue that school trust land works in theory because the system is quintessentially democratic; it balances economic risk and economic returns between both the lessee and the state, thus provid-
ing a win-win situation for all. Yet residents of Cimarron County do not perceive the new system to be fair. The new system of open bidding has forced families off land that they have worked and managed for decades. From the point of view of the long-term residents, it has driven up rent prices to the point that, in some instances, it is no longer feasible to practice traditional cattle ranching in the region. In some cases, it has forced long-term residents and responsible caretakers off lands that they perceive to be their land, in favor of outside residents who bring with them changing land uses and ideas of stewardship. As residents are squeezed out of the cattle business, we question the future economic and social sustainability of the system as well.

Perhaps one can argue that cattle ranching, as currently practiced, may no longer be either economically or environmentally sustainable (see Davis 2001; Manning 2009), and that the processes currently underway are a mere part of the natural progression of regional development, but residents argue that they have been good stewards of the land and dutiful residents of the state. They stake a claim in the region as contributing citizens given their current and historic frontier roles in fulfilling both America’s manifest destiny and the sustained development of the state. While recognizing the important role that residents have played in the past, we argue that residents have complicated their plight by the mixed signals they sometimes send regarding their own expectations of the state and their role as citizens within (but separate from) it. Kittredge (1996) explains that the growing antagonism between residents of the West and the government is deeply rooted in nostalgic ideas of independence and the Old West, and he presses for a collective reimagining among residents and the government regarding the New West of the future. We therefore suggest that open dialog and a compromise between stakeholders are greatly needed.

In the 18th century the federal government designated public lands to benefit public schools and universities, yet these lands have developed not only as a beneficiary to the school trust but also have become integral to entire ranching communities in Oklahoma’s Panhandle and the state’s cattle industry. While recognizing that the intent of the law concerning these lands was to benefit public education, we must also recognize the reality that emerged, where state trust land has become integral to both communities and industry. Thus, we offer initial recommendations for stakeholders to discuss together. These recommendations revolve around the bidding process, out-of-state lessees, land use, environmental degradation, lessee improvements, and apportionment of revenues.

In hindsight, the open bidding system put in place in 1982 should have occurred gradually where the bidding process slowly introduced elements of competitive bidding (increasing lease rates) that evolved through stakeholder consensus concerning bidding policies. Though it is impossible to rewrite history, it is possible for bidding reform to occur that would allow ranchers to continue operations without the risk of going out of business because of high lease rates and would ensure a higher return on school lands. For example, the state could implement a policy similar to one in the past, in which preference is given to existing lessees if they agree to a minimum bid determined by the land manager’s determination of fair market value, or the state could give the lessee preference rights with the opportunity to match the highest bid, as is currently the case in other land trust states such as Nebraska, New Mexico, Oregon, Utah, and Wyoming (Culp et al. 2005). Additionally, preference rights could be given to those individuals (and their families via inheritance) who actually own the surrounding land, as is current practice in Washington state (Culp et al. 2005:157). Such preference rights would solve many of the perceived injustices that Cimarron County residents find with the current system.

Out-of-state lessees should be limited in number and in purpose (Souder and Fairfax 1996). Currently, anyone from anywhere can lease school trust land for a large variety of purposes. Limiting the type of land use, such as grazing, employing a multiple use management style, such as grazing and hunting, and/or requiring that potential lessees possess the experience to operate the land for its specified purpose would benefit the school trust, as well as ensure proper environmental management and ranching practices (Souder and Fairfax 1996; Culp et al. 2005). Perhaps, too, some leases could stipulate a base land requirement, not merely to benefit ranchers who have long had deeded land, but to maximize the potential return on some lands. Furthermore, longer lease periods, between 10 to 15 years, such as in Utah, should be investigated (Souder and Fairfax 1996; Culp et al. 2005:145). What these suggestions point to is a more nuanced system of determining qualified lessees and land use.

Though Oklahoma has specific grazing management regulations, enforcing those regulations has proven to be extremely problematic. In Cimarron County, school trust land at times becomes denuded, taking years to recover and making the leasing of those lands unappealing to ranchers. Because oversight of regulation in practice is
limited, perhaps reducing or eliminating rent for overgrazed land would be financially beneficial to both the state and the (new) lessee as well as environmentally appropriate (Culp et al. 2005). For instance, New Mexico provides financial incentives via discounted rates for proper environmental management on state trust land (Culp et al. 2005:124). Furthermore, heavier sanctions for improper management of grazing lands should be created to improve land sustainability.

The policy regarding permanent improvements to school trust land needs to be revised. The current condition, where the state owns all permanent improvements to the land, deters not only ranching, environmental improvements, and mitigations but also improvements that increase the value and/or output of the land. For example, as other states have done, Oklahoma could institute a cost-share program for permanent improvements or pay the lessee for improvements once the lease has ended (Souder and Fairfax 1996; Culp et al. 2005).

Though subject to its constitutionality (Culp et al. 2005), one way to improve benefits to Cimarron County’s schools is consistent payment of real estate taxes on all school land. Currently, taxes are only sometimes paid by the state, providing the county inconsistent revenue from school trust land (official from Cimarron County’s Assessor’s Office, pers. comm. 2009). Another possibility is for the state to sell off more school trust land in ranching areas (Sundermand and Spahr 2006), yet ranchers we talked with explain that most ranchers could not afford to purchase all the land they needed to operate their farms.

Fulfilling the recommendations above will be difficult; as Gary Gustafson, former president of the Western States Land Commissioner Association, explains, “Politics sometimes get in the way” (Lindsay 1995:1). Indeed, when Oklahoma changed to an open bidding system, years of political and community fallout ensued (Lindsay 1995). What must remain central is that ideas of property should be addressed in terms of both rights and obligations between actors (Singer 2000:17). State school land needs to be re-envisioned in order to ensure the greatest good for the greatest number of people, while at the same time recognizing the traditional rights and livelihoods of those families who have called No Man’s Land home for almost a century.

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