America's Wildlife — Yesterday, Today and Tomorrow
Informal Activity: Who Owns Wildlife?

Overview

Through a series of simulations, students will explore how ownership rights have historically affected the sustainability of a natural resource. Students will have the opportunity to see what could happen when access to wildlife is available to all people or restricted to a few individuals. While comparing the pros and cons for each, students will be introduced to the concept of public trust.

AFWA Core Concepts

- In North America, fish and wildlife are public trust resources managed by governmental agencies.
- Since most wildlife live on private lands, private landowners play an important role in sustaining and improving habitat.

Quick Look

Key Concepts: History of wildlife management, public trust
Age Range: 9–12
Minimum Group Size: 12
Activity Time: 45–60 minutes
Prep Time: 10 minutes
Setting: Classroom
Vocabulary: Public trust

Objectives

Students will:

- Experience a simulation to model public and private access to a wildlife resource.
- Develop and compare strategies to solve a problem.
- Explain the roles that both the government and private landowners play in managing and conserving wildlife.

Materials

- 6- to 8-foot tables (approximately one table for every five students)
- Animal crackers, cereal or similar food product (one box)
- Brown paper bags

Preparation

- Distribute the tables to form a square or circle. Leave space between tables for students to walk around.
- Distribute animal crackers or other food product on the tables. There should be approximately two or three crackers for each person and they should be spread evenly among all of the tables. Keep additional crackers for subsequent rounds.

Background

For most of human history, ownership of wildlife has been closely tied to ownership of land. Both were there, able to be used and possessed by whoever could do so, with relatively few constraints. Monarchs, believing they had a divine right to use wildlife, began restricting access. Commoners, most of whom did not own property, could not take wildlife.

In 1215, the Magna Carta was signed. In addition to limiting the powers of the English monarch, it officially recognized the concept of land as property. An addendum, the Charter of the Forest, placed wildlife under the ownership of the government and, thus, the citizens. However, English statutes still established wealth and land ownership qualifications in order to take wildlife. The Black Act, for example, made it a crime to hunt on lands owned by the wealthy — a crime that could have resulted in death. As a result of these strict limits, the general public did not value wildlife. It did not matter to them whether wildlife was conserved or not.

Although it was not the most important consideration, access to natural resources was one reason many immigrants came to North America. Much of Europe had followed England's lead, severely restricting access to wildlife. North America, on the other hand, provided a new world with unimaginable wildlife diversity and unrestricted access to that wildlife.

During early American history, wildlife was considered inexhaustible, and few laws existed to limit hunting. Since the government was committed to expansion across the continent, most hunting policies pertained to predator control which was thought to help the settlers. This left a lot of other wildlife free for the taking. In 1842, a New Jersey landowner claimed he had exclusive

rights to harvest oysters from a river next to land he owned. The Supreme Court, in the landmark *Martin v. Waddell* case, disagreed. Citing the Magna Carta, the justices ruled that private citizens could not own public waterways and that wildlife and other natural resources were public property. Further, the court ruled that natural resources were held in the **public trust.** This meant that the state was responsible for managing wildlife for the benefit of current and future generations. The idea that the government had legal authority over fish and wildlife, no matter where it was found, was a marked change in natural resource management, something unique to North America at the time. The public trust doctrine may be the most important reason why North America has maintained a greater percentage of its native wildlife than any other continent. It also helps instill a greater sense of responsibility toward wildlife. Since we all share ownership of the animals, we are more likely to be involved in their conservation.

Although successful, this policy of public ownership of natural resources has presented challenges. With large amounts of land in the hands of private individuals, access to wildlife can sometimes be restricted. The state often has to work with these individuals to ensure the wildlife have enough suitable habitat to survive and the public still has access to those resources. As a result, even though wildlife is managed by the government, private landowners play an important role in that management.

Instructor Talking Points

- In many parts of the world through history, access to wildlife has been restricted. Commoners who did not own property had very little access to animals, even those needed for food. Hunting was reserved for wealthy landowners and royalty.
- In the United States, it was determined that natural resources, including wildlife, were owned by the public to be managed by the government. This concept of public trust has been an important component of wildlife conservation in North America.
- Even though private landowners do not own the wildlife that is found on their property, these individuals have an important role in helping to manage that wildlife, particularly to ensure there is enough suitable habitat.

In this activity, students will participate in a simulation that will allow them to compare the two different wildlife ownership models: private and public. Students will be hunters, needing to take a specific amount of food to survive. In the first scenario, they will have free access to all of the available land to "hunt" for their food. In the second, access to some land will be restricted to a select few landowners. The remaining individuals must "hunt" for their food on the publicly available land.

Reference:

Duda, Mark D., Martin F. Jones, and Andrea Criscione. *The Sportman's Voice: Hunting and Fishing in America.* Pennsylvania: Venture Publishing, Inc., 2010.

Suggested Procedures

1. Before explaining the activity for the day, inform the students that they will have the opportunity to work in teams, if they wish. They are free to work by themselves.
2. Have the students divide into groups of one to three people. They should sit or stand with their groups.
3. Tell students that today they are going to play a game. In this game, they all belong to a culture that relies heavily on the land. There are no supermarkets or restaurants. They must "hunt" for their food in order to survive.
4. Hold up one of the animal crackers. Inform them that this cracker is their primary food source.
5. Explain the rules of the game:
    a. Each person needs to have at least two crackers to survive. Additional crackers can be collected and stored for the future or to help out team members who might not have collected enough.
    b. Each team will be provided with a bag in which to store their food. Only food in the bag at the end of the game will be counted.
    c. Only crackers that are in good condition (not broken) will be counted.
    d. The game will continue until all of the crackers are gone or one minute has passed, whichever comes first.

Part 1: Everyone Has Access to Wildlife

6. Move to the playing area and ask the students to spread out evenly around the tables.
7. Inform them that the tables are the land available to them for hunting. They can move carefully between different tables to find food.
8. Ask students to repeat the rules. Remind them that each group only has one bag and only food in the bag will be counted. Be careful not to give the students too much time to think about their hunting strategies.
9. Begin the game.

10. Once all the food has been collected, or a suitable amount of time has passed, have the groups form a circle.
11. Have the groups count their food and make sure they had enough to survive.
12. Hold a brief discussion with the students. Questions for discussion include:
    a. Was everyone able to collect enough food to survive? Why or why not?
    b. Did any groups collect more food than they needed? Why or why not?
    c. What strategies did you use to collect food?
    d. How did your group react to other groups that were trying to get the same food?
    e. What changes, if any, would you make to improve your survival?
13. Collect the crackers or allow students to eat what they successfully hunted.
14. Inform the students that they will now play the game again. This time, however, they will have a couple minutes to develop a strategy with their team. Can they find a way to increase their success?
15. While the groups discuss their plans, redistribute animal crackers on the tables.
16. Have them repeat the game.
17. Hold a brief discussion about the similarities and differences between the two rounds.
18. Once again, collect the crackers or allow students to eat them.

Part 2: Landowners Control Access to Wildlife

19. Have the groups gather around the playing area again.
20. Randomly select some groups. The number of groups selected should be one less than the number of tables used for the activity.
21. Each of the selected groups should stand near one of the tables. Everyone else should gather near the one remaining table.
22. Inform the students that they will be doing the game again and that all the rules will be the same except one. This time, some groups (the ones that were selected) are landowners. The table in front of them represents their property. They control access. All the remaining groups have access to the wildlife found on the "public" table.
23. Without giving too much time for discussion, review the rules. Be sure to remind them that only unbroken crackers will be used for food.
24. Repeat the game as described in Part 1. This time, however, there will not be enough food on the one "public" table for all to survive. The landowners, however, will have more than enough. This will undoubtedly cause some frustration for many students. They may even resort to "cheating," perhaps stealing from the landowners or purposely crushing crackers just so that the landowners can't get them. For the purposes of this simulation, let this happen. In response, some landowners may choose to "hire" other students to help protect their land from these poachers in exchange for access to food.
25. During the discussion, address the issues that came up. Possible questions include:
    a. Why are they frustrated? What did they do (or what could they do) to solve those problems?
    b. What feelings did the groups have toward each other? Why?
    c. What feelings did the groups have toward the wildlife? Why?
26. Ask the students to compare the first simulation (public access) to the second one (landowner restrictions). Which process was fairer? Which one is more likely to produce a sustainable wildlife population? Who should have access to wildlife and other natural resources? Why? Did anyone resort to cheating or poaching? Why or why not? What responsibilities to individuals or the government have to stop the illegal take of wildlife?
27. Explain that this activity was a simulation of different wildlife ownership models that have been used around the world throughout history. They do not necessarily represent current ideas.
28. Introduce the wildlife management practices that are used in North America and how they compare to those used in other areas. In the United States, for example, wildlife is a public trust – owned by all people but managed by the government. Yet, we also allow individuals to own land. Much of our wildlife is found on private land. Therefore, private landowners are important partners in wildlife conservation. Lead a discussion using the following questions as a guide:
    a. What responsibilities, if any, do landowners have to the wildlife found on their property?
    b. What actions can landowners take to ensure that the results from the second scenario above do not occur?
    c. What actions can the government or individuals take to ensure that wildlife is available to all but that the rights of landowners are still respected?

Modifications

- Rather than running each simulation for two independent rounds, consider repeating each one for multiple, consecutive rounds. Establish a rule for wildlife reproduction (i.e., for each cracker that remains at the end of each round, a new one will be added). Allow students to chart the populations through time and compare the success of the two models.
- From the beginning, let the students know there are three options for each animal: 1) hunt it for food (take it and put it in their bag), 2) illegally hunt it (crush it on the table so that no one else can get it), or 3) let it live (leave it on the table). See if the students' decisions change between rounds and simulations. While the suggested procedures allow for these options, the students need to come up with them on their own.
- If there is a concern with using food, replace the crackers with small Styrofoam balls or similar craft items. It is important that the item selected is still able to be crushed rather easily to represent poaching.