CONSERVATIONISM VS. PRESERVATIONISM: 
THE "PUBLIC INTEREST" IN THE HETCH 
HETCHY CONTROVERSY

Christine Oravec

WHEN NATURALIST John Muir in 1890 drew a map of what would eventually be Yosemite National Park and included an area called "Hetch Hetchy Valley" in its boundaries, he set the conditions for the greatest controversy in the conservation movement until that time. The features so highly praised by such preservationists as Muir—the high walls, the narrow outlet, the continual flow of the snow-fed river—made Hetch Hetchy an ideal site for constructing a municipal dam, according to officials of the city of San Francisco.1 By 1901 the city put in a claim for the valley, and the ensuing struggle between the aesthetic and practical values of Hetch Hetchy influenced environmental debate long after the dam was approved in 1913.2

Seldom before the Hetch Hetchy controversy did values of aesthetics and practicality clash so directly within the movement for conservation. One might expect that the central argument of the debate would focus on standard topics of beauty and economy. But at its foundation, the debate also hinged upon differing presumptions concerning the nature of the "public" and its relationship to the natural environment. As historian Samuel P. Hays observed, the "public interest" was the "crux of the controversy" over the Hetch Hetchy.3

The controversy reflected two differing views of the "public interest," one of which eventually predominated over the other. Conservationists, endorsing the utilitarian principle of "the greatest good for the greatest number," argued that the material needs of numbers of identifiable individuals represented "the public interest," hence their support for the dam. Preservationists, on the other hand, argued that to save the beauty of the valley served a more generally defined "national" interest. Not incidentally, these two views of society corresponded to the two poles of the American self-image that had been linked in uneasy union throughout the later nineteenth century—progressivism, or America as a collective population of individual units, and nationalism, with America viewed as an organic nation, the whole greater than its parts.4 However, progressivism began to predominate by the advent of the Roosevelt administration in 1901, and by 1913 conservationists won the battle over Hetch Hetchy.

A study of the Hetch Hetchy controversy illustrates how these prevailing social and political presumptions, as well as the immediate exigencies of the debate, determined the outcome of deliberations. Specifically, I argue that the fate of Hetch Hetchy rested upon the increasing legitimacy of the conservationists' concept of the "public interest," brought about by the ascendancy of progressivism in the early 20th century in America. To support this interpretation, I review the competing

Dr. Oravec is an Assistant Professor of Communication, The University of Utah.
nationalist and progressive views of the "public interest," as expressed in preservationist and conservationist discourse; show the effect of an increasingly progressive social and political climate upon the debate; and finally examine the manner in which the two sides defended their claims to legitimate representation of the "public." Such an analysis should demonstrate that the significance of the Hetch Hetchy controversy was not limited to its importance as an acute yet circumscribed conflict over the environment. Rather, the debate signaled the defeat of one view of society and the rise of another that has retained its force for much of the twentieth century and still greatly affects our concepts of the "public" and the "public interest."\(^5\)

THE "NATIONAL" AND THE "PUBLIC" INTEREST: TWO VIEWS

The concept of preservationism came before conservationism in the history of America. Reserving large tracts of land for their inherent or aesthetic values was viewed as the only effective response to relentless private appropriation; later it was followed by government conservation in the form of "wise use" and "effective management." But from 1890 to 1900, as conservation and preservation became distinct positions, more and more economic interests advocated conservation both in terms of humane social policy and sound business sense. Finally, after 1901, the start of the Hetch Hetchy controversy, conservation generally became the policy of the progressive Roosevelt administration. The preservationists' position, once the only voice against unregulated development of the wilderness, became a voice of dissent within the conservation movement which was endorsed by both business and government.\(^6\)

From the beginning, the preservationists advocated a difficult position: there was no opposition between aesthetics and public utility. The original Yosemite park grant, the Sierra Club argued, in its first resolution intended that "this great natural wonderland should be preserved in pure wilderness for all time for the benefit of the entire nation."\(^7\) In turn, its authors did "not believe that the vital interests of the nation at large should be sacrificed and so important a part of its National Park destroyed to save a few dollars for local interests."\(^8\)

By basing the arguments for Hetch Hetchy upon the "national" interest, preservationists used a concept which both supported their belief in the value of the wilderness and which dominated American political thought nearly to the end of the nineteenth century.\(^9\) In the words of historian and political theorist John W. Burgess, the "Nation" itself was a "mystic body endowed with a spirit," which should never be reduced merely to its numerical equivalent, a particular "population."\(^10\) But beyond this basic nationalism, the preservationists implied that the unity of Yosemite corresponded symbolically with the unity of the nation itself, and the integrity of the two entities transcended the claims of any of their constituent parts.

Thus Yosemite existed as a symbolic representation of the nation itself, inspiring national feeling through its very existence as an organic whole. This specifically nationalist appeal appeared as a minority statement delivered at the Governors' Conference on Conservation in 1908, by J. Horace McFarland, President of the American Civic Association. In his address, McFarland attributed the very existence of patriotic sentiment to the physical beauty of the landscape: "It is the love of country that lights and keeps glowing the holy fire of patriotism. And this love is
excited primarily by the beauty of the country.” He further described the precise sensation of the patriotic-aesthetic response in the words of an old familiar hymn:

My native country, thee,
Land of the noble, free
Thy name I love;
I love thy rock and rills;
Thy woods and templed hills
My heart with rapture thrills,
Like that above.¹¹

McFarland held that destroying natural scenery debilitated the country. “We can not destroy the scenery of our broad land,” he said, “but we can utterly change its beneficial relation to our lives, and remove its stirring effect upon our love of country.” He cited the examples of the Grand Canyon, Niagra Falls, and the Hetch Hetchy valley.¹² McFarland’s address appeared frequently in subsequent campaign materials, indicating that preservationists found his elaboration of the “national” interest particularly appropriate and useful.¹³

Yet the preservationists’ concept of the national interest did not originate in the discourse of partisan advocates. Rather, McFarland and the other preservationists referenced an earlier legal document central to the debate, the Hitchcock decision of 1905. On October 16, 1901, officials for the city of San Francisco filed a request for reservoir rights on Lake Eleanor and Hetch Hetchy, and were denied by Secretary of Interior E. A. Hitchcock.¹⁴ They tried again, and again were denied. In his second denial, Secretary Hitchcock introduced his own concept of a “national” interest in the park:

Presumably the Yosemite National Park was created such by law because of the natural objects . . . within its boundaries . . . like Hetch Hetchy and Yosemite Valley. It is the aggregation of such natural scenic features that makes Yosemite Park a wonderland which the Congress of the United States sought by law to preserve for all coming time as nearly as practicable in the condition fashioned by the hand of the Creator—a worthy object of national pride and a source of healthful pleasure and rest for the thousands of people who may annually sojourn there during the heated months.¹⁵

Significantly, Hitchcock placed the defense of Hetch Hetchy upon two facets of national interest; the response of nationalism induced in all people by the natural beauty of one’s country and the direct benefits of exposure to natural scenery upon future visitors.¹⁶ As we shall see, the preservationists later struggled with the implications of social utility in the latter argument. Nevertheless, from 1901 to 1908, the preservationists related the social and the aesthetic realms in their view of the national interest. In so doing, they anticipated two requirements of the situation; that of addressing a general audience potentially responsive to the traditional ideas of aesthetics and nationalism influential in the last decade of the previous century, and that of countering the conservationist position on the public interest.

Conservationists were also aware of the invigorating qualities of the nation’s resources. But they needed to redefine the public interest according to their own interpretation, particularly since the request by San Francisco to acquire park lands was filed under the DeVries act of 1901 specifically making deposition of the park subject to “the public interest.”¹⁷ They did so by applying the political philosophy of progressivism. For progressives, the public was a political collective, which depended
Upon the cooperation of individual units, any one of which could, under special conditions, represent the interests of the whole. The people of San Francisco, who needed fresh water, could, by virtue of their apparent needs and clear identification, speak for the entire public.

In his response to the Hitchcock decision, San Francisco City Engineer Marsden Manson redefined the public interest. First, Manson separated the interest of a “few hardy mountaineers” in untouched scenic beauty from the interests of the public in a healthy water supply, thereby disassociating the features of the valley itself from his conception of the general public: “When these common and minor features are modified (but rendered none the less attractive to the few hardy mountaineers who reach the regions in summer) to furnish an element of health to the homes of millions for all time, the public interests are best served by the modification.” With this move, Manson elevated pragmatic value over aesthetic value.

More importantly, Manson countered the legal problem of locating a dam in the national park by claiming exclusive rights to the use of the term, “public interest.” Public interest, was, of course, primary; his definition of public interest meant the domestic use of water; therefore, domestic use of water took priority over the intentions of the Yosemite Park bill:

It is a principle of statutory construction that words should be given their broad and natural meaning. If, in the act of October 1, 1890 [the Yosemite Park act], the words “public interest” had been used they would naturally be connected with the park and the purpose for which it was created; but, being used in the act of February 15, 1901, the words must naturally refer primarily to the public interest in the granting and exercise of the privileges therein provided for.

With this interpretation, Manson anticipated political conditions as they stood in 1905. The government’s policies of conservation were increasing in strength and the public interest would come to mean the right of the people, as represented by a particular local community, to own and use natural resources to supply domestic needs.

No better illustration exists of the process by which the public interest became successfully appropriated by the conservationists than Secretary of the Interior James R. Garfield’s decision not to block the city’s request on May 11, 1908. Garfield’s statement determined the meaning of “public interest” in language strikingly similar to Manson’s petition of 1905.

In construing the words of a statute, the evident and ordinary meaning should be taken, when such meaning is reasonable and not repugnant to the evident purpose of the law itself. On this broad principle the words “the public interest” should not be confined merely to the public interest in the Yosemite National Park for use as a park only, but rather the broader public interest which requires these reservoir sites to be utilized for the highest good to the greatest number of people. If Congress had intended to restrict the meaning to the mere interest of the public in the park as such, it surely would have used specific words to show the intent.

Later in the decision, Garfield defined the highest use of water as the “domestic use” and answered the preservationists by declaring, “I am convinced . . . that ‘the public interest’ will be much better conserved by granting the permit.”

With the conservationist appropriation of the meaning of “public interest,” the
controversy became one over social philosophy, not of the inherent values of wilderness or the aesthetics of the valley. As such, the conservationist position, with its premises grounded in social progressivism, had an inherent advantage against a preservationism which was concerned as much with nature as with humanity. However, the first public test of these concepts in the Congressional hearings of 1908–09 demonstrated that antagonists’ presumptions concerning the composition of the public had yet to be matched with a specific demonstration of public support as well as a prevailing philosophy. The validity of that very demonstration of support depended in turn upon established notions of the “public.”

The Congressional hearings of 1908–09 were the first clashes to center national attention upon Hetch Hetchy. The hearings were occasioned by House Resolution 184 (later 223) to exchange lands not under city patent within the valley for lands outside the valley, effectively making the valley a city enclave within the park. Both conservationist and preservationist groups viewed the resolution as a key step toward effectuating the Garfield permit.

To support the renewal of their request, the city of San Francisco ran a municipal bond election which resulted in a six to one ratio of voters in favor of the project (despite John Muir’s statement that nine-tenths of San Francisco’s residents were against it); the preservationists in turn launched a national publicity campaign larger than any previously involving preserved lands. This campaign, along with the publicity of the hearings, resulted in a wave of interest in the Hetch Hetchy issue which overwhelmed the conservationists’ more private lobbying efforts. Interestingly, the nature of the respective campaigns reflected certain elements of the antagonists’ theories; the preservationists planned to elicit massive nationwide support, while conservationists used personal lobbying, plus the presumption that progressive ideas weighed more heavily in Congress than old-fashioned nationalism.

The success of a single publication illustrates the tactics of the preservationist campaign. Two days after the opening of the hearings in 1909, the Sierra Club released the first edition of a widely distributed pamphlet, *Let All the People Speak and Prevent the Destruction of the Yosemite Park*. It included a reprint of John W. Noble’s letter to the House Committee extolling John Muir’s “patriotic foresight,” and it encouraged “public opinion” in favor of preservation. Further, Charles Lummis was cited as stating: “Anybody American enough to object to this sort of infamy should write at once . . . and may also consult with that Prince of the California Mountains, John Muir, at Martinez, Cal.” Historian Holway Jones attributes the strength of the letter writing campaign primarily to such publications as *Let All the People Speak*, participants in the hearings repeatedly referenced the number of letters supporting the preservationists. The eventual outcome depended more upon an unquestioned outpouring of support than close debate in the congressional hearings. Thus, the national appeal, at least in the hearings, aided the preservationists cause.

In sharp contrast to these tactics, conservationists did not make a general public appeal until after their setback in the 1909 hearings. Instead, their campaign took the form of personal lobbying of Washington politicians by civil engineers and city officials representing the Bay area. Although they were fully represented in the hearings, they did not counter the preservationists’ nationwide campaign, nor did
they effectively demonstrate an overriding public need for the water of Hetch Hetchy. Instead, they chose to argue its desirability over other suggested supplies, assuming that "the public interest" was self-evident. The following argument by former Mayor Phelan, of San Francisco, is representative:

Hetch Hetchy is the best. . . . It is the most available, it does not involve us in any litigation, it is not used for beneficial purposes, and there seems to be every reason why we should use it. Of course we could take water from the Tuolumne, the Yuba, or any of those streams. I do not say that they are ample, but I will assume that there are ample supplies elsewhere, by paying for them.29

In contrast to the preservationist's national appeal, the conservationist position may have seemed based upon the self-interest of the people of San Francisco, as witnessed by city-wide referendum and the pleadings of their elected officials.

The lack of engagement on the issue of public interest led to postponement of the land exchange and an effectual stalemate that, given the political climate, was a considerable accomplishment for the preservationists.30 Reflecting their conviction that the preservationist position would fail if they justified their conception of the public interest more convincingly, the conservationists renewed their efforts. From this date the conflict over the Hetch Hetchy would be a public struggle over two opposing views of the meaning of "public."

JUSTIFYING CLAIMS TO THE "PUBLIC INTEREST" IN A PROGRESSIVE CLIMATE

After 1909, conservationists increasingly publicized arguments on both the quantity and the character of the "public" to be served by the dam. A primary argument rested on the issue of number; how many people were to be affected by the decision to dam Hetch Hetchy? This issue intrinsically favored the conservationists, for unlike the preservationists, their political philosophy was expressed in numerical terms: "the greatest good for the greatest number." The Division of Forestry's Use Book for 1911 stated that "the welfare of the community or the number of people benefited should be the factor determining a higher use" for forest lands in dispute.31 And one historian has noted that in conflicts over use of public lands, "the test of numbers would be a sufficient guide to the exercise of . . . discretion and judgment."32

As if confident of the defensibility of their position, conservationists repeatedly compared the numbers of tourists to Hetch Hetchy and the population of the city. Mayor Phelan made the point:

The highest use of water is the domestic use, and the eight hundred thousand people living in San Francisco and on the opposite shore of the Bay are certainly . . . entitled to the consideration of the country. . . .

By yielding their opposition, sincere lovers of nature will turn the prayers of a million people to praise for the gifts bestowed upon them by the God of Nature, whom they cannot worship in his temple, but must perforce live in sweltering cities. A reduced death rate is a more vital consideration than the discussion of the relative beauties of a meadow or a lake.33

Although he boosted the population of the Bay area by two hundred thousand in the space of several paragraphs, Phelan estimated the population of the city in numbers,
which in a discussion of quantities may have appeared more credible than an amorphous concept of the nation enunciated by preservationists.

Conservationists also took the offensive in characterizing the kind of people that would be most affected by the dam project. In part of a series of articles in *The California Weekly*, Phelan disassociated the class interests of the average city-dwelling worker from those of the mountaineering and leisure population: "To paraphrase a classification . . . modern society may be divided into three classes—wealth-producers, stock-jobbers, and fox-hunters. The wealth-producers—the toiling millions—and the other two classes—predatory and parasitic—consciously or unconsciously, obstruct the wheels of progress. Let them make way!"34

The economic analysis and the mention of classes in Phelan’s statement indicated the influence of socialist political philosophy, and there is no doubt that some of the ideas of socialism influenced both progressives and conservationists.35 However, Phelan did not need to go this far afield for his language. Henry D. Lloyd’s *Wealth Against Commonwealth* had stated:

Two classes . . . study and practise politics and government: place hunters and privilege hunters. America has grown so big—and the tickets to be voted, and the powers of government, and the duties of citizens, and the profits of personal use of public functions have all grown so big—that the average citizen has broken down. No man can half understand or half operate . . . it . . . except the place hunter and the privilege hunter. Government, therefore—municipal, State, national—is passing into the hands of these two classes.36

By borrowing the readily available language of social reform, proponents of the dam combined the qualitative as well as quantitative dimensions of the “public” into a uniform whole. The “public” became a mass, numerically strong and materially deserving. The conservationists then proceeded to disassociate the preservationist’s unified concept of the “nation” into two parts, an idealistic dream and an elite minority.

Arguments accusing the preservationists of sentimentality, idealism, and elitism in their effort to protect the rights of a few mountaineers came quickly after Phelans’ attacks. Marsden Manson, for instance, ironically contrasted the able but selfish mountaineer, capable of enjoying the valley in its wild state, with the laboring masses:

Not one-tenth part of the [park] area is accessible to any but the hardiest mountaineer. . . . It is full of temples, placed by the hand of the Almighty . . . in order that only those devotees whose worship is pure shall ever reach their gates, shut out forever from the weak, gaping crowd, who have not the energy nor the soul to appreciate their grandeurs.37

Indeed, Manson once again polarized the preservationists’ aesthetic perspective in a way which appealed to an American popular self-image. “Typical Americans” shunned the cultivated arts; in fact, this neglect was a special virtue, because the arts would not then interfere with the art of politics. John Burgess had written:

Not all nations, however, are endowed with political capacity or great political impulse. Frequently the national genius expands itself in the production of language, art or religion; frequently it shows itself too feeble to bring even these to any degree of perfection.38
Marsden Manson's private comment that preservationism attracted "short-haired women and long-haired men" corroborated this view, even in a nation awakened for some time to the beauties of nature.39

In response, the preservationists searched for arguments supporting their vision of the "national" interest, while countering attacks labelling their campaign elitist and non-social. Their most important response was a positive characterization of the much maligned nature lover. Although the solution was obviously a reaction, it was very nearly prophetic; the mountaineer of the future was to be a typical working person:

The wage earners and wealth producers may not all be able to visit the Yosemite National Park, but many of them have already done so and many more will follow. In time, I predict that the wage earners of this state will be doing as the citizens of Germany now do—deprive themselves of luxuries and save throughout the year in order that they may spend a few days of rest and recreation with their families in the scenic regions of Europe.40

In an unprecedented move, preservationists developed a utilitarian argument of their own, based upon the number of future visitors to the Sierra regions. When the population of California should have increased abruptly (as intimated in Phelan's argument), E. T. Parson predicted that "those tillers of field and vineyard will look to the mountains as a place of refuge."41 Parsons estimated the number of visitors would increase to 10,000 from the then present level of 1,000 bringing a million dollars of revenue to the state each year.42 Discussion of a future tourist industry allowed the preservationists to address the issue in quantitative terms, though in doing, so they incorporated their opponents' own form of argument. By entertaining the idea of thousands of future visitors, they exposed themselves to the strength of their opponents' definition of the "public interest," as well as legitimized a profit motive for defending the parks.

The preservationists' tactic resembled conservationists' attempts to appropriate the argument for natural beauty themselves. Conservationists had long claimed that roads and facilities, a necessary by-product of the dam project, made the beauty of the valley more appealing to the average tourist. As early as 1903, and until the end of the campaign, supporters of the dam argued that the attractiveness of a beautiful, though artificial, lake would be made more accessible to the public by a road extending to and across the Hetch Hetchy dam.43 This conception of natural beauty in the "public interest" provided an opportunity to incorporate massive changes in the valley itself. Both sides, then, tried to appropriate the opposing argument, but the conservationists' view of the public dominated. Preservationists' arguments extolling what today would be termed the "intrinsic" wilderness values of the valley simply could not function in a climate of "public" debate established by progressivism. Neither could preservationists argue for their view of the public interest without using the same vocabulary as the conservationists.

Thus, as the Hetch Hetchy debate moved from the legislative forum to the public arena, argument shifted from the definition of the "national" and "public" interest to debate over the "public" represented by each contending group. At first, preservationists chose to express themselves with sublime language and a political philosophy which was passing out of popular favor. Then, under conservationist pressure, they characterized the "public" in a manner essentially foreign to their implicit social
theory. At the same time, the conservationists, riding a wave of increasing support for progressive politics, developed a unified yet quantifiable theory of the "public."

Once the respective political philosophies of the preservationists and conservationists became an issue, their ultimate persuasive strengths depended upon a political climate which assumed the benefits of civilization and continued social progress.44 From 1909 to 1912, progressivism was increasingly on the upswing, and the older image of an undifferentiated nation led by a natural elite could no longer accommodate the future. The politically aware middle and upper-middle class, espousing reformist attitudes informed but not dominated by, nationalist sentiment, would more probably respond to the conservationist than the preservationist vision.45 Moreover, conservationists had argued that the identifiable beneficiaries of preservationism did not represent the "public" as they themselves had defined it. The conservationists' success in this argument is illustrated by the preservationist's failure to withstand attacks against the nature of their adherents in the Congressional hearings of 1912–13.

**DEMONSTRATING "PUBLIC" SUPPORT: THE PRESUMPTION OF PROGRESSIVISM**

By 1912 the battle for the Hetch Hetchy centered once again in congressional hearings, this time on a series of amended and reamended items collectively called the Raker bill.46 However, the preservationists now faced stiff federal opposition. The new Democratic administration retained the aid of Gifford Pinchot on the issue, who prominently associated himself with the cause of the city. With the agreement of the secretaries of Agriculture and Interior, Chief Forester Henry Graves, and the directors of the Geological Survey and Reclamation Service, the bill giving leave to the city to build a dam in Yosemite Park officially became an administration proposal.47

Stating that "there is no use of water that is higher than the domestic use," Gifford Pinchot accused the preservationists before the House Committee on Public Lands of excluding the mass of the public from using the park. He claimed that only the improvement of access as a side product to building the dam could increase tourist traffic to the area:

> The presence of these additional means of communication will mean that the national forest and the national park will be visited by very large numbers of people who can not visit them now. . . . If we had nothing else to consider than the delight of the few men and women who would yearly go into the Hetch Hetchy Valley, then it should be left in its natural condition.48

During the questioning, Pinchot challenged the trustworthiness of the bill's opponents by implying that the apparent groundswell of popular support received by the committee represented the creation of an artificial public:

> Mr. Graham. When this matter was up before I received a great many telegrams, most of them from ladies in my district, protesting against any interference with the beauty of the valley, and I wondered if the place was inaccessible, whether they spoke from observation or whether they had been influenced in some other way?

> Mr. Pinchot. A very small number of people have been in the valley.49
To conservationists, the argument for retaining the untouched beauty of the valley in itself disproved the legitimacy of its support: no "public" of any numbers could enjoy a place it had not physically seen.

By 1913 the preservationists were required to demonstrate the "public" nature of their support or risk the appearance of being a mere special interest group. Yet demonstrating the support of the "nation," as the preservationists had defined it, was impossible in the heyday of progressive politics. All the preservationists could do was count letters, and even the numbers turned against them, since many of the letters were from members of activist women's clubs and nature groups.\(^50\) Ironically, the preservationists' actual list of active supporters was filled by names from the "elite" politically active middle and upper-middle class who provided the conservationists with consistent support on other issues.\(^51\)

The relative effectiveness with which the opposing sides demonstrated their support in 1913 differed radically from 1909. Preservationists still depended upon individual contact and active response through private mailings directed at select targets such as the American Civic Association, a tactic which was working against them. In contrast, the conservationists by this time could claim broad but passive consensus demonstrated by official government publications and press releases which reached all segments of the reading public.\(^52\) Through the diffusion of state-sanctioned mass media, the conservationist's cause appeared both national and empirical, while the preservationists' claim seemed increasingly idealistic, idiosyncratic, and ultimately unwarranted.

As the Senate hearings continued, pressure grew stronger. To at least one senator, the flood of public response generated by the stepped-up preservationists' campaign represented propaganda and little else:

Senator Norris. But, Mr. Johnson, there has been some organized propaganda carried on from some central point manufacturing this sentiment, because when I wrote to these men they replied: "Well, I don't know anything about it; I heard that they are going to destroy something there and give it to a Water Power trust..."

Before I went into the effect of it I thought there was some great big Water Power Trust, but it seems to me that if we are giving to San Francisco this immense water power we are doing what everybody concedes is the true interest of the country and the true interest of conservation.\(^53\)

During House debate, Finley H. Gray of Indiana discussed his own process of coming to a decision: "Mr. Chairman, much as I admire the beauties of nature and deplore the desecration of God's Creation, yet when these two considerations come in conflict, the conservation of nature should be yielded to the conservation of human welfare, health, and life."\(^54\) And William Kent, a personal friend of John Muir, decided that upon this issue Muir was "a man entirely without social sense."\(^55\)

Despite the continuing conflict, the rhetoric of the antagonists had little effect in the final phases of the debate. Muir's friend and supporter Robert Underwood Johnson persisted in drafting letters to the New York Times, citing the "fundamental rights of the whole people," as if his right to claim the support of the people had never been questioned.\(^56\) But the presumption of progressivism was just too strong. Pinchot implied as much when he admitted that after ten years of conflict, the only possible termination was to pass the bill.\(^57\) Finally, a decision needed to be made, and a dam
in the Hetch Hetchy valley was built in 1923 as a result of the passage of the Raker bill.\textsuperscript{58}

After twelve years of discussion, a public decision appeared to ratify, not only a particular proposal, but a vision of the nature of the public itself. Further, the progressive's vision of the public prevailed in decision making about the environment for decades after the immediate controversy ended. To evaluate the outcome of Hetch Hetchy controversy, then, is to evaluate the very notion of "the public interest."

**CONCLUSION**

One plausible explanation of the outcome of the Hetch Hetchy controversy involves the preservationists' use of arguments associated with the opposing side. By advocating turning Hetch Hetchy into a popular tourist attraction, the preservationists appeared to endorse conservationist argument based on social utility. This inconsistency would have been avoided, so the explanation goes, if preservationists instead had emphasized the purely intrinsic worth of wilderness. Thus the preservationists' loss may be assigned to an error in tactics which played into the hands of opposing side.\textsuperscript{59}

However, such an explanation, while certainly reasonable, does not fully account for the larger constraints upon public persuasion. Rhetoric conducted in the public forum is seldom "pure"—it entails presumptions of the nature of its own domain of conduct, whether explicit or implicit, adopted or imposed. The preservationists' failure lay, not in their choosing to make arguments based on social factors (which they scarcely could have avoided), but instead in conceiving of a public too idealistic for a progressive age.

The preservationists' shift to utilitarian arguments based on tourism in the middle phases of the debate may have proved to be a tactical coup, by incorporating within the preservationists' aesthetic vision an unanswerable pragmatic benefit. As Secretary Hitchcock wrote: "a source of healthful pleasure and rest for . . . thousands." Instead, the conservationists benefited by the preservationists' move, and also were able to incorporate preservationist argument for natural beauty within their utilitarian position. Each argument was inconsistent, by strict standards. However, the advantage of the conservationists lay, not in the intrinsic consistency of the positions they held, but in their image of the public. Adding aesthetic arguments to the conservationists' position would only serve to strengthen, not to weaken, their case because it already dominated the social field. And preservationists, forced to specify their conception of the "nation," could do so only in the very terms of specificity dictated by the progressivist notion of the "public."

To conclude that arguments of preservationism failed as much because of the strength of their presumptions about the public as their argumentative tactics implies that preservation itself was inherently contrary to the prevailing social system, and implied a radical social critique. The highest evaluation of nature, as preservationists interpreted it, presumed a rejection of a form of public life advocated by a materialist and progressive democracy, and an exaltation of a form of ideal social unity. Indeed, their very mode of argument was inimical to what progressives considered rational decision making in the public forum, demanding as it did that intuitive, largely symbolic proposals be ratified without conventional statistical consensus. To advo-
cate a policy of preservationism was to espouse what appeared to be radically
un-American values in form and content to the public view.

The public view, however, was a conservative one, regardless of the “progressive”
nature of the times. While preservationists strived to reconcile what seemed to be the
contradiction between “spiritual” values and public action, conservationists argued
for the remediation of more immediate practical difficulties. Not surprisingly,
representatives of the “public,” once offered a clear choice, supported the policy
explicitly based on premises ameliorating, but not changing, the existing social order.
And, by portraying the American public as passive rather than active, progressives
encouraged their constituency to accept their designated role as endorsers of the
prevailing view.

Despite decades of inactivity, however, preservationism as an environmental
policy and as a social theory reemerged, but in a new guise. Starting in 1953, when
preservationists successfully used the Hetch Hetchy dam as counter-evidence for the
building of a dam in Dinosaur National Monument, wilderness preservation had
come to challenge conservation as an official government policy.60 More tellingly, the
preservationists’ implicit social critique has addressed a fundamental issue of
contemporary environmentalism—that is, the effect of urbanized and industrial
development on the quality of life on this planet. The “national” interest may now
apply to the “ecological community,” but the unified and organic social implications
of preservationism remain.61 The reemergence of preservationism indicates that new
concepts of the social order as yet unformed are succeeding the progressive view.

The controversy over Hetch Hetchy shows that such notions as “the public
interest,” “the national” interest, and perhaps the “public” itself, are rhetorical
notions shaped in response not only by the immediate context of debate, but also by
the legitimizing force of predominant social and political presumptions. These
presumptions, in the case of the failure of the preservationists, determined the very
domain of public discussion. No “public” could appear to endorse the preservationists
which had not already been admitted by progressive social theory. Thus, claims
for the “public interest” must be examined for their substantive content as well as
their demonstrated effect. Action taken “in the public interest” may be, as in the case
of the Hetch Hetchy dam, the product of decisive presumptions about the nature of
persons who comprise the “public,” presumptions which have the effect of defining
the very context of debate and the final outcome of public controversy.

Notes

1Those who were against the dam constantly compared the beauty of the Yosemite and Hetch Hetchy valleys. For
details, see To All Lovers of Nature and Scenery, San Francisco, California, 21 Dec. 1908, in Pamphlets By and
About the Sierra Club, General Collection, Bancroft Library, University of California, Berkeley. Proponents of the
dam minimized the aesthetic similarities between Yosemite and Hetch Hetchy, and argued that preservation of two
similar natural features wasted natural resources. For examples, see page 7 of William F. Colby’s typescript copy of
Secretary of the Interior James R. Garfield’s decision on the Application for Lake Eleanor and Hetch Hetchy Valley
Reservoir Sites, 15 Feb. 1901, Francis P. Farquhar Papers, C-B 517, Carton 3, Group 42, Folder 4, Bancroft
The Farquhar Papers are hereafter cited as FP.

2For a review of the early applications for water rights in the Hetch Hetchy, see Holway Jones, John Muir and
source of material on the activities of the Sierra Club prior to 1913.


4Apparently, a conflict between conceptions of the “nation” and the “people” (or later, the “public”), has existed
in American political thought at least since the disagreement between nationalist Francis Lieber and John C. Calhoun, who advocated states’ rights: “Lieber agreed with Calhoun that sovereignty was indivisible and could not be located in government. However, for Calhoun the ‘people’ meant the people of the several states, while for Lieber the term denoted the national society in its totality.” Barnard Edward Brown, American Conservatism: The Political Thought of Francis Lieber and John W. Burgess (New York: Columbia University Press, 1951), pp. 36–38.

3This study owes much to discussions of the “public,” “public knowledge,” and “social knowledge” by Lloyd F. Bitzer, “Rhetoric and Public Knowledge,” in Rhetoric, Philosophy, and Literature: An Exploration, ed. Don M. Burks (West Lafayette, In.: Purdue University Press, 1978), pp. 67–93; Thomas B. Farrell, “Knowledge, Consensus, and Rhetorical Theory,” Quarterly Journal of Speech, 62 (1976), 1–14; and Michael Calvin McGee and Martha Anne Martin, “Public Knowledge and Ideological Argumentation,” Communication Monographs, 50 (1983), 47–65. Based on the present study, I would suggest that the “public” might well be usefully conceived in terms of “publics” or “versions of the public.” Since use of the phrase “the public interest” to signify the concerns of the social-political collectivity derives much of its contemporary force from progressivist social theory, a critic should be careful not to apply the phrase to anything more concrete than a position in a debate.


5Jones, pp. 94–95.

6Jones, p. 95.


10Proceedings, pp. 153, 156.

11See, for example, Let All the People Speak [1909], p. 3; Let Everyone Help (1909), p. 12; and in a similar vein, More Light on the Destructive Hitch Hetchy Scheme, 2 page edition [1913], p. 2; in FP, Carton 3, Group 42, Folder 4.

12Jones, p. 91.


14The Hitchcock decision was repeatedly cited in publications, testimony, articles, and bulletins throughout the campaign. See, for example, John Muir, “The Tuolumne Yosemite in Danger,” Outlook, 2 Nov. 1907, p. 488; The Yosemite (1912; rpt. Garden City, New York: Anchor-Doubleday, 1962), p. 199; Let All the People Speak and Prevent the Destruction of Yosemite Park, 12 Jan. 1908 [1909], p. 13; Let Everyone Help to Save the Famous Hetch-Hetchy Valley and Stop the Commercial Destruction which Threatens our National Parks, Nov. 1909, p. 10, both in FP, Carton 3 Group 43; Society for the Preservation of National Parks, California Branch, More Light on the Destructive Hetch Hetchy Scheme, 4 page edition [1913], p. 3, in the Robert Underwood Johnson Papers, C-B 385, Box 8, Bancroft Library. The Johnson Papers are hereafter cited as JP.

15There is an extensive examination of legal precedent for the application of the city for water rights in the Hetch Hetchy in the House Committee Hearings, 9 and 12 Jan. 1909, pp. 8–16, which focuses upon the interpretation of “public interest” in the DeVries act of 1901.

16Ideally, according to progressive thinking, the nation was constituted through “specialization, organization, and group participation” of individual units in the collective. This position, though it emphasized group cohesion on the highest level, allowed for relatively less intermediate private or group organization, a policy which has been called “social atomism.” Thomas L. Hartshorne, The Distorted Image: Changing Conceptions of the American Character Since Turner (Cleveland: Case Western University Press, 1968), p. 31; Hayes, pp. 269–70.

17Marsden Manson, A Brief in the Matter of Reservoir Rights of Way for the City and County of San Francisco, 27 July, 1907, Appendix B, p. 14; in Marsden Manson, Efforts to Obtain a Water Supply for San Francisco from the Tuolumne River (San Francisco, 1907).

18Manson, p. 14.

19Hays, pp. 38–44, documents Gifford Pinchot’s efforts to place federal forests under a conservation policy, culminating in the establishment of the Bureau of Forestry in 1905. Such areas of resource management as water and range use followed suit, with the conservationists gaining full public recognition by 1908 (Hays, p. 122).


21Garfield decision, pp. 5, 7.
See, for example, the numerous telegrams and letters reprinted in the House Committee Hearings, 9 and 12 Jan. 1909, pp. 118–234.

Significant portions of Let All the People Speak [1909], reappeared in the November 1909 edition of Let Everyone Help, and also made up good portions of at least two editions of Let Everyone Help, [1913]. The latter two editions were produced by the Society for the Preservation of National Parks, California Branch, a lobbying organization for the more militant members of the Sierra Club. Composed of short quotations, excerpts of articles, and reprinted editorials linked by boldface headings and numerous photographs, the original editions of Let All the People Speak and Let Everyone Help were easily recomposed to meet the demands of rapid production and distribution.

Let All the People Speak [1909], pp. 4 and 8.

Jones, pp. 102–03.

The House Committee report noted that “there has been an exceedingly widespread, earnest, and vigorous protest voiced by scientists, naturalists, mountain climbers, travelers, and others in person, by letters, and telegrams, and in newspaper and magazine articles,” Nash, pp. 168–9.

The House Committee, Hearings, 1909, pp. 112–13; see also Garfield decision, as quoted in the House Committee Hearings, 16 Dec. 1909, p. 12, both in San Francisco and the Hetch Hetchy Reservoir: Hearings, 1908–09.

The House Committee issued a split decision in favor of the conservationists; the Senate Committee did not report for lack of a decision (Jones, p. 103). Both preservationists and conservationists were able to use the indecisiveness of the congressional committees as argument for their position, in effect prolonging the controversy. See James D. Phelan, “Why Congress Should Pass the Hetch-Hetchy Bill,” p. 340; and R.U. Johnson, “The Yosemite National Park,” Outlook, 13 Feb. 1909, p. 506.


McConnell, p. 46.


(All California Weeklys cited can be located in the Farquhar collection, Carton 3, Group 42, Folder 4).


Cited in Comagger, p. 330.


Hartshorne, p. 22.

Nash, p. 169.


Parsons, “Proposed Destruction of Hetch-Hetchy,” p. 612. Travel to Hetch Hetchy in 1909 was estimated by a preservationist as “nearly a thousand persons per year,” and projected as ten thousand in several years. However, estimates varied with the argument. Congressman Raker, a conservationist on the issue of the dam, estimated visitors to Hetch Hetchy as no more than 25 to 75 for the year 1913 (Cong. Rec., 29 Aug. 1913, p. 3902). Total visitation to Yosemite in 1909 was approximately 13,000 and no separate figures were taken for Hetch Hetchy (Report of the Director of the National Park Service to the Secretary of the Interior for the Fiscal Year Ended June 30, 1923 and the Travel Season, 1923 [Washington, D.C.: government Printing Office, 1923], p. 99).

Manson, A Brief in the Matter of Reservoir Rights of Way, p. 24. See also Garfield decision, p. 7; Nash, pp. 169–70; Jones, p. 139 and picture facing p. 112; and House Committee Hearings, 1913, p. 28.


Support for progressivism in the decade 1900–1910 drew strongly from the rising middle class: “little businessmen, professional men, well-to-do farmers, skilled artisans . . . middle-class county-town citizens,” Hofstadter, pp. 131–32.

Jones, p. 155.

Jones, p. 157; Nash, p. 176. The Wilson administration’s support of the dam may have secured his reelection in 1916, for California determined the outcome of the presidential race in a close vote.

House Committee Hearings, 1913, p. 26. Pinchot’s argument was referred to persistently throughout the subsequent House floor debate. As Congressman Ferris stated: “As the matter now stands only rich and well-to-do people can visit the park at all. It is an expensive proposition to journey there. You have to go on burros, pack trains, and so forth, and there is no railroad or street car line that would enable you to go any other way except by pack train. San Francisco concurs in this bill, that this bill exacts of the people of San Francisco as a condition precedent to build street car lines and roads and trails and railroads, so that the poor can visit the park.” Cong. Rec., 29 Aug. 1913, p. 3894; see also pp. 3903 and 3906. Comparing Ferris’ remarks with the characterization of tourist travel in The Truth
About the Hetch Hetchy, p. 14, indicates the fundamental differences in the opposing sides' conception of the popularity of horse-drawn and motorized travel.

47House Committee Hearings, 1913, p. 30.

50Nash describes the public reaction as originating from "women's groups, outing and sportsmen's clubs, scientific societies, and the faculties of colleges and universities, as well as from individuals," p. 177.

51Hayes, pp. 142-44, and Jones, pp. 102-03, 108, 159.


54Nash, p. 172.


56Robert Underwood Johnson, "The Hetch Hetchy Crisis: A Call to the Colors," typescript of two letters, one addressed to the editor of the New York Evening Post, the other to the editor of the New York Times, JP Box 7. Similar letters appeared regularly in these two newspapers toward the end of the campaign; see Jones, p. 156.

57House Committee Hearings, 1913, p. 31.


59Roderick Nash has argued that the conservationists considerably weakened their position by describing Hetch Hetchy as a "scenic wonder" and a "public playground." By neglecting the valley's value as pure wilderness and emphasizing the public benefits of the area, they allowed the opposition to promise "improvement" of the valley by providing an artificial lake, roads, and access for boats (Nash, p. 170). Similarly, Holway Jones denigrated the preservationists' argument that the watershed would be closed to campers for sanitary reasons. He proposed that a less pragmatic argument, based upon preserving the sheer beauty of the valley, may have been more effective and consistent (Jones, pp. 104, 112-113, 140-141), though he called the argument from tourism "perhaps the most prophetic and in many ways the strongest" argument used by preservationists (p. 143).

60Jones, PP. 112-113, discusses the impact of the Hetch Hetchy precedent on the Echo Park dam controversy, which in 1953 became the first national battle in a renewed preservationist movement.
