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Regulating Wilderness: The Moral Order of Park Governance

by

Joseph M. Hermer, B.A. Hons

A thesis submitted to
the Faculty of Graduate Studies and Research
in partial fulfilment of
the requirements of the degree of

Master of Arts

Department of Sociology and Anthropology

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submitted by Joseph M. Hermer, B.A. Hons.

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Abstract

This project examines the relationship between discourses of regulation and the social construction of 'nature' and 'wilderness'. Within a framework of the 'sociology of governance' which attends to the practice of emparkment, park legislation and policy is examined from forty-eight North American park jurisdictions. Three substantive fields of investigation are carried out: the character of legislative missions, the ordering of park space, and the regulation of visitor conduct. The thesis concludes by outlining how the 'regulated wilderness' represents an image of nature congruent with the mentalities of consumerism and practices of environmental toxification.

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Chapter One

'Regulating Wilderness': The Emparkment of Nature

I Introduction

The establishment and management of nature parks in North America has become a significant feature of late industrial life. Parks are promoted as protected spaces which we can enter to 'get close' to nature, retreats where we can escape the 'rat race' of city living and experience the rejuvenating qualities of nature. Indeed, we seem to spend much of our time 'waiting for the weekend' as Witold Rybczynski (1991) suggests, waiting to re-connect ourselves, however precariously, with the natural world. As John Muir commented almost a century ago, the wildness of parks are 'a necessity' for the 'thousands of tired, nerve shaken, over civilized people' (Muir, quoted in Nash, 1973:140).

Yet, with this desperate need to experience 'the natural', we have become increasingly tolerant about what passes for 'nature' and 'wilderness'. For example, take this description of the natural environment that awaits the public in New Mexico State Parks:

Even the most discerning outdoor enthusiasts and history buffs will discover the enchantment of New Mexico's 37 state parks ...they are large reservoir

parks for every imaginable water sport, quiet mountain parks for hiking and camping..a land of hidden lakes, quiet streams, and rushing rivers. Cool green forests and meadows laden with wildflowers beckon hikers, campers, naturalists and photographers. (New Mexico:B)

This description evokes a popular image of what we have come to expect of a park: a peaceful, relaxed place that we explore at our leisure, where nature 'beckons' us back to experience an enchanted landscape. The park destination is depicted as a primitive playland, an Eden-like garden that has been mapped and cleaned up for the recreation of 'fallen' *humanity*. Consider, however, the regulation that governs picnicking in New Mexico State parks:

Picnicking is allowed in designated areas from 6:00 a.m. to 9:00 p.m. or as posted. An entrance fee is charged for picnicking. Any use of a Park between 9:00 p.m. and 6:00 a.m. is considered overnight camping. Camping is allowed only in designated areas, and a camping permit is required. Overnight campsites must be vacated by 2:00 p.m. on the following day to avoid additional fee payments. Camping is limited to 14 days during any 20 day period. Camps must not be left vacant for more than 24 hours. Camp and pic-nic areas must be kept clean and sanitary at all times. Property left unattended for more than 14 days will be considered abandoned. (New Mexico:A)

This regulation, which evokes a landscape at risk, presents us with a vivid paradox: that the very parks upon which we rely for a permissive and relaxing environment are in fact governed by some of the most detailed and severe forms of regulation which people enter parks to find relief from. Yet, this

paradox is generated by the political reality that if natural landscapes are to be protected they must be *emparked*, enclosed under the protection of legislation and managed within a detailed juridical framework, a practice most commonly illustrated by the incongruent presence of regulatory signage in parks: the 'no littering' sign acts to protect 'nature' in a form that offends an ideal of the 'natural'. It seems, then, that to 'regulate wilderness' is to preserve 'nature' by means that are antithetical to the idea of wilderness and those qualities that we associate with 'the natural'. For Roderick Nash,

The quality of freedom so frequently associated with wilderness is diminished, if not destroyed, by regulation. Campgrounds become sleeping-bag motels with defined capacities and checkout times...it is increasingly evident that the future of the American wilderness depends on American civilization's deliberately keeping it wild.
(Nash, 1973:273)

This paradox evokes a number of fascinating questions about the linkages between regulation and the social construction of nature and wilderness in late industrial life, questions which this thesis will explore through a detailed examination of park governance literature used to administer major park jurisdictions in North America. I begin this examination in chapter two by outlining the legislative mission of parks and the character of the park ranger who is expected to operationalize these missions. In chapter three, I examine how this mission is expressed in the regulation of park space, and

describe the main techniques used to order the spatial features of park experience. I then describe in some detail in chapter four how the conduct of park visitors are ordered within this mandated space, attending to the main themes that drive regulatory efforts. In the concluding chapter, I return to a theoretical framework and reflect on the role of represented nature in the context of consumerism and environmental toxification.

II Theoretical Framework: The Sociology of Governance

This paradox presented by the 'regulated wilderness' can be most productively examined within the theoretical framework of the sociology of governance, which I will now sketch out.

The project of governance has been identified as a 'paradigm shift' (Hunt 1993:305) in how we might think about the processes used to 'control, restrain, limit and direct' (Hunt 1994:3) social objects. Influenced by the writings of Michel Foucault, especially his later notion of government¹, several thinkers (Hunt 1996, Hunt and Wickham 1994; Rose 1990, Miller and Rose 1990, Gordon 1991, Dean 1991) have argued that governance is a useful concept for interrogating practices and locations of power that are exercised 'through a multitude of

¹ Most notably in Foucault (1988) and (1979).

agencies and techniques, some of which are only loosely associated with ...the state' (Miller and Rose 1990:1).

For Foucault, modernity is marked by forms of 'tiny' powers that are positive in character, a conception that he captures in his notion of government. To understand the workings of power, Foucault suggests we should look not at the 'murderous splendour' of juridical right, but rather at emerging 'governmentalities' that 'qualify, measure, appraise, and hierarchise' (Foucault, 1978:144; Hunt and Wickham, 1994:50). 'One should try and locate power at the extreme points of its exercise' writes Foucault, 'where it is always less legal in character'. (Foucault, 1978:96-97; Hunt and Wickham, 1994:55). Thus, '[T]he instruments of government', Foucault comments

instead of being laws, now come to be a range of
multiform tactics. Within the perspective of
government, law is not what is important
(Foucault, 1979:13; Hunt and Wickham, 1994:53)

Foucault described this form of power which has emerged over the last two centuries - and which relies on the notion of population - as the 'gentle way' of moral regulation. (Foucault, 1975:104-131; Rojek, 1992:357)

Thus, the descriptor 'government' can be productively used to describe 'any relatively calculated practice to direct categories of social agents in a particular manner and to

specified ends' a conception of power that is not strictly tied to the practices of formal government (Dean 1991:12). Thus, we can speak of the government of poverty (Dean, 1991), appearance (Hunt, 1996), childhood (Bell, 1993), and policing (Stenson, 1993) to name only a few fields of governmental inquiry.

This thesis, however, unapologetically focuses on governance efforts that are located within the formal organs of state and provincial governments. Having taken this stance, I should not be mistaken for positing 'the state' as some all powerful entity, some 'cold monster' that directs social life, a caricature that many followers of Foucault employ to dismiss the presence of the state altogether from theories of power.² Indeed, an unfortunate side-effect of much Foucauldian inspired work has been a tendency to dismiss the role of formal government and centralized institutions in the power relations of everyday life.³ While I reject 'the state' as a reified object of sociological enquiry⁴, I do take seriously the role of state practices in carrying out what Philip Abrams has conceptualized as 'politically organized subjection' which carries out the 'actualities of social subordination'

² See, for example, Rose and Miller's (1992:173) reliance on Nietzsche in arguing for a theory of political power which is beyond the 'coldest of cold monsters' of the state.

³ See Curtis (1995) for a critique of Rose and Miller's conceptualization of power and government.

⁴ Just as I reject 'the law' as some pre-determined textual monolith.

(1988:82).⁵

The 'gentle way' of moral regulation complicit in these subordinating practices involves the encouraging of a normal or proper way of behaving or seeing the world while marginalizing and discounting alternatives (Hunt 1994:314; Valverde 1994). For Corrigan and Sayer, who link state formation and moral ethos, moral regulation is a project of 'normalizing, rendering natural, taken for granted, in a word 'obvious', what are in fact ontological and epistemological premises of a particular and historical forms of state order' (Corrigan and Sayer 1985:4).

A central characteristic of projects of moral regulation is practices which construct visual representations, which exercise the power 'to picture' reality. The 'art of moral regulation', writes Rojek, 'rested increasingly upon an enveloping technology of representation' (Rojek, 1992:356). The representational aspects of governance projects are extensively relied upon in an 'the age of spectatorship' of the present, in a society dominated by what Mitchell has

⁵ For Abrams, 'The state comes into being as a structuration within political practice; it starts life as an implicit construct; it is then reified - as the *res publica*, the public reification, no less - and acquires an overt symbolic identity progressively divorced from practice as an illusory account of practise...The task of the sociologist is to demystify; and in this context that means attending to the senses in which the state does not exist rather than to those in which it does.' (1988:82)

coined the 'pictorial turn' (Mitchell, 1994b:16). Technologies of representation 'represent practical solutions to the problem of representation, or how it is that one actor is able to speak on behalf of, and so silence, a range of others' (Law and Whitaker, 1988:161).

The ability of representations to 'speak on behalf of others' relies on processes of translation which carries out what Thevenot (1985) has called 'investments of form'. For Callon and Law,

An investment of form is the work undertaken by a translator to convert objects that are numerous, heterogeneous, and manipulable only with difficulty into a smaller number of more easily controlled and more homogeneous entities - entities which are nonetheless sufficiently representative of their heterogeneous and formless cousins that it becomes possible for the translator to manipulate the latter as well (Callon and Law, 1989:64)

These more 'homogeneous entities' which represent their 'heterogeneous and formless cousins' are what Bruno Latour has brilliantly conceptualized as 'immutable mobiles', combinable, immutable, presentable, mobile inscriptions which allow one to 'present absent things' (Latour, 1986:21). Translators are able to concentrate their invested forms in 'centres of translation' and calculation, where cascades of information are crunched down in such a way that translators are able to 'act at a distance' (Latour, 1986). Immutable mobiles such as statistics, maps, charts, diagrams, which homogenize and

quantify, which represent absent objects, can be arrayed in cascades: 'files of files' can be generated 'and this process can be continued until a few men consider millions as if they were in the palms of their hands' (Latour, 1986:28). Through these techniques that allow for 'translation without corruption' (Latour, 1986:8) a form of power is exercised whereby absent officials and experts can 'act at a distance' on 'unfamiliar events, places and people' (Latour, 1987:223).

Thus, representation can be considered as the art of 'acting at a distance' in a way that silences others and moralizes/normalizes one way of behaving or thinking over another. Perhaps the most powerful and ambitious form of representation is that involving landscape. As W.J. Thomas Mitchell comments,

Landscape as a cultural medium thus has a double role with respect to something like ideology: it naturalizes a cultural and social construction, representing an artificial world as if it were simply given as inevitable, and it also makes the representation operational by interpellating its beholder in some more or less determinate relation...landscape...always greets us as space, as environment, as that within which "we" (*figured as "the figures" in the landscape*) find -or lose - ourselves. (Mitchell, 1994b:2; emphasis added)

Landscapes that have represented 'the natural' have played a key role in projects of moral regulation, most vividly through the representational practice of *emparkment*. Emparkment can be

understood as a governmental practice where landscape is enclosed under legislative authority in such a way that it represents an ideal of the natural, an image of 'the natural' that has the effect of representing 'an artificial world as if it were simply given'. The practice of emparking can be considered a form of representation which involves investments of *landform*, where heterogeneous qualities of nature are translated into a sanitized, ordered, homogeneous landscape in which people are 'figured' within.

Three examples of emparkment stand out as especially noteworthy examples: the land enclosures of 18th century Britain⁶, the effort in 20th century colonial Africa to establish nature preserves⁷, and the urban North American parks movement of the 'rational recreationalists' to establish inner city parks, best illustrated by the case of Olmstead's Central Park.⁸ Each of these emparkments had the effect of configuring landscape and 'figuring' targets of regulation in

⁶ E.P. Thompson (1975) provides an excellent overview of consequences of emparkment (although he does not use the term) in the context of the notorious Black act.

⁷ See Neumann (1996) for an examination of the role of the British Aristocracy in the National parks movement in colonial Africa which resulted in 'the dislocation of tens of thousands of peasants and pastoralists throughout the colonies' (Neumann, 1996:79).

⁸ See Olmstead's Public Parks and the Enlargement of Towns (1970) as well as his collected papers on 'Creating Central Park' (Beveridge and Schuyler, 1983) for his vision of urban parks which would combat the immoral, evil environment of 'town life'.

such a way that relations of power and domination were 'naturalized' as a normal, given order. 'It is ironic', comments Short on the English land enclosure policies

that the traditional English countryside, the supercharged image of English environmental ideology, which can still conjure up notions of community, unchanging values and national sentiments, is in reality the imprint of a profit based exercise which destroyed the English peasantry and replaced a moral economy of traditional rights and obligations with the cash nexus of commercial capitalism (Short, 1991:67)

The representational power exercised through emparkment translates landscape to a site of 'action at a distance', exercising what Timothy Mitchell has called the 'peculiar metaphysics of modernity' (1991:xii). Mitchell's discussion of the British colonization of Egypt, as the 'world as exhibition' brilliantly captures how technologies of representation create an 'experience of the real'. Drawing on the work of Heidegger (1964), Mitchell points out that a key aspect of the exhibition is the ordering tactic of 'enframing', a method of dividing up and containing, creating a 'neutral surface or volume called 'space'', a space that is apparently abstract and neutral, a series of inert frames and containers (1991:44,45). While Mitchell discusses the construction of military barracks and rebuilt villages, enframing can be considered a basic feature of projects of emparkment, where

physical space - even respirable air - has become a surface and volume that can be divided up and marked out into places where individuals are positioned (Mitchell, 1991:78).

Certainly, Mitchell's notion of enframed space evokes Lefebvre's conception of 'abstract space', a spatial expression of the 'zero point' of culture and critical thought, where 'hygienic ghettos' facilitate the 'terrorism of bureaucratised consumption' (Lefebvre, 1991:49-50;1971:184,187). For Mitchell, 'nothing is symbolic' (1991:61), representations always seem real because of the traces that create homologies of meaning: political power is not presented, but always represented, always referring to something that we are sure exists, 'somewhere outside' (1991:179).

A major effect of translation practices that represent reality is the discursive dissolution of the 'concrete subject' by a 'collation of a range of abstract factors deemed liable to produce risk' (Castel, 1991:281). The increasing prominence of representational techniques has been characterized by Castel as a movement from 'dangerousness to risk', of governing which shifts focus from the dangers inherent in any particular subject to preventable risks constructed by translation

'Lefebvre argues that 'zero points' of culture maintain an allusion of immediacy, a mentality of 'that's how it is...it can't be any different' (1971:187).

practices that generate statistical representations. As Castel comments:

[T]here is no longer a subject. What the new preventative policies primarily address is no longer individuals but factors, statistical correlations of heterogeneous elements (Castel, 1991:288)

Thus, the social construction of risk through the correlating of heterogeneous elements has become a primary aspect of the representational technologies of modern governance projects where people can be 'made up' and figured as homogenized 'figures' in an emparked landscape of risk.

In this context, I turn now to sketch the work of Ulrich Beck, who offers a scathing critique of those who 'act at distance' to construct and manage environmental risk. For Beck, the threatening face of ecological disaster, of widespread environmental toxification and ecological degradation is a 'hot potato' of responsibility that is passed on through expert hands that act physically, without acting morally or politically. 'It is as if one were acting' comments Beck, 'while being personally absent' (1992:33). The ethics of hegemonic risk production and management involves a 'loss of social thinking' that accompanies the 'industrial pollution of the environment and the destruction of nature' (1992:26).

The invisible nature of environmental risks¹⁰, (1992:23) renders people at the mercy of absent experts and translators to tell them if they are 'at risk'. Beck subscribes to very much the same conception of power that Latour does, as the ability to win as many allies over to an interpretation of the world through textually mediated argument, of which representations play such a crucial role. The 'existence and distribution' of risks and hazards are a textually mediated reality, where 'scientific and anti-scientific' knowledge compete by force of argument alone. Thus, risks are 'open to social definition and construction' (1992:23,27) where extremely hazardous risk positions are often calculated away in the construction of averages, causing an unequal distribution of risk positions (1992:25).

Risk scientists engage in a 'cosmetics' of risk to manage the differences between the risks that are actually posed and the perception of risks (1992: 55,57). A symbolic industry arises,

¹⁰ Beck considers risks to be all radioactivity, toxins and pollutants that contaminate air, water and foodstuffs that create short and long term effects on plants, animals and people. These civilization risks of late modernity are fundamentally different then the dangers that Rachel Carson (1962) vividly described almost three decades earlier. They are no longer tied to a place or origin and are global in nature, endangering all life irreversibly, lasting generations (1992:22,36). They no longer fit within the framework of precaution and insurance: there is no such thing as a nuclear accident that can be insured against (1992:22; 1994:11). Risks can no longer be detected by our own senses: we cannot smell them or see them, they are both more invisible and more dangerous.

where the sciences become the 'legitimizing patrons of a global industrial pollution and contamination' (1992:59). The emerging side effects are rendered scientifically unproven, risk positions are calculated away in averages and statistical correlations that deny causality. Beck is especially outraged at the 'phony trick' of 'acceptable levels', which he views as blank checks to 'poison nature and mankind a bit'(1992: 61,63).

Beck argues that acceptable levels of contamination do not prevent pollution, but outline the 'permissible extent of poisoning'(1992:65). A world where non-poisoning occurs is 'rejected as a utopia' by risk managers, rejected in the construction of a reality where some poisoning is normal and even 'natural'.

The 'loss of social thinking' that accompanies 'risk cosmetics' is illustrated in how risks are 'objectified negative images of utopias, in which the human, or what is left of it, is preserved and revived in the modernization process' (1992:28). Beck argues that a normative horizon is constructed from this negative image, a horizon that does not prohibit pollution and toxification, but rather normalizes a level of poisoning that is 'tolerable' and 'acceptable'.

Risk managers adhere to the 'polluter pays principle' which

can be used to both construct and then dismiss risks (1992:63). We can blame a dead forest on sloppy forestry or a fish kill on a toxic leak, while a largely invisible, globalizing, synthesizing poisoning takes place. By seeking out a specific polluter who can only be blamed with strict proof of causality, the overall grid of toxification remains unchallenged. In many cases, the construction of a polluter can be seen as an act of 'symbolic detoxification'.

Beck's vision of a 'new modernity' is one where nature and society are no longer antithetical. Nature is no longer seen as the other, as something that should be mastered and conquered, as a 'non-society' (1992:81). Nature becomes a 'historical product' constituting the 'interior furnishings of the civilized world'. The destruction of the natural world becomes part of socialization; the reflexive points of modernity close in on one another leaving no difference. 'At the end of the twentieth century' Beck writes, 'nature is society and society is also 'nature'. Anyone who continues to speak of nature as non-society is speaking in terms of a different century, which no longer capture our reality' (1992:81).

III Structure of Argument

With this conceptual scaffolding in place, several questions

emerge as central to my examination of park governance. How is nature emparked by park regulations and what image of nature is represented by this emparkment? What role does this representation of nature play in supporting mentalities of consumerism and practices of environmental toxification? Was Foucault correct in asserting that the 'tiny' powers embodied by technologies of moral regulation are 'less legal' in character?

This thesis addresses these questions through a detailed examination of park legislation and policy from across North America. While I focus primarily on a wide selection of park legislation, I also review park policy, training materials, internal policy, public relations materials, field orders and personal correspondence from selected jurisdictions."

I decline to explain my examination of these documents through the exposition of any particular 'methodology', a term which is often used to provide a veneer of scientific authority for work that is in large part subjective interpretation. It is a regrettable trait of contemporary sociology that the interpretation of written documents is often called discourse

¹¹ These documents are catalogued in Appendix A 'Catalogue of Primary Documents' and represent legislation and policy used to administer 48 state and provincial park jurisdictions during the 1994-1995 operating season. Documents were randomly obtained by writing to park administrators and asking for publicly available information concerning park operations.

or text 'analysis', as if writings and other inscriptions are like ore samples that can be analyzed by a battery of scientific instruments and reduced to a list of basic elements.¹²

The core of this thesis involves three expository chapters that closely examine the character of park rangers and their mission, the ordering of 'natural' park space, and the regulation of visitor conduct. A word of explanation is required about the way I have proceeded. I have, for the most part, quite deliberately contained my discussion of theoretical and conceptual aspects of this work to the concluding chapter. I might have chosen to integrate my theoretical discussion within the expository chapters, but I have not, for two reasons. First, the material itself tends to be so rich and detailed that it stands alone in providing a coherent 'story' about how parks are governed, a richness that might be obscured or covered by premature attempts to construct a 'fit' between the material and theoretical categories and concepts. As best I can, I have let the material 'speak for itself', providing a minimum of

¹² Pierre Bourdieu is especially critical of methodologists who he refers to as 'fetishizers of the protocol' who reduce the 'concrete' to a set of 'data' which blocks relational thinking and cleaves practice and theory (1992:226). 'Thus' writes Bourdieu, 'we will find monomaniacs of log-linear modelling, of discourse analysis, or participant observation, of open ended or in-depth interviewing, or of participant observation, or of ethnographic description. Rigid adherence to this or that one method of data collection will define membership in a school...monotheism reigns supreme'.

interpretive structure.

Perhaps more practically, this structure simply reflects how I have generally read and thought about these park papers, and I think that the composition of the thesis should reflect this.

My purpose has been to provide a thoughtful, lucid discussion of park law and policy, to attend to the metaphors and tropes, contradictions and paradoxes, tensions and homologies that exist within these interrelated documents. I am specifically interested in how these texts intersect in discourses, in 'organized sets of signifying practices' (Valverde 1991:10) that have the effect of representing nature. Such an approach is appropriate, considering the discursive, multi-faceted character of 'the law' which I view as being constantly mediated and authored within the power relations of everyday life. As Paulus has commented,

[L]aws do not arise full-grown children of the dragon's teeth. They do not enjoy an uncomplicated and unproblematic relationship with the settings and intentions of their original drafting. Rather, they undergo natural histories whose unwindings shape them in ways never anticipated by their first authors (Paulus, 1974:10)

Thus, this project aspires to document how park law and policy has unwound as part of a regulated landscape that represents nature in the everyday of late industrial life.

Chapter Two

The Park Mission: 'Regulating Exploitation'

I recognize the badge of the Oklahoma State Park as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the public service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...outdoor...recreation...and...visitor ... protection.

- Oklahoma State Ranger Code of Ethics
(Oklahoma, A:p.1;spacing in original)

I Introduction

This chapter investigates the 'mission' and 'mandate' of park jurisdictions in North America, and the character of agents appointed to carry these missions out as constituted by park law and policy. As the 'official' agents of park order, the park ranger embodies the paradoxical qualities of the 'regulated wilderness'.¹³

¹³ Agents of park legislation carry several titles including 'park warden', 'conservation officer', 'park officer', 'park ranger', 'boating officer' and 'forest ranger'. I have chosen to use the title of 'park ranger' as a general descriptor not just because it tends to be the most prominent example, but because the title rather nicely expresses the idea of an agent who ranges over an emparked space, a term that better reflects the historical role of this profession in royal game and park keeping. (Thus, ranger seems to have taken on a specific military meaning as a crack commando force.) I prefer ranger over the still telling title of a 'warden', which seems to suggest a more specific

I begin by examining how the objectives of park legislation - to provide for both environmental preservation and recreation - have the effect of constructing nature as an object of 'regulated exploitation'. I discuss how these legislative missions create highly contradictory roles for rangers who are expected to act both as friendly hosts and tough law enforcers. I examine how park managers attempt to reconcile these contradictory roles through regulatory campaigns of public 'safety' and 'security' carried out through 'low key', 'public relations' approaches. These efforts crystallize in the over-arching promotion of a self-regulating population of park users who are compliant to the project of 'regulated exploitation'. I conclude by discussing the dynamics of compliance, especially in relation to the practice of *permitting*.

II 'Regulated Exploitation': Preservation and Recreation

Park ranger appointments¹⁴ originate in provincial and state

individual who guards over a specific 'ward' located in an institution such as a hospital, prison or country. Interestingly, Canadian jurisdictions favour the title of warden.

¹⁴ I am not suggesting that park rangers are solely responsible for the operationalization of these mandates: the 'mission' of park legislation guides a broad range of field and administrative agents. However, rangers are more intimately connected to these statements of purpose because

legislation, which establishes the statutory authority of park jurisdictions and designates officers to act for the purpose of park legislation. The 'purpose', 'objective', 'mission' or 'mandate' that directs park rangers is expressed either directly in this enabling legislation, or is stated in policy that is the product of a process authorized by public law. Often dedicated 'to the people'¹⁵, many mission statements, with their vague, sweeping language, strike a utopian tone. Parks exist for human 'happiness', for the 'shelter, comfort and education of people' (Pennsylvania, A:s.1906-A.(3)) , 'for greater development of their cultural and physical potential' (Louisiana, A:s.101.A), 'to stimulate the health and welfare of man' (Montana, B:s.75-1-01) - goals which are often to be secured for the sake of 'future generations' (Ontario, A:s.2).

More specifically, mission statements express two general goals that are unproblematically posed as being complementary and interdependent: the preservation and protection of environmental resources, and the provision of these resources for public recreation and enjoyment. Michigan provides a typical example in mandating that the state

shall create, maintain, operate, promote, and make available for public use and enjoyment a system of

they rely on them to codify and rationalize their powers and authority.

¹⁵ For example: 'All Provincial parks are dedicated to the people of Ontario' (Ontario, A:s.2).

state parks to preserve and protect Michigan's significant natural resources and areas of natural beauty or historic significance, to provide open space for public recreation and to provide an opportunity to understand Michigan's natural resources... (Michigan, D)¹⁶

The province of British Columbia is even more explicit about the public use of park areas:

[T]he Parks branch has jurisdiction over, and shall manage and administer all matters concerning ... the *preservation, development, use and maintenance of parks and recreation areas and natural resources on them;...the regulation and control of public and private individuals in the use or exploitation of parks and recreation areas and the natural resources in and on them*, and of human activities, behaviour and conduct in or on parks...
(British Columbia, B:s.3(1) (d)(e); emphasis added)

This 'regulated exploitation' of the park landscape and resources requires that 'nature' be constructed and depicted in a way that presents preservation and recreation as mutually

¹⁶ Other examples include 'The Executive council members in Executive Council may establish a system of parks to protect unique, natural and historic features and provide for comprehensive outdoor recreational opportunities (Yukon, A:s.26) and 'The purpose of parks ... is to provide for public enjoyment of the same in a way that will leave them unimpaired and minimize conflict among users' (Minnesota, C:s.6100.0200). A minority of mission statements imply the recreational objectives of the park by declaring the regulation of the conduct of people using park facilities as an objective. For example: 'The purpose of this chapter is to govern the conduct of visitors to state lands and to provide for the protection of the natural resources' (Wisconsin, A:s.45.01). For other examples see Nova Scotia (B), Colorado (C), Oregon (A:p.7), Illinois (A:s.3(1)), Louisiana (A:s.101 (1)), Nebraska (B:s.001, p.1), Delaware (A:s1-1), Georgia (D:s.5.391.5.01), Tennessee (A: s.5.0400-2-1-.01), New Jersey (D:s.7:2-2.1), Ontario (A:s.2)

compatible goals which result in a 'natural' harmony, as illustrated in this Montana mandate:

The purpose ... is to declare a state policy which will encourage productive and enjoyable harmony between man and his environment, to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man...(Montana, A:s.75-1-01;emphasis added)

As constituted in park legislation, park jurisdictions are not only supposed to facilitate an 'enjoyable harmony' between nature and 'man', but can actually 'enhance' nature and 'eliminate damage to the environment'.¹⁷ The establishment of a park, in the legislators' imagination, seems to imply a gesture of undoing past environmental exploitation and making up for past environmental 'sins'.¹⁸

In regulating the exploitation of the environment, park rangers promote an image of nature that is amenable to the

¹⁷ For example: 'It is the policy of the state of Colorado that the wildlife and their environment are to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people of this state and its visitors' (Colorado, C:s.33-1-101; emphasis added). Also, see Delaware (A:s.1.1) where authorities are mandated to 'protect park resources and improvements thereto'.

¹⁸ This sentiment, that parks can somehow actually repair a damaged environment has an urban parallel in the ridiculous idea that planting trees in the city (or stopping them from being cut down) can actually fight air pollution. See Jane Jacobs on this 'science fiction nonsense' that park trees are 'the lungs of the city' (1961:91).

recreation, entertainment and enjoyment of humans. In park law, environmental preservation and recreation are blurred into one another: park space is constructed as always having been a 'wild' area, a place where human activities, including regulated recreation, are inserted as an inherent quality of nature itself. This construction of nature as an object of consumer culture is vividly portrayed in an illustration used to promote 'Minnesota State Park Rules' (see figure one); where 'nature' is depicted in the archetypal figure of a tree that is 'made up' by a collage of recreational activities.¹⁹ Within this image of preserved nature, the use of nature for recreational activities is preserved as well. Thus, the regulated public is depicted as being as 'natural' as the crown and branches of the tree under which a family recreates. The image of this 'rule tree' serves as a powerful emblem of the 'regulated exploitation' endorsed by park missions.

Consumerism has found a perfect site in ruled park space where both the past and future are preserved in an emblem which celebrates the presence of environmentally degrading recreations.

¹⁹ Note how the park going 'public' is predominantly illustrated as the heterosexual family with children, an image that constantly appears in the literature as part of an emphasis on the values of 'family camping'.

Figure One : 'Minnesota State Park Rules' (Minnesota,C)

The timeless, preserved quality of this 'regulated wilderness' requires that the constructed, 'man-made' and 'mandated' nature of park space be obscured and masked, that parks be seen as synonymous with nature. This discursive intent is vividly expressed in a Pennsylvania Administrative code:

To see that the convenience and facilities for the transportation, shelter, comfort and education of people shall be so designed and constructed as to retain, so far as may be, the naturalistic appearance of state park areas, surroundings and approaches, and conceal the hand of man as ordinarily visible in urban, industrial and commercial activities. (Pennsylvania, A:s.1906-A.(3); emphasis added)

As the appointed agents of park missions, rangers are burdened with an inherently contradictory role: to promote park space as 'natural' and 'wild', to 'conceal the hand of man' that designs and constructs park space, while at the same time 'revealing' the park as a place amenable to 'man's enjoyment' and recreation.

III *'Good Enforcement is Good Hosting'*

The mandate of park jurisdictions, to both preserve nature and provide recreational opportunities, is operationalized in the construction of two contradictory roles which the ranger is expected to carry out: to be both a professional 'law enforcer' polices park visitor conduct, as well as a good 'host' serves visiting tourists. This tension between law

enforcement and hospitality is aggravated by how ranger programs adopt police like mentalities in carrying out their jobs, making rangers less likely to participate in activities that are not congruent with the image of a 'real' law-enforcer. Thus, in prescribing ranger conduct, park administrators seem to struggle with the question: how do we provide park rangers police 'power', police training, police type ranks, police weapons, police assistance - all of which they need to carry out our ambiguous, even utopian mission - yet make sure that they don't behave like police officers and offend park visitors whose visitation we rely on for our purpose?²⁰

A widespread tactic in reducing the conflict posed by these simultaneous roles is to emphasize a 'low key' attitude that rangers should take in dealing with the public. 'Law enforcement procedure' suggests a Georgia manual,

requires a low key approach wherever possible, and emphasizes management actions that will discourage inappropriate or illegal behaviour. Park officers are not "park police", but resource managers... (Georgia C:p.5)

And in West Virginia

The goal ... is to keep law enforcement very low key, and issue citations only when absolutely necessary. Law enforcement activities are considered to be one tool that area management

²⁰ In is notable that I have not once come across an instance where the word 'police' or 'park police' is used as a title for park enforcement staff.

staff has to ensure maximum use and efficiency for park guests.²¹ (West Virginia, A)

In this 'low key' mode, rangers are urged to practice 'public relations' (Niagara Parks,B; Maryland,C), 'public service' (Washington,A), 'visitor service', 'customer relations' (Wisconsin,B) and 'patron involvement' (Kansas,A) in dealing with the public. Rangers are trained in 'The art of being nice' and 'service effectiveness' (Wisconsin, B), are encouraged to be 'polite but firm', 'user friendly' (Alberta, J:p.3), 'courteous, helpful and informed' and to greet 'everyone with a smile'(Michigan, C:p.L.). The attempt to reconcile a law enforcer role with that of a smiling, friendly host is vividly demonstrated in a Province of Alberta training document, ironically titled 'The Park Law Enforcer':

While the need for regulations has always been apparent, sometimes the need to enforce them is not. Why is this the case? Why is enforcement sometimes looked upon as a bad word? One reason is that some feel the enforcement role of the Park Ranger is just not compatible with a proper "Good Host" image. This is definitely not the case, **Good Enforcement is Good Hosting**. To be a "Good Host", Park Rangers not only welcome people to parks but also provide for their safety and security... (Alberta, A;emphasis original)

However, this emphasis backfires when the writer worries that rangers may go too far in being non-confrontational 'hosts' and neglect their duties as law enforcers when, in a rather

²¹ See also Oklahoma (A:p.112) and Michigan (A).

paranoid passage a few paragraphs later, the rangers are warned

As "Good Hosts", Park Rangers, welcome visitors to the parks, just as you and I welcome visitors to our homes. They do not, however, allow their visitors to get drunk and disorderly, vandalize and destroy property, steal, physically or sexually assault others, endanger the safety of others, cause a disturbance by yelling and screaming or otherwise ruin the enjoyable visit of other visitors.....do you? (Alberta,B; spacing original)

Yet, another park manager worries about the possibility of zealous rangers who really do consider the park to be 'their homes' when in fact the park belongs 'to the people'. Under the instructive heading of 'Dont's - The Helpful variety' an Oklahoma manual states:

Don't Lecture. It is calamitous from a public relations standpoint for an officer to lecture an offender. State Parks are not the property of the officer - it belongs to all the people. You are the protector - not the judge nor the high executioner. Do not humiliate an offender, nor cause him/her to lose face. (Oklahoma, A:p.113)²²

These passages nicely reflect the bizarre qualities of encouraging officers to be tough law enforcers who are also expected to serve as friendly hosts to vacationing tourists. The deep contradiction of the preservation/recreation mission

²² These passages are a reminder of how close law enforcement mentalities in general are tied to notions of ownership and private property.

translates operationally into two competing discourses that constantly collide and intersect in the practices of park governance: a mission of recreation where rangers are hosts who treat visitors as customers, and a mission of preservation where rangers are law enforcers who treat visitors as violaters.²³ Thus, park agents are constituted by two overlapping governance triangles, one of recreation-host-customer, the other of preservation-enforcer-violater. Each of these three sided discourses shifts in competing and overlapping ways, resulting in regulatory projects that are highly contradictory.

The most prominent strategy in attempting to reconcile these roles of host-enforcers who act upon customer-violaters is the widespread goal of 'public safety and security' which is mentioned frequently in mission statements. For example:

It shall be the intent and purpose of the Division of Parks and Recreation to adopt only those minimal Rules and Regulations that are essential to the protection of Park resources and improvements thereto and to the safety, protection, and general welfare of the visitors... (Delaware, A:s.1.1)

The discourses of 'public safety and security' cast rangers in an over-arching role as law-enforcing 'protectors', while

²³ Thus, it is not unusual in training manuals to have a section under 'enforcement philosophy' that encourages a 'good host' mentality, while later in the manual instructing officers on such activities such as car chases, handcuffing, arrest techniques and offensive weapon use.

still ostensibly presenting a helpful, tourist friendly face. This emphasis on safety and security relies on the promotion of a reflexive environment of risk: that visitors are at risk from the 'wild' surroundings of the park and the other visitors who are present in the wild environment, and reflexively, the 'natural' features of the park need to be preserved and protected from people. Both personal and environmental risk are bound together in a way that provides for sharp moral effect: the 'preservation' of nature is linked to questions of personal conduct, and personal safety is linked to the presence of a 'natural', 'wild' environment. Thus, the construction of risk in discourses of park regulation is located in two intimately related locations that couple and uncouple with specific governance campaigns: the promotion of morally correct personal behaviour, and the morally worthy cause of 'saving' and preserving the environment.

Closely connected to the discourses of 'public safety and security' is the emphasis on visitor education: for park rangers, education is carried out in a context of 'prevention' where visitors are informed of inappropriate behaviour that might harm themselves and the 'natural' features of the park. As educators, rangers are often expected to evoke the powerful trope of 'heritage', to communicate 'values' that exemplify a 'harmonious' relationship between humans and nature, often

expressed in the idea of 'stewardship' and 'resource management'. For example, the Washington state parks and recreation commission

is responsible for the long term care and protection of the statewide system of parks belonging to the people of the state of Washington. The agency's dual mission is to provide for recreation, and access and enjoyment of this large and diverse parks system, while providing good *stewardship necessary to ensure values which the system represents are held intact for future generations.* (Washington, A; emphasis added)

As educators, rangers are often cast as representing and 'holding intact' a value system which both preserves and provides access to nature. Parks are frequently promoted as a space where civic virtues are showcased for the benefit of 'future generations'. In North American society, where the loss of 'values' is constantly bemoaned, parks stand as a tangible expression of a value system, however dubious or contradictory.

What power and authority do park rangers have in carrying out the contradictions of the preservation/recreation mandates?"

²⁴ When I speak here of the 'powers' exercised by rangers, I am speaking strictly in the negative, juridical sense of the word as it is discursively constructed in park legislation: as authorized actions to search, inspect, seize, detain, arrest, sanction and inflict physical violence. By 'authority', I am speaking of a juridical right expressed in legislation that claims a particular jurisdiction. With two exceptions, all jurisdictions under examination provide their rangers with some sort of designation as law enforcement officers. Vermont and Indiana are the only two that simply utilize 'security' staff who are civilians (see Vermont, A;

Even though rangers are initially designated as officers for the purposes of park legislation, they usually accumulate additional authorities 'on top' of the powers of their parks appointment. This 'piggy backing' is possible by virtue of their initial appointment: they become agents of the general category of law to which the park legislation belongs. For example, if park law is a provincial act, they become eligible to enforce all provincial acts (liquor, motor vehicles, trespass) by virtue of their status as a 'provincial offenses officer' (Ontario, A).

This 'piggy backing' of authorities is often supported by specific sections in park law that give rangers blanket 'police powers'. These provisions are remarkable in demonstrating how ill-defined and confused ranger programs are in carrying out preservation/recreation mandates. While carefully providing for the appointment of park officers as an alternative to police enforcement that might not be sensitive to the needs of nature recreation/preservation, legislators weaken this intent by providing rangers with sweeping but vague police powers that encourage law enforcer mentalities.²⁵

Indiana, B).

²⁵ As well, rangers often receive the same or similar training as police officers, they carry police weapons, including sidearms, pepper spray, mace, nightstick and often drive police-like vehicles. They often work closely with local

Thus, even though rangers are appointed for the purposes of a specific act, they soon acquire a wide range of authorities based in several pieces of legislation. This allows park rangers to 'hop' from different authority bases and utilize a broad repertoire of power-techniques in their encounters with customer violaters. The consequences of this 'piggy backed' ranger authority is that trivial offenses such as littering or playing a loud radio can be manipulated within this matrix of authorities and constructed as serious offenses that can be addressed with heavy handed intervention. Let me provide an example from my own experience as a park warden.²⁶

I observe someone littering in the park, an offence under s. 3(1) of the regulations of the Provincial Parks Act, which provides for a \$103 fine. However, the Parks Act provides no arrest, search, or mandatory identification provisions for this offence -an appropriate level of authority for such a trivial offence. I decide to charge this person, and ask him for identification. He refuses. At this point, as an officer

police forces within the park, an effect of parks being concurrent jurisdictions, and many ranger programs utilize police-like ranks and commissions. While it is generally correct that American rangers are more likely to carry sidearms than their Canadian counterparts, many American rangers carry no sidearms at all.

²⁶ The following example is hypothetical, and does not represent a description of any particular occurrence during my employment.

for the Parks Act, I can do little else. I cannot legally demand identification, nor can I arrest or detain him. He is free to go, and it would be up to me to ascertain his identification through other means.

However, I am not just an officer for the parks act, I have other authorities piggy-backed onto my parks designation that are deemed necessary to carry out my goals of 'public safety' such as my authority to enforce liquor, trespass, and motor vehicle legislation. As well, as the result of case law, it has been established that while I am on duty I am a peace officer for the purposes of the Criminal Code, an authority backed by a vague section of the parks act that gives me the 'power and authority' of a provincial police officer. (Ontario, A:s.7). To deal with this violater, I draw on these piggy backed authorities that broaden the range of powers I can exercise. I can jump laterally into other provincial acts that have arrest or identification provisions (Have you been drinking, Sir ?), or I could provoke him into breaking a provision of one of these acts (Did you just use insulting language, sir ?). I could also jump up into the Criminal Code, using the encounter to invoke my status as a peace officer: by not providing me with identification he is 'obstructing a 'peace officer' or engaging in 'public mischief' both arrestable offenses. As my powers snowball, the event itself is reformed to justify my actions: in extreme circumstances

the offender may be charged with several criminal offenses while the littering charge is forgotten. In most cases, however, I would never intend to lay charges - it is enough that I have coerced or intimidated the 'offender' into doing what I want, and knowing that if there is any question about my behaviour (i.e. no right to arrest or demand identification) I can justify my actions within this matrix of piggybacked authorities and repertoire of power-techniques.

Thus, rangers are a vivid example of how the efforts of legislators to create specific agents with limited 'powers' as an alternative to police enforcement are often undermined: once enabled with an authority base, agents can piggy-back authorities through the nature of administrative appointments, often by adopting discourses of 'public safety' and 'public service' that are sanctioned by park missions that emphasize both recreation and preservation. Agents shift and position different authorities to their tactical advantage in ways that violate the intent of those who initially framed the legislation. Once enabled by park legislation, park rangers accumulate a wide range of authorized powers that can be easily used in arbitrary and abusive ways in the policing of park user conduct.²⁷

²⁷ University 'police' forces in Canada provide another good example of 'piggy backed' authorities which tend to ape police mentalities.

IV The Securing of Compliance

I conclude by focusing on how the operationalization of preservation/recreation missions crystallize in the widespread goal of compliance. For example, in Michigan

It is the duty of the employee to make clear to the public the reasons for our rules and regulations, gaining respect and compliance through tact, sensitivity and knowledge, rather than threats of arrest and court action. (Michigan, C:p.L.).

As a regulatory concept, compliance is significant because it marks a shift from the enforcement of specific, situational rules of conduct, to the securing of a state of subjectivity through the management of a population of park users. Enforcement is 'done' to an individual, compliance is a condition that is secured in a population. Compliance is gained 'voluntarily' (Washington, C:p.2) 'gained at the lowest possible level of enforcement' (Georgia, B,E), it is a quality that is 'ensured' (Georgia, C) and 'encouraged' (Alberta, J:p.2), something that rangers 'inform and seek' (Massachusetts, C), often with 'materials designed to educate visitors' (British Colombia, C) or through other efforts of 'education and coercion' (Massachusetts, B:p.9).

Compliance represents an effort to secure a general condition of self-regulating discipline, in contrast to situational threats 'of arrest and court action' that characterize 'law

enforcement'. Implicit in the goal of compliance is self-regulation -it seems redundant to talk of self compliance - 'that only' the individual him or herself can agree to comply, can enter into a voluntary state of obedience and conformity.²⁸ Park visitors are expected, by the very fact of their entering into a park, to be compliant to park authority. 'The privilege of any person', states a California statute,

to be present in any unit under control of the Department of Parks and Recreation is hereby expressly conditioned upon compliance by that person with all applicable laws and regulations. (California, B:s.4300)²⁹

The securing of compliance requires practices which target the population of park visitors, one of the most prominent being *permitting*, the process of being authorized to go to a designated area of the park and perform a particular recreation after paying a fee. Permits work to homogenize the particular activity of an individual user into a general framework of aggregate obedience to park order: rule breaking is seen in the context of an infraction against the general order of the park, against the condition of being compliant. Thus, any particular incident of rule breaking can be constructed as an act of disobedience against all park laws,

²⁸ As echoed in two of the most popular self-regulatory slogans connected with recreation: 'ONLY YOU can prevent drinking and driving', and 'ONLY YOU can prevent forest fires'.

²⁹ See also Colorado, (S.33-10-106)

a movement nicely captured by a Delaware park manager who listed 'permit compliance violations', and not any particular activity, as a main enforcement problem (Delaware, B).

Permitting also allows for the quantification of visitor activity and the calculation of 'compliance rates for park permits' that are used to analyze 'enforcement performances' (Kansas, D:p.11).³⁰ This allows park government to use compliance rates to construct an endless number of projects for themselves, as full compliance is never possible. This may involve focusing on one specific activity or group of people (such as 'college kids' during a holiday weekend) who are constructed as a visible 'compliance' problem.

Compliance practices such as permitting act both to designate and discipline park space, and to order the bodies of park users that are positioned, oriented and circulated within this 'natural' environment. Compliance works to secure a population of visitors which is obedient to the contradictory mission of parks, to a hegemonic ideal of a 'preserved' nature that, represented in the figure of 'the rule tree', is stamped with the images of it's own degradation. As a missionary of the project of 'regulated exploitation', the park ranger stands as a compromised, perhaps even tragic figure: the embodiment of

³⁰ For example, in the year of 1994, the Kansas Parks Enforcement summary reports a total permit compliance rate of 97.25%, down from 98.42% in 1993 (Kansas, D:p.12).

a governmentality that commodifies nature as an object of entertainment and recreation.

Chapter Three

'The Pathless Way':Regulating Park Space

What is an ideology without a space to which it refers, a space which it describes, whose vocabulary and links it makes use of, and whose code it embodies? ... Ideology *per se* might well be said to consist primarily in a discourse upon social space.

Henri Lefebvre (1991:44)

I Introduction

The most visible aspect of the contradictory character of 'regulated wilderness' is the ordered appearance of park space. In the public imagination, 'natural' park space stands as a permissive expanse that has escaped the control of civilizing technology: an apparent relief from the crowded 'concrete jungle' of urban life. Yet, when park visitors arrive at the gatehouses of North American parks, they enter into a highly sanitized landscape that is intensely ordered, directing people where to go, what to do, and for how long to do it. The 'natural' space of 'regulated wilderness' parodies the public expectation that parks should be an exception, not an example, of the ordered regimen of urban life.

This chapter examines how the preservation/recreation mission of parks is operationalized through the highly regulated

character of park space. I examine the practice of *designating*, of marking and cordoning park space into areas where specific conduct is permitted, prohibited or restricted. I conclude by reflecting on how designated space evokes the quality of 'pathlessness' as part of the 'natural' experience of the park environment.

II Designating Park Space

In the broadest spatial sense, a park is considered to be a 'wild' and 'natural' public space marked by an external boundary that acts as a 'delineation of state interest' (Oklahoma, A:725:30-2-4). The park boundary dramatizes a threshold that park visitors pass through to enter into the 'wilderness' destination of the park.³¹ This dramatization of the park as a protected space is carried out in the operation of official, controlled entrances where park visitors are permitted and registered. 'No person shall enter a provincial park by any means', states a typical statute, 'except at a

³¹ Park legislation often provides detailed prescriptions for the establishment and maintenance of park boundaries. For example: 'The Office of State Parks shall place and maintain such signs along the boundary of all developed property at intervals of not more than one-eighth mile. Such signs shall face in a direction so as to be visible before entering upon state parks' property... Such signs shall be placed on trees, posts or other supports at a distance of at least three feet above the ground level and not more than 10 feet above ground level...' (Louisiana, D:333(C)((c)) ((d)))

point designated for the purpose of entry by the superintendent' (Ontario, A:s.23). *Permitting* acts not only as a fiscal practice centred around revenue generation, but also ties the conduct of individuals to a specific parcel of space in the park, epitomized by common permissions such as 'swimming and wading are permitted in designated areas only' (Nebraska, B:S.001.20) and 'camping is permitted only in designated campgrounds' (Iowa D:p.1).

This binding of space and conduct relies on the legislative practice of *designating*, of dividing up park space into marked areas where specific activities are permitted, restricted or prohibited. Designating configures park space in such a way that the park landscape can be presented both as a 'preserved' 'natural' space and as a recreational playland. The preservation/recreation contradiction of park missions is spatially actualized as a ruled series of sites where marked boundaries empark a 'preserved' nature that can be used for a range of official recreations. Relying on a context of personal and environmental risk, designating is vividly linked to discourses of 'safety and security'. For example, in New Jersey:

The State Park Service shall designate or direct any and all recreational or other use on its lands and waters and within its facilities to such specific areas or locations within or upon said land, waters, and facilities as will be in the best interest of conservation, recreation, preservation and management of the natural and historic

resources and the *health, safety and welfare of all persons concerned* (New Jersey, D:s.7:2-2.2; emphasis added)

And with a focus on the benefits that designated uses can provide to each individual visitor:

The Superintendent may regulate activities and uses of each State park in accordance with the designations provided in Regulation .01 of this chapter in order to promote the designated uses for the benefit of each individual (Maryland, D:.02 (D)).

How is park space designated? The technique of designating requires that park space be physically marked and cordoned, epitomized by park legislators who define 'designated' as 'indicated by a sign' (Georgia D:s.391-5-2-.02), an area 'signed on the ground' (Michigan, E:s.1.2(7)) and to 'indicate, specify, or make recognizable by some mark, sign or name' (California, B:s.4301). This act of 'making recognizable' is a widespread power provided to park authorities:

A park officer may erect a sign or other device specifying an area in which specific activities are *permitted, prohibited or restricted* in a park or recreation area (British Columbia, B:S.10; emphasis added).

and

The Division shall, by posting appropriate signs, regulate the use of food and beverages, including alcoholic beverages, or other *human activities* as appropriate to protect park property or the

enjoyment and safety of other users."²² (Florida, A:s.16D-2.003 (11) (12); emphasis added)

Thus, the act of designating park space relies on the use of 'official graffiti', (Hermer and Hunt, 1996), explicitly articulated advisements, watches, warnings, prohibitions and directions which have the specific effect of constructing self-regulating objects."²³ New Jersey state legislators nicely capture the pervasive use of official graffiti in designating park space in their operational definition of 'signs':

"Signs" means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, instruct, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images."²⁴ (New Jersey, D:s.7:2-1.7)

As depicted in figure two, 'Symbols Used for State Park System Signs', official graffiti can be used to regulate almost any

²² For other notable examples see Nova Scotia (A:s.8 (1)(a)), South Dakota (D:s.41:04:01:02), Indiana (C:407.063), North West Territories (A:s.3(1)), Alberta (C:11(2)).

²³ These powers are often complemented by prohibitions against the defacing or removal of official graffiti. For example, 'It is strictly forbidden to deface, destroy, remove, alter, damage, or disturb any building, sign, marker...' (Louisiana D:303 C).

²⁴ For similar but less ambitious definitions see, for example, Oklahoma (C:s.725:30-2-4) and Utah (H:s.R651-601-9).

Figure Two: 'Symbols Used for State Park System' (Oklahoma, C:p.54-58)

conduct that can be depicted in the form of a picto-gram.³⁵ Any activity or object can be slashed out of existence by the standardized 'prohibition slash' superimposed on any activity initially constructed within a framework of permission (Hermer and Hunt, 1996). Thus, the act of designating space with official graffiti is a practice not just of disciplining space, but of positioning social actors within the self-regulating construction of park space.

A major goal of the designating of park space is to enforce a segregation between 'day-use' areas of the park and the 'night-use' areas that facilitate camping. This segregation - which forms a major theme in the ordering of conduct - provides for even tighter control and surveillance of those who will erect private shelter and sleep in the park overnight. As figure three, 'Map of Presqu'ile Provincial Park Campground' illustrates, the spatial arrangement of organized campgrounds ironically mimics the design of North American suburbs: numbered and posted campsite lots, side by side

³⁵ The type of recreational uses officially permitted by park authorities and designated with official graffiti goes well beyond simple pic-nicking and sun bathing to include a stunning array of hobby pursuits. For example Wisconsin (A:s.18(bj)) state park legislation lists the following 'permitted recreational uses': cross-country skiing, bird watching, dog sledding, dog training, dog trials, falconry, foot racing, hang gliding, hiking, horseback riding competition, hot air ballooning, hunting, land sailing, model aircraft flying, model rocket flying, nature study, scout jamborees, sky diving, sleigh riding, snowmobiling, steeplechase events, trail biking, trapping.

facing a road, arranged in avenues and boulevards that conveniently facilitate the accessing of utilities such as water and electricity. The campsite is further arranged into designated places: campsites are typically comprised of a parking pad for the car, a fireplace, a pic-nic table, and a place for the tent.³⁶ The campsite is a good example of how, within designated space, everything, including social actors, are 'figured' in 'their place'.

While park space is primarily designated in ways that tie specific parcels of space to visitor conduct that is permitted, restricted or prohibited, there is what I will call a *secondary* form of designating which classifies park space into categories of relative naturalness or wildness.

Often explicitly done within programs of 'park classification', this designating often classifies the park itself, certain zones of the park, trails, campgrounds, etc into categories that express 'natural', 'cultural' or 'historic' values.³⁷ This secondary designating is discursively useful to park government because it overlays the

³⁶ This arrangement echoes the structure of a suburban home: the garage, kitchen, family dining room, and bedroom which sit on a number lot with driveway.

³⁷ For example, Yukon (A:s.1) utilizes the following designations for park types: 'recreation park', 'historic park' and 'natural environment' park.

primary designating of permitted space with an over-arching designation that re-codes and re-states the park or park features as 'natural' and 'wild'. For example, South Dakota offers a graphic example in the secondary designating of its campgrounds which generate the following classifications:

'modern campground,' a campground equipped with flush toilets, lavatories, hot showers, and individual camping pads;

'Semimodern campground,' a campground equipped with individual camping pads and with flush toilets without showers or a shower house and vault toilets;

'basic campground,' a campground equipped with vault toilets where camping is allowed on camping pads, grassed areas, or parking lots.³⁸ (South Dakota, C:s.41:03:04:01.)

Thus, the primary designation of an area where organized camping is permitted, an activity that epitomizes regulated exploitation, is re-cast in the secondary designating as being 'wild' and 'natural' by evoking the powerful contexts of

³⁸ Other examples include Iowa where the terms 'modern area' and 'non modern area' are used to specify the lack of flush toilets and showers, while Washington uses the term 'primitive campsite' to describe a campsite which 'may not have any of the amenities of a 'standard site' which 'is served by nearby domestic water, sink waste, garbage disposal and flush comfort station' (Washington B:s.WAC 352-32-010). See also Vermont (B) and Montana (A:s.II (d)) for a classification of 'primitive' campsites.

'modernity' and 'primitiveness'." The fact that the 'natural' state of campgrounds is defined in terms of amenities that serve personal hygiene is especially notable. Quite remarkably, not having access to a shower or flush toilet makes one campsite more 'primitive', 'unmodern' and 'natural' than another: a vivid expression of the consumeristic mindset of park visitors.

Underlying these descriptions specifically, and the designation of space generally, is the idea that nature has been corrupted by 'modernity', that parks offer a pre-modern or less modern place that is more 'pure' and 'innocent'. Certainly the casting of the past as a more innocent time against which a more corrupt present can be compared is a central characteristic of a broad range of discourses of moral regulation.

As depicted in figure four 'Map of Point Pelee National Park', the practice of designating space, through the deployment of official graffiti, represents nature as an object that is

³⁹ This effort to make the built environment of the park appear natural through secondary designating is often accompanied by legal prescriptions having to do with building appearance. For example, 'Building architecture is to be compatible with the pastoral environment, rustic in nature, harmoniously colored and have non-reflective roofs and sidings' (Nebraska, D:s.001.26H2).

Figure Four: 'Map of Point Pelee National Park' (Canada, A)

knowable, recognizable, and identifiable.⁴⁰ There are no 'natural' spaces or objects that cannot be homogenized in the categorized catalogue of resource management and charted with icons and texts on the two dimensional surface of a map or 'master plan'. All park space can be ruled by immutable mobiles, can be inscribed and configured to represent nature as a visible collection of recreational objects and spaces.

As figure four so vividly illustrates, to designate is to classify space and create a grid of relativity where every object of cordoned space depends on the location of every other object. Park space, as a *class* of designated spaces and objects, creates an interlocked landscape where the maintenance of order depends upon the enforcement of all boundaries of designation. These boundaries construct park visitors as transient subjects that pass through the ostensibly wild landscape of the park that is presented as a permanent landscape.

The designation of park space, carried out through the deployment of two-dimensional texts by the official graffitists of park government, has the effect of re-organizing park space as a fillable volume, as a set of containers that can be filled to a pre-determined capacity or

⁴⁰ Note the attention to scale and the detail of designation on the map of this popular National Park.

limit. This quality is often expressed in literature that describes the 'carrying capacity' or 'public use limit', where designated space can only support a set 'volume' of recreational activities measured in terms of numbers of people, cars, cottages, boats, etc. For example,

The Assistant Secretary shall, upon recommendation of the unit manager, approve a carrying capacity for each state park area. Once a carrying capacity has been reached, or when additional visitors would adversely impact the park, the unit manager is authorized to close the park site to incoming visitors (Louisiana, D:303 (E))⁴¹

This containerization of park space spatializes a *permanent transience* where park space is 'filled' and 'emptied' of park visitors under a schedule that is enforced through the issuance and circulation of permits.

This permanent transience works to manage, direct and authorize park visitor experience which is constantly framed within the order of designated space. Official graffiti is not simply emblematic of what is restricted, permitted, and prohibited, but represents a catalog of 'natural' experiences that is authorized by the absent experts of park government.

III The 'Pathless Way'

The designated spaces of park order create an expectation of

⁴¹ For other typical examples see Georgia (D:s.391-5-2-.02 (r)) and Washington (B:WAC 352-32-053).

a disorder, of a wild environment that is both risky and dangerous. The expectation of personal and environmental risk evoked by designated space is most obviously illustrated in the use of official graffiti. A 'do not feed the bear' sign evokes the presence of wild (hungry!) bears, a moose crossing sign suggests both the possibility of seeing a moose and of hitting one with your car, the 'no litter' sign evokes the spectre of pollution and re-enforces the morally correct trait of cleanliness, impelling one to 'save the environment'.

More subtly, designated park space evokes the spatial metaphor of 'the path', a unique moral metaphor that posits the presence of pre-destination: a path, trail or route conducts someone to an end. Regulatory efforts often utilize the spatial-moral metaphor of the path, of a route or program that one is expected to follow, of conduct that will result in a morally desirable destination. Thus, in characterizing immoral behaviour we often speak about how some one has 'lost his way', or has gone 'down the wrong path'. The path is often contextualized as a spatial form of insurance: following a well trodden path reduces the chances that one will come across something hazardous and unknown. And yet, as Robert Frost reminds us, the 'road not taken' is often seen as a dangerous, yet potentially rewarding alternative to the

conformity of following in the steps of others."²

The moral-spatial metaphor of the path powerfully evokes the possibility of getting lost, of losing one's way both physically and psychologically, of being in a state of bewilderment. The connection between the 'path' and the dangers of being lost are vividly evoked in the famous nursery tale of Hanzel and Gretel, who are abandoned deep in the pathless forest to die, their only hope of getting home dashed after the trail of bread crumbs they had dropped behind them had been eaten up by Ravens.³

Designated park space is constructed as being pathless and disordered as a wilderness where one can enter, find one's way through, and leave without leaving any sign of one's presence. This appearance of pathlessness is vividly illustrated in programs of 'no trace camping' where you can 'keep others from knowing you where there', where you can travel

...through wilderness and leaving only the temporary imprint of your footsteps may at first

² As Robert Frost writes in the concluding stanza of a 'The Road Not Taken' (1963:72): " I shall be telling this with a sigh / Somewhere ages and ages hence: / Two Roads diverged in a wood, and I - / I took the one less travelled by / And that has made all the difference."

³ The other nursery story that comes to mind is 'Little Red Riding Hood' which emphasizes both the importance of the path well as the dangers (especially for women) of travelling alone in the wilderness. See Opie (1974: 119-122, 308-319) for translations and discussion of these famous forest stories.

seem impossible. But such is not the case. There are simple and easy ways to leave Yukon wilderness the way it was before you arrived - sometimes even better. Much is just common sense.(Yukon:A) "

But the possibility of leaving only your temporary footprint is indeed impossible, when the brochure advises a few paragraphs later that

It's best to stay on an existing trail if possible. The impact has already happened. But if the trail is one used by wildlife, be alert ! Otherwise you may be an unwelcome surprise for the bear around the next corner. Watch for tracks and make noise, especially if travelling in dense bush, near noisy streams, around corners, over hills, or upwind. (Yukon:A)

This 'pathless wilderness', clearly requires paths, even if they happen to be on a trail 'used by wildlife' a ridiculous notion that suggests humans are just a species of animal travelling through the wild surroundings. This passage nicely illustrates how a path constantly evokes risk: you never know what lies 'around the corner' or 'over the hill', features of trails that park managers intentionally construct to provide an experience of wandering.

Thus the 'regulated wilderness' is a 'pathless wilderness'

" Note the ongoing emphasis on how human presence can improve what is already wild, leaving it 'sometimes even better' in terms of it's wild nature. Also, the stress on common sense suggests that it is just second nature for park visitors to know how to survive in the wilderness.

which relies on the evocation of risk that promotes a state of self-regulation. 'Nature' trails, often referred to as 'self-guiding' trails, are posted with official graffiti which inform, guide, warn and advise the hiker in a context of both personal and environmental risk. The effect of such texts is to direct the gaze of the visitor to experience what the park 'nature interpreter' has deemed wild, a construction that often evokes the past and future as part of the construction of a natural present: park landscape is depicted as 'wild' because of what it once was, ('a virgin forest' or 'a glacier route') or what it will be ('a mature oak forest' or 'an etched canyon').⁴⁵ Often these texts draw on evolutionary tropes that point out 'stages' of ecological development, creating the effect that the park itself is simply a stage in the natural park ecology. Thus, the directing of the park user gaze has the effect of inserting designated park spaces as benign parts of the natural history of the landscape.⁴⁶

⁴⁵ These 'self guiding' trails are often constructed to meander and wind in a way that gives the impression of disorientation and disorder. This quality is nicely illustrated in the 'Woodland Nature Trail' depicted in the Point Pelee National Park Map (Figure Four, bottom left quarter).

⁴⁶ The paradigm example is the 'tree ring' display where a tree disk is displayed exhibiting it's rings with the decades of growth and dendro-climatic features (hail storms, lightening strikes, sun spots) marked with calender years. Often the 'birthday' of the park is noted on the ring-year as if it was some sort of natural occurrence that happened to the tree! Nature is depicted as an expression of incremental distances that proceed towards some logical end. Such common spectacles depict nature as an object that can be 'split open' and read in a linear, evolutionary way.

A vivid example of the self-regulated experience of pathless park space is the use of 'lookout' trails or 'observation points', often located on viewing platforms and elevated sites. These self-guided lookouts utilize a panorama, an unbroken view of the landscape that creates a spectacle of sunsets and sunrises, of horizons that evoke the wilderness quality of an endless expanse that appears untouched by human activity.⁴⁷ This lookout effect, which practices a visual synecdoche where the view framed by the perspective of the lookout is made to stand for the whole park, acts to enforce the image of nature as permanent while evoking the presence of humans as temporary and unharmed. The enforcement of this transience, this pathlessness, is integral to manufacturing of the natural: humans are present in park space only temporarily, they can tread in the wilderness only momentarily. Human presence is transient, fleeting, and thus, unharmed.

At a time when many feel that society has 'lost its way' in the moral decay of late industrial life, it seems strangely appropriate that park spaces, are signed by the official

⁴⁷ Note the official graffiti used to mark lookout points; In figure 1, a picto-gram of a camera is utilised to mark an 'observation point' while in figure 3, these is a picto-gram of an adult looking through binoculars while a child points: these vividly illustrate the rendering the natural environment as a 'framed picture'. Note how the lookout sites in figure 3 view a lake expanse that is situated outside the park.

graffiti of legislation to create an impression of pathlessness. And it is within this constructed pathlessness, this ordered disorder, that the most detailed and pernicious techniques of park government are levered into gear against the conduct of those who 'find their way' through this modern wilderness.

Chapter Four

Compliant Bodies: The Regulation of Conduct

Consider other state park users. Boisterous, immoral, or indecent conduct will not be tolerated.

- Pennsylvania State (D:s.V (B))

thou shalt not go near, thou shalt not touch, thou shalt not consume, thou shalt not experience pleasure, thou shalt not speak, thou shalt not show thyself; ultimately thou shalt not exist, except in darkness and secrecy

- Michel Foucault (1990:84)

I Introduction

In this chapter, I catalogue in some detail how the conduct of park visitors is the object of extensive and sustained discourses of moral order that rely on a network of permissions, restrictions and prohibitions. I begin by discussing how park government segregates and prescribes day and night conduct through the tight control of what constitutes 'camping' and 'shelter'. I examine the three main regulatory themes that are framed by this distinction: the keeping of peace and quiet through the regulation of both visual and audible 'noise', the promotion of decency through the prohibition of public acts of sex and nakedness, and prescriptions concerning hygiene and sanitation that ensure a state of cleanliness. The enforcement of these three themes underpins an idealized image of the 'regulated wilderness' promoted by park government: a landscape where the 'wild'

conduct of 'natural' park space is embodied in the themes of quietness, decency and cleanliness. I focus on how these regulatory themes are simultaneously present in specific regulatory campaigns that target the use of fire and the consumption of alcohol. I conclude by examining how the severe ordering of conduct dramatizes a 'natural' environment, a dramatization that relies on the evocation of both personal and environmental risk.

II Conducting Day and Night

There is a widespread and sustained discursive concern in park legislation about maintaining the distinction between recreational activities that are carried out in the day and those that are carried out at night and centre around 'sleeping over' in the park darkness. This concern is most visibly expressed in the designating of 'day use' areas which are segregated from campgrounds, spaces exclusively set aside for overnight shelter. This detailed distinction is represented most vividly in the extensive prescriptions of what constitutes 'camping' and 'shelter'. For example,

Camping is defined as the temporary lodging out-of-doors for outdoor recreational purposes and presupposes occupancy of a shelter designed for such purpose (i.e. sleeping bag, tent, trailer or other recreational vehicle) (Nebraska,

B:s.001.05A)."

and

'Camping' means the erecting of a tent or shelter of natural or man-made material, or placing a sleeping bag or other bedding material on the ground or parking a motor vehicle, motor home or trailer for the apparent purpose of overnight occupancy (Iowa, D:page 3)

Any activity where one can shelter or bed down, conceal or cover one's body, even in or under a sleeping bag or blanket, is considered a sheltering that can only occur on designated campsites. Conversely, these definitions are complemented by the prohibitions against the use of any sort of 'shelter' in day use areas. Even sun bathers who want a little shade are not exempt, as this Florida statute illustrates:

No individual shall erect, maintain, use, or occupy on or in any beach or bathing area any tent, shelter or structure of any kind unless there shall be an unobstructed view into such structure from at least two sides... (Florida, A:s.16D-2.004 (d)).

" Other notable examples include: '"camp" or "camping" means the use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll or sleeping bag for temporary residence or sleeping purposes' (Wisconsin, A:s. NR 45.03 (4)), '"Camping means...the arrangement of bedding for the purpose of, or in such a way as will permit remaining overnight'(Indiana, C:s.407.0065). '"Camping" means the temporary placing of a tent, shelter, lean-to, sleeping bag, bedding material...for sleeping overnight in an outdoor setting' (New Jersey, D:s.7:2-1.7). Campsites are routinely defined in terms of 'camping units': in Montana a camping unit is defined as 'any device designed for sleeping' (Montana, A:s. II (A)).

Park user conduct is rendered visible at all times, open to inspection by park agents and other users, exposed to being scrutinized as part of the proper order of designated space. Discernable in these regulations is a tone of panic, that within day use space, people might hide their bodies from public view and engage in some sort of unseemly behaviour. This legislative obsession with keeping the body visible and watchable illustrates one of the most vivid paradoxes of park space: parks are attractive as a 'natural' destination because they are perceived as being sheltered places where one can 'get away', yet park government configures park space so that visitor conduct is continually under surveillance and subject to regulatory intervention at any time. This surveillance is made even more intense through the use of permits which must be displayed or produced at all times for inspection. Such a system of permitting evokes the dangerous presence of the unpermitted person, the stranger who is a risk to other visitors and the 'natural' environment of the park.

People enter into the 'permissive', 'free' and thus 'natural' space of the park, only to find that they must retreat into the precarious privacy of their tents to enjoy any measure of consumptive freedom.

Park regulators exert an even tighter regulatory grip on those who take cover under shelter at night, by placing restrictions

on the type of people that can sleep over. For example, the State of Montana states that:

A "camper unit" is defined as a motorized vehicle, motorhome, camping bus, pull-type camper, tent, or any device designed for sleeping, including a combination of any two that are used by parents and their unmarried children (Montana, A:s. A (a)).

The literature leaves little doubt that widespread restrictions on the number and type of people allowed on the site - in this case as part of a 'camper unit' - are directly tied to the promotion of the traditional, heterosexual family as a further site of control for those who 'camp over'. Campsites are typically restricted to maximum of 5 or 6 unrelated persons; exceptions are routinely made for families that have more than six people. For example:

Campsite occupancy is limited to one family unit per night or a non family unit not to exceed 6 persons...A family unit is composed of members of an immediate family group: husband, wife, and/or children.) (Louisiana, D:s.311 (F)).

This promotion of 'family unit' camping is complemented by restrictions on 'non-family unit' over-night guests, as well as restrictions on the number and type of shelter equipment allowed.⁴⁹ Widespread restrictions limiting the pieces of

⁴⁹ Like every other aspect of park experience, camping is considered a transient activity; widespread prohibitions prohibit park users from taking up residency, and time limits are often established restricting the number of days a camper can stay.

shelter on each campsite have the effect of restricting the number of 'private' places erected on the site; the implication is that the privacy provided by temporary shelter is best situated within the patriarchal control of the traditional family.⁵⁰ This regulatory modelling is even more explicit in regulations that require a camping group to designate a 'head' who is responsible for conduct on the campsite.⁵¹

Thus, campsites take on a suburban character not just in their spatial layout, but also in their promotion of a traditional, patriarchal family as an ideal model of disciplinary control for behaviour that takes place behind the 'closed doors' of the tent, hidden from public scrutiny, in the privacy of temporary shelter.

III Peace and Quiet

The maintenance of peace and quiet is by far the most prominent topos in the governance of park conduct. While the

⁵⁰ Thus, a group of teenage couples would be restricted to three couples a site, while exceptions would be made for larger groups who are related to one another through marriage. These regulations re-enforce the traditional family as the only acceptable model for sexual relations.

⁵¹ For example: 'Occupancy of a site is limited to one family unit or a group of no more than five persons per site. A responsible person of 18 years of age or older shall accompany each group' (Pennsylvania, F:s.31.33.)

enforcement of a peaceful public sphere has long been a common law goal of 'good government', this emphasis takes on a special quality in park governance as peace and quiet are seen as qualities inherent to nature, qualities that should be protected from the din and noise of urban life. Park government considers noisy behaviour that pollutes the 'peace and quiet' of the park not just as an offense against the natural environment, but as a behaviour that impairs the ability of people to appreciate the quiet and peaceful aspects of nature, a sentiment captured nicely by Alberta park officials who use the term 'depreciative behaviour' to describe undesirable conduct.⁵²

As one would expect, park regulations include prohibitions such as: 'It shall be unlawful to incite or participate in riots, indulge in boisterous, abusive, threatening, indecent or disorderly conduct in any state park area' (Alabama, A:s.220-5-.07).⁵³ While the worry about riots in park areas

⁵² 'Rangers are thrust into activities that require managing visitor behaviour...The enforcement role of the park ranger is a very positive and necessary element ensuring that the depreciative behaviour of a few does not deter the many others from enjoying their outdoor recreational experience' (Alberta, J:page 1).

⁵³ Another example: 'For a person commits disorderly conduct when with intent to cause public alarm, nuisance, jeopardy or violence, or knowingly and recklessly creating a risk thereof such person...[E]ngages in fighting or threatening, or in violent behaviour (Oklahoma, C: 725:30-4-17)

is infrequent, the prohibitions against more subtle forms of disorder that follow are not, especially ones that revolve around the prohibition of the appearance of disorder, of the pretext and possibility of violence - behaviour that can be considered as a 'visual' form of noise. As a threat to peacefulness, visual noise is often described as behaviour that causes concern, alarm, discomfort or fear among park users; and, like audible noise, it is conduct that draws attention to itself as behaviour that is 'out of place'. A Massachusetts statute provides a vivid example of visual noise:

No person shall engage in rough play, pushing, shoving, fighting or games which, *due to the location or nature of the activity*, may cause or tend to cause discomfort, fear or injury to any person or property within the confines of any Division Forest, Park... (Massachusetts: A - 304 CMR 12.12; *emphasis added*)

Certainly the prohibition of visual noise which may 'tend to cause discomfort' is so broad and capricious as possibly to prohibit any sort of behaviour carried out in public space that may make someone uncomfortable in any way. We can think then of how the simple presence of certain groups is 'noisy' and automatically presents a form of disorder that is targeted by authorities; certainly congregations of teenagers are automatically targeted as sources of 'visual noise' that offend against the peaceful quiet of family camping.

Closely joined to the presence of 'visual noise' which disrupts the appearance of peacefulness, is audible noise which assaults what is quiet. The most common forms of disorderly sound that are the target of regulators are generated from what the legislation calls 'noise producing machines', 'noise making instruments', 'audio devices' and 'noise producing devices' (Tennessee, A:s.0400-2-2-.03; Oregon, A:s.OAR 736-10-045) which include 'radios', 'television sets', 'musical instruments', 'generators', 'public address systems', the 'motorized toy', the 'motor vehicle', the 'boombox' and a 'horn other than a reasonable warning signal' (Wisconsin, A:s.3 (1)).⁵⁴ Prohibitions targeting these 'noise machines' concern themselves with the volume of noise that offends against the 'right to be quiet' as illustrated in an 'Alberta Occurrence Report' (see figure five). Additionally there are occasional efforts to establish 'radio free' zones in parks that completely ban the use of 'noise producing machines'.⁵⁵

⁵⁴ Another notable example: 'No person shall operate any sound truck, loudspeaker, generator, chainsaw, air conditioner, or other device that produces excessive, loud or unusual noises without first obtaining a written permit from the department' (Wisconsin, A:s.3(2)((e)))

⁵⁵ For example, 'The department may establish quiet zones by posted notice. Within quiet zones, no person may operate a radio, boombox, musical instrument, tape player or similar noise producing device, unless the noise is confined to the person through the use of a headset' (Wisconsin, A:s.3 (2) ((1))).

A second, closely related form of audible noise which is targeted by park agents concerns the content of park visitor language which is considered to be profane and obscene. For example, in Ontario "No person shall use abusive or insulting language within a provincial park' (Ontario, B:s.7(1)). Additionally, park regulators concern themselves with sounds that imply human behaviour that is offensive, especially when it evokes activities that are considered to be of a 'private' nature. These sounds, characterized in the literature as 'loud and unseemly noises', 'unreasonably harsh sounds', 'an offensively coarse utterance' (Tennessee, A :s.0400-2-2-.06) seem to be directed at noises produced by sexually active bodies.

An examination of the governance of these different forms of 'noise' provides an opportunity to explore how park legislation relies on the construction of an ethical subjectivity to generate the presence of disorder. Park law must reflexively construct a subject, a personage, that is somehow wronged, offended, made uncomfortable, inconvenienced, endangered, etc. by behaviour that can then be constituted as disorderly. We may take an Oklahoma state park regulation as an exemplar of this construction:

operating equipment or machinery which generates unreasonable noise, considering the nature and purpose of the conduct, location, time of day or night, purpose for which the area was established, impact upon park visitors, and other actors that

Figure Five : 'Alberta Occurrence Report' (Alberta, J:p.136)

<div style="float: right; text-align: right; font-size: small;"> Occ 21 85 </div>		<h2 style="margin: 0;">OCCURRENCE REPORT</h2>	
<u>Wabamun Lake</u> <small>PARK</small>		<div style="border: 1px solid black; display: inline-block; padding: 2px;">4</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">6</div>	<div style="border: 1px solid black; display: inline-block; padding: 2px;">2</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">9</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">0</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">0</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">7</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">4</div>
<u>West End Camperground Site 214</u> <small>LOCATION</small>		<div style="border: 1px solid black; display: inline-block; padding: 2px;">0</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">6</div>	<u>S. RANGER</u> <small>DETAILS BY</small>
		<div style="border: 1px solid black; display: inline-block; padding: 2px;">2</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">9</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">5</div>	<u>PPA-86-01</u> <small>FILE NO</small>
SUBJECT: NAME <u>DOE, JOHN</u> ADDRESS <u>10405 - Jasper Avenue</u> CITY <u>Edmonton</u> <div style="border: 1px solid black; display: inline-block; padding: 2px;">0</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">5</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> PROV <u>Alberta</u> PH <u>427-2968</u> DOB <div style="border: 1px solid black; display: inline-block; padding: 2px;">6</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">2</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">0</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">0</div> SEX <div style="border: 1px solid black; display: inline-block; padding: 2px;">2</div>		REPORTED BY: NAME <u>CAMPER, IMA</u> ADDRESS <u>Box 418</u> CITY <u>Widewater</u> PROV <u>Alberta</u> PH <u>967-6543</u>	
NATURE OF OCCURRENCE <u>Interfere with others right to quiet</u>		<div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">0</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div>	
ACT REGULATION <u>Provincial Parks Act/General Regulations</u>		<div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">0</div>	
DETAILS <u>While on patrol of the west end campground MRS. CAMPER approached S. RANGER to advise that the occupants of site 214 were excessively loud thereby disturbing her sleeping children. S. RANGER attended site 214 whereupon he observed several males and females singing and dancing to very loud music coming from a car stereo.</u>			
PROPERTY VALUE \$ <div style="border: 1px solid black; display: inline-block; padding: 2px;">9</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">9</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">9</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">9</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">9</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">9</div>			
ACTION <u>The permit holder, DOE, John, had been respectfully informed of the quiet hours at 2230 hrs, September 04, 1985. DOE was subsequently issued a written warning at 2315 hrs at which he was advised that further problems will necessitate an eviction. At 2355 hrs, the site was again attended and observed to be still far too loud. The group was therefore evicted in accordance with Section 16(e)(iii) of the Provincial Parks Act. Names of all occupants were recorded. The group left the park at 0030 hrs, September 5, 1985.</u>			
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <div style="border: 1px solid black; padding: 2px;">1</div> <small>40</small> <small>WARNING</small> </div> <div style="text-align: center;"> <div style="border: 1px solid black; padding: 2px;">0</div> <small>41</small> <small>CHARGE</small> </div> <div style="text-align: center;"> <div style="border: 1px solid black; padding: 2px;">1</div> <small>42</small> <small>EVICTON</small> </div> <div style="text-align: center;"> <div style="border: 1px solid black; padding: 2px;">0</div> <small>43</small> <small>ARREST</small> </div> </div>			

would govern the conduct of a reasonably prudent person under such circumstances is prohibited (Oklahoma, C:s.725:30-4-6 - my emphasis)⁵⁶

Thus, such prohibitions rely on the deployment of a discursive sensibility, embodied most often by a 'reasonably prudent person' who lurks everywhere in the designated geography of park space. This discursive personage not only provides an unassailable moral character of reasonableness against which unreasonable conduct can be constructed, but constitutes a sensibility that can be harmed, offended, annoyed, alarmed and disturbed at the activities of park visitors. For example, a New Jersey statute posits a discursive sensibility that is joined with an injunction against a form of 'depreciative behaviour':

A person shall not engage in conduct or use language which disrupts, interferes with, or is unduly annoying to or prevents the enjoyment or maintenance of State Park Service lands or waters by other visitors (New Jersey, D:s.7:2-2.11).

The 'reasonably prudent person' can be considered a discursive foil against which immoral conduct can be manufactured. Park agents can evoke and deploy this discursive sensibility to their advantage when dealing with park users, an especially handy tactic in that it removes the burden of proving that the

⁵⁶ For other notable examples of the deployment of a 'reasonably prudent person' see Georgia (D:s.391-5-1-.05), Oklahoma, (C:s.725:30-4-6, 725:30-4-7) and New Jersey (D:s.7:2-2.11).

behaviour under question is actually harming anyone: rangers can act on the belief that behaviour simply has the capacity to offend. Conduct that is constructed as disorderly need only offend the park ranger, who, through the exercise of discretion, can claim the authority to speak for the 'reasonably prudent person' and deem what is offensive. Thus, through the discretion provided to park agents, this regulatory sensibility can be projected anywhere in park space as a personage who represents a standard of reasonableness that, reflexively, has the capacity to be offended. This feature of park ranger authority is embedded in sections that allow rangers to be the judge of what is offensive. For example in Oregon disorderly noise is defined as the

[U]se or operation of any noise producing machine...in a manner that in the judgement of the park manager is disturbing to other park visitors... (Oregon, A:s.OAR 736-10-045).

While the presence of this discursive sensibility is routinely relied on for the regulation of noises that threaten the 'peace and quiet' of nature, 'he'⁵⁷ is perhaps even more vividly evoked in the moral regulation of conduct that is constituted as indecent.

⁵⁷ The gender of discursive personages present in regulatory discourses is a fascinating issue, albeit one that I will not pursue here.

IV Decency

Indecency is constituted as a form of conduct where the body is revealed in way that is considered offensive. Prohibitions against indecent conduct rely on a private/public distinction that segregates conduct involving sex and nudity to the cover of a private sphere; and as I have indicated, the only sites of legal privacy - aside from washrooms and changehouses - are the shelters erected on campsites. To be decent then, is to be modest, chaste, discrete and 'reasonably prudent' when it comes to one's own body. Prohibitions against indecency are centred around injunctions forbidding sexual activities in public, and restrictions on nudity and nakedness. Oregon legislation provides a good example of the former:

A person commits the crime of public indecency if while in, or in view of, a public place the person performs: An act of sexual intercourse...An act of deviate sexual intercourse...An act exposing the genitals of the person with the intent of arousing the sexual desire of the person or another person. (Oregon A: s.ORS 163.465 1 (a)(b)(c))⁵⁸

And the State of Florida an example of the latter:

In every area of a park including bathing areas no individual shall expose the human male or female genitals, pubic area, the entire buttocks or female breasts below the top of the nipple, with less than

⁵⁸ Even in the context of an indecent criminal act, legislators still find it necessary to draw a distinction between 'normal' and 'deviant' sexual behaviour, even though they would both constitute a criminal offense.

a fully opaque covering (Florida, A:s.16D-2.004
(2)((e)))

The disorder present here is one of displaced conduct, where otherwise acceptable behaviour - having sex and being naked - causes a disorder when displaced out from private into public spaces. Ironically, this regulatory concern seems to stem, in part, from the fact that the possibility of people exposing and revealing themselves is all the greater when park space is rendered so open and so publicly visible with so few sites of privacy. Private activities, such as changing, urinating or having sex could accidentally become public due to the open, visible nature of organized campgrounds and beach areas." Thus, efforts around decency are an effect of the strict segregating of day and night conduct which allocates legal privacy to the social control of the family campsite. There is also a tone of titillation that runs through these regulations, a fear that the very sight of a bare breast or buttocks could excite the viewer into dangerous sexual action.

" A concern with decency is often expressed in sporadic prohibitions against loiterers and peeping toms who seem to present a threat because their idleness poses some sort of morally offensive intent. For example: 'A person shall not loiter in or about any comfort station or other public structure' (New Jersey, D:s.7:2-2.11 (m)), 'No person over the age of five years shall enter into or loiter near any site, structure or section thereof reserved and designated for exclusive use by the opposite sex' (Georgia, D:s. 391-5-1-.05 (10)); 'No person shall loiter, prowl or wander about a park restroom, shower or changing facility and peek into the doors and windows...' California, (B:s.4318). See also Pennsylvania (F:s 31.92).

A curious abberation in the literature occurs in a California statute that regulates indecent conduct. It reads:

No person shall appear nude ... except in authorized areas set aside for that purpose by the Department. The word nude as used herein means unclothed or in such a state of undress as to expose any part of portion of the *public* or anal region or genitalia of any person or any portion of the breast at or below the areola of any female person. (California, B: s.4322 ;emphasis added).

This obvious error, the substitution of 'public' for 'pubic', while humorous, is also quite instructive in reminding us of the socially constructed nature of who the 'public' is. Thomas Mitchell, in discussing the encoding of violence in public space, reminds us that the ideal of the classic public sphere has always depended upon the exclusion of certain groups, the most conspicuous of these being women and foreigners. 'The very notion of the 'public'' writes Mitchell

grows out of a conflation of two very different words, *populo*, (the people) and *pubes* (adult men). The word public might more properly be written with the 'l' in parentheses to remind us that, for much of human history political and social has derived from a 'pubic' and not from a 'public' one. This seems to be the case even when the public sphere is personified as a female figure. (Mitchell 1994:379).

This comment is even more striking in terms of the 'public' promoted within the 'natural' environment of parks, a

naturalness that is often personified as female, typically in phrases such as 'virgin forests' and 'mother earth'. Discourses that are concerned with vices such as indecency that rely on a notion of 'the public' are also discourses of domination, where patriarchal 'pubic' power is exercised through a particular conception of 'the public'.

V Hygiene and Sanitation

Regulatory efforts concerned with hygiene and sanitation represent some of the most interesting regulatory discourses in the park literature. My discussion utilizes an intentionally broad interpretation of what hygiene denotes; I use the term to mean a prescribed routine of behaviour that works towards a state of health and cleanliness. Thus, along with littering offenses, I also consider behaviour that defaces, damages or removes park objects, both natural and man made, as unhygienic in that such behaviour disorders the aesthetic appearance of park space and deviates from a park hygiene in which compliant visitors are expected to participate.

The offence of littering is the most common prohibition having to do with keeping the park 'clean'. Littering offences are often specific in nature, as for example:

No person shall leave, deposit, drop, or scatter

bottles, broken glass, ashes, waste paper or other litter in a unit except in a receptacle designated for that purpose, and no person shall import any litter, or deposit any litter into or in any unit from other places (California, B:s. 4310).

and

No person shall deposit liquid or solid waste matter in a provincial park or other recreation area except in a receptacle or area provided for that purpose by the Minister (Alberta, C:s.12(1)).

The offence of littering involves the depositing of refuse, of material that has been left after an act of consumption has taken place. Complementing these general littering prohibitions, are more specific injunctions against the defacement, damaging or removal of natural or man made objects. For example,

Except with the permission of the Minister, no person while in the park shall ...cut, damage or remove any plant, shrub, flower or tree...remove any artifact or object of natural curiosity or interest...remove, damage or deface any real or personal property belonging to or claimed by the Crown or other persons (Nova Scotia, A:s.22(a)(b)(g)).

Exceptions are often made for authorized uses of 'park objects' for educational or commercial use:

Unless specifically authorized by the Department for management, research or educational purposes, the cutting, injuring, or removal of trees, shrubs, wildflowers, ferns, mosses, or other plants from lands administered by the Division is prohibited. Also prohibited is the defacing, damaging, removing, or altering any structures, buildings, natural land features, or other park property or equipment, or the willful harming, collecting, or possessing of wildlife, flora or fauna. (Delaware,

A:s.15.1(c)).⁶⁰

These regulations seem to make little distinction between built objects such as signs and buildings, and natural landscape objects such as plants or rocks - a feature that illustrates how the park landscape is constituted, first and foremost, as an assembly of objects that have a specific spatial place. The distinction between what objects are natural and unnatural is unimportant in relation to the role that they play in conforming to the ordered boundaries of designated space.

Regulations dealing with sanitation are more specifically concerned with contaminating behaviour where people come in contact with the waste products of other human bodies. Two of the most common activities which park regulators target are the washing of dirty dishes and soiled clothes in public water taps and open beaches. For example:

No person shall clean fish or food, clean or wash dishes, clothing or articles at hydrants, fountains, water taps or water faucets located in restrooms, bathhouses or attached to stand pipes or buildings...[This section] also applies to all trailer dump stations, streams and springs.

⁶⁰ Thus, regulations such as this one make it possible for park authorities to prosecute a camper for chopping a single branch off a tree for use as a marshmallow stick, while logging companies within the same park can legitimately carry out extensive clear and selective cutting operations under the pretext of 'resource management'.

(Massachusetts, A:s.12.14 (2)) ⁶¹

Prohibitions against cleaning and gutting fish are often explicit:

Cleaning fish at campground hydrants or any other facility not specifically for that purpose is prohibited. All fish entrails or other inedible fish parts shall be disposed of in an appropriate fish cleaning station or trash can (Utah, H:s.R651-624-5)

Thus, these prohibitions are centred around forms of 'dirt' such as food waste, soiled water and fish entrails, that could easily contaminate the very places - such as water taps and swimming areas - which people look to for some cleansing sense of purity.

Beyond this concern with the unsanitary features of washing and cleaning in public, are extensive sanitary prohibitions having to do with the depositing of both human and pet excrement. The majority of prohibitions against human defecation indicate that 'body waste' or 'excrement' must be deposited in 'the receptacles provided for the purpose' (Alabama A: - 220-5-.06). For example:

⁶¹ Another notable example reads: 'The use of drinking fountains, springs, lakes or waterways for washing purposes is prohibited' (Pennsylvania, F:s.31.39). See also Georgia (A:s.3).

Depositing, except into receptacles provided for that purpose, any body waste, or depositing any bottles, cans, clothes, rags, metal, wood, stone or other damaging substance in any fixture in any restroom or other structure is prohibited. (South Carolina, A:s. 1 (f) ((5)))

Often these prohibitions are qualified with reference to a lower standard of sanitation that is tolerated in 'less civilized' areas of the park. For example, 'Urinating or defecating other than at the places provided is prohibited' states a Tennessee (A) regulation, 'except in backcountry wilderness or other remote areas'. Indeed, as I discuss in chapter three, 'primitive', 'wild' and 'undeveloped' areas of the park are often defined in terms of a lack of civilized toilet facilities. What is interesting about these qualifiers is that they assert that the campground is not as wild as the rest of the park, an admission that is notably absent in other injunctions. The scatological confusion addressed in this regulations mirrors the general contradiction of park space: portrayed and presented as 'wilderness', park landscape is in fact a highly constructed, hygienic landscape where everything is ordered in space.

The primary rationalization behind pet regulation is that domesticated animals cannot be counted on to defecate in designated places and present a constant threat of contaminating the park environment with feces, especially in

areas where people, and especially children, eat, swim and play.⁶² Thus, widespread prescriptions require park-users to restrain their animals by leashes, or within cages and crates, to keep pets out of areas such as beaches, pic-nic and playgrounds, and to require that pet owners 'clean up' after their dog.⁶³ For example, in Wisconsin,

No person may allow a dog, cat or other pet in any building or any bathing beach, picnic area, playground ... Dogs, cats and other pets shall be kept on a leash not more than 8 feet long and under control at all times in all other state park areas, headquarters areas, ranger stations, campgrounds, on posted trails... Persons bringing or allowing pets in designated use areas shall be responsible for proper removal and disposal in sanitary facilities of any waste produced by these animals (Wisconsin, A:s.NR45.06)⁶⁴

Additionally, pet owners are prohibited from allowing their pets to 'interfere in any manner with the enjoyment of the area by others' (Wisconsin, A:NR45.06), including pets which are noisy, intimidating or vicious. Park authorities are

⁶² Although, as I have discussed, many of the regulations imply that park authorities cannot even count on humans to defecate in the proper locations!

⁶³ Widespread exemptions are present that allow people with 'seeing-eye' dogs or 'guide dogs' to enter into public places such as restaurants, offices and beaches.

⁶⁴ Other notable examples include: Florida (A:s.16D-2.004 (1)(g)), Indiana (C:s.407.140 (1)(2)(3)), Maryland (D:s..17 (A)(B)), South Carolina (A:s.1(p)), Nova Scotia (A:s.24(1)(2)(3)(4)), Vermont(B:s.5(1)(2)(3)), Michigan (A:s.R299.324 (a)(b)), Pennsylvania (F:s.31.11(a)(b)), California (B:ss.4312(a)(b)(c)(d)(e)), Oregon (A:s.OAR 736-10-030 (1)(2)(3)(4)(5)(6)(7)).

provided with widespread power to seize, remove, dispose and destroy domestic pets that contravene these provisions.

Beyond this concern with sanitation, the regulation of pets works to re-enforce the difference between domesticated, captive animals which people bring into the park as pets, and the free, 'natural' animals that can exist as part of the 'wild', naturally dangerous environment of the park. Yet, at the same time this distinction is often blurred by the tamed, pet like qualities of park wildlife who have become sensitized to visitors. This confusion is nicely illustrated by frequent prohibitions such as 'Do Not Feed the Wildlife', in contrast with the providing of food and water to domesticated pets.⁶⁵ Indeed, the sign that reads 'Do Not Feed The Bears' has come to stand as a sort of sad emblem of how even the most dangerous and wild of park creatures becomes sensitized to and dependent on the presence of gawking, crust throwing tourists.⁶⁶ Park legislation often attempts to re-enforce the difference between domestic animals that have human owners,

⁶⁵ For example: 'No person shall feed or attempt to pet any wild animal'(Florida, A:7(b)). See also British Columbia, (B:s.30) and Canada (A:p.10).

⁶⁶ The humiliation of wild creatures for human entertainment is vividly evoked in Canadian Poet Alden Nowlans' poem *The Bull Moose*, where he describes the treatment of a 'crazy' bull moose, dying of a brain tick disease, at the hands of townspeople just before wardens arrive and shoot it:/The children teased him/with alder switches and he gazed at them/like an intolerant collie.../The young men snickered and tried to pour beer down his throat,/while their girlfriends/took their pictures.../ (Nowlan 1982:29)

and the 'free' wildlife of the park. For example, in Georgia:

"Pet" means those taxa [sic] of animals which have traditionally lived in a state of dependence on and under the domination and control of humans and have been kept as tame pets, including cats and dogs. The term pet does not include animals raised as livestock. Animals which live in a captive or tame state and which lack a genetic distinction from members of the same taxon living in the wild are presumptively wild animals. (Georgia, D:s.391-5-2.02 (p))⁶⁷

Thus, the effort to regulate domestic pets constructs an image of wild animals in the park as living independent of human influence in a state of wildness and freedom, an image that posits the park landscape as a permanent wildness which remains unaffected by the transient recreation of park users.

The presence of pets in a park setting not only reveals the tamed, pet-like nature of many park animals that have been sensitized to human conduct - a contradiction that pet regulations attempt to address by re-enforcing the distinction between the domestic and wild - but are also seen to threaten

⁶⁷ Other notable examples include the definition of domestic animal as meaning 'an animal that is kept under human control or by habit or training lives in association with man' and wildlife meaning 'a species of vertebrate which is wild by nature and hence not normally dependent on man directly to provide its food, shelter and water' Nova Scotia (B:s.3(g)(o)) and 'animal' means a domestic animal and includes an animal that is wild by nature but has been domesticated' (Alberta, C:s.1(c)). The occasional pet or animal definition borders on the bizarre. For example 'An animal is any animate being which is endowed with the power of voluntary motion; animate being, not human' (California, B:s.4301 (p)).

the 'wild' animals, as illustrated by widespread prohibitions against domesticated animals who 'chase and molest' wild animals. Strangely, domestic animals must be restrained in order to protect the undomesticated, wild animals of the park. So while the danger of 'wild' animals is often evoked as part of the 'natural' and 'dangerous' environment of the park, it is the presence and subsequent regulation of domestic animals that more sharply dramatizes this wildness.

More subtly, the regulation of domesticated animals acts as a discursive referent for acceptable human conduct, constructing disorderly human behaviour as animal like. This is especially striking considering that the prohibitions concerning human and pet defecation read almost exactly the same, except that pets must rely on their human masters to deposit their feces directly into the proper receptacles!

VI Alcohol and Fire

The regulatory themes of decency, cleanliness and quietness are vividly expressed in two popular campaigns of park order which target the use of fire and consumption of alcohol. In both of these cases, neither fire nor alcohol can be directly moralized as 'evil' or 'destructive', rather the conduct of individuals consuming alcohol or using fire is moralized in terms of the three main themes of park governance:

cleanliness, decency and quietness. The presence of fire use and alcohol consumption allows park regulators to carry out extensive campaigns that constantly evoke the presence of both personal and environmental risk and promote the need for self-regulation and self-control.

Alcohol has a long and distinguished career as an object of regulation, from the early temperance movement discussed by Gusfield (1963), to the advent of the anti-drunk driver movement, exemplified by the rise of MADD⁶⁶. Certainly, the persona of the evil drunk driver has provided moral entrepreneurs with a sustainable character to animate discourses of regulation, from school officials and the police who construct a reckless image of the teenage driver, to distillery associations who promote 'safe drinking' as part of their marketing campaigns demonstrating responsible corporate citizenship. The drunk driver has become the favourite whipping boy of moral entrepreneurs in the public sphere, a key figure in the dramatization of moralizing discourses that act to responsibilize individual behaviour.⁶⁷

⁶⁶ For an excellent discussion of the MADD movement see Reinerman (1988).

⁶⁷ The campaign against drunk driving has been so strong that it has provided a general framework from within which moral panics are easily manufactured. For example, the recent moral panic over unsafe truck drivers during the 1995 Ontario provincial election could not have been carried out without implicitly evoking the reckless character of the drunk driver, to which truck drivers were associated with in the public mindset. More recently, Canadian Federal Justice Minister Alan

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PM-1 3 1/2" x 4" PHOTOGRAPHIC MICROCOPY TARGET
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PRECISIONSM RESOLUTION TARGETS

The restriction and prohibition of alcohol within parks is an exemplar of the accumulative effect of the moral discourses that order conduct. To promote sobriety through the restriction of alcohol consumption is to order 'noise', enforce decency, and promote hygiene. The discursive personage of the 'reasonable decent person', is undoubtedly a sober one. To evoke the immorality of alcohol 'abuse' is to link a whole juggernaut of moral tropes that can be deployed in powerful ensembles of moral regulation.

Park legislation explicitly links alcohol consumption to the spectre of disorderly conduct; these links often specifically emphasize the moral quality of decency.⁷⁰ A state of Florida regulation provides a typical example:

Persons in any park who are intoxicated or who conduct themselves in a destructive, disorderly, offensive, or profane manner are considered public nuisances and are subject to arrest and/or ejection from the park. Common moral decency is the

Rock, in announcing a crackdown on men who refuse to pay child support, told reporters that 'deadbeat dads' should 'be considered on the same plane as drunk drivers'.

⁷⁰ A significant difference between Canadian and American legislation is that American legislation tends to regulate alcohol use within park legislation, while Canadian park law leaves alcohol regulation to other statutes. The same can be said to a lesser degree with questions of conduct. I suspect this difference can be traced back to basic juridical histories and political processes, but I cannot speculate beyond that. Perhaps provincial legislation in Canada is more strictly geared to resource management issues than American legislation, which tends to address a larger range of social concerns with their park law.

criterion for determining such public nuisance
(Florida: A - 16D-2.007)

It is important to stress the degree of moral panic associated with alcohol use in parks. In correspondence with the author, park administrators consistently named 'alcohol abuse', alcohol 'indulgence' and the 'alcohol problem' as the major problem in keeping order in parks.⁷¹ A Canadian Park Coordinator's viewpoint epitomizes the perception of an alcohol 'problem':

We here at the St. Lawrence Parks Commission are dedicated to providing quiet, family oriented campsites that allow people to enjoy a relaxing vacation without interruptions...Continued problems with youth "parties" have been experienced in certain parks for many years. With the assistance of local O.P.P. detachments, we have instituted a "zero" tolerance enforcement for our alcohol ban and regular revision of the alcohol ban to reduce much of the rowdyism and vandalism in our parks ⁷²
(Parks of the St. Lawrence:C)

Indeed, the use of alcohol is often linked to the problems of

⁷¹ For example, 'Without a doubt, the greatest majority of the problems within Alberta Parks and Recreation areas result from the over indulgence of alcohol' Alberta (D), Other examples include: New Jersey (B), Michigan (A), Kansas (A), Northwest Territories (C) and Missouri (B).

⁷² The fact that authorities can revise a ban speaks to the expansive nature of the regulatory practise of banning: once a particular object is banned (alcohol), one can also ban various forms of conduct associated with an object (transporting alcohol). Thus, while seeming absolute, the ban can be used to include an ever-expanding spectrum of conduct associated with the initial object of prohibition.

youth parties, under age drinking, and is seen to accompany offenses such as vandalism and rowdyism." A number of administrators also mentioned that parks which are located closer to large cities tend to have 'urban type' problems which often involve alcohol." Surprisingly few administrators mentioned the problem of drinking and driving; those that did often mentioned it in reference to initiatives undertaken in co-operation with an outside police agency."

The strategies utilized to regulate alcohol range from the permitting of alcohol consumption only in specific places, usually the 'residence' of the campsite, to the banning of alcohol consumption at certain times or in certain places, either on a permanent basis, as illustrated in figure six, 'Notice - Alcohol Beverage Ban', or in the form of temporary bans that take place during traditional party weekends such as the 'May 24' weekend. Often alcohol is banned from campgrounds

⁷³ For typical examples see Nevada (B) and South Dakota, (A).

⁷⁴ For example: 'Parks close to urban areas are more heavily used and as a result more liquor related problems are experienced' Nova Scotia (C), and 'Most of the [liquor] violations occur within parks located near the City of St. Louis which is the most heavily populated area in Missouri' Missouri (B).

⁷⁵ For example: 'We may utilize local or state enforcement agencies in conjunction with our employees to perform special "enforcement" efforts...from DUI check lanes to use of specially trained dogs for detection of illegal substances' Kansas (A).

that are designated for families.⁷⁶ Hard liquor is often prohibited, as is the use of beer kegs that would encourage a party atmosphere.

The regulatory effort against alcohol consumption, which in some cases manifests a temperance mentality, is complemented by prohibitions against the presence of intoxicated bodies in the park. For example, in Washington state, '[B]eing or remaining in, or loitering about in any state park area while in a state of intoxication shall be prohibited' (Washington, B:s.WAC 352-32-230); and in South Carolina, 'Unlawful acts in state parks' include 'Entering or remaining within the limits of the park facility while in an intoxicated or drugged condition' (South Carolina, A:s.1(L)). These injunctions are quite remarkable in that they enforce sobriety as the ideal state of consciousness needed to experience the 'natural' environment of the park. Additionally, by targeting the body of park users, and not just the act of alcohol consumption itself, authorities are able to exert an extra mode of control over the private activities of consumption; you might be able to drink behind your tent flaps, but after you emerge your

⁷⁶ Liquor prohibitions construct young adults, especially males and college students as the prime offenders against 'family camping', as depicted in the family scene of non-alcoholic camping in Figure Six. A group of guys standing around drinking beer come to represent disorderly behaviour. It would not likely take much visual noise for their presence to be deemed a disorder that should be removed from the park.

liquored-up body will be illegal.

More implicitly, these injunctions work to connect and enforce a homology between the polluting of the body with alcohol, and the polluting of the natural environment of the park with disorderly conduct that threatens what is 'natural'. The moral regulation of alcohol relies on the image of 'the drunk' whose bodily boundaries blur and break down in a disorderly scene of audible and visual noise, lewdness and sexual danger that wrecks the hygiene of the ordered appearance of park space. In contrast, the sober park user is quiet, decent and clean, a compliant body that exists without question in the order of designated space. The individual's personal conduct is responsabilized within a context of environmental consciousness. Because alcohol consumption involves regulatory efforts that focus on both the boundaries of park space and of the body, efforts of regulation allow for a more careful guarding of the thresholds of the gatehouse and the mouth in governing private behaviour and 'common moral decency'.

A striking feature of the construction of the 'alcohol problem' in parks is how the legitimacy and expansion of regulatory efforts seems to depend on regulatory failure. A major goal of park government is to secure further efforts of regulation by demonstrating how the present effort can fail, a trend illustrated repeatedly in park documents that propose

further regulatory efforts on the basis of how unsuccessful they have been. "The use of alcohol is the major source of most of our enforcement problems. Several of our parks have alcohol bans" states an Indiana park Director, "and we will be looking more toward these types of preventive measures in the months and years to come" (Indiana:A)." In arguing for the 'technique' of inspecting car trunks for alcohol at the park gate for the 'May 24 weekend', an Ontario Park Manager argued

Observations of last years Victoria day weekend from a few Park Superintendents suggest a problem in some parks persist with allowing vehicles to enter when there is a high suspicion alcohol may be present. We know that officers do not have the authority to open and search the trunk...It's intended that officers will not be conducting a search of the vehicles but visitors will voluntarily agree to show the officer the contents of trunks and coolers (Ontario:E)

Thus, the regulatory failure of a total prohibition on the possession of alcohol is used as justification for more extensive and intrusive techniques that re-enforce and attitude of 'high suspicion' among enforcement staff. Accompanying this proposal was a diagram of proposed official graffiti that would be posted at the front gate warning of

" Other examples of the construction of the alcohol problem based on the failure of regulatory efforts: 'The most numerous violation is the possession or consumption of alcoholic beverages which is prohibited by law' (North Carolina:A) and 'Alcohol and alcohol related incidents are very common as alcoholic beverages are prohibited in all state parks and forests' (New Jersey:A).

Figure Six : 'Notice - Alcohol Beverage Ban' (Michigan:B)

11.5 f

NOTICE

Alcoholic Beverage Ban

Campgrounds in the Michigan State Park system are established and operated to provide registered campers with a natural setting where they may enjoy rest, relaxation and recreation.

The Parks Division of the Michigan Department of Natural Resources is deeply concerned that many campers cannot enjoy their camping experience because of the indiscriminate use of alcoholic beverages by some park visitors.

So that a better atmosphere for camping may be established, the Director of the Department of Natural Resources has issued a legal order prohibiting alcoholic beverages in all portions of this park.

We realize this will inconvenience some park users, but it is the intent of this ban to return to the park the peace and tranquility necessary for a quality recreational experience.

We ask for your cooperation in helping to enforce this order and are quite certain that your stay will be more pleasant and enjoyable.

Parks Division
Department of Natural Resources

6-19-73

'vehicle search required', along with a "Script for Interviewing Visitors at Park Entrance Victoria Day Weekend" that reads, in part,

HI! Welcome to ... Provincial Park...You know that one of the conditions for camping this weekend is that Alcohol is prohibited in the park...Do you have any alcohol in this vehicle?

if yes - I'm sorry I cannot allow you to enter the park until you dispose of the Alcohol. (provide instructions/options)

if no - WILL YOU SHOW ME THAT YOU DON'T HAVE ANY ALCOHOL IN THE TRUNK?

Possible Response: No! or You can't search my vehicle --I'M NOT ASKING TO SEARCH YOUR VEHICLE, I'm asking you to show me that you don't have any alcohol in your trunk (or in the back of the vehicle eg van, trunk)

And what if I don't? -- YOU WON'T BE ABLE TO ENTER THE PARK. (Ontario, D)

This technique vividly illustrates the promotion of self-regulation and self-inspection promoted by park authorities, where individuals are expected, under the gaze of public authority to inspect their own conduct. Additionally, this technique evokes a general 'reverse onus' climate, where individuals must constantly exhibit their responsabilized allegiance to the mission of parks, by conducting themselves in the prescribed way.⁷⁸

⁷⁸ The zealously that results from an enforcement environment of 'high suspicion' can take on comic forms: in searching out illegal alcohol consumption a Massachusetts Ranger recommends hourly foot patrols where he has found that

Remarkably, this scheme was approved for use by Government lawyers who relied on a Supreme Court ruling that upheld the validity of similar 'volunteer' searches during a Rock Concert at Maple Leaf Garden in Toronto.⁷⁹ The irony of such a search would surely not be lost on those park visitors who arrive at the park gate with expectations of escaping such surveillance typical of city entertainment.

The regulation of fire is a fascinating aspect of park governance, as it targets a threatening symbol of transgression: while alcohol threatens to blur the boundaries of the body and cause a chorus of disorderly conduct, fire is capable of consuming boundaries and destroying the designated quality of park space. The use of fire for cooking and warmth in parks is a major feature of the experience of camping - to burn wood in open air and watch the flames and smoke, to smell food cooking on fire, is to partake of an activity that is reserved for places where nature is to be experienced. Park

'Creative violators have been known to use, but not limited to, the following deceptions; coca cola wrappers, plain cups, picnic jugs, trash barrels, spare tires and baby carriages' (Massachusetts, A).

⁷⁹ This technique, which is used on a limited basis at several parks in southwestern Ontario epitomizes legal incompetence. Any park official who would arbitrarily refuse entry into a public park because a person did not surrender their constitutional protection from unreasonable search and seizure would risk being the object of serious civil action. But perhaps most revealing is the lack of difference in the park administrator's minds between a public provincial park and a private rock concert in downtown Toronto.

fire is constituted as a wild, natural force that is to be ignited, tamed and controlled by park users, in contrast with the safe harnessing of fire in urban spaces, epitomized by internal combustion engines and gas ranges. Indeed, open outdoor fires within the city evoke homelessness and transience, as well events of protest and civil disorder.⁸⁰ The metaphor that the 'city is burning' to describe inner city rioting resonates deeply in the public psyche.

Certainly the risk evoked by the use of fire in parks draws implicitly on the danger fire appears to pose in urban settings. Fire is often seen as evil and unnatural in urban centres; when occupants of a house die in an urban fire there is a sentiment that the fire itself is to blame. To govern how people use fire is to confirm the inherent danger of 'natural forces' that are capable of great havoc and damage.

The regulation of fire in parks provides an example of an activity that is very tightly tied to a designated site of control, that of a fireplace. Three prescriptions are widespread concerning the use of fire by park visitors: the requirement that fires only be lit and burned within designated places, that fires must be attended by a competent individual, and that fires must be extinguished when they are

⁸⁰ The burning oil drum has become a familiar fixture on the picket lines of labour disputes.

to be left unused. For example, a typical statute states:

The lighting or maintaining of a fire is prohibited except: In designated camping and picnicking areas when the fire is confined in a fireplace or grill provided for that purpose...All fires shall be completely extinguished when not in use. Leaving a fire unattended is prohibited. (Utah, H:s.R651-613-1;s.R651-613-2)

Additionally, there are widespread prohibitions against the littering of fire, of 'throwing or discarding lighted or smouldering material' (Oklahoma, C:725:30-4-7) or 'dropping a lighted cigarette' (Tennessee, A:0400-2-2-.12). While these prohibitions only occasionally mention smoking, it is clear that the littering of pipe ash and smouldering cigarettes is the main target - often illustrated by the frequency of forest fire prevention signage on highways.⁸¹

Fire also provides an opportunity for park authorities to practise the technique of banning: under certain circumstances park authorities can simply prohibit the presence of fire, and revoke the spatial status of designated fire places.

Quite often legislation does not just order that fire not be left unattended, but that it be attended by a person who is

⁸¹ Thus, in the context of forest fire prevention, the definition of smoking includes the carrying around of a lighted object, and not just inhalation. For example in Georgia smoking is often defined as 'the carrying of lighted cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects'. Note the emphasis on 'intentional inhalation' that excludes 'second hand smokers' from being legally liable. (Georgia, D:s.391-5-2-.02).

'competent', or 'over the age of 16'.⁸² This prescribing of competency evokes the theme of carelessness that is widespread in forest fire prevention efforts. The trope of carelessness is often evoked in official graffiti posted along public highways, that often portrays the consequences of carelessness, as depicted in some Ontario signage (See figure seven) in the scene of a burnt over, wasted landscape (Hermer and Hunt, 1996).

The theme of carelessness is most vividly illustrated in one of the most distinct figures of moral regulation in North America, Smokey Bear. A product of world war two patriotism that encourages those on the homefront to watch for enemy fires, the smokey of today engages in a campaign that watches out for 'enemy fires' of those whose conduct threatens the ordered landscape of the 'regulated wilderness'. The appearance of Smokey Bear in North American parks is carefully choreographed to present a stoic, well-groomed bear that communicates moral integrity.⁸³

Smokey's character, which is used to invoke the dangers of carelessness, promotes a central characteristic of park order:

⁸² For example: 'A fire shall be continuously under the surveillance of a competent individual 16 years old or older. A fire shall be extinguished before the responsibility of the permittee ends' (Maryland, D:.10)

⁸³ For a closer examination of Smokey Performances in North American parks see Hermer (1996). Also, see Pyne (1982) for a brilliant social history of fire in North America.

the promotion of self-regulation. The promotion of self governance is vividly illustrated in Smokey's slogan, which dates back to 1947, "Only YOU can prevent forest fires", which was often accompanied by a picture of Smokey leaning against a shovel, pointing, Uncle Sam-like at the implied reader. Smokey's slogan is strikingly similar to the one adopted by anti-drinking and driving campaigns that "Only you can stop drinking and driving". And like efforts at alcohol regulation, fire itself is removed from embodying the object of regulation: Smokey is not so much concerned at regulating fire as he is regulating the behaviour of people, just as campaigns against drinking and driving focus on the evil character of the drunk.

This promotion of self-regulation, communicated through the stoic character of smokey, promotes a climate of surveillance where individuals are encouraged not just to police their own behaviour, but to police others as well. This risk based surveillance is most vividly expressed in the presence of 'park watch' programs which are popular in many parks. Often Park Watch programs utilize their own mascots; for example, as illustrated in Figure Eight, Maryland state parks utilize 'McGruff The Crime Dog' to encourage visitors to participate in 'park watch' and 'take a more active role in protecting personal property and preserving the park'.

Figure Seven : 'Carelessness Costs' (Photo by Author)

VII Conducting Wilderness

Within the designated space of park jurisdictions, the conduct of park visitors is subject to regulatory efforts that promote the qualities of quietness, cleanliness and decency. The promotion of these three themes intersect in such a way that the ordering of conduct is consistently linked to the construction of the park as 'natural'. Through the severe regulation of visitor conduct, the 'natural' environment of the park is dramatized. For visitors to be quiet, to refrain from making any sort of audible or 'visual' noise promotes the 'natural' qualities of quiet and peacefulness. For visitors to be clean and sanitary, promotes the park as a pure, hygienic place which cannot be disturbed or polluted. For visitors to act decently promotes the park as a moralized space which is sacred and at risk of defilement.

A key aspect of the dramatization of 'the natural' through the ordering of conduct is the constant promotion of self-regulation in an environment where both personal and environmental risk are bound together. What is so notable about the socially constructed risk of parks is its reflexive nature. Visitors are not just at risk from the 'wild', 'natural' environment of the park, but they are also at risk from those who are present within this wilderness, including themselves.

Figure Eight: 'McGruff The Crime Dog' (Maryland, B)

*McGruff says,
"Together we can keep
your Maryland State Parks
a safe and enjoyable experience
for all."*

**While in the park, please display this brochure
in a prominent place, such as your dashboard or
camper window to let would-be criminals know
that Park Watch is in effect.**

**IMPORTANT. If you observe someone
breaking park rules or committing a
crime, do not attempt to take any
action yourself. *This is a job for the
Park Ranger.* The best thing to do is
to note the location, description of
the people involved and license
numbers of any vehicles involved.
Report the incident as soon
as possible.**

**McGruff,
the Crime Dog**

***Help Protect and
Preserve Your Property and
Your Maryland State Parks***

At the same time, the 'natural' environment of the park is always at risk from the conduct of visitors. Thus, wilderness is constructed within this circuit of self-perpetrating risk which relies on regulatory discourses that evoke hazards to both personal and environmental health. The result is the construction of an environmental consciousness that is highly ascetic, where every personal act is connected to the fate of the environment. This asceticism is vividly illustrated in Figure Nine 'A Guide To Montana's Public Use Regulations', which depicts a landscape that has fallen into a state of anarchy, where disorderly conduct threatens the peaceful quiet of a pure nature. 'This is what could happen' warns the brochure ominously 'if the public use regulations are not followed'.

What is remarkable about this illustration is the suggestion that if only people could control and regulate themselves, then the environment will remain protected. This promotion of self-regulation is intimately tied to the idea that wilderness is a natural system that regulates itself as well. This is best illustrated in a Yukon handout warning of the risks that await hikers:

Be especially wary of what may seem to be orphaned young. In all likelihood the mother is nearby. Any attempts to 'help' could elicit a protective attack from the mother - whether owl, moose or grizzly! Under all circumstances, it's best to let the laws

of the wilderness take their course.
(Yukon:A;emphasis added)

The 'laws of wilderness' underly the idea that wilderness is self-regulating, that wilderness is governed by it's own laws that are beyond human governance and control, a site of 'natural law' that cannot be substantially altered by the efforts of humans. The presence of 'natural laws' is present in both 'corrupt' and 'pure' metaphors of wilderness: civil authorities often talk about how the wilderness of inner cities is beyond the control of police forces and service agencies, scientists refer to certain forms of bewildering mental illness - where patients wander in their own wilderness - as beyond the reach of the modern pharmaceutical technologies, park managers warn campers of the precautions that should be taken before being subject to the 'laws of mother nature' when they enter into the park. Thus, a peculiar homology exists between discourses of self-regulation promoted by park government, epitomized by the 'stay on the path' sign, and the promotion of wilderness as being governed by it's own laws that are outside the domain of human action.

The connotation is that self-regulation is a natural state to which people must adhere if they are to protect the wilderness of parks. This homology creates the effect that the

Figure Nine : 'A Guide To Montana's Public Use Regulations'
(Montana, B)

self-regulating conduct of the park user is presented as 'natural' and 'normal' because this self-regulation is mirrored in the natural image of a 'self-governing' wilderness that, like the 'natural' behaviour of 'man', has it's own laws. Thus, parks can be thought of not just as preserves of what is socially constructed as nature, but also as what is often socially constructed as 'natural' or normal. This not only includes the so called 'normal' things such as the traditional family, the suburb, the sober body, but more importantly, the idea that it is normal for natural landscapes to be exploited in a regulated manner. Perhaps even more ironically, is the connotation that in the very places where we expect to experience freedom it is normal that we should expected to be subject to severe and intrusive forms of regulation. Thus, the regulation of park conduct constructs nature as an object of 'regulated exploitation' and the accompanying idea of freedom as a state dictated by compliance to authority.

Chapter Five

Emparking Nature in the Risk Society

wilderness, in the final analysis,
is a state of mind

- Roderick Nash (1973:273)

Thanks for helping keep the "WILD" in wilderness

- 'Wilderness Travellers "No Trace
Checklist"' (Yukon, D)

I Introduction

In the last three chapters, I have described in some detail the governed character of park jurisdictions, how the park mission of 'regulated exploitation' is manifested in the designated order of park space and the regulation of visitor conduct. In this concluding chapter, I return to the theoretical framework of a 'sociology of governance', and reflect on the theoretical and political consequences of how nature is emparked in late industrial life.

I would first like to suggest how Foucault was wrong in asserting that to understand modern forms of dispersed, positive power, we should examine practices that are 'less legal' in character. As I have demonstrated in some detail,

even the most subtle forms of moral regulation utilized in governed park space is highly legal in character: the legislative 'mandating' of park jurisdictions to a project of 'regulated exploitation'; the enframing of park space carried out through the detailed legislative practice of designating; the construction of visitors as 'customer-violators' whose conduct is ordered to be clean, quiet, and decent through detailed regulatory prescriptions. In fact, the very practices of emparked space which govern through discourses of self-care and self-regulation rely extensively on legislative practices, where the care of the self and the care of the environment are bound together through the constant regulatory evocation of risk. Indeed, I suggest we abandon the idea of particular governance practices consisting of a character which is 'more' or 'less' legal, and instead attend to the linkages between formal government and self-government which rely on practices that moralize. Certainly projects regulating the use of fire and alcohol in parks are distinct examples of how the governance of the self is linked with a concern over the moral and ecological pollution of society.

There is a danger inherent in much Foucauldian inspired work of being blind to the role that formal, centralized institutions play in legitimizing positive, normalizing 'multiformed' power. Foucault's caution that 'law is not important' is wedded to a narrow conception of law as strictly

an expression of the 'murderous splendour' of naked juridical right; Rather, the law as I have described it - highly mediated and evocative discourses that normalizes arrangements of space and configurations of conduct - is a conception which more adequately captures the character of modern forms of everyday power.

II 'Making Up' Wilderness

I have outlined the 'hows' of emparked nature, how parks are missioned to both protect 'nature' and facilitate the 'regulated exploitation' carried out by a recreating public, a contradiction which is operationalized along two competing discursive triangles of recreation-host-customer and preservation-enforcer-violater. I have illustrated how the preservation/recreation mission is operationalized in two intersecting efforts. The first is the ordering of park space through the practice of designating, where space and conduct are bound together in a nexus of permissions, restrictions, and prohibitions. I demonstrated the role of 'official graffiti' in carrying out this spatial order, and suggested that the moral-spatial metaphor of the path plays a major role in evoking risk and constructing self-regulation as part of a represented 'wilderness'. Secondly, I examined in some detail the ways in which conduct is ordered within this regulated space, focusing on how, within a division of 'day' and

'night', the ordering of conduct relies on the moralizing themes of decency, cleanliness, and quietness. I described how these themes are most vividly dramatized in regulatory projects involving the use of fire and the consumption of alcohol. Overlaying this discussion, I have emphasized how the construction of personal and environmental risk is integral to the representation of a 'natural landscape' especially as it is dramatized through the promotion of self-regulation.

Clearly, park governance does not just 'protect' wilderness and nature - as legislative missions would have us believe - but, rather have the more significant effect of 'making up', of *representing* a natural and wild environment through the invested discursive forms that evoke both personal and environmental risk. Personal and environmental risk are interdependent in a way that provides for a powerful moralizing effect: environmental risk is constructed through the presence and activities of people, who are, in turn, reflexively at risk because of the constructed 'naturalness' of the park.

In the 'regulated wilderness', risks are constantly described, displayed, promoted and emphasized. This riskiness which constructs the 'natural' experience of parks animates the moral qualities of park regulation, which focus on conducting individual visitors as compliant 'customer-violators' who

follow a hygiene of cleanliness, quietness and decency, values that reflect a 'natural' landscape. Even the ordered qualities of park space take on a moralizing quality within this environment of risk, where the practice of designating is closely linked to the goals of environmental protection and personal safety and security. Park risk which most vividly 'makes up' nature relies on the spatial-metaphor of the path, where both behaviour and space is conducted along 'a path' which is reflexively constructed to appear pathless.

What is most remarkable about how constructed risks represent nature in parks is how regulatory discourses become even more powerful in their ability to 'make up' and evoke wilderness when 'the natural' is perceived as being at risk and in need of protection. The very fears of environmental destruction and personal insecurity further act to arm the discourses of risk with an even greater power to represent and 'make up' wilderness.

As a governmental practice, emparkment constructs nature as an object of 'regulated exploitation', a landscape that can simultaneously be both protected and consumed in such a way that the preservation of nature depends upon it's exploitation: an image of nature epitomized by the emblem of 'the rule tree'. This representation depends upon a multitude of invested forms that empark landscape as an image of 'the

natural', to create a homogenous, sanitized landscape that translates the heterogenous qualities of nature into an orderable, 'regulated wilderness'.

Certainly the translation inscriptions used by park governance (laws, policies, standing orders, maps) represent an army of absent experts (foresters, cartographers, tourism advocates, legislators) who work to empark a conception of 'nature' that can be constituted and exploited through regulatory practices. And as I have demonstrated, official graffiti does not just physically mark space and provide *prima facie* notice of particular regulations constructed at a distance, but also acts to make 'absent things present' by evoking the presence of wild animals, or a pathless forest or natural spectacles, of a network of permissions, restrictions and prohibitions that evoke everpresent risks. These emparked forms idealize an image of nature, invested forms which come together in the landform of a 'regulated wilderness', a translated landscape that is ordered along moralizing discourses of regulation.

The emparkment of nature as 'regulated wilderness' is truly an expression of what Mitchell has referred to as the 'peculiar metaphysics of modernity', where regulatory techniques have the effect of constructing a representation of nature that posits some larger 'real' nature. The representational power exercised by park government is vividly demonstrated in the

exhibitional qualities of governed park space. As official sites where nature is 'preserved', discourses of park regulation re-enforce the ontological distinction of the exhibition, as 'regulated wilderness' is represented and dramatized as a 'preserved' specimen of a larger, 'real' wilderness that exists outside of the park.

As the primary ordering tactic in the actualization of park missions, the practice of designating produces an 'exhibition' of wilderness through the effect of enframing. For Mitchell, enframing tends 'to produce the effect of a structure, which seemed to stand apart as something conceptual and prior' (Mitchell, 1991). The exhibitional qualities of emparked nature are most commonly demonstrated in the popular behaviour of tourists who take pictures of the 'wild' park landscape: re-framing the enframed. Lookout points and other constructed spectacles - which are often marked with the official graffiti of a camera - attest to the photogenic character of emparked nature. We are reminded of the exhibitional qualities of park landscape by an advertisement in a national park brochure (see figure ten) for disposable 'fun saver' cameras, available at the 'Nature Nook Book Store' that will capture 'great memories of the outdoors' and 'breathtaking landscapes'. The smiling forest animals in this ad are emblematic of the exploitation of park resources and wild creatures for the benefit of human recreation and entertainment.

Figure Ten : 'All Packed and Ready to Go' (Canada, A)

All Packed... And Ready To Go!

No settings to make, no focusing to worry about, no film to load or unload...
KODAK FUN SAVER 35 Cameras are the natural choice
 for capturing great memories of the outdoors.

TeleFoto and flash models also available.

For outdoor scenes twice as wide!

KODAK FUN SAVER Panoramic 35 Camera
 Perfect for breathtaking landscapes.

Compact and loaded for fun!

KODAK FUN SAVER 35 Camera
 Excellent for daytime, outdoor fun.

Rugged and waterproof!

KODAK FUN SAVER WEEKEND 35 Camera
 Ideal for camping, hiking, fishing; even works under water!

Always A Natural In The Great Outdoors...

KODAK GOLD Plus 100 Film Ideal for sunny days and enlargements.	KODAK GOLD Super 200 Film Perfect for sunny or cloudy days.	KODAK GOLD Ultra 400 Film Great colours in bright or low light. Snaps fast action, too.
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KODAK products can be purchased at the Nature Nook Book Store or the Visitor Center.

While Mitchell applied the concept of enframing to the colonisation of 19th century Egypt, Heidegger, from whom he borrowed the term, described it in a way that I think even more accurately describes the emparked nature of parks. Heidegger conceptualized enframing as a form of 'revealing', where people and objects were reduced to a 'standing reserve' that serves 'modern technology'. In his discussion of 'enframing', Heidegger provides an example of a park forester, one that could easily be an official of the 'regulated wilderness':

The forester who measures the felled timber in the woods and who to all appearances walks the forest path in the same way his grandfather did is today ordered by industry that produces commercial woods, whether he knows it or not. He is made subordinate to the orderability of cellulose...which is then delivered to newspapers and magazines...so that a set configuration of opinion becomes available on demand (Heidegger, 1964:323)

Enframing, above all else, acts to create a population of park users that are subordinated to the needs of consumer culture, of the casting of nature as a commodified object where 'the natural' is enjoyed and consumed as an object of entertainment, recreation and excitement.

Thus, park space is an exemplar of what Lefebvre called the 'zero point of space' when space is 'shown as display, even when it is laid out in lawns and planted with trees'

(1991:56). The zero point of space, and other zero forms such as time and speech create a 'kind of intellectual and social asceticism' of a frozen landscape that becomes 'abstract space' that is defined not just by 'the disappearance of trees, or by the receding of nature' (1991:50), but by a space of power exercised for the benefit of capital and neo-capitalist enterprises and the 'world of commodities' (1991:53).

The abstract space of North American parks is an expression of an ascetic environment that is landscaped with the 'rule trees' of park order, a product of absent translators, who empark an image of nature that is amenable to mentalities of 'regulated exploitation'. The 'hygienic ghetto' of park space, represents an ideal of nature that is subservient to the needs of consumer culture, to the project of 'regulated exploitation'.

Thus, as a form of representation, the emparked space of parks carries out a double role described as something 'like ideology' by Thomas Mitchell. Nature is represented as 'an artificial world as if it were simply given and inevitable'. The artificial, constructed landscape of parks ghettoizes 'nature' as always having been an object of consumer exploitation, an enframed exhibition that objectifies nature. Additionally, the topography of parks is landscaped in a way

where people are 'figured' as consumers who are constantly at risk, conducting themselves as polluters in a 'pathless' landscape. Thus, the sanitized, homogenized landscape of parks, where both space and behaviour are conducted as decent, clean, and quiet, has the effect of reducing the wildness of wilderness to an order of sanitary surfaces, to a hygienic form of scaped order.

The representation of nature as an object of 'regulated exploitation', as a 'hygienic ghetto' that is homogenized as a commodity, is an image of nature which corporations rely on to legitimize environmentally degrading practices. This hegemonic image of nature could hardly be more vividly illustrated than in an advertisement for St. Joseph's printing company, celebrating the apparent success of a reforestation program that has been carried out with the scouts of Canada (see figure eleven). This representation of a 'reforested landscape' is also the image of an 'abstract' space: perfectly shaped plantation type trees, fixed on a landscape constituted by a stetson campaign hat, with two clouds perched above. This ideal of nature, promoted by a printing company which relies on the pulp and paper industry, is a perfect expression of the 'abstract' space of emparked nature. The image of this 'replenished resource' epitomizes the same mentalities of regulated exploitation carried out in park space: that natural resources can, quite remarkably, be both exploited and

Figure Eleven : '50 Millions Trees and Still Growing'
St. Joseph, 1996)

50 MILLION TREES AND STILL GROWING.

Thank You For Making It Possible.

Congratulations to Scouts Canada and all our clients! This spring, the Scout Trees for Canada program plants the 50 millionth tree. We applaud this outstanding milestone and are proud to be part of the campaign's success along with our clients. Since we launched "Partners in Growth", St. Joseph Printing's tree reforestation program in 1989, it has become the single largest contributor to this nation-wide endeavor. Through our clients'

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preserved. Yet such a landscape surely is a dead, 'frozen' space, an ecological nightmare where the natural world is subordinated to the needs and values of consumerism through an emparked hygiene. Certainly, the campaign hat itself reminds us of the moral hypocrisy of corporations, who relentlessly market themselves as good 'boy scouts' of nature, while carrying out projects of resource extraction that are environmentally degrading.

While this representation of nature emparked in park jurisdictions is congruent with the exploitation of consumerism, emparked nature acts more subtly to mask environmental toxification. As I outlined earlier, Ulrich Beck argues that environmental risks become both more 'real' and 'unreal': risks become more real in the sense that they become more lethal and toxic in ways that are not even known or calculable, but they also become less real in the sense that they are no longer perceptible to the human senses; they become invisible. The 'unreal', invisible quality of risks make them especially vulnerable to the representations of translators and absent experts and the *landforms* in which they invest.

The role that emparked nature plays in legitimizing environmentally destructive practices can be best understood by examining how parks dramatize the 'polluter pays principle'

through the construction of tangible, situational, individualized risks. As long as risks are individualized through legislation, as long as someone can be moralized as at fault, as long a polluter can be punished and 'made pay', then the multi-causal, synthetic effects of toxification remain masked. Beck writes:

It is essential, however, that even in the incalculable profusion of individual interpretations, individual conditions are again and again related to each other. Let us pick out forest destruction. So long as bark beetles, squirrels or the particular responsible forestry office were still being considered as causes and guilty parties, we were seemingly concerned not with the 'risk of modernization', but rather with sloppy forestry or animal voracity. (Beck, 1992)

Indeed, it is not hard to picture Heidegger's forester, subordinated to the orderability of a 'world of commodities', walking down the forest path worrying about pest management or camp fires. The individualization of risk through regulation constructs responsabilized park visitors: their conduct as 'customer-violaters' is linked with the protection of themselves and the fate of the environment. Park governance constructs a wide assembly of polluters who are ever present, who must participate in a severe form of self-regulating asceticism where the smallest act of non-compliance offends the hygiene of nature. The result is a bizarre, almost obscene sort of landscape where the public participates in risks that are disconnected from the hazardous toxification of the global environment.

Thus, while ecologically toxic risks are silent, incalculable and revealed only to the public through the expertise of textually mediated argument, risks constructed in parks are made up by conduct that is noisy, dirty, or somehow indecent. Among these situational, individualized risks that I have described include audible and visual forms of noise (a loud stereo or loitering teenagers), places that are unclean and have 'dirt' present (a littered can or drunken body), places that are not open to supervision and inspection (a tent on a beach or a visitor without a permit). Indeed, the illustration of Montana's Public use regulations (figure nine) is a picture of a society 'playing under a volcano', of a landscape where everyone is figured as a responsabilized 'polluter' whose conduct threatens what is natural, and what is moral. The policing of these forms of pollution represents a massive act of 'symbolic detoxification', as if the natural environment can be preserved (even improved) by the prohibiting of noisy conduct or the restricting of alcohol consumption.

As 'hygienic ghettos', parks reinforce the image of a non-polluted society as a 'non-society'. If parks represent what is ecologically and morally pure, then it becomes normal for society to be polluted at 'acceptable levels': the ordered space of parks provides a normative horizon for the toxification of society. This is perhaps best illustrated in the legitimized presence of 'industrial parks' on the

outskirts of cities, places where we expect there to be high levels of pollution, just as we expect that parks are places which are kept free of any pollution. Emparked nature allows the public to willfully participate in a landscape of emarked risks which hegemonically place the preservation of nature in a framework of consumerism. By representing environmental risks as sensual and visible, as risks that can be attributed to a specific polluter, as risks that are part of landscape where the absence of pollution is a utopia of a 'non-society', then the real risks of late modernity, remain profitable, manipulable and hidden.

In this work I have outlined the character of the 'regulated wilderness' and attended to how moralizing practices of regulation construct an official image of wilderness which is congruent with the needs of consumer culture, and the management of toxic risks. In conclusion, I am drawn to the work of Simon Schama, who quite appropriately reminds us that 'There is nothing inherently shameful' that

the landscapes that we suppose to be most free of our culture may turn out, on closer inspection, to be its product...Would we rather that Yosemite, for all its overpopulation and overrepresentation, had never been identified, mapped, emarked?... So while we acknowledge (as we must) that the impact of humanity on the earth's ecology has not been an unmixed blessing, neither has the long relationship between nature and culture been an unrelieved and predetermined calamity (Schama, 1995:9-10; emphasis original)

The emparked nature of parks epitomizes the paradox of experiencing freedom in the angst-ridden everyday of our present: that in order to have a culture of freedom, we must empark space where we can have freedom from culture. Yet, the regulated wilderness of parks is a 'wilderness of regulation', a place where the 'lonely crowd' wanders along the pathlessness of a pre-determined destination, constantly signed by the absent experts of consumer life.

Wilderness is, indeed, a 'state of mind' as Nash suggests, but it is also a state of mind that is *stated*: that is inscribed through the minds of people in law and policy, translated into politically invested forms, emparked in landforms which are held up as official sites of 'nature' and wilderness. It is my hope that by examining the culture of emparked nature, we can begin to imagine alternative representations of wilderness and nature that are *truly opposed* to the authoritarian features of our 'civilized' everyday.

Appendix A

Catalogue of Primary Sources

n.b. - sources referenced in text by jurisdiction (Alabama), item (A), and where appropriate section or page (s.220-5-.01) i.e. (Alabama, A: s.220-5-.01)

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