Wilderness and the Paradox of Individual Freedom

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Abstract—Wilderness, whether designated as such or not, is often portrayed as the embodiment of freedom. The type of freedom to be enjoyed, though, is not clear. Freedom in wilderness may be constructed negatively—individuals freely experience wilderness without societal constraints; or, freedom may be constructed positively—individuals freely experience the fundamental purposes of wilderness as defined by society. The latter construction of freedom inevitably results in a "wilderness morality" that defines—often in a hierarchical manner—the acceptable purposes and uses of wilderness. Philosophers, in a general context, have long contended that these two constructions of freedom are both irreconcilable and at odds with one another. Through an examination of subsistence in Alaska and South Africa it is apparent that while conflict related to wilderness stewardship is ostensibly the result of competing interests, these competing interests are fundamentally rooted in divergent constructions of individual freedom. As a result, conflicting perceptions of wilderness and its purposes may be resolved, or at a minimum more thoroughly understood, if governing policies clearly identify what it means to be "free" in wilderness.

Introduction

Edward Abbey (2000) often said we can have wilderness without freedom, but we cannot have freedom without wilderness. For Abbey, freedom was not a necessary element of wilderness, rather wilderness was a precursor for freedom—in fact, it perhaps defined freedom. Abbey's remarks reflect an insidious paradox that I argue gives rise to many (if not most) contemporary wilderness-based conflicts. The wilderness movement, which began in the mid-19th century with Thoreau and Muir and gained momentum through Leopold, Marshall, Carhartt, and others, was rooted in a brand of freedom characterized by the absence of human control. This freedom was transcendental in that it was a means to an end rather than an end itself—it allowed humans to transcend humanity through wilderness. In the mid-20th century, though, wilderness enthusiasts argued that if the opportunity for this transcendence was to remain, lawmakers would have to intervene and create a statutory framework by which wilderness would be managed. This framework, actualized through the United State's Wilderness Act, was in many ways incommensurate with the absence of human control and authority. The paradox that I will discuss, then, is that in order to preserve wilderness as an artifact of freedom from human control and authority (in other words, a product of negative freedom), we have adopted a socially constructed doctrine that defines the way in which freedom may be appropriately experienced in wilderness (in other words, a product of positive freedom); and, while freedom is a defining quality of wilderness, it is rarely realized in its purest form.

The argument that wilderness is socially constructed is by no means novel (Cronon 1995), but the consequence of this paradox, I argue, which has not been explored in depth is that wilderness enthusiasts who enjoy wilderness—whether designated or *de facto*—for its freedom-based values are left with a sense of confusion. On one hand, wilderness is to be the embodiment of a landscape set apart from human hands, but on the other, societies have adopted legal frameworks and an ethic that confines the wilderness experience. For those whose philosophy of freedom is consistent with these frameworks and ethic, the paradox does not exist. For others, though, the wilderness movement has perhaps been an evolution of contradictions. In this paper, I argue that indigenous peoples, particularly those that are dependent on wilderness for subsistence, provide one such constituent. I begin the paper by first describing two forms of freedom—positive and negative. I then discuss how the wilderness movement has embraced both forms, but that each form is diametrically opposed to one another and, consequently, how neither form in their purest constructions can be experienced in wilderness. I illustrate these points through the lens of subsistence in wilderness, particularly in the context of rural Alaska and South Africa. Next, I claim that if freedom cannot be experienced in either of its purest forms, we are left only to construct a "legitimate breed of freedom" in wilderness. And, despite the difficulty of operationalizing this idea, a potentially useful framework may be utilized in order to understand the concept of legitimacy. Freedom, I conclude, will always be a defining characteristic of wilderness, but if it is to be a freedom harmonious with the human condition, it must be grounded in legitimacy rather than anarchy or indoctrination.

Two Constructions of Individual Freedom in Wilderness

Freedom, like many philosophical concepts, is often characterized in terms of a dualism. There is *negative freedom*—the quality of being free from constraints external to the individual—and there is *positive freedom*—the quality of being free to pursue one's fundamental purpose in life (some of the most influential work on this topic include: Arendt 2000; Berlin 2002; Fromm 1994; and Hayek 1944). While the philosophical debate concerning these two constructions

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In: Watson, Alan; Sproull, Janet; Dean, Liese, comps. 2007. Science and stewardship to protect and sustain wilderness values: eighth World Wilderness Congress symposium: September 30–October 6, 2005; Anchorage, AK. Proceedings RMRS-P-49. Fort Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station.

is widely varied, one consistent conclusion is that these two forms, in their purest interpretations, are diametrically opposed and irreconcilable (Berlin 2002). Consequently, when concepts such as wilderness are defined by the quality of freedom, they are inherently laden with conflict. In this section, I offer a brief introduction to how freedom is constructed (both positively and negatively) in wilderness and how each—in their purest forms—constitute the basis for many (if not most) wilderness-based conflicts.

Positive Freedom in Wilderness. Freedom, defined positively, is acting in such a way as to take control of one's life and realize one's fundamental purpose in life (Berlin 2002). Freedom is more than a means to an end—it is an end with intrinsic value. Positive freedom, in contrast with negative freedom, is characterized as *true* freedom in that there exists a single species or natural form of freedom (Strauss 1953). As Strauss, one of the preeminent positive freedom thinkers of the twentieth century claims, individuals are often unable to understand this true freedom and, consequently, the institutionalization of freedom should be left to the "wise men" (Strauss 1953). In other words, because of the inherent (and natural) irrationality of individuals, it cannot be assumed that freedom will be correctly understood by everyone. As a result, rather than leaving the individual with the task of defining for themselves what freedom is, this task is most appropriately left to those with the capacity to understand it (for example, political leaders, philosophers, religious leaders, academics, etc.). The doctrine of positive freedom encourages the individual to pursue their self-actualization or self-realization, but doing so is dependent on making the "right choices" in life.

Contemporary policies rooted in positive freedom range from social security, welfare, and economic development initiatives to age restrictions for the purchase of alcohol and tobacco. In each of these examples, a system of policies that is a reflection of what society (or in many cases societal elites) has judged as right or morally desirable is imposed upon a society. Designated wilderness areas are, perhaps, another example of the manifestation of positive freedom thought. Within these areas, there is a "right" and "wrong" way to experience them. As defined by the United States Wilderness Act:

> A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value (Wilderness Act, Section 2. (c)).

The realization of this wilderness experience requires the imposition of a set of values (for example, "Leave no Trace principles," the prohibition of motorized and mechanized travel, etc.), the goal of which is to restrict the actions of wilderness enthusiasts—which includes managers, activists, visitors, and all who have an interest in wilderness—such that they realize the *true* wilderness experience (for example, solitude, primitiveness, etc.) and that the experience is available to others. For those that believe in these principles, any deviation from this construct is a direct attack on and a dilution of wilderness (Frome 2005). Consequently, wilderness-based education has historically focused on the task of conditioning would-be visitors to the "appropriate" way to behave in wilderness and making them aware of the benefits associated with doing so (Frome 1997). The result of this mentality is a suite of restrictions and the imposition of an ethic that prescribes a regime and management direction leaving little room for multiple use in comparison with many other public lands. Some of the obvious examples of such restrictions include prohibition of motorized vehicles (for example, snowmobiles, ATVs), mechanized transportation (including mountain bikes), climbing anchors, the adoption of minimum tool requirements for managers (for example, the use of crosscut saws instead of chainsaws), and the implementation of boat launch restrictions, group size limits, user fees, and permits for camping (primarily in National Park wildernesses). Some of the more subtle impositions manifest in the use of technology (for example, GPS, cameras, etc.), inholding access, the creation of safety-based infrastructure, laws and regulations related to the Endangered Species Act, and wildlife manipulation (for example, fish stocking or poisoning). This suite of ethics, regulations, policies, and laws have coalesced into the prescription of a positive doctrine that has perhaps been the key to preserving the relatively natural state of wilderness, but acknowledging that "wilderness" is one of the most heavily restricted land classifications, it would be difficult to claim that they have entirely preserved their wildness in terms of freedom *from* external control.

Negative Freedom in Wilderness. While a convincing case can be made that wilderness is nothing more than the embodiment of socially constructed values, where freedom translates to the opportunity to realize those values, negative freedom or the state of being free from external control (for example, imposed values, laws, regulations, etc.) has historically been a dominant theme in wilderness. Negative freedom thinkers such as Hayek and Berlin conclude that the subscription to positive freedom values inherently leads to totalitarianism, whereby society is coerced into adopting the value structure of an elite group (Berlin 2002; Hayek 1944). This "false" freedom, in turn, enslaves society with the "illusion of choice"—society is led to believe in the existence of self-determination, but in reality, their livelihood exists within the bounds of a pre-defined and acceptable direction (Berlin 2002; Hayek 1944; Schmookler 1993).

In its purest form, negative freedom is tantamount to anarchy or the complete absence of governmental control and coercion. In the American West, the romantic myth of the self-reliant pioneer driven only by free will and self-determination—the embodiment of anarchy—served as an inspiration for much of the modern wilderness movement (Cole 1996; Landres and others 2005; Nash 2001). Early wilderness thinkers, including the framers of the Wilderness Act, sought a retreat to that state by constructing wilderness as a place to escape modern society, its lifestyle, its excesses, its technology, and ultimately its control. Freedom in wilderness, from this perspective, evolved to what the Wilderness Act termed "untrammeled." More specifically, a wilderness is untrammeled if it "is essentially unhindered and free from modern human control or manipulation" (Landres and others 2005). Most scholars have taken this to refer primarily to ecological processes and systems inside wilderness, but the hands of human control extend well beyond ecology. By seeking to escape the regimentation of society through wilderness and an untrammeled ecological system, society has perhaps been forced to adopt a trammeling regimentation of management practices, laws, and regulations that predetermine acceptable social values within wilderness. We may think of negative freedom, then, to have substantially contributed to the birth of the wilderness movement, but if the myth was to be preserved, a positive doctrine had to be adopted.

The transition of individual freedom in wilderness from a negative to positive construction marks the point at which wilderness became a socially constructed entity and the character of freedom in wilderness changed in a fundamental way. If contemporary wilderness-based conflicts are any indication, though, this transition was not unequivocally accepted. In fact, it may be argued that many (if not most) conflicts concerning wilderness are rooted in divergent views of individual freedom. One issue which serves as an interesting reflection of the paradox of individual freedom in wilderness is subsistence among indigenous constituencies.

Subsistence in Wilderness: An Example of Freedom-based Conflict

Since the very idea of wilderness was conceived, subsistence has been a contentious issue in terms of its appropriateness within wilderness. On one hand, many wilderness enthusiasts feel that subsistence among communities situated in and around wilderness facilitates the depletion of protected resources and threatens its very character (Redford and Sanderson 2000; Terborgh 1999, 2000; van Schaik and others 1997). Others, however, argue that communities—as both constituents and components of the wilderness landscape—are dependent upon the resources that wilderness provides and that subsistence, which occurred in wilderness before they were ever established or thought of as such, is in fact instrumental to the preservation of a 'wilderness' character.

Fundamentally, the question of subsistence is a question of freedom—does subsistence undermine the *freedom to* realize the purposes of wilderness, or is it the manifestation of a community's self-determination and a reflection of *freedom from* illegitimate constraints? In this section, I approach this question by first defining "subsistence." I then discuss two regions in the world—Alaska and South Africa—where subsistence has historically been and continues to be a conflictual issue in wilderness. I conclude the section by discussing differences and similarities between the two regions and how each provides insight into the notion of individual freedom in wilderness. Both areas, I argue, demonstrate that freedom cannot be realized in purely positive or negative terms; consequently, what is necessary is a legitimate breed of freedom for subsistence.

Formal definitions (in other words, those definitions codified in law or policies) for subsistence vary widely throughout the world, but *subsistence* may generally be defined as customary or traditional use of natural resources for personal or family consumption (see for example, ANILCA, U.S. P.L. 96-487 section 803(a)). Such use is typically for basic needs such as food, shelter, and clothing, but may also include the collection of resources used for tools, crafts, and trade. In addition to being defined in terms of what the resources are used for, subsistence has also been defined in terms of its impact on resources. South Africa National Parks, for instance, has defined *resource use*—a broader term, but one that includes subsistence—as "uses or impacts on the scenery, soils, water and nutrient cycles, habitats, flora and fauna, and the balance between trophic levels, in ecosystems" (South Africa National Parks 2002). While the concept can be defined generically, the nature of subsistence around the globe is highly dependent on the regional context. For example, in Alaska, subsistence may involve hunting and fishing, whereas in South Africa, the most popular subsistence activities in wilderness are collection of firewood, grass for thatching, and medicinal plants (Jones and Murphree 2004; Norris 2002; Twine and others 2003). Despite the difference in contextual circumstances, subsistence in both regions has been challenged on the basis of its appropriateness within wilderness.

Subsistence in Alaskan Wilderness. Unlike most designated Wilderness Areas in the Lower 48 States (with the notable exception of Wilderness Areas near Native American reservations in the West), communities situated in or around Wilderness Areas in Alaska have an established and necessary, subsistence-based link with wilderness. While hunting, fishing, and the collection of both timber and non-timber forest products are widely permitted throughout the United States' National Wilderness Preservation System, subsistence in designated Alaskan Wilderness Areas is a frequently debated issue, due to its prevalence and the complicated nature of regulatory guidelines. For example, while motorized transportation in wilderness is strictly prohibited by the Wilderness Act, a provision in the Alaska National Interest Lands Conservation Act (ANILCA), which governs nearly all designated wilderness in Alaska, provides for the utilization of specific types of motorized transportation (for example, airplanes, helicopters, snowmobiles, and motorboats) when engaging in subsistence activities. And, while protecting the subsistence-based livelihoods of rural residents is a recognized purpose of ANILCA, so is the protection of "Wilderness resource values" such as the opportunity for solitude and primitive, unconfined experiences (Sec. 101(a), U.S. P.L. 96-487).

Beyond the qualms that many wilderness enthusiasts have for any type of motorized transportation in designated wilderness, the provision is also seen as controversial in that it is intended to sanction "customary and traditional" subsistence. Defining "customary and traditional" has been problematic, though. While, most wilderness enthusiasts approve of sustainable subsistence in wilderness, many question the appropriateness of motorized transportation for subsistence purposes claiming that many modes of motorized transport commonly employed (for example, snowmobiles) do not constitute "traditional" modes and were not widely or "customarily" enjoyed at the time ANILCA was promulgated. In effect, they call for more primitive methods of transportation (for example, dogsleds) that ostensibly permit continued subsistence use and are more consistent with the wilderness ethic.

Somewhat surprisingly, within wilderness advocacy circles, the issue of resource depletion is rarely an element of arguments against subsistence activities in Alaskan wilderness (including those that involve motorized transportation). The primary argument against motorized transportation for subsistence in wilderness appears to be based on the negative impact it may have on the social dimensions of wilderness character—specifically the untrammeled, primeval environment and solitude that an area offers (Wood 2004). Subsistence in Alaskan wilderness, then, is primarily a social issue, and one that I argue is best understood in terms of individual freedom. Rural Alaskans utilizing wilderness for subsistence purposes want to enjoy freedom and independence from external constraints that may often impose restrictions on the way in which subsistence is practiced. Collins and Collins (2005: 15), for instance, state that:

> The subsistence life flows with the seasons and the harvest varies yearly, but the goals remain the same: to live in the wilderness as independently as possible, touching the land lightly while preserving a way of life that has grown increasingly rare.

While most wilderness advocates approve—in principal—that subsistence is consistent with preserving wilderness character, the question becomes what constitutes "touching the land lightly." Interestingly, this question is often not one based on resource impacts, but rather the impacts on the social dimensions of wilderness character. Snowmobiles, for instance, create very little biophysical impacts if used in a reasonable way, but they may create substantial social impacts within the boundaries of a wilderness area (Wilderness Watch 2005; Wood 2004).

Subsistence in South African Wilderness. Wilderness in South Africa provides a noticeably different context than Alaska, but a similar conclusion. As with indigenous communities in Alaska, there is a long history of resource dependency in South Africa (Child 2004; South Africa National Parks 2002). However, unlike Alaska, indigenous communities situated near parks and areas zoned as wilderness in South Africa enjoy very few opportunities for subsistence in those areas. While there is an increasing tendency to allow for the sustainable harvest of some plants, hunting and fishing is rarely permitted. Another important contextual difference is that while subsistence appears to pose a relatively small threat to biological diversity and resource depletion in Alaska—due in large part, perhaps, to a relatively sparse population—populations near protected areas in South Africa may number in the millions (for example, Kruger National Park), and managers fear that if subsistence were to be permitted, wilderness resources may be quickly depleted (South Africa National Parks 2002). As with Alaskan Wilderness Areas, legislation—such as South Africa's new Protected Areas Act—specifically sanctions the sustainable utilization of natural resources. Consequently, protected area managers in South Africa are now faced with the important question of determining how that provision is to be implemented and to what extent such utilization will occur in areas that are either formally zoned as or are *de facto* wilderness.

While the essence of subsistence in both Alaska and South Africa is different, the conclusion is very similar. Subsistence users argue that they have a moral, rational, conventional, and pragmatic right to utilize resources within wilderness, but some wilderness enthusiasts argue that managing agencies have a *duty* to protect the areas from any infringement of character. At the risk of becoming overly reductionist, much of the debate may be understood in terms of a conflict between a negative and positive freedom philosophy of subsistence in wilderness. Contributing to the conflict is the irreconcilability of the two philosophies in their purest forms—the freedom from external constraints required for unfettered subsistence in wilderness cannot exist alongside the socially constructed ethic that governs much of the wilderness in Alaska and South Africa. The severity of this conclusion, though, depends on the extremity of one's position on the issue of subsistence. Admittedly, few call for unfettered access to and use of wilderness for subsistence purpose. On the other hand, perhaps more call for substantial restrictions and prohibition of subsistence activities within wilderness. Consequently, while the adoption of a purely negative freedom philosophy seems unlikely, it is plausible that in many contexts, a positive doctrine may be adopted such that subsistence is prohibited or severely restricted. In democratic societies, though, policies and management actions are found along a spectrum of freedom, and the question becomes not whether a purely positive or negative doctrine should be adopted, but rather how a legitimate breed of freedom is to be constructed.

Legitimacy and Individual Freedom and Wilderness

Freedom, perhaps unlike any other idea, inspires passion to the extent that men and women will spend their lives pursuing its realization and they will fight and die for it without ever knowing it in its purest form—dogmatically, they defend and advance ideals that can never be entirely realized. The paradox of individual freedom in wilderness, then, is that while wilderness (both designated and de facto) has come to serve as the exemplar of individual freedom in our "natural world," pure freedom—either positive or negative—in wilderness is an illusion. For instance, in terms of subsistence in wilderness, if we accept the arguments of Maltheus and Hardin, negative freedom for individuals in wilderness would likely lead to the irreversible destruction of wilderness. On the other hand, a purely positive construction of individual freedom in wilderness, where top-down constraints are imposed by elite idealists, will inevitably result in social injustice and resentment from marginalized collections of society.

Norton, in *Toward Unity Among Environmentalists* recognized this dilemma. "Freedom," he argues, "has always been understood as occurring within constraints" (Norton 1991: 252). In general, wilderness enthusiasts recognize this and few argue for either anarchy in or draconian management of wilderness. As Norton and others posit, the difficulty is deciding which activities and what practices should be limited or restricted (Norton 1991; Payne 1995; Thiele 1995). Some argue that such decisions should be based on sound science, whereas others place a heavy emphasis on social justice or phenomenology. Decisions based solely on one dimension, though, are likely to be inappropriate (Wilshusen and others 2002). Consequently, decision-making—and as a result freedom—is multi-dimensional and context specific (Berlin 2002; Norton 1991; Wilshusen and others 2002). Recognizing this, I argue that evaluation of individual freedom in wilderness must be framed in terms of legitimacy, which "is a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, and beliefs" (Suchman 1995). Environmental scholars have frequently referred to the notion of legitimacy in policy- and decision-making, but few have operationalized or even defined what it means for an action to be legitimate. However, if the purest forms of freedom are widely held as illegitimate in wilderness, we are left only to define a legitimate breed of freedom that will fall somewhere on a spectrum whose endpoints are characterized in terms of positive and negative freedom.

Operationalizing the notion of legitimacy such that it is useful to managers and decision-makers is perhaps a daunting task. However, it is possible to formulate a basic framework that might serve as a guide. Perhaps the first thing to understand about legitimacy is that there are two types: procedural and substantive (Barnard 2001). Procedural legitimacy refers to the appropriateness of the policy or decision-making *process* (for example, inclusiveness, democratic, etc.), whereas substantive legitimacy refers to the appropriateness of a policy's or decision's *implications* for a constituency (Barnard 2001). Recognizing this difference when evaluating the legitimacy of a policy is imperative, since constituencies may often feel that a policy is procedurally illegitimate (for example, constituencies were not involved in the decision-making process), but may agree in principle with the substance of a policy and its implications. Is it possible, for instance, that indigenous communities might approve of and agree with wilderness preservation efforts but condemn such policies on the grounds of procedural illegitimacy? If so, it seems equally possible that managing agencies might fail to identify the source of illegitimacy and incorrectly offer substantive solutions (for example, policy change or status quo) for procedural problems. In many areas around the world where indigenous communities perceive resource use policies in wilderness as illegitimate, we have yet to determine whether subsistence based conflicts are rooted in substance or process—are the *implications* of a subsistence policy undesirable or is the *process* by which the policy is constructed and implemented?

Operationalizing legitimacy in terms of substance or process, though, reveals only part of the story. Notable scholars such as Weber, Habermas, Rawls, and more recently Barnard have contributed to an understanding of legitimacy by identifying a number of its indicators. While there is wide debate concerning definition and interpretation, there appears to be four main indicators, both in terms of substance and process, that may be employed to evaluate the legitimacy of a policy (table 1).

The purpose of these four points is not to necessarily produce policy, rather they serve as focal points around which policy and management decisions may be evaluated. The assumption is that if a policy or decision is morally, conventionally, rationally, and pragmatically sound, then it is legitimate and desirable.

Subsistence in wilderness provides a useful example to illustrate the utility of the four indicators and how different parties may construct the legitimacy of subsistence in different ways. In Alaska, where subsistence is permitted within wilderness areas, related policies and management efforts—in terms of both procedure and substance—are, for the most part, likely to be construed by rural Alaskans as both morally and conventionally sound. If rural Alaskans are to call into question the legitimacy of subsistence management and policy, it is likely to be framed in terms of rationality and pragmatism. Current policies prohibiting all-terrain vehicle access for subsistence purposes, which may consequently require the employment of more primitive modes (especially during the summer months when snowmobiles cannot be utilized), may not be perceived as rational by rural Alaskans. Furthermore, such restrictive policies may prevent rural Alaskans from harvesting, fishing, or hunting at the levels possible if allowed to use ATVs and, as a result, such policies may not satisfy the pragmatic interests of rural Alaskans. Activists, on the other hand, may view the process and substance of subsistence management and policies as rationally and pragmatically legitimate, but may call into question the moral and conventional legitimacy. For instance, activists may perceive the use of snowmobiles and aircraft for subsistence as morally illegitimate in the face of a moral responsibility to preserve wilderness character. And, some may also question the conventional legitimacy of ANILCA

Table 1—Four main indicators used to evaluate the legitimacy of a policy.

• Moral:	Procedural—Is the policy process just and appropriate within the context of management and constituency norms and values?
	Substantive—Are the implications of the policy just and appropriate within the context of a constituency's norms and values?
• Conventional:	Procedural—Does the policy process violate any procedural laws, regulations, policies, or customs?
	Substantive—Does the substance or any implications of a policy violate any procedural laws, regulations, policies, or customs?
• Rational:	Procedural—Is the policy process feasible or logically sound? Does it make sense within the context of what management and constituencies view as rational?
	Substantive—Are the actions that a policy calls for feasible or logically sound? Does it make sense within the context of what management and constituencies view as rational?
• Pragmatic:	Procedural—Will the process meet the interests of management and constituencies?
	Substantive—Will the implications of the policy meet the interests of management and constituencies?

and related judicial decisions that, in effect, usurped the Wilderness Act's prohibition of motorized transportation.

In South Africa, indigenous communities are permitted very little access to many wilderness areas for subsistence purposes. And, as a result, it is conceivable that they perceive current policies as illegitimate for each dimension (though this has not been shown). Historical dislocation and exclusion from national parks (for instance, disenfranchised indigenous peoples) and the prevention of subsistence constituted a moral violation of indigenous rights. Furthermore, the new Protected Areas Act in South Africa provides for resource utilization by indigenous communities and any subsequent prohibition of subsistence by indigenous communities may be perceived as conventionally illegitimate. Rationally speaking, wildernesses and protected areas are perceived as having abundant resources for subsistence based utilization and communities situated along the perimeter in resource-scarce landscapes envision utilization of park resources as a rational solution to scarcity. Similarly, wilderness resources have the potential to meet the pragmatic interests of communities in a way that the landscapes outside of the park within which they live cannot.

Many activists and managers recognize the social injustices of conservation under the apartheid regime and are actively working to redress past wrongdoings. However, for the same reasons evident in Alaska, some feel that the prohibition of subsistence in wilderness areas is a moral responsibility aimed at preserving the character of wilderness. Furthermore, given the large populations situated outside many wildernesses in South Africa, allowing subsistence within such areas is perceived by many as irrational since such use, they argue, would inevitably result in irreversible resource degradation. Crafting and implementing a legitimate policy, then, will require a comprehensive understanding of legitimacy in terms of the four indicators described above. Of particular importance are the different ways in which these indicators are perceived by various wilderness enthusiasts. It is unlikely, for instance, that moral illegitimacies will be resolved with rational, conventional, or pragmatic solutions. Operationalizing legitimacy is not an easy or straightforward task, but doing so will likely contribute to fewer conflicts and, at a minimum, a more thorough understanding of the nature of wilderness-based conflicts.

The Implications of Freedom and Legitimacy for Wilderness Management and Stewardship

In *Nature and Freedom: A Heideggarian Critique of Biocentric and Sociocentric Environmentalism,* Thiele advocates a Heideggarian construction of freedom where freedom is the release of that which is the "other," that is, disclosing the world in a way that preserves its characteristic difference (Thiele 1995). Freedom, then, is the " 'letting be' of what is" (Heidegger 1956: 333-334). In terms of wilderness, this freedom translates to humans exercising restraint in letting wilderness be what it is—in essence, preserving its character. And, while Thiele proposes that this construction goes a long way to solving the irreconcilability of positive and negative constructions of freedom, we are left to wonder who will define what wilderness "is"; will it be those whose livelihoods are dependent upon wilderness, activists calling for centralized protectionism, or entrepreneurs who see wilderness as an important extractive resource?

As I've argued above, I believe that our contemporary conceptualization of wilderness and pure forms of freedom are incommensurate and that freedom may only be experienced through the lens of legitimacy. Too often, wilderness conflicts are understood as simply zero-sum events characterized by extreme positions, which I have argued are best understood in terms of positive and negative freedom. By conceptualizing freedom in terms of legitimacy, wilderness enthusiasts look to the process and substance of wilderness policy in terms of its moral, rational, conventional, and pragmatic consequences rather than the degree to which it satisfies particular interests or doctrines. Granted, these consequences may or may not satisfy certain held interests, but by understanding wilderness conflicts in terms of these four indicators of legitimacy, wilderness enthusiasts may identify the inhibitors of a desired policy and more effectively construct potential resolutions. For instance, in southern Africa there is a high demand for medicinal plant harvest in wilderness. In response, managers have proposed the creation of nurseries immediately outside the wilderness where medicinal plants would be grown and provided to surrounding communities. Provided there was enough supply to meet the demand, this would seem to solve the problem and, from the perspective of managers and decision-makers, would seem to be a legitimate resolution. Anecdotal evidence suggests, though, that surrounding communities would likely consider this policy illegitimate, since they feel that plants harvested in a nursery do not possess the spiritual quality of those found in wilderness. Consequently, what seems to be a rational and conventional solution is in fact illegitimate, since it does not meet the pragmatic interests of communities and is counter to their morality.

The value, then, of understanding wilderness-based conflicts in terms of freedom and legitimacy is that the fundamental human value of freedom may be operationalized such that potential resolutions may be evaluated through a framework that defines the boundaries of a set of acceptable and desirable resolutions. Also, framing wilderness-based conflict in terms of legitimacy may prevent the application of misguided resolutions (for example, attempting to solve moral problems with rational answers) through the identification of the elemental components of conflict.

Conclusion

The challenging part of wilderness management is that we seem to operate in the gray matter lying between the purest forms of positive and negative freedom. We want to be free from societal constraints, but we need to be heavily constrained in order to do so. Many wilderness enthusiasts claim that they are free from coercion in designated wilderness; granted, I am one of them. But, it would seem that we often fail to recognize that the benevolent dictator is a despot to some. Wilderness enthusiasts will ardently defend the notion that an unconfined freedom can be experienced in wilderness, and for many this may be true. However, when the quality of freedom is incorporated into the wilderness discourse, it sends a mixed message to those whose idea of freedom is different than the positively constructed version of the so-called purists. It is perhaps true that if wilderness offers an escape from the façade of society and we are to have wilderness in a “natural” state, we cannot escape the regulatory and structural frameworks that reflect societal values. However, in doing so, we must also call into question the legitimacy of those values and governance structures if the character of wilderness is to indeed be preserved.

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