

OLD BUILDINGS AND THE NEW WILDERNESS:
THE POLITICS OF CONSERVATION IN CUMBERLAND ISLAND, GEORGIA

By

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(Under the Direction of Josh Barkan)

ABSTRACT

This thesis examines the projects of wilderness conservation and historic preservation as they interact to shape the landscape of Cumberland Island National Seashore on the Georgia coast. The National Park Service is obligated to protect both wilderness and historic resources, but when the two coexist they expose an ideological and functional divide between celebrating a place supposedly free from material human impacts and perpetuating human impacts deemed historically significant. The politics of balancing wilderness and human history on Cumberland Island are investigated through the analysis of interviews, legislative texts, and federal wilderness and historic preservation law. It is suggested that while federal laws accommodate the overlapping operation of both projects, funding deficiencies and entrenched assumptions about public access defining the social value of historic sites make this balance politically unstable.

INDEX WORDS: wilderness, rewilding, historic preservation, national parks, conservation politics, social construction of place, environmental discourse

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CHAPTER 1: INTRODUCTION

“And I think that is the vision for the Cumberland wilderness . . . yes, it is not a perfect wilderness currently, but that over time . . . those things that make it not a perfect wilderness would be allowed to pass away, if you will. Whether they’re retained rights, whether they’re existing structures, all those things over time would move away, would no longer exist.”

Hal Wright, environmental lawyer

“When we leave our land something leaves us, and like a beached boat, we fear that we may disappear from Cumberland without a trace.”

Mary Bullard, Cumberland Island
resident and historian

1.1 Summary of the Research Problem

The preamble to the Organic Act of 1916, which established the National Park Service, states that the agency’s goals are “to conserve the scenery and the *natural* and *historic* objects and the wild life therein” (16 USC 1, emphasis added). These American aspirations to protect what is “natural” in the landscape as well as what is “historic,” embodied in the modern projects to conserve areas of undeveloped wilderness and preserve the historic built environment, are closely intertwined. Both were born in the Enlightenment, written into law in the progressive era, and found a firm place in federal policy in the mid-1960s with the Wilderness Act and the National Historic Preservation Act, respectively. For the National Park Service, protecting both the natural and the historic is relatively straightforward when the natural is tucked away in Alaska and the historic lines urban streets. This thesis, however, explores the relationship

between these two projects when they must operate simultaneously on the same small, marshy, coastal island.

The island in question is called Cumberland. Southernmost in the chain of barrier islands off the Georgia coast, it has been a National Seashore in the National Park System since 1972. The northern two-thirds of the island, about 20,000 acres, are today designated as wilderness or potential wilderness under the Wilderness Act, but Cumberland is also dotted with structural remnants of its antebellum plantation history and over eighty years of ownership by the famous Carnegie family, some heirs of which retain rights to live in the park today. Wilderness advocates maintain that the strict limitations on vehicle use in the wilderness prescribed by the Wilderness Act are essential to ensure this area's return to a more primitive state, a vision they argue is mandated by law. Island residents and historic preservationists plead that these limitations are inappropriately imposed on an area with too much visible human history to be labeled wilderness, and that they choke off historically significant structures from the proper maintenance they require and the visitation access the public deserves.

In 2004 the controversial Cumberland Island Wilderness Boundary Adjustment Act carved the island's main road out of the wilderness area and ordered the Park Service to offer daily vehicle tours to historic sites in and around the wilderness area, prompting some to celebrate the salvation of history and others to mourn the destruction of the wilderness experience formerly unique to Cumberland. Throughout the conflict surrounding this law, both sides have agreed that wilderness conservation and historic preservation are not inherently incompatible, but have at the same time demanded very different terms to achieve compatibility. If the demands of one cause are utterly counteractive to those of another, how is the Park Service to meet its commitment to preserve both the natural and the historic?

This conflict provides a perfect point of entry for studying the social construction of place and landscape. In this case, Cumberland Island is materially and conceptually constructed in great part around the political labels of “wilderness” and “historic significance.” These labels, like countless other names and lines applied to space, are not drawn from inherent qualities of a place, but are rather contingent on particular interpretations and retellings of history, deliberations over land use, and other exercises of power by certain actors. What is especially interesting about wilderness and human history existing in the same place, though, is that codifying each one of these labels typically depends on near-opposite interpretations of history, enacts very different material practices of conservation and preservation¹, and appeals to separate cultural logics concerning the social value of places. At law, wilderness is so called because of the limited visible presence of humans and their impacts in the landscape, which is also seen as its greatest attribute, providing those who venture there opportunities for “solitude” and an “unconfined type of recreation” (Wilderness Act, 1131(c)). Here the visitor is not coddled, but

¹ I should note the distinction between the terms “conservation” and “preservation” as they will be used throughout this thesis. Beginning with an early 20th century debate between John Muir and Gifford Pinchot over whether or not to dam the Tuolumne River and flood California’s Hetch Hetchy Valley, these two terms have, in the minds of many, represented opposite ethics of resource management. Pinchot, the conservationist supporting the dam, promoted the responsible use of natural resources for sustainable human benefits. Muir, the preservationist arguing against the dam, believed the aesthetics and spiritual qualities of wild nature outweighed the human benefits to be derived from altering or destroying it. This debate expanded into a wider discussion about whether environmental management should be guided by anthropocentric or non-anthropocentric motivations. More recent scholars, however, have pointed out that the ethical divide between conservation and preservation is not as sharp as some treat it (see Minter and Corley 2007). Following Bryan Norton (1986), I see conservation and preservation not as opposite moral views of nature, but as overlapping and often complementary activities in resource management, where conservation refers to prudent use of natural resources, preservation refers to the protection of the operations of an ecosystem, and both can be anthropocentrically or non-anthropocentrically motivated. The Wilderness Act, for example, aims to conserve the use value of undeveloped land for future generations of people in part *by* preserving the operations of an ecosystem through limiting human activities.

The semantics of word choice get messier when expanding the use of conservation and preservation to both natural and man-made resources. While Muir’s preservation implied the most limited human interference with nature, *historic preservation*—the accepted term for the study and practice of protecting the historic built environment—demands human intervention. Following the protocol of the field, in this thesis I will refer to activities aimed at protecting historic structures as preservation or historic preservation. For the sake of clarity, I will refer to the protection of the wilderness as conservation, not preservation, even though at times it could be interpreted as either. I find this distinction to be especially apt in the case of Cumberland Island, where wilderness activists have often been most concerned, as we will see, with protecting wilderness for the anthropocentric cause of the facilitating a “wilderness experience” for visitors.

challenged to function in a world that seems outside of civilization. Here the best human interference is no human interference. What is legally designated as historic, on the other hand, is a human impact in the landscape deemed so culturally significant that its presence should be perpetuated, “preserved as a living part of our community of life and development in order to give a sense of orientation to the American people” (National Historic Preservation Act, 470(b)). The resource’s greatest attribute is its story—a story that is all the more socially valuable because, unlike those confined to books, it is materially accessible.

William Cronon (1995, 2003) and others have challenged the concept of wilderness advanced in the Wilderness Act, one charge being that federal wilderness managers attempt to satisfy the legal requirement to retain “primeval character” and “natural conditions” by hiding, erasing, or ignoring the evidence of human manipulation, which, while not fitting the wilderness mold, build a far more accurate biography of the landscape (Wilderness Act, 1131(c)). Critics of this ilk may question if any land falls outside the scope of human impacts, and could therefore be understood legally as wilderness (see Head 2008), but certainly there is little left of it in the eastern United States. Yet numerous polls show that the American public wants more land protected as wilderness (Aplet 1999, 347-348). The inevitable result of expanding wilderness designation in the eastern U.S., then, is the application of wilderness management strategies upon historically human-altered landscapes. In response, land managers have sought to return landscapes to the state they were in before the most noticeable human incursions, a process termed “rewilding.” Cronon and his student, James Feldman (2004), suggest a model for rewilding that is sensitive to, and inclusive of, the land’s human history. Opposing the nature/culture dichotomy written into the Wilderness Act, Cronon maintains that cultural resources do not “automatically degrade wilderness values or the wilderness experience,” and

can in fact “enhance visitor appreciation of the complex history of the rewilding process.” This attitude toward rewilding constructs what Cronon calls a “hisotorical wilderness” (2003, 41).

The experience of Cumberland Island shows, however, that there are significant obstacles facing this type of marriage between wilderness and human history on public land. And while the Wilderness Act is as influential as any text in conservation policy, it is far from the only barrier to the type of wilderness Cronon envisions. Cronon recognizes that blanketing a landscape with the “wilderness” label mobilizes the popular understanding and legal mandate that human access and interference in the landscape must be limited, but I believe he underestimates the polar implications attached to the label of “historic significance.” If historic resources in the wilderness are to be preserved, which both Cronon and the National Historic Preservation Act support², the process invites tension with the wilderness ethic of limited access not only via machines and labor, but also through the entrenched assumption that a structure’s historic and educational value is fully contingent on public accessibility. This research will show how, on Cumberland, these opposite ideologies concerning the use and meaning of landscape have spawned near intractable managerial problems. Cumberland Island’s unique geography, resources, and political actors imply that there is a great deal of historical specificity to the way the projects of wilderness conservation and historic preservation have interacted in this place, but at the same time the public demand for increased wilderness designation in the eastern U.S. suggests that conservation conflicts with similar features will continue to surface. Where both wilderness and the built environment incite passionate support, the fates of both types of resources, and therefore the experiences available to the public, quite literally hang in the balance between management practices. It is therefore crucial to understand the processes by which

² I say the National Historic Preservation Act *supports* preservation because, as will be discussed in chapters 3 and 5, it provides incentives for preservation and mandates that preservation be considered in federal policy decisions, but it does not require any material preservation activities beyond research and documentation.

visions of conservation policy—themselves vehicles for constructing and modifying the identity of places—compete to shape the public landscape.

1.2 Research Questions

I first began thinking about Cumberland Island while taking an introductory course on historic preservation theory and methods. After a lecture on the environmental benefits of adapting historic buildings for new uses (i.e., saving the energy and resources used in new construction, curbing sprawl, etc.), the instructor included a caveat along the lines of, “But environmentalists and historic preservationists don’t always get along—we all know what’s going on at Cumberland Island.” I did not know what was going on (and I got the feeling few others did either) but I was immediately curious about the set of circumstances that would pit these two groups, which I still consider allies for responsible land use, against one another. Of course investigation into the conflict on Cumberland added nuance to the “environmentalist vs. historic preservationist” showdown. The problem is not in the cooperation of environmental values and historic preservation, broadly. Instead, the tension lies in the specific discursive environmental constructions of wilderness on one hand and historic significance in the built environment on the other, and the corresponding cultural connotations and legal mandates that these framings initiate. My questions about the conflict, too, became more nuanced. Drawing from accounts by Harvey (1993) and Massey (1993), among others, who write that place construction occurs in the interplay between material practices and discursive representations performed and experienced by a host of actors, I began to see how a place might at once be constructed as a wilderness by some and a historic site by others, and I was curious to find out

how these particular constructions and their advocates interact to shape the landscape of Cumberland Island.

More specifically, my approach is structured around two sets of interrelated questions. The first set has to do with the myriad actors involved in the conflict and how they develop and advance their respective interpretations of Cumberland's landscape, whether as wild sanctuary, historic site, or somewhere in between. Massey (1993) writes that places never have "single, unique identities" (67), and Cumberland Island presents a case where actors build, advance, and defend specific identities to compete for influence in conservation policy. What makes Cumberland wild/historic? What do we have to gain from wilderness/history, and what do these values demand from conservation in practice? Perhaps most importantly, according to whom? In the interaction between these interpretations we find how advocates of wilderness and history define Cumberland Island in relation to one another, which in turn illuminates both the conceptual and functional relationship between the projects of wilderness conservation and historic preservation. For example, we will see how, by taking advantage of the pervasive understandings of natural and historic resource management as separate and counteractive projects, a Carnegie heir can use a narrative of family history to at once 1) promote the historic significance of a structure, 2) emphasize the imperative for public access and funding allocation to it, 3) counter interpretations of the same landscape as primitive wilderness, and 4) criticize the physical isolation and neglect that allegedly result from such misinterpretations. Similarly a wilderness advocate can use the description of a sublime wilderness experience to 1) assert this experience as superior and antithetical to vehicle tours to historic sites, 2) undermine the cultural value of certain historic sites in relation to the wilderness, and 3) challenge the logic of expanding vehicle access through the wilderness. These contests in negotiating place identity are

not unusual—they are inherent to the idea of the social construction of place—but investigating this negotiation in particular builds a rich description of Cumberland Island’s conservation politics and points to the broader divisive logics that so complicate the balance between wilderness conservation and historic preservation.

A second set of questions arises from a prominent feature in both sides of this deliberation: references to the law. These references appear as quoted language, interpretations of intent, and bitter critiques, but all point to the laws guiding conservation practice on Cumberland as an important site of place-construction. This is not surprising, as Delaney (2001) writes that the power of the state to “demand and extract obedience” allows legal constructions of nature, arguably more so than any other social constructions of nature, to materially shape the landscape (489). As the man giving day-to-day orders on Cumberland Island, Superintendent Fred Boyles, told me:

I work for the executive branch. If the legislative branch passed a law that says it’s a wilderness, I salute it and say, ‘Ay ay, Cap’n. I’ll manage it as a wilderness.’ It’s just that simple (Boyles 2010).

Despite enjoying the obedience of Superintendent Boyles, the law is not a neutral arbiter of competing conceptions of conservation (Delaney 2001, 488). As such, the language and practices of lawmaking grant insight into how conservation is “contested, validated, repudiated, modified and—more importantly—deployed by situated actors in countless ways” (489). Federal obligations for the care of wilderness and historic resources are largely rooted in the Wilderness Act of 1964 and the National Historic Preservation Act of 1966, respectively. Applying these laws to places is always a political process inevitably favoring certain constructions of those places over others—after all, not every natural landscape is deemed wild and not every building with history is deemed historic—but I am especially interested in the

political implications of the framework they provide together for the protection of both natural and historic resources. Do these laws accommodate a cooperative balance between wilderness conservation and historic preservation in the same small park? If a balance exists under these laws, how does it compare to those envisioned by other actors? And did deficiencies in these laws to accomplish both projects demand a new framework like the one established in the Cumberland Island Wilderness Boundary Adjustment Act? By analyzing the texts of these laws as well as how they are interpreted and deployed by actors in the conflict, this research shows how assumptions about access to resources held by both wilderness advocates and historic preservationists, though at least implicitly based in the Wilderness Act and the National Historical Preservation Act, respectively, engender dissatisfaction with the scheme for managing natural and cultural resources that the two laws actually accommodate. Moreover, looking closely at the framework governing similar conflicts nationwide offers some insight into how wilderness conservation and historic preservation interact beyond the historic details of Cumberland Island.

1.3 A Note on Methods

Key to investigating these questions is the discourse—the language, texts, and processes of their production and dissemination—surrounding the managerial struggles on Cumberland Island. In environmental conflicts, Wolf and Klein (2007) argue that actors’ underlying assumptions and conceptions of what the problem is, what is at stake, and how the problem should be solved, are constituted in and by discourse. As the subject of decades of deliberation there is no shortage of discourse on Cumberland Island, but through broad preliminary research I was able to identify sources of particularly high impact in the debate. The data collected for this

research can be divided into two categories: archival texts and interviews. The archival data are an amalgamation of texts that both guide Cumberland's resource management debates, like the Wilderness Act and the National Historic Preservation Act, and are products of the debate, like the congressional hearings regarding the wilderness boundary adjustment proposals. The interviews are semi-structured conversations with a variety of people who have been active, in one way or another, in molding Cumberland's conservation policy over the past two decades. Both of these sources will be described in more detail in chapter four.

My approach to drawing meaning from this data is guided by critical discourse analysis as described by Ruth Wodak (1999), which looks to deny simple explanations and black-and-white dichotomies by describing the complex ways that language is implicated in the construction of our reality. Through this method, loaded cultural concepts like the wilderness character and historic significance attributed to landscapes are stripped of static inherence, instead understood as outputs of particular social, political, and legal processes. To be sure, rethinking conservation issues in this way is no abstract academic exercise. As this research will show, many of the complications plaguing the mutual conservation of natural and historic resources result from unquestioned assumptions about the nature of these resources' societal values and the corresponding strategies for their treatment. Reformulating the relationship between natural and cultural resource management in policy requires that these entrenched assumptions be unpacked and scrutinized.

1.4 Organization of the Thesis

This thesis begins with a brief history of Cumberland Island, focusing on its transition from Carnegie playground to National Park and the decades-long deliberation in boardrooms,

courts, and Congress that culminated in the passage of the 2004 Cumberland Island Wilderness Boundary Adjustment Act. Then, informed by geographic theories concerning the social construction of place and landscape and the spatial politics of law, I compare and contrast the modern projects of wilderness conservation and historic preservation on public land, also addressing some recent academic work on their relationship in other parks. Next I describe in more detail my methods of data collection, the data itself, and the process of analysis. Finally, I analyze the discursive strategies employed by various actors debating Cumberland's management, through which I identify the ideological and functional differences between wilderness conservation and historic preservation that make their mutual operation on Cumberland Island so difficult.

I argue that wilderness advocates, politicians, historic preservationists, and island residents mobilize extremely varied interpretations of the historic significance and/or wilderness character of Cumberland's landscape. While these interpretations appeal to the frameworks for conservation policy established in the Wilderness Act and the National Historic Preservation Act, the interpreters do not subscribe to the same functional flexibility that these laws allow in balancing wilderness conservation and historic preservation. Instead, actors in the debate tend to abide by pervasive logics concerning access to different types of resources—specifically, that wilderness draws its importance from being difficult to get to, while historic structures are only significant if everyone can visit them. These axioms certainly hold some truth, but cannot be mutually satisfied in the same space, and therefore require compromise. This compromise must eventually include one or both of the following concessions: that wilderness can sacrifice some of its isolation and solitude for the good of historic preservation; or that the isolation of a historic structure from the public, while administratively troublesome, does not necessarily negate its

significance, and in fact can be a reflection of the preservation value of historic integrity. Finally I argue that while the “compromise” that was made for Cumberland in 2004 was a unilateral decision by historic preservation advocates that bypassed local deliberation, to be effective, future attempts at balancing wilderness conservation and historic preservation on public lands must be made carefully and collaboratively.

Map 1: Cumberland Island Wilderness and Historic Districts



National Park Service 2009

CHAPTER 2: BACKGROUND

2.1 The Last, Best Barrier Island

About three miles off the southern limit of Georgia's coastline sits a marshy barrier island that is 18 miles long and never more than three miles wide. Known as Place of Fire by the Timicuan Tribe and San Pedro by Spanish colonists, the British founder of the Georgia Colony, James Oglethorpe, named it in honor of the then-13-year-old Duke of Cumberland. For most of Cumberland's 6,000 years of archeologically confirmed human habitation it was occupied by modest settlements of Native Americans. In the 16th century Spanish explorers brought diseases to the area that devastated native populations, reducing their numbers by as much as half. Cumberland's first European residents were Spanish missionaries, who are reported to have converted nearly 400 natives to Christianity. The missions were abandoned, though, in the late 17th century when the English intensified military pressure on the Spanish in the area and the St. Mary's River at Cumberland's southern end became the dangerous de facto boundary between Spanish and English territories. Oglethorpe's arrival in Georgia solidified English control of Cumberland, though fighting on the Georgia coast continued until 1763, when the Spanish relinquished Florida to England, opening the door to increased settlement by colonists from the Carolinas. While nothing remains of the two forts Oglethorpe built, the name he chose for a hunting lodge at the southern end of the island, Dungeness, has graced two subsequent mansions near the same spot (Dilsaver 2004, 19-24).

Agriculture and live oak timber harvesting expanded on Cumberland after the Spanish retreat from Florida, but was halted about a decade later with the onset of the American Revolution. Following the Revolution ownership of Cumberland was consolidated to just a few families of cotton, rice, and indigo planters, including Revolutionary War hero Nathanael Greene, who built the second Dungeness mansion. Greene's family³ began one of Cumberland's leading cotton planting operations, which, as with such endeavors across the southern U.S., became quite lucrative by the 1830s. In the prime of Cumberland cotton planting, the island hosted 65 white citizens holding an estimated 455 slaves. Lary Dilsaver calls the plantation period between the Revolution and the Civil War the "apogee of human modification of the island," a time in which nearly half of Cumberland was cleared for agriculture (25). Remnants of this era remaining today include roads, cemeteries, structural foundations, and the slave cabin chimneys on the grounds of what was cotton planter Robert Stafford's plantation.

The outbreak of the Civil War in 1861 marked the beginning of a painful transformation for Cumberland Island. In the first year of fighting, Confederate troops and ships were drawn from the southern part of the Georgia coast to defend the state's main port at Savannah, and forces from northeastern Florida were called to reinforce the defense of Tennessee, leaving Cumberland and other coastal islands extremely vulnerable to Union raids. Moreover, the vacuum of military power and the huge slave majority on these islands caused planters to fear slave revolts. Most of Cumberland's planters left to fight for the Confederacy, but a few fled to New England where they had already been running their textile mills and export operations. The fate of the slaves from these plantations is not very well documented, but many of those who were not sold crossed to the mainland where the Union Army took them as contraband until the

³ A Cumberland rumor claims that Nathanael's wife, Catherine Littlefield Greene, gave Eli Whitney the idea for the brush-like mechanism in the cotton gin that separates cotton from its seeds (Barger 2010).

Emancipation Proclamation freed them in 1863. Others reportedly established small subsistence communities on Cumberland and other nearby islands (Bullard 2003, 151-154).

One of the rare white planters to remain on Cumberland for the duration of the Civil War was Robert Stafford, and his story is especially reflective of the Reconstruction Era on the island. While he continued some cotton production during the war years, selling it cheap to the Union Army, he was unable to plant after the war with only two of his former slaves remaining on his estate. In 1865 Union General William Tecumseh Sherman ordered that all land on the coastal islands south of Charleston, South Carolina that had been abandoned during the war be reserved for settlement by newly freed slaves. Stafford was one of the only whites to prove that he had not abandoned Cumberland and remained at his home. Though the establishment of “Sherman’s Reservation” emboldened freedmen majorities elsewhere to run their former masters from the islands, Cumberland’s small communities of former slaves kept themselves isolated in places like Brick Hill on Cumberland’s northern end, and little else is known about the early years of these settlements. Stafford, too, remained isolated on his estate, though he was fined by the Freedman’s Bureau at least once for threatening his black neighbors. Never able to recover economically after the end of slavery, Stafford died disgruntled and broke in 1877 (ibid, 159-163; Dilsaver 2004, 23).

During Reconstruction the coast of the American South became a huge tourist draw, especially for wealthy Yankee industrialists. On one such visit in 1880, Andrew Carnegie’s younger brother, Thomas, fell in love with Cumberland. A year later he bought the property where the Greene’s Dungeness estate lay in ruins from a former Confederate General. Shortly thereafter, his wife Lucy bought the Stafford estate from Robert’s nephews. So began the Carnegie era on Cumberland, and while Thomas died in 1886, his large family built five

mansions and dozens of smaller structures on the island. The Carnegies lived lavishly, hiring hundreds of staff and laborers, including both black Cumberland residents and whites from the mainland (the two were housed separately). While many new changes were made to the landscape of the island, including the addition of two golf courses, the lasting artifacts of the Gilded Age—and the dominant built features remaining on Cumberland—are the mansions. One magnificent example, the third estate called Dungeness, burned down in 1959, but many of its outbuildings remain today in what is the most visited section of the island due to the impressive ruins and their proximity to the main ferry dock. Also remaining is the Plum Orchard estate, a 35-room neoclassical giant on the western side of the island, to which this story will return (Bullard 2003, 162-169, 204; Dilsaver 2004, 36-45; Dilsaver 2005, 204).

Lucy Carnegie, who died in 1916, willed Cumberland to her children under the following terms: unanimous consent of the living heirs was required to sell the whole of the Carnegie property to anyone other than the heirs; majority consent of the living heirs was required to sell parcels of the property to anyone other than the heirs; and that the trust would terminate at the death of the last of Mrs. Carnegie's children (Graves 2009, 19). In the 46-year era of the trust the Carnegies declined several lucrative strip-mining bids, though not without consideration, and also entertained the first advances from the National Park Service (NPS) to acquire the land. The Carnegie's trust terminated in 1962 with the death of Florence Carnegie Perkins, prompting the division of the property into ten parcels to be split among five families of Carnegie heirs, each running the width of the of the island, divided by boundaries running east and west (*ibid*, 29-56).

Following the breakup of the trust, Secretary of the Interior Stewart Udall spearheaded a movement for federal acquisition of the island in order to create a National Seashore. The plan hit a speed-bump, however, when three Carnegie heirs sold two plots of land to Charles Fraser,

the famed developer of the Sea Pines Plantation resort on Hilton Head Island in South Carolina, who had aspirations to build a similar tourist community on Cumberland. Simultaneously the Carnegie and Candler⁴ families (the majority of whom favored the National Seashore plan, if only to prevent Fraser's development) battled Fraser in the Georgia Legislature and negotiated terms of sale to the Park Service. Fraser backed off in 1969 when a bill that would have allowed the State to condemn the Carnegie's land was defeated in the Georgia House of Representatives (Dilsaver 2004, 88-94).

Coming to the realization that the transfer of ownership of Cumberland Island to the Park Service would be the best way to fend off future development schemes, many Carnegie heirs began selling their plots to the National Park Foundation, a recently established private organization dedicated to raising funds to acquire land for future national parks, and the recipient of a \$5.5 million donation from the Andrew W. Mellon Foundation. Meanwhile legislation written by local Congressman Bill Stuckey to establish Cumberland Island National Seashore was working its way through the United States Congress, and in October of 1972 Public Law 92-536 officially welcomed Cumberland in the National Park System. The law also promised to keep Cumberland "in its primitive state" and eliminated the possibility of a causeway being built to the island. Upon the law's passing, plots purchased by the National Park Foundation were transferred to NPS ownership, and negotiations began for the purchase of the remaining Carnegie land. With each sale came a contractually determined set of use-rights to be held by the sellers. These retained rights, as they came to be known, mainly included occupancy and vehicle driving privileges, either for a resident's lifetime or a term of 25 to 40 years. In all, 21 retained rights agreements were reached between the Park Service and the residents of the new park (Dilsaver 2004, 95-110)

⁴ Heirs of Asa Candler, founder of the Coca-Cola Company, owned the northernmost ten percent of Cumberland.

One of the Park Service's first priorities was to evaluate exactly what it had acquired on Cumberland Island—its resources and its challenges. Such an inventory would be crucial in producing a workable management plan for the park. Teams of scientists set out to describe the island's ecosystem in detail. Pressing environmental issues included deposits of dredge spoils in Cumberland Sound, the vulnerability of sand dunes to erosion, and feral hog and horse populations negatively affecting native plants and animals. Sea Turtle and Manatee populations were also found to be in danger due to boat and motor vehicle traffic (ibid, 165-177).

The NPS was not nearly as proactive in evaluating Cumberland's cultural resources as its natural ones, claiming the island's ecology and potential for recreational use as its true sources of significance. However, island residents and state historic preservationists pressured the NPS to reevaluate this stance, and they had legislation to back them up. Just six years earlier the National Historic Preservation Act of 1966 mandated that all federal agencies make historic preservation a priority. In addition, President Nixon's 1971 Executive Order for the "Protection and Enhancement of the Cultural Environment" established the federal government's duty to take a lead role in finding cultural resources on government land and initiating the process to designate them as such (ibid, 177-178). Legal precedents aside, different perceptions of a hierarchy between Cumberland's natural and cultural resources would continue to be a source of disagreement.

NPS officials, historians, and island residents like writer Mary Bullard, teamed up to perform preliminary inventories of Cumberland's historic sites. They described architecturally significant structures like the Carnegie's Plum Orchard and the pool house in the Dungeness area, as well as culturally significant structures like the slave cabin chimneys still standing at Robert Stafford's old plot. As more in-depth studies of these resources were conducted, the

speculated costs of their repair, preservation, or adaptation to new uses grew massive. There was also serious debate about which structures were most important, and which time periods should be represented versus those that should be ignored. In spite of these disputes, nearly \$2 million was spent on historic preservation on Cumberland Island between 1976 and 1979 (ibid, 179-185).

By the end of the 1970s Cumberland Island had been a National Seashore for seven years but still had no true resource management plan beyond the “trial” level (ibid, 195).

Environmentalists repeatedly rejected plans that increased daily tourist capacity and created more developed beaches and campgrounds. Instead, they wanted the entire island to be designated as a wilderness area under the Wilderness Act of 1964. Meanwhile, though historic preservationists at the national and state levels could not agree on which sites would be listed on the National Register, many wanted the entire island listed as an historic district pursuant to the National Historic Preservation Act (ibid, 194). These oppositional aspirations had not yet come into direct conflict, but the philosophies behind them would in the future.

In 1981 it appeared that environmentalists were close to getting their wish for an island-wide wilderness area. Angered by a proposed management plan that would raise the daily visitor capacity to 1,460, Georgia Senators Mattingly and Nunn, with the strong support of conservation groups like the Georgia Conservancy and the Sierra Club, introduced a bill that would grant wilderness or potential wilderness designation to nearly 20,000 acres of Cumberland Island, accounting for about three-fifths of its area. Under the Wilderness Act, designated wilderness areas are closed to all vehicle traffic, new development, and commercial enterprises. While the historic preservation community did not voice strong opposition to the plan, there was some indication at the congressional hearing of the complications the bill would cause to historic

preservation efforts. Foreshadowing future problems, Verna McNamara of the Coastal Georgia Audubon Society recognized that the proposed wilderness area would completely surround Plum Orchard (a relatively popular historic site upon which hundreds of thousands of dollars had already been spent) and include the Main Road that allowed maintenance crews and tourists to access the site. The effects of this designation would be to make it far more difficult and expensive for preservationists and tourists to reach the site, as they would have to do so primarily by foot or boat. As Plum Orchard was already proving to be too expensive to effectively maintain, many preservationists believed that cutting it off from the rest of the island would be its death knell.

In spite of this argument, the wilderness bill passed with the roads designated as wilderness along with the island's forests and marshes (ibid, 198-202). Some exceptions were made to the strict vehicle ban that is implied in the Wilderness Act. The NPS could use vehicles for "necessary administrative purposes," and private owners retained rights to limited vehicular access. These ambiguous conditions to road use became problematic, and road use would later return to the center of the relationship between wilderness conservation and historic preservation.

Following the wilderness designation, Plum Orchard continued to deteriorate. The house gained attention from historic preservationists statewide who felt that it could not survive without substantial financial support from outside the Park Service. In 1984 the Cumberland Island Historic Foundation was formed to raise money for Plum Orchard, and by 1994 they had come up with \$700,000 from private investors. Janet "GoGo" Ferguson, Carnegie heir and part-owner of Cumberland's Greyfield estate, then devised a plan to turn the mansion into the Plum Orchard Center for the Arts, which would serve as a retreat for artistic performances, classes, and workshops, as well as a residence for artists. While gaining enormous support from the historic

preservation and arts communities, Ferguson's plan drew immediate ire from wilderness conservationists. They claimed that the influx of people associated with the arts center and its events would inevitably spill into wilderness areas and cause damage. Also, they predicted that the added attention would spur construction on Cumberland's remaining private plots and complicate future wilderness management. Finally, environmentalists and Camden County locals alike pointed out the double standard of skirting the 300 person daily maximum for "artists" and "elites," but retaining it for regular tourists. The plan was defeated amid arguments and lawsuits that evoked fundamental and seemingly irreconcilable philosophical differences concerning visions for the future of Cumberland (ibid, 243-244).

These philosophical differences resurfaced just a few years later in 1998 on a national stage. Congressman Jack Kingston (R-GA) introduced a bill in the House of Representatives that brought Plum Orchard back into the spotlight. Closely modeled from ideas developed by GoGo Ferguson's Cumberland Island Preservation Society following the collapse of the Center for the Arts proposal, the Cumberland Island Preservation Act would remove three roads, including the Main Road, from wilderness designation. The bill would also allocate funding to historic preservation projects and grant additional acreage in a marsh on the southern end of the island to be designated as wilderness. In a Congressional hearing on the bill, the testimonies of Kingston and other proponents outlined a two-pronged argument. First, the limitations placed on road use by wilderness designation detract from the Park Service's ability to perform its legal duties of protecting and maintaining historic resources like Plum Orchard. Second, the lack of transportation options in wilderness areas denies access to designated historic sites within those areas to many of the taxpaying citizens who help support National Parks. For example, Kingston described some of his constituents who can trace their ancestry to the Settlement at Half Moon

Bluff, which is isolated inside the wilderness area on the north end of the island. Without motorized access to this important site, he argued, access is limited to the “18-year-olds with backpacks” who can walk fifteen miles through the wilderness (U.S. Congress 1998, 16).

Opponents to the bill, such as Don Barger of the National Parks and Conservation Association, countered these arguments by testifying that removing roads from wilderness designation would undermine the conservation of natural resources and undo progress toward a non-partisan wilderness management plan. Barger also disputed the fact that wilderness designation was really the source of historic preservation problems on the island. He claimed that park administration actually has the power to authorize vehicular use of the roads for preservation purposes already, and that the problem is simply a lack of funding (ibid, 80-81). Kingston’s bill died in committee in 1998, but it would not be his last attempt to circumnavigate the Park Service’s internal development of a management plan using congressional legislation.

The proposal of the Cumberland Island Preservation Act caught many NPS officials and environmental activists off-guard, as it interrupted long-running multi-party negotiations aimed at achieving the same end: a workable balance between wilderness conservation and historic preservation. Following the bill’s failure, presumably to keep management power in the Park Service and out of Congress, the Department of the Interior redoubled its efforts to develop a management plan agreeable to all of Cumberland’s many stakeholders. For several months Department of the Interior officials worked with Congressman Kingston, Georgia Senator Max Cleland, the Carnegie and Candler heirs, and fourteen advocacy groups representing environmental and historic preservation interests. On February 17, 1999, all of these parties signed the “Cumberland Island Agreement.” The agreement provided large sums of federal money for historic preservation, including \$1 million for the rehabilitation of Plum Orchard,

\$500,000 for the maintenance other cultural resources, and \$50,000 for the development of new interpretive exhibits. Money was also allocated for land acquisition to speed the transition of private plots within potential wilderness areas to NPS control. The agreement ordered the Park Service to use vehicles on the Main Road for maintenance trips and visitor tours to historic sites, but also required the construction of a wilderness trail running parallel to the Main Road so that hikers could find refuge from vehicle traffic (Dilsaver 2005, 218-219).

Given the long history of disagreement between the parties involved in the debate, the Cumberland Island Agreement was seen by many as a substantial victory in non-partisan management and dispute resolution. However, the agreement would not pacify wilderness activists for long. Less than a month after the agreement was signed, a national environmental defense group called Wilderness Watch voiced its opposition to the use of vehicles for visitor tours through the wilderness on the grounds that it violated the Wilderness Act. Following their lead, the Defenders of Wild Cumberland, a local environmental advocacy group that had signed the agreement, withdrew its support of the vehicle use stipulation. The management plan drafted by the Park service in December of 2000 indicated that motorized vehicle tours in the wilderness would be very limited, and eventually phased out in favor of boat tours, but this plan was not enough to sooth Wilderness Watch (*ibid*, 220). The organization soon filed suit against the Department of the Interior, initiating legal proceedings that would, in the eyes of the law, reshape the balance between historic preservation and wilderness conservation in wilderness areas across the country.

2.2 Contesting the Compromise

Wilderness Watch, founded in 1989, is a Montana-based organization that seeks to ensure the proper management and stewardship of lands already incorporated in the National Wilderness Preservation System. They conduct public educational programs on the importance of wilderness areas, carefully follow the actions of federal agencies charged with wilderness area protection, and often use litigation to reform wilderness management policies (Wilderness Watch). After failing to persuade Cumberland Island officials to cease operating motorized visitor tours through the wilderness areas to Plum Orchard and the Settlement, Wilderness Watch, along with environmental watchdog group Public Employees for Environmental Responsibility (PEER), filed suit in the U.S. District Court of the Southern District of Georgia against Fran Mainella, Director of the NPS, and Arthur Frederick, Superintendent of the Cumberland Island National Seashore, seeking an injunction against such tours. The District Court found in summary judgment for the defendants, but the plaintiffs appealed, and the Eleventh Circuit Court of Appeals reevaluated the case in the summer of 2004. The facts brought to the attention of the court were as follows:

According to the terms of the Cumberland Island Agreement, the Park Service began providing tourists with access by vehicle to Plum Orchard and the Settlement in 1999. Tourists would “piggyback” along with Park personnel on maintenance and administrative trips to these historic sites. By the time the suit was filed in District Court, however, the tours had evolved from sporadic visits using a four-passenger van to regularly scheduled visits in a fifteen-passenger van. Tourists could accompany NPS personnel to Plum Orchard three times a week and to the Settlement once a month (Powers 2005, 99). The Court of Appeals considered two of the Appellants’ primary claims: 1) The Park Service’s provision of motorized transportation

through a wilderness area for tourists violated the Wilderness Act, and 2) the Park Service's failure to issue an environmental impact statement before engaging in motorized tourist transport through the wilderness area violated the National Environmental Policy Act (NEPA) (ibid, 102).

The Wilderness Act of 1964 was passed in order to protect from development areas of the country "where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain" (Wilderness Act, 1131(c)). Such areas, according to the Act, are to be "devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use" (ibid, 1131(b)) and are to be administered "for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness..." (ibid, 1131(a)). Most important, in terms of the appellants' argument against vehicle use, is the following clause:

Except as specifically provided for in this chapter, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this chapter and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this chapter (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area (ibid, 1133(c)).

The Park Service defended its use of motorized transport first by claiming that because one of the public use categories listed in the Wilderness Act is "historical," the maintenance of and provision of public access to historic buildings should be considered an administrative requirement. Therefore, vehicle use to meet the minimum requirements of such administration should be exempt from the vehicle ban. And, because tourists are merely "piggybacking" along with park personnel on administrative trips that must occur anyway, there is no additional

vehicle “use” and, therefore, no additional impact on the wilderness (*Wilderness Watch v. Mainella*, 375 F.3d 1085).

In order to evaluate the Park Service’s interpretation of its minimum requirements for administration under the Wilderness Act, the court used a two-part legal test established in *Chevron, U.S.A., Inc. v. Natural Res. Def. Council, Inc.* (467 U.S. 837). When questioning the validity of a federal agency’s interpretation of a federal law, the *Chevron* test first asks if congressional intent is clear and unambiguous in the language of a statute. The court makes this determination by situating the language in question within the context of the “overall statutory scheme” (*FDA v. Brown & Williamson Tobacco Corp.*, 529 U.S. 120, cited in *Wilderness Watch*, 1091). If the court finds that congressional intent is ambiguous, then it defers the authority to interpret the statute to the federal agency in question.

The court found that in the context of the Wilderness Act as a whole, the language about minimum requirements for administration is in fact quite clear and unambiguous. The text of the Wilderness Act repeatedly describes the ideal wilderness area as uninfluenced, uninhabited, and untrammelled by humankind (Wilderness Act, 1131(a-c)). Despite the inaccuracy of describing Cumberland Island as uninfluenced by people, the court concluded that, in the context of the statute, the only logical interpretation of an administration requirement dealing with “historical” features would refer to natural features, not those of the built environment. As it was determined that Congressional intent was clear, there was no need to defer authority to Park Service’s interpretation (*Wilderness Watch*, 1092).

While the court did not agree that the preservation of Plum Orchard and the Settlement furthered the goals of the Wilderness Act, the opinion notes that the Park Service is obligated to assume responsibility for the preservation of the historic structures of Cumberland Island under

the National Historic Preservation Act of 1966. However, preservation activities must still be undertaken within the terms of the Wilderness Act (*ibid*, 1092).

That said, it was not efforts to preserve historic structures alone that drew the indignation of Wilderness Watch, and subsequently the criticism of the court, but rather the decision to drive tourists through the wilderness in fifteen-passenger vans on so-called administrative trips. The Park Service's claim that "piggybacking" tourists on permitted personnel trips accounted for no additional use held no water with the court. The court asserted, almost mockingly, that when more people *use* even one motor vehicle, by any logical definition, there is more motor vehicle *use*. As hauling tourists can hardly be interpreted as an administrative requirement, the Wilderness Act simply does not accommodate such use. In addition, the Park Service's interpretation of "use" clearly runs counter to the congressional intent already determined by the *Chevron* test. If the Wilderness Act aims to promote the land's "use and enjoyment as wilderness" (Wilderness Act, 1131(a)) by providing a "primitive and unconfined type of recreation" (*ibid*, 1131(c)), then a fifteen-passenger van hauling tourists is completely anomalous in the statutory scheme (*Wilderness Watch*, 1093).

Regardless of the Park Service's transportation plan's discord with the Wilderness Act, Wilderness Watch argued that failing to conduct an investigation and complete a report indicating the plan's environmental impacts violated the National Environmental Policy Act. NEPA obligates federal agencies to issue environmental impact statements before making any significant policy decisions, but the Park Service conceded that it performed no such research and issued no such statement. However, the Park Service claimed that the development and enactment of its transportation plan qualified as the sort of "routine and continuing government business" of "administration, operations, and maintenance" that is excluded from NEPA

requirements (*Wilderness Watch*, 1094). Wilderness Watch then contended that the Park Service did not decide that its actions qualified as a categorical exemption before enacting the transportation plan, but rather came to that conclusion after the fact, thereby negating NEPA's purpose of requiring federal agencies to consider environmental impacts *before* making policy decisions (*ibid*, 1095).

Here the court again sided with Wilderness Watch. The assumption of the existence of a categorical exemption to NEPA requirements should, according to the court, be documented before a policy change is made, and this requirement subjects a federal agency to no undue burden (*ibid*, 1095). Further, paralleling the decision regarding administrative duties under the Wilderness Act, the court ruled that carrying fifteen tourists in a van did not qualify as "routine and continuing" maintenance or administration. Even if such activities did qualify as a categorical exemption to NEPA requirements, Department of the Interior regulations also require environmental impact documentation for any action that may establish a precedent for future actions or violate a federal law. The court found it clear that the Park Service should have recognized both of these as possible outcomes of their transportation plan, and thus were remiss in foregoing the environmental impact statement (*ibid*, 1096).

Because of violations against both the Wilderness Act and NEPA, the court reversed the decision of the lower court and, while maintaining that the goal of compromising to satisfy the interests of historic preservation and wilderness conservation was admirable, ordered that the motorized transportation of tourists through the wilderness area be stopped.

2.3 A Short-Lived Victory

In a 2005 article in the *Journal of Land, Resources, and Environmental Law*, Scott Powers asserts that the ruling of the Eleventh Circuit Court of Appeals in *Wilderness Watch* has “given meaning” to the Wilderness Act and NEPA. First, Powers cites the court’s interpretation of the Wilderness Act as a clear and unambiguous order for the protection of the unaltered, natural character of wilderness areas to be the first priority in their management. This interpretation organizes a sort of hierarchy of law in wilderness areas in terms of resource management. While the National Historic Preservation Act still obligates federal agencies to preserve designated historic properties on land they control, in wilderness areas this must be accomplished within the strict terms of the Wilderness Act. The Wilderness Act itself, according to the *Wilderness Watch* court, imposes no duty to protect or provide access to man-made structures (Powers 2005, 105-106).

As for NEPA, the *Wilderness Watch* decision reiterates and strengthens a Ninth Circuit decision (*California v. Norton*, 311 F.3d 1162) requiring agencies to explain assumed categorical exemptions from environmental impact statement requirements and document those explanations. The effect of these two decisions, according to Powers, will be to promote more careful investigation into the possible environmental results of agency actions, thereby promoting the original intent of NEPA itself (107). However, while Powers sees *Wilderness Watch* as an uncompromising victory for wilderness defense, the experience of Cumberland Island tells a different story.

In 2003, about a year before the Eleventh Circuit reviewed *Wilderness Watch*, Georgia Senators Saxby Chambliss and Zell Miller introduced a bill that closely resembled Jack Kingston’s 1998 Cumberland Island Preservation Act. This time called the Cumberland Island

Wilderness Boundary Adjustment Act, the bill (like its predecessor) proposed to remove the roads leading to Plum Orchard and the Settlement from the wilderness area. The new bill also included a clause allowing private companies, through contracts with the Secretary of the Interior, to operate tours to historic sites along the newly opened roads (U.S. Congress 2003, 3). Like the bill, the debate surrounding the Wilderness Boundary Adjustment Act seemed to imitate its 1998 counterpart, with politicians, some residents, and historic preservationists supporting the change and wilderness activists and the Park Service opposing it. To opponents, the bill was counteractive to the original promise of the National Seashore enabling legislation to keep Cumberland in its “primitive state” (ibid, 23). Supporters, of course, questioned what “primitive state” actually means in the context of an island that has been inhabited and impacted by humans for thousands of years, and saw the boundary adjustment as the salvation of Cumberland’s historic sites (ibid, 16). Just like in 1998, the bill died in committee.

Just one year later, however, Congressman Kingston found a new angle. Often, at the end of a Congressional Session, the President will be presented with an omnibus spending bill, a piece of legislation that is in fact several unrelated bills combined for purposes of expediency, and, it seems in this case, a combination of legislative deft and deceit. For in the omnibus bill numbered H.R. 4818, which lays out much of the spending for fiscal 2005, sits the Cumberland Island Wilderness Boundary Adjustment Act (CQ Weekly 2004, 2724). The Act’s contents had been debated in venue after venue and were defeated, but with this unilateral passage, the Main Road, Plum Orchard Spur, and North Cut Road were carved out of the wilderness area (see figure 2). Instead of the three weekly tourist trips to Plum Orchard and one monthly trip to the Settlement at Half Moon Bluff under the old compromise, the law mandates no fewer than five vehicle trips to be offered to the north end of the island every day (National Park Service 2009).

Today the tours have still yet to be implemented, and plenty of questions surround the logistics of their operation and the effects they will have on Cumberland's natural and cultural resources. While we can only speculate as to the answers to these questions, the rest of this thesis will read more deeply into the history presented here and analyze the actors and policies that guided it to better understand the nature of the relationship between wilderness conservation and historic preservation and the political processes that led to the outcome on Cumberland.

Map 2: Proposed Vehicle Tours



Where the roads marked "Island Mobility" pass through the wilderness area, they were removed from wilderness designation in the 2004 Cumberland Island Wilderness Boundary Adjustment Act (National Park Service 2009).

CHAPTER 3: LITERATURE REVIEW

3.1 The Social-Legal Construction of Place and Landscape

To begin to understand how these specifically situated constructions of wilderness and history interact, it is necessary to survey the modern projects of wilderness protection and historic preservation broadly and examine their relationship to one another, including a look at the surprisingly small body of literature concerning how the two have clashed elsewhere. But first we must step back and recognize that labels applied to politically bound spaces—such as “wild” or “historically significant”—are not self-evident reflections of the intrinsic qualities of those spaces. They are instead one discursive output of interplay between all manner of social forces—economic, political, and historic. Therefore it is important to ground this exploration of competing place identities in a geographic understanding of the social construction of place and landscape.

Geographers have long explored how we construct, experience, and describe our surroundings through the concepts of place and landscape. Place, according to Blomley (1998), is “actively constructed through a constellation of material and discursive practices” (581). Harvey (1993) reminds us that understanding this process begins with understanding the dialectical relationship between how place is constructed and experienced materially, how it is represented in discourse, and how this representation is used symbolically. Massey (1993) adds that the place-identities forged in social construction are never singular, nor static. Instead, they

are contested internally and externally by constantly changing networks of social actors. Place, therefore, should be thought of as a process (67).

Landscape can be thought of in similar terms. The tangible forms and visible scene of a space are not passive products of human activity, but are rather active in their own production. Moreover, the landscape is not only active as a material form, but also as a representation of reality (Schein 1997), and these two roles must be understood in relation to one another (Mitchell 1997). An important way that landscape can be active in its own production is through social discipline. Materially, landscapes can apply discipline through barriers and enclosures. As representations of reality, they can discipline through the entrenchment of existing social structures. Finally, like place, as the dialectical process of its production and reproduction perpetuates, the landscape is never finished, but is rather always “in a process of ‘becoming’” (Schein 1997, 662).

Crucial to the present study, Allan Pred (1984) argues that the power relations embedded in the ongoing processes of place- and landscape-becoming, those manifested in the socialization of actors and the social reproduction of action⁵, are especially influential in how nature is transformed. While the dynamics of power in social relations are notoriously elusive, Pred sees the everyday actions of individuals as illuminative of the workings of institutional and collective power, which largely determine:

- 1) Which nature-transforming projects are permitted, hindered, or forbidden;
- 2) Which way scarce local or nonlocal natural resources are modified directly by labor and indirectly by other means; and;
- 3) Which humanly created elements of place flourish, merely survive, fall into disrepair, or are demolished (289).

⁵ Pred refers to the dialectical relationship between socialization and social reproduction as “structuration.”

Conceptualizing place and landscape this way, Cumberland Island's identity should be understood as constructed in the unending interplay between its material forms, social practices, and discursive representations. Thus the thick palmetto brush, the party of campers deep in the wilderness, and the testimony of a historic preservationist in Washington are all mutually constitutive of Cumberland Island as we perceive it and experience it materially. Most importantly, the interaction of these people and objects should be seen as an ongoing process of contestation. Since Cumberland's entrance into the National Park System, this process has mainly played out surrounding the development and implementation of plans for conservation. Each of these plans is predicated on an interpretation of place and landscape, and a subsequent construction of Cumberland's identity. But the law, too, must engage in the same interpretations and constructions. As a crucial link between institutional power and individual action, the importance of the law as a site of social construction of place that facilitates or hinders the transformations of nature to which Pred refers should not be underestimated.

According to Delaney (2001), the law utilizes the power of the state to deploy categorizations like "nature" and "wilderness," which imply the inclusion or exclusion of certain people or activities. The law also concretizes these relations in the material landscape through the use, either implicit or explicit, of state force and violence. In a contest of competing visions of conservation practices, we can imagine the law as a site of social production "wherein nature and its surrogates and opposites are deployed in efforts to enlist the power of the state to validate some versions in preference to other competing versions" (490). In the legal designation of wilderness areas, for example, judges have variously opined that wilderness only exists where "man has not yet intruded upon it" (*Izaak Walton League v. St. Clair*, 353 F.Supp 698, 1973), or that wilderness should only exist where it does not cause "irreparable financial harm" to firms

with interests in the land (*Rocky Mtn. Oil and Gas Ass. v. Andrus*, 500 F.Supp 1338, 1980). Similarly, in determining the historic significance of the built environment, and thereby the actions appropriate for its protection, courts and policy makers are called on to navigate between private property rights and the promotion of the public good⁶, which invariably requires narratives of place-construction. Now, keeping in mind the concepts of social—and particularly legal—constructions of place, we can take a closer look at the projects of wilderness conservation and historic preservation, with special attention paid to the laws that serve as their respective foundations when implemented on federal land: the Wilderness Act of 1964 and the National Historic Preservation Act of 1966.

3.2 Wilderness Conservation

Writing, celebrating, and philosophizing about wildernesses uninhabited by humans has a long history in the United States with thinkers like Thoreau, Muir, and Leopold (see Nash 2001). The ideals of these thinkers directly contributed the development and expansion of the world's first national park system, from the founding of Yellowstone National Park in 1872 to the creation of the National Park Service in 1916 and beyond. But the modern era of federal wilderness protection begins with the passage of the Wilderness Act. Frustrated with the state of many National Parks—overcrowded with tourists, vehicles, and concessionaires—wilderness advocates rejoiced at this new, more stringent form of legal landscape protection. Despite its anthropocentric terms⁷, the Wilderness Act offered properties deemed appropriate for

⁶ In *Berman v. Parker* (348 U.S. 26, 1954) the Supreme Court ruled that aesthetics alone provide grounds for federal regulation of the built environment for the public welfare, but in the landmark decision of *Penn Central Transportation Co. et al. v. New York City Co. et al.* (438 U.S. 104, 1978), Justice Brennan notes that “structures with special historic, cultural, or architectural significance enhance the quality of life for all.”

⁷ The listed purpose of the legislation is to secure wilderness areas for the “use and enjoyment” of the American people, present and future (Wilderness Act 1131(a)).

designation more thorough protection from development and exploitation than was offered, at the time, by any other nation in the world (Vale 2005, 119). Born from the act was the National Wilderness Preservation System, a scattered group of large, roadless, western tracts (only three of the original wilderness areas were east of the Mississippi) that featured, by and large, dramatic and mountainous landscapes (Klyza 2001, 6). Each one would be managed by whichever federal agency controlled it upon the act's passage, the four possibilities being the National Park Service, the Forest Service, the Bureau of Land Management, and the Fish and Wildlife Service.

Though much of America's eastern forestland had re-grown by the late 20th century, calls for the establishment of eastern wilderness areas were first met with a series of critical federal agency responses: Second- and third-growth forests were not considered "primeval"; Forests crisscrossed with paths and roads did not appear "to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable"; and uninhabited tracts in the East rarely met the ideal 5,000-acre area minimum for wilderness designation (Klyza 2001, 6; *Wilderness Act* 1964). Moreover, the federal government owned very little land in the East compared to the West. This meant that wilderness designation would be dependent on tricky and potentially expensive acquisition processes. Despite these challenges, eastern wilderness advocates' calls were answered when Congress passed the Eastern Wilderness Act of 1975, establishing 16 wilderness areas east of the Mississippi and adjusting the legal standards of size, appearance, and previous uses for future wilderness designations (Klyza 2001, 6-7).

But the terms by which Congress defined (and continues to define) wilderness were not just nebulous rhetorical tools employed to harbor more lands in the safety of federal protection. These terms have historical and philosophical implications, as well as material consequences (as we shall see in the case of Cumberland Island). Accordingly, the current legal definition of

wilderness has its critics. Perhaps the most influential of these is William Cronon, whose essay, “The Trouble with Wilderness: Or, Getting Back to the Wrong Nature” (1996) analyzed some of the contradictions in the current conception of wilderness. The most fundamental of these is that “there is nothing natural about the concept of wilderness” (16). Taking a strong constructivist stance, he writes that wilderness is entirely a human creation. Worse, it is one that codifies, and therefore reinforces, a false division between a world that is natural and one that is human (read: unnatural). By creating a seemingly idyllic escape from a human habitat allegedly already plundered of its wild authenticity and beauty, wilderness, as we conceive of it, gives license to continue the plunder anywhere but in the wilderness. Instead of producing a visitor who feels more connected to the earth and its processes, then, the wilderness produces a visitor who imagines these processes only taking place miles from his or her home, miles from his or her life.

Despite these criticisms, Cronon is by no means against the protection of so-called wildernesses, which he says remind us that human aspirations do not always align with the welfare of the earth. Instead he stresses the dangers of ontologically constructing these places around a false binary between the human world and a world that is somehow outside of us. Many wilderness advocates, however, take considerable offense to the idea that wilderness only exists as a human creation. Some simply see postmodern treatments of the wilderness concept as abstract and unproductive academic musings, completely disconnected from the actual project of protecting undeveloped forests and mountains from human-induced destruction (see Hays 1996, Orr 1999). Others would have you believe that copies of Cronon’s essay ride shotgun in tree-toppling bulldozers, easing the drivers’ consciences as they annihilate wilderness that, after all, is no more “natural” than a parking lot.

One critic of the latter breed is Eileen Crist, who attacks the constructivist view of nature and wilderness as “intellectually narrow and politically unpalatable” (2004, 501; see also Kidner 2000 and Soulé 1995). The constructivist, Crist argues, is arrogant in the view that the only meaning to be found in the natural world is that which humans have assigned to it—an idea that renders the natural world mute, intrinsically meaningless, and wholly separate from the meaning-makers⁸. Such views also divert attention away from the very real devastation of plant and animal species caused by human impingement on their habitats, instead focusing on human discourse concerning those habitats. The crux of the anti-constructivist position is that wilderness as a place beyond human society has intrinsic values—biological and spiritual—and that this essentialism does not promote a human-wilderness dualism, but rather recognizes the virtues of leaving non-human communities some space of their own. To deny the essential and independent worth of wilderness beyond socio-politically contingent meanings, then, is to leave its fate at the mercy of those anthropocentric meanings, and thus to invite its eradication (ibid, 516).

These critiques are valuable in the debate over the concept of wilderness, as they rightly call attention to the biological goals of wilderness protection and the devastating effects human activities continue to have on biodiversity (issues which receive only cursory attention in “The Trouble with Wilderness”). But at the same time it is wrong to discount constructivism as academic wordplay abstracted from the project of conservation. Consider, for example, the role of the law in wilderness protection. Wilderness advocates, presumably including those who criticize the constructivist view of nature, prolifically lobby for more robust wilderness protection laws, and for them to be applied to more spaces. Facing a projected loss of 50 million

⁸ It is of course interesting that this same illusion, the false separation between the individual and the natural world, is also what constructivists find problematic in the idea of wilderness.

acres of forests in the U.S. by 2050 due to expanding residential and industrial land use (Society of American Foresters 2009, 2), these laws may in fact be effective tools in preventing environmentally harmful land exploitation. But while wilderness laws enjoy the backing of the state and the social compliance that it coerces, they are contingent on the decisions of courts, the power of lobbies, and a host of social and political forces. They explain far more about us than they do about wilderness. So it is not that the intrinsic virtues of unspoiled lands championed by wilderness advocates do not exist—I think them to be quite real—but rather that to the extent that they affect society’s wilderness, *legal* wilderness, they exist foremost as discursive objects in political-legal deliberations. As such, their power should not be underestimated. Pieces of the Wilderness Act itself are the poetry of Thoreau’s and Muir’s spiritual wilderness experiences codified. Where these ideas lose their power, however, is in denying social construction as the primary force in defining wilderness. For, at the risk of sounding cynical, wilderness as we know it in this country, in this historical moment, can be called such because of political mechanisms, judicial rulings, and imagined lines—perhaps not wholly constituted by human ideas and machinations, but wholly dependent on them. Far from being abstract or impractical, recognizing these constructive processes as integral in the fate of wilderness on the ground seems a necessary step even for the conservation biologist and wilderness essentialist.

3.3 Historic Preservation

Unlike the concept of wilderness, there is understandably little debate over the socially constructed nature of historic significance in the built environment. As a political process of determining which of the things we have built deserve to remain standing and what memories of people and events will have a material presence in the landscape, historic preservation is of

course an entirely anthropocentric project, inextricable from the subjectivities of historians, architects, tourists, and chambers of commerce. In the United States, as in Western Europe, this project began in the early 19th century, as recent political revolutions invoked new senses of nationalism and attachment to artifacts of social struggle, and the burgeoning industrial revolution so altered everyday life as to make even the recent past seem far removed (Lowenthal 2005, 83). For most of this century municipal governments or local historical societies spearheaded preservation activities, as in the purchase of Independence Hall by the City of Philadelphia in 1816 and the establishment of the Mount Vernon Ladies' Association to save George Washington's homestead in 1853 (Tyler 2009, 27-29).

While local governments and non-profits remain the most important actors in historic preservation, the federal government joined the act in 1889 with the allocation of \$2,000 to protect the Native American ruins at Casa Grande in Arizona. Thereafter the Antiquities Act of 1906 and the establishment of the National Park Service in 1916 expanded the federal role in cultural resource management, adding colonial towns and Civil War battlefields to its protective custody. The federal government continued to document historic structures and coordinate its efforts with the private sector⁹ through the early 20th century, but, as in wilderness protection, the federal role in historic preservation truly came of age in the mid-1960s with the passing of the National Historic Preservation Act of 1966 (NHPA). Largely as a reaction to the indiscriminate destruction brought on by urban renewal, the NHPA authorized preservation funding legislation, encouraged the establishment of State Historic Preservation Offices (SHPOs) and local regulatory policies, and created the master list of federally recognized historic structures, the National Register of Historic Places (NRHP) (Tyler 2009, 46-47).

⁹ The goal of the quasi-public National Trust for Historic Preservation, established in 1949, is to foster cooperation between the public and private sectors in preservation efforts (Tyler 2005, 42).

Since it is often misunderstood as the automatic saving grace of any structure listed, it is important to clarify what the NRHP does and does not do. The Register encourages preservation by identifying and documenting historical significance, making site owners eligible for federal grants-in-aid and providing for the review of any federal project that may affect the property according to Section 106 of the NHPA. However, listing on the Register *does not* restrict the use, development, or sale of privately owned properties. It also does not prevent private or government projects that adversely effect historic sites (even after Section 106 review). Nor does it automatically devote public funds to preservation projects (ibid, 49).

For Tim Cresswell and Gareth Hoskins (2006), two on a short list of geographers who have written about historic preservation, a structure's addition to the NRHP is its entrance into the "formal heritage landscape" (393). This designation, they argue, is one of the few processes outside the academy in which a conceptualization of place is operationalized: "The National Register is the site where places are formally deemed historically significant and... the rationale guiding the register is one that allies material places to meanings and practices that seem to be sufficiently important" (ibid, 397). In telling the story of two sites vying to be designated as historic landmarks, Cresswell and Hoskins identify what they call the "ironies of persistence." Places are "obdurate and mobile at the same time," that is, both static and dynamic. If the historic significance of a place is determined by retained integrity of material, meaning, and practice, but stability is most easily recognized in the material, then the material becomes most influential in judging significance. Therefore claims of more ephemeral historical qualities are often made based on material qualities (ibid, 408-409). On Cumberland Island, two federally owned structures and six districts of multiple structures or archeological resources (87 resources in total) have entered the formal heritage landscape. But remembering that this listing is no

golden ticket to maintenance, funding, or public interest, we will find that the disputes over these sites' integrity in meaning, material, and practice continue to influence their fate.

Just as in wilderness designation, the way we currently socially conceptualize and legally assign historic significance in the landscape has garnered some philosophical criticism. Mitchell Schwarzer (1994) describes the historic preservation movement in the United States as the promotion of “myths of permanence,” or false representations in the landscape of social solidarity and shared experience across American history, in reaction against “myths of transience,” or the American celebration of mobility and modernity. Similar to Cronon’s argument about wilderness and the artificial divide between nature and culture, Schwarzer believes that the conflation of “preserved” and “historic” results in the opposite, bogus conflation of “unpreserved” and “unhistoric.” Recognizing that designations of historic significance result from unavoidably subjective interpretations of history, such a dichotomy does not hold up. Despite the huge expansion in designations honoring African-, Asian-, and Native American history over the past three decades, historic preservation is overwhelmingly a tribute to 19th and early 20th century white America. Many feel that celebrating the landscape of this history symbolically crystallizes its power structure, while also sanitizing that history by erasing violence and projecting an imagined social cohesiveness.

In an instructive example, when Georgia preservationists raged against the loss of Atlanta’s historic character in the booming development of the 1990s, then-mayor Andrew Young responded, “Atlanta has no character, we’re building it now.” As Charles Ruteiser (1996) explains, Young was leading a city with an African-American majority and entertaining a constituency of business leaders with their eyes on the future—he had very little empathy for those seeking to preserve “the bricks and mortar of a Jim Crow city” (186). But herein lies the

danger of this critique of historic preservation. Just as Cronon's deconstruction of the wilderness concept has been misinterpreted as giving license to the destroyers of wilderness, Schwarzer fears that debunking the myths of permanence could be misread as an argument against historic preservation. Instead, he assures us, understanding the processes by which history is inscribed in the landscape sets the conditions for historic preservation to become less a one-way history lesson, and more an arena for dialogue and mutual interpretation (Schwarzer 1994, 10).

3.4 History in the Wilderness

Perhaps surprising to some, the projects of wilderness conservation and historic preservation have more in common than criticism from constructivist academics. To begin, some of the same theorists and activists were prominent in the 19th century origins of both movements. John Ruskin, a British social theorist and critic of art and architecture who pioneered historic preservationist thought, also lobbied for the protection of nature. Similarly George Perkins Marsh, a giant figure in early American nature conservation, encouraged people to also preserve "relics of home and field and factory" as symbols of the nation's shared history. These men found similar moral obligations motivating their parallel projects as well: The natural world and historic structures are commonly seen to have been willed to present generations—either by a divine creator or past generations of stewards—and are therefore equally the property of posterity and must be cared for as such. Today, wilderness conservation and historic preservation inspire demographically similar populations of supporters. In the U.S., defenders of both wilderness and history tend to be white, well educated, and financially well off, and globally the two projects are almost entirely First World concerns (Lowenthal 2005, 84-85).

One influential writer following Ruskin and Marsh in the support of both natural and cultural conservation is Scott Russell Sanders. In *A Conservationist Manifesto* (2009), Sanders criticizes constructivists who “dismantle all our ways for speaking about nature” and therefore “reinforce the view that the nonhuman world is merely a screen on which to project our designs and desires,” a process which obfuscates the importance of biodiversity while it is meanwhile being destroyed. Those who want to protect the wilderness, he believes, need to treat it less as a “figment of our imagination” and more as a “habitat for wildlife, as a reservoir of natural processes, and as a refuge for the human spirit” (69-82).

Following this plea for the respect of the real and intrinsically valuable wilderness, Sanders also calls for the protection of the human habitat through responsible planning and historic preservation. Fearing the loss of “real place” to generic suburban sprawl, he argues that “the presence of history, good and bad...enriches our experience of place” and that sharing common stories communicated in the landscape breeds civic engagement and spiritual health (ibid, 93-105). Sanders’ wilderness essentialism and simultaneous support for historic preservation begs interesting questions: what happens when those human stories exist in a landscape now called a wilderness, and if an area’s wildness is a byproduct of a decision to either retain a story through historic preservation or not, then mustn’t that wilderness be considered, to some extent, a “figment of our imagination”?

These are the questions taken up by Laura Watt (2002) and William Cronon (2003). Watt explores Point Reyes National Seashore in California and the wilderness areas within it. Like Cumberland Island, the wilderness at Point Reyes has a long history of human habitation—much of it was cleared for dairy ranches that remained operational until the 1960s. Unlike Cumberland, however, the NPS has actively demolished and removed most of the physical

remnants of that occupation. Today the rangers and educational materials at Point Reyes all but ignore the human history of the area, opting instead to focus on the qualities of the park that more closely resemble the hypothetical “untouched” land depicted in the Wilderness Act and foster a “feeling” of wilderness in visitors (63-64). Cronon describes another wilderness with a notable human history in Wisconsin’s Apostle Islands. While he supports its wilderness designation, he regrets that it must result in public ignorance to the former existence of Norwegian immigrant fishing and logging communities.

Both Watt and Cronon believe that promoting an idealized pristine wilderness at the expense of stories of human interactions with nature is intellectually irresponsible and anti-historical. “To acknowledge past human impacts upon these islands,” Cronon writes, “is not to call into question their wildness; it is rather to celebrate, along with the human past, the robust ability of wild nature to sustain itself when people give it the freedom it needs to flourish in their midst” (634). They also critique the Wilderness Act’s definition of wilderness. First, by celebrating a mythical “untouched” area as the ideal, the law presents evidence in the landscape contrary to that ideal (roads, structures, etc.) as “scars” or “wounds.” Second, the law grants more significance to visitors’ perceptions or interpretations of the land’s history than it does to history itself (640).

Watt and Cronon suggest similar ways to move toward a more historically accurate presentation of the interaction between people and nature in designated wilderness. Watt takes a page from the historic preservation playbook: just as buildings are “preserved,” “rehabilitated,” or “reconstructed,” all treatments signifying different levels of retained historic accuracy, she recommends that wilderness be labeled as “constructed” or “restored,” conceding the human history of the land (Watt 2002, 69). Cronon imagines a “historical wilderness,” a place where

artifacts of human participation in the wilderness are not ignored, and not simply tolerated, but are celebrated and used to tell the stories that current wilderness management techniques erase (Cronon 2003, 639-644).

While these looks at Point Reyes and the Apostle Islands provide an excellent framework for thinking through the place of cultural resources in the wilderness, and elaborate on the contradictions inherent to the wilderness idea, as policy recommendations for Cumberland Island they leave a lot to be desired. Changing the name of a wilderness area to a “restored” or “historic” wilderness might be step towards a more accurate presentation of the island’s history, but it would not address the functional and philosophical incongruities between how cultural and natural resources are managed when they occupy the same space. Moreover, the proposal of a simple change in word choice to affect serious management reform suggests that Cronon and Watt underestimate the entrenchment of notions of the appropriate treatment of wilderness and historic resources, especially in terms of human interference and human access. In the rest of this thesis I will explore these notions as developed and employed by the activists, lawmakers, and island residents who have shaped the management of the wilderness on Cumberland Island.

CHAPTER 4: METHODS

4.1 Study Area

While the ultimate focus of this research is the management, and thereby the fate, of the natural and historic resources on the narrow strip of marsh, forest, and sand that is Cumberland Island National Seashore, it should be noted that the geography of the conflict being profiled extends far beyond the shores of Cumberland Island. My research brought me to Cumberland Island twice, and each time I attempted to experience both the wildness and history that inspire the passion driving both sides of the management debates. While these trips were useful as points of reference for deeper engagement with the rest of the data I would collect, the discourses I encountered elsewhere would prove equally interesting, at least. Cumberland Island tugs at the hearts of the Carnegie diaspora all over the eastern United States, requires congressional action in Washington to shape its policy, draws the attention of wilderness advocates nationwide, and enamors travelers from across the globe. As a result, archival data for this research originated in Kentucky, Maryland, and Washington, D.C., to name a few. I conducted interviews in Georgia, Tennessee, and North Carolina, but with time and money permitting that list could easily include Maine, Florida, and Montana. The expansive geographic scope of the debates over Cumberland's management not only indicates the issue's gravity in national environmental politics, but also illustrates the palpable interplay between discourse and material landscapes across both places and scales.

5.2 Archival Data

The development of Cumberland Island's management practices has been guided by, and documented in, a variety of important texts. While this is not an exhaustive list, the following have been especially influential in developing an understanding of the politics of Cumberland Island's conservation:

Federal Laws

- The Wilderness Act of 1964 (16 U.S.C. 1131)
- The Historic Preservation Act of 1966 (16 U.S.C. 470)
- The Eastern Wilderness Act of 1975 (16 U.S.C. 1132)
- The Cumberland Island Wilderness Boundary Adjustment Act of 2004 (96 Stat. 709)

Congressional Hearings

- July 28, 1998, concerning the Cumberland Island Preservation Act (U.S. Congress 1998)
- October 30, 2003, concerning the Cumberland Island Boundary Adjustment Act (U.S. Congress 2003)

Legal Texts

- Judicial opinion and court records, *Wilderness Watch v. Mainella* (375 F.3d 1085)

Administrative Texts

- Final North End Access and Transportation Management Plan and Environmental Assessment: Cumberland Island National Seashore (National Park Service 2009)

I chose to focus on these texts for several reasons. First, they present a wide range of interpretations of threats to Cumberland's various resources, strategies for protecting them, and benefits to be derived from doing so. Also, they account for deliberations occurring in all of the discursive sites that have been most influential in structuring Cumberland's management practices: federal policy, the U.S. Congress, the 11th Circuit Court of Appeals, and National Park Service Policy. Finally, they represent a chronological progression of these ideas, beginning with policies in place at the time Cumberland's wilderness area was established and ending with the management plan mandated by the 2004 wilderness boundary adjustment.

The most robust discursive data in this set, by far, came from the texts of the two congressional hearings. These documents are filled with passionate, sometimes poetic testimonies for the protection one resource or another, each with its own spin on the why that particular resource is important, how it is being threatened, and how it can be saved (either by the passage or defeat of the bill being presented). Supplemental photographs and letters of support or dissent are included from diverse contributors with unique links to Cumberland Island, including academics, lawmakers, activists, and Carnegies. Most importantly, the hearings provided a venue for people to engage with each other's arguments, which is crucial in understanding processes of contestation.

5.3 Interviews

Once I had investigated the archival data to the point that I felt confident enough to engage productively with people so knowledgeable and passionate about the issues facing Cumberland Island, I began to seek interview participants. Using the names and organizations listed in the archival data as a bank of potential participants, I pooled together a list of people that represented the diversity of the parties implicated in the management debates, including National Park Service officials, wilderness activists, historic preservationists, Carnegie heirs, and lawyers, and solicited their participation through emails and telephone calls. Many did not respond, and a few refused, but I managed to conduct six interviews with participants still somewhat representative of the list:

- Don Barger, Senior Director of the Southeast Regional Office, National Parks Conservation Association
- Fred Boyles, Superintendent of Cumberland Island National Seashore

- Will Harlan, wilderness activist and writer
- Ginger Hollingsworth-Cox, Cumberland Island National Seashore Interpretive Ranger
- Hans Neuhauser, author of Cumberland Island wilderness designation legislation
- Hal Wright, attorney, former counsel for the Defenders of Wild Cumberland

I regret that this list is slightly biased in that four respondents opposed the wilderness boundary adjustment and the ensuing transportation plan, while only two supported it. However, to some extent this imbalance counteracts the opposite bias that exists in the congressional hearings, where the majority of testimonies and supplemental letters support the boundary adjustment.

I designed an interview consisting of 12 questions (see appendix) that would last approximately one hour. The questions are structured to first draw out the respondent's understanding of the societal significance of Cumberland Island's various resources, natural and historic, and what that significance mandates in terms of conservation practices. Next the questions focus on the relationship between wilderness conservation and historic preservation, seeking any perceived theoretical or functional differences between the two and asking the respondent to consider what compromises coexistence might demand. In closing, the interview turns to the respondent's interpretation of the laws governing conservation practices on Cumberland Island and thoughts on their strengths and weaknesses.

While these questions provided some structure for the interviews, I approached the interviews following Holstein and Gubrium's "active interview" design (1995), in which knowledge is co-constructed between researcher and participant. The active interview engages both researcher and participant in the interpretation of the interview's substance, "to provide an

environment conducive to the production of the range and complexity of meanings” necessary to analyze concepts so fluid as nature, history, and conservation. By allowing for deviations from the parameters set by prepared questions, these active interviews facilitated extensive tailoring based on each respondent’s personal and professional history with Cumberland Island (ibid, 17).

5.4 Synthesizing the Data in Discourse Analysis

As a method of interrogating political conflicts, Wolf and Klein (2007) argue that discourse analysis is uniquely equipped to explore the “essence” of the contest by exposing underlying assumptions about the issues at play, the actors involved, and what is at stake (989). Understanding that the form and outcome of the mediation between conservation practices on Cumberland Island are shaped by how these assumptions are framed and employed, locating and describing them was essential to the research process. Specifically, my goal was to establish connections between the laws that guide the management of Cumberland’s natural and cultural resources and the interpretations of the motives and goals of resource management found in personal interviews, political testimonies, and other discursive sites.

I began the analysis process with repeated close readings of all the data I had gathered, which slowly generated broad themes and tropes for further investigation. Following Dryzek (1997), I roughly organized these themes as 1) basic entities recognized or constructed, 2) agents and their motives, 3) assumptions about natural relationships, and 4) key metaphors (18). Through a more focused coding process¹⁰ I connected elements from each of these themes, establishing, in effect, individual plotlines weaving through the data. These plotlines invariably intersected with one another, exposing points of dissention that became extremely instructive in

¹⁰ Though initially I used Nvivo software to organize codes, I abandoned it for a method involving copious notes and lots of floor space.

analyzing the debate. Take, for example, these two plotlines that will be developed in chapter five:

Basic entity, recognized or constructed	Evolving Wilderness	Historic Preservation
Agent	Don Barger, National Parks Conservation Association	Thornton Morris, attorney and Cumberland resident
Motive	To limit vehicle access through the wilderness	To expand vehicle access through the wilderness
Assumption about natural relationships	Vehicles do not belong in the wilderness, and their use must fade away over time.	Vehicle access is essential to the preservation of historic structures in and around the wilderness (which isn't a real wilderness, anyway).
Key metaphor	A Movie: Beginning with the park's establishment, with a plot of rewilding, ending with wilderness.	A Snapshot: Forever as it was in 1972.

This method was most effective when I was able to forge thematic connections between laws and interviews or testimonies that exposed how those laws were being strategically interpreted, mobilized, or ignored to advance a motive or support an assumption. In the end, these processes most clearly differentiated perceived discrepancies between wilderness conservation and historic preservation, both in theory and function, from those discrepancies with material consequences on the ground. And where this distinction is exposed, discourse analysis becomes less an academic exercise and more a legitimate policy tool.

CHAPTER 5: ANALYSIS

5.1 The Conversation Begins

While the early 1980s movement for the designation of the Cumberland Island Wilderness Area prompted the first managerial questions about balancing the protection of natural and cultural resources (and the first suspicions that the two would have a rocky marriage), much of the current discourse on the relationship between historic preservation and wilderness management on Cumberland Island can be traced back to a series of negotiations that began in 1994. As noted in chapter two, it was then that GoGo Ferguson mobilized her plan to forge a public-private partnership that would fund the restoration of the deteriorating Plum Orchard mansion for an adaptive use as the Plum Orchard Center for the Arts. The Park Service, overburdened by the financial demands of maintaining the historic Carnegie estate, was intrigued by the idea of offloading some responsibility, and Ferguson and then-Superintendent at Cumberland, Rolland Swain, collaborated on a memorandum of agreement (MOA) outlining the details of the partnership. According to the MOA, one or two dozen artists would live and work at Plum Orchard, drawing inspiration from the beauty of the surroundings, and would be able to use vehicles on the Main Road at their discretion, which was a privilege reserved to the NPS and former landowners retaining driving rights. In exchange, the Center for the Arts would assume financial responsibility for the estate's maintenance.

The MOA was mailed to conservation groups, prompting immediate, mainly negative reactions. Early in 1995 NPS Southeast Area Field Director Bob Baker organized the first of

many extensive meetings between Park officials, island residents, Center for the Arts supporters, and wilderness advocacy groups including the Sierra Club, the Georgia Conservancy, and the National Parks Conservation Association (NPCA). Some wilderness advocates considered the proposed Center for the Arts an elitist playground providing a privileged few with special access to the wilderness at Plum Orchard's doorstep. The NPCA's Don Barger, who would become one of the most influential contributors in the negotiations to come, was mainly concerned with the added vehicle traffic on the Main Road and its effect on the experience of backcountry hikers and campers. But plenty of support existed, too. Hoping for the simultaneous preservation of Plum Orchard and advancement of wilderness values through art and publicity, Earthwatch President Brian Rosborough called the plan "an ingenious solution to save one form of heritage while promoting another" (U.S. Congress 1998, 43). Island residents, historic preservationists, and high-profile politicians like Georgia Governor Zell Miller considered expanded use of the wilderness a small price to pay for securing funding for Plum Orchard's maintenance.

Between 1995 and 1997 the cast of environmentalists, residents, and Park Service officials debating the Plum Orchard proposal grew quite familiar with one another, engaging in countless meetings, conference calls, and chains of correspondence and producing no fewer than 38 versions of the MOA. The Plum Orchard Center for the Arts was very close to becoming a reality, but as revisions to the plan became more restrictive toward the Center's operations and communications broke down between proponents and Cumberland's new Superintendent, Denis Davis, the public-private partnership idea was abandoned. But by highlighting one significant disjuncture between the protection of a historic resource and that of the wilderness, the Center for the Arts debate illuminated the daunting uncertainties facing other places on the island where history and wilderness stand side by side. And so the multi-party conversation continued in an

effort to build a comprehensive management plan that would, as James Durrett III of the Georgia Conservancy writes, achieve “the appropriate balance between conserving natural and wilderness resources and preserving cultural and historic resources” (ibid, 189)

Don Barger cites the Center for the Arts debate and the ensuing attempt to build a management plan as an important collaborative process that shaped the dialogue on Cumberland’s management for years to come. In such a process “everyone un-demonizes one another,” Barger says, and when “we all realize we’re individuals with values that come from somewhere, that are about something, and that we probably share a lot more than we have in opposition, then you find the real questions getting closer to being first defined, and then answered” (Barger 2010).

A friendly, sentimental peacemaker from East Tennessee, Barger may have overstated the extent to which everyone “un-demonized” each other. Lary Dilsaver (2004) notes that the same process was marked not only by philosophical differences, but by personal hatred (251), and the collaboration spawned at least two lawsuits in its first two years: the Defenders of Wild Cumberland, a wilderness advocacy group formed by attorney Hal Wright and Cumberland resident Carol Ruckdeschel, sued the Plum Orchard Center for the Arts, and GoGo Ferguson’s Cumberland Island Preservation Society responded by suing Hal Wright for harassment. Barger is right, however, to point out that the ongoing management discussions at least helped to define the questions.

Of course, to understand (not to mention answer) big questions we must first understand what they presuppose. If the question guiding the effort to develop a management plan is, as the Georgia Conservancy put it, “How can we achieve a balance between conserving wilderness resources and preserving historic resources?” then the deliberation should ideally be grounded in

a common understanding of what those resources are and why they are important to protect. Unfortunately this has never been the case at Cumberland. As discussed in the background chapter, the years between 1998 and 2004 saw continued efforts by familiar parties— island residents, Park Service officials, wilderness advocates, and politicians—to develop a management plan, which were punctuated by two interventions in Congress and one important case in the 11th Circuit Court of Appeals. Throughout this process the discourse presents visions of the importance of Cumberland’s various resources, and the accordingly appropriate balance in conservation policy, that are rarely, if ever, unified. The disparities begin with perceptions of just what Cumberland Island has worth protecting in its wilderness and historic landscapes.

5.2 An “Ill-Perceived” Wilderness?

When President Ronald Reagan signed into law S. 1119 designating 8,840 acres of Cumberland Island as a wilderness area and 11,718 acres as potential wilderness¹¹, he issued a statement recognizing that Cumberland’s wilderness would not look like the untouched, natural utopia outlined in the Wilderness Act. But while the houses sitting inside it, maintained roads running through it, and power lines beneath it would “necessarily create conflicts in the management of the area,” Reagan insisted that heightened protection was crucial for this place not untouched, but perhaps least touched on the east coast. Further complicating Cumberland’s wilderness status, however, he says that future designations should only be applied to areas meeting the letter of the Wilderness Act and directs the Department of the Interior to “manage Cumberland Island *in a manner similar to wilderness* (US Congress 1998, 178, emphasis added).

¹¹ Designation as “potential wilderness” is simply a recognition that temporary uses not conforming to the Wilderness Act are occurring in that area. Potential wilderness is to be managed exactly like designated wilderness, except that nonconforming uses allowed by, in Cumberland’s case, rights retained by a former landholders are not interfered with. Once those use rights are discontinued, potential wilderness is designated as wilderness without any further action needed from Congress (*Wilderness Act* 1964).

What, then, is so special about Cumberland's marshes, forests, and beaches that despite their nonconformance they demand this precarious status on the edge of the Wilderness Act, and where does this type of wilderness fit within the national wilderness framework?

To magazine editor, former Cumberland ranger, and long-time wilderness activist Will Harlan, Cumberland has "everything you would want in a wilderness." Paramount to him, though, is the island's biodiversity. The ancient trees, the endangered sea turtles and shorebirds, and the mysterious albino deer are Cumberland's most precious resources and are more than worthy of the protection of the Wilderness Act, a law Harlan says is unique in American legislative history because it is "one of the only [laws] that is not anthropocentric, that is not based just around us, but also has a vision of our place within something larger" (Harlan 2010). Certainly the defense of Cumberland's biological treasures is an important part of the campaign to protect the wilderness—sea turtle nests, especially, have been the focus of efforts to regulate vehicle use on the beach—but rallying to save the environment for its own sake has not been the main discursive strategy used by wilderness advocates.

Instead, environmentalists have found it more prudent to contest certain human uses of the wilderness, namely vehicular access to historic sites, by asserting the societal essentiality of, and legal mandate for, another human use: the wilderness experience. In stark contrast to Harlan's interpretation of the philosophy behind the Wilderness Act is Don Barger's:

Well, the Wilderness Act, in my view, is probably one of the most human-centric statutes that's ever been written in conservation because it's entirely dependent on human experience. It's about solitude and isolation. Those things are legislated, and nowhere else will you find that kind of experiential stuff actually legislated. Wilderness actually has no meaning without human perception.

Regardless of the myriad benefits for non-human communities that restricting human activities can and does produce, Barger's reading of the Wilderness Act is correct. The text defines

wilderness foremost by how it *appears* to people (“affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable”) and, though they may only be visitors, by what people can do there (“outstanding opportunities for solitude,” “primitive and unconfined type of recreation,” etc.) (Wilderness Act, 1131(c)).

There appear, then, to be two reasons that wilderness advocates rely on the wilderness experience as a discursive weapon against intrusions to designated wilderness areas far more heavily in political-legal deliberation than on biological arguments. First, of course, the wilderness experience argument has a legal leg to stand on in the Wilderness Act. To the chagrin of conservation biologists (see Allin 2000), arguments about, say, animal habitat threshold size or migration patterns have little grounding in federal wilderness law. The second reason is that these advocates, at least those most active on Cumberland Island, truly believe in the wilderness experience as the *raison d’être* of wilderness protection. Hans Neuhauser, who first came to Cumberland Island in 1967 to research an endemic species of pocket gopher, personally authored much of the law designating Cumberland’s wilderness area with the wilderness experience in mind. “The concept of wilderness,” he says, “is a combination of a philosophical concept and an emotional concept. It’s an experience more than something absolutely tangible” (2010). In a testimony submitted to the Congressional Subcommittee on National Parks in 2003, Neuhauser goes into more detail (and turns on the poetry):

For me, the experience is exemplified as being on Cumberland’s broad, white sandy beach, watching the sun rise seemingly out of the Atlantic Ocean. To your back is the Spanish moss draped live oak forest sculpted by the salt spray of the surf. To the north and south, the beach stretches away and eventually disappears over the curvature of the earth without a house or gazebo or automobile or light to interrupt your reverie. The noises you hear are natural: the surf, the wind, the whoosh of the dolphin, the mew of the gull, the territorial imperative of the woodpecker. This is a place of great spiritual value, a place for re-creation as well as recreation.

And like the pocket gophers this experience is unique to Cumberland, mainly because of its accessibility for common east coast citizens “without any special connections or wealth” (US Congress 2003, 23). This whole experience, and no less, is what Neuhauser believes is at stake in expanding vehicle access through the wilderness, and what will be destroyed with the pending implementation of the tours mandated by the 2004 Cumberland Island Wilderness Boundary Adjustment Act.

In maneuvering to increase vehicular accessibility to historic sites through the Boundary Adjustment Act, however, island residents and historic preservationists conceptualize Cumberland’s wilderness very differently. They do not waste time in arguing against the value of undeveloped wilderness in biodiversity and human experience, but rather hold that Cumberland’s wilderness, or at least parts of it, do not fit the mold set forth in the Wilderness Act. Former President of the Georgia Trust for Historic Preservation Greg Paxton notes that while the law “defines wilderness as natural and undeveloped in character, and devoid of permanent improvements or human habitation,” Cumberland’s so-called wilderness “contains an indelible 5,000-year history of human habitation” and “the evidence is everywhere.” Beyond the recurring references to the roads and underground power lines crisscrossing the wilderness, that evidence is often presented in the form of historical narratives about the cultural history of Cumberland’s northern half and the resources supposedly at risk. For instance, Jack Kingston introduces his 1998 Cumberland Island Preservation Act with a condensed human history of the island punctuated with big names: General Nathaneal Greene (once a landholder), “Lighthorse” Harry Lee (formerly buried on Cumberland), Eli Whitney (who “had worked there”), and of course Thomas Carnegie (US Congress 1998, 15).

In a letter of support for the same bill, director of the Center for the Conservation of Architectural and Cultural Heritage, Ralph Johnson, summarizes the history and significance of the African American settlement at Half Moon Bluff, which is located in the potential wilderness area at Cumberland's north end, is listed as a historic district on the National Register, and currently contains four wooden structures and a cemetery. Following the Civil War, he says, the settlement evolved from a group of freedman "acquiring squatter's rights" and "eking out a poor existence," to a community of property owners who, while still very poor, played an integral role in the operations of the north end's High Point Hotel. Most important to the built landscape of the settlement is the First African Baptist Church, which "provided the Post-Civil War Negro...with the solace needed from the burden of poverty and suffering." While parishioners replaced the original 1893 structure in 1937, Johnson believes it still represents a "crucial chapter" in American history that we cannot afford to lose in a "return to wilderness" (US Congress 1998, 22)

GoGo Ferguson, who says she was raised on Cumberland to "observe with a great deal of respect the evidence of our predecessors," writes an even more detailed narrative in her statement of support for Kingston's bill. Perhaps trying to avoid drowning in broad terms like "African American history," Ferguson tells the story of Half Moon Bluff residents Dellie and Bobby Rischarde, whom her family knew personally. Dellie and Bobby were world travelers and friends of Jimmy and Rosalynn Carter, and Dellie was apparently an "accomplished painter of Japanese watercolors and a poet," but their interesting personal histories were not enough to save their homes following their deaths. Bobby's house has crumbled from neglect and Dellie's, reported to the State Historic Preservation Office as an "insignificant brick structure," was torn

down by the NPS¹². This erasure of history, Ferguson believes, is entirely due to management restrictions mandated by an “ill-perceived wilderness” (US Congress 1998, 36).

Finally, there is the historic resource that inspired the expansion of vehicle traffic through the wilderness, the Carnegie’s mansion at Plum Orchard. In his 1998 Congressional testimony Greg Paxton focuses on the estate’s architectural significance as “an outstanding 35-room late 19th century neoclassical house” (US Congress 1998, 78) that is also Georgia’s largest historic home (US Congress 2003, 17). Fred Boyles, Cumberland’s current superintendent, agrees that the imposing structure packs the “wow factor,” but also sees in it great historical value as the defining relic of the robber barons’ impact in Georgia (Boyles 2010). Cumberland interpretive ranger Ginger Hollingsworth-Cox agrees, noting that Plum Orchard “had the most up-to-date, modern technology, plumbing, and electricity,” which at the time were rare in most of the country, not to mention the Deep South (Hollingsworth-Cox 2010). But most importantly to these members of the Park Service, Plum Orchard is a symbol of the “stewardship of place” that the Carnegie family performed in their long history on Cumberland, for “it wouldn’t be a National Seashore if it wasn’t for the Carnegies.” Boyles astutely adds, however, the caveat that “many of the environmental folks, well, they would not agree with that at all” (Boyles 2010).

Indeed they would not. In Will Harlan’s 2007 essay, “A Line in the Sand,” he addresses five “myths” that he believes pervade the debates over Cumberland’s management, and two of them dispute Paxton’s and Boyles’ interpretation of the Carnegie’s history on the island. Myth number one: “The Carnegie, Rockefeller, and Candler families saved Cumberland Island.”

Harlan calls this a myth because of the multiple plot sales and close calls with strip-mining and

¹² The house was added to the National register of Historic Places in 1979, but an NPS survey team determined in 1995 that it had been listed “erroneously.” They consulted with the State Historic Preservation Office and came to the conclusion that the house did not contribute to the historic integrity of the Half Moon Bluff/High Point Historic District and was a safety hazard (Mullet Wrapper 1998).

housing development that occurred in the years between the breakup of Lucy Ferguson's trust and the island's transfer to public ownership. In reality, one cannot treat the entire Carnegie family, let alone all three landholding families, as a unified front. Opinions were split, and certain Carnegies flirted with options other than sale to the NPS, but the cumulative effect of the Carnegie's decisions was, in fact, the creation of the National Seashore. Whether or not that "saved" Cumberland Island, depends, of course, on what one believes needed saving.

Harlan debunks myth number three on his list, "Plum Orchard mansion has great historical significance," by distancing the estate from the most well known Carnegie. "Plum Orchard is a mansion built for Andrew Carnegie's brother's fifth son, George," he elaborates in an interview. "How significant is that? It has Class B significance, according to the National Trust, so it's not even a Class A, must-save structure."

Hal Wright might call "Class B" an overstatement, relegating the structure's significance to simple family nostalgia:

You've got certain people that advocate greatly for Plum Orchard for a lot of various reasons. I mean, you know, you've got family members who grew up in Plum. They have an affinity for that structure—very understandable. I mean it's their family, you know? So historically, it's very important to them. It would be very important to me if it were my family, if it were my family's place ... But does that make it historically significant for the rest of society? I don't really think so. Does that mean taxpayers should put millions of dollars into protecting the building? I don't think so.

Wright similarly questions the historic value of the settlement at Half Moon Bluff, saying, "I know there were some freed slaves that lived there, but frankly there were freed slaves that lived a lot of places" (2010). Will Harlan agrees, noting that the majority of the houses on the north end date back only to the 1940s or 1960s, and the main attraction in the area, First African Baptist Church, is only popular because it was the site John F. Kennedy, Junior's marriage to Carolyn Bessette in 1996 (2010).

That said, Cumberland’s rich human history is by no means lost on all those who oppose providing vehicular transportation to historic sites in and around the wilderness. Harlan celebrates the slave cabin chimneys of the old Stafford plantation as, in contrast to the structures at Half Moon Bluff, “true African American history” (Harlan 2010). The official mission of Don Barger’s organization, the NPCA, is to support all the goals of the NPS—meaning the protection of both natural and cultural resources—and he is accordingly vocal about the importance of historic preservation on public lands. But regardless of whether the impacts of human habitation left in the landscape of Cumberland are deemed historically significant, for wilderness advocates to advance their cause, the existence of these impacts must be reconciled with the wilderness that encompasses them. To do this, wilderness advocates employ the construct of an *evolving wilderness*. A term Don Barger claims to have coined in the process of deliberating management strategies on Cumberland, it has since been used frequently to describe the gradual phasing out of practices occurring within wilderness and potential wilderness that do not conform to the Wilderness Act, most often referring to uses granted to those with retained rights. Instead of seeing the nonconforming uses and physical remnants of human habitation in the wilderness as proof of its careless and inappropriate designation (the strategy of Kingston, Paxton, and Ferguson), advocates of the evolving wilderness model believe that the eventual erasure of these inconsistencies with the Wilderness Act is written into the very idea of potential wilderness itself. The 1982 legislation establishing the Cumberland wilderness does indeed provide for any tract within the potential wilderness to be managed exactly as the wilderness, and to become designated wilderness as soon as the Secretary of the Interior is notified that nonconforming uses have ceased (Public Law 97-250). Combine that with the fact that the nonconforming uses are tied to retained rights that *will* expire over time and it becomes difficult to argue with the

assertion that the law defining Cumberland's wilderness both accounts for its inconsistencies with the Wilderness Act and foreshadows their eventual extermination.

At a meeting with island residents at Plum Orchard, Barger attempted to explain what he meant by evolving wilderness. He recalls that at the meeting Thornton Morris, a local attorney who had worked with residents negotiating their retained rights agreements, described the original intention of establishing Cumberland Island National Seashore as saving it "as a snapshot," freezing it in time. Barger corrected him, saying, "in fact, the scheme on Cumberland Island is not a photograph, it's a movie—it has a beginning, it has a plot, it has an end." Barger had barely begun his next sentence when Bob Flight, a professional negotiation facilitator Barger hired to direct the meeting, called for a fifteen-minute recess. Exiting the mansion Barger realized why the recess had been called. A group of island residents had gathered beside a tree and were crying. In Barger's estimation, these people understood exactly what his metaphor of the island as a movie meant, and were devastated by the implications it had for their legacy on Cumberland (Barger 2010).

While island residents cannot stop the clock on their retained rights agreements, many of which are expiring in the coming year, they have, in a way, endeavored to pause Barger's movie through arguing the imperative of historic preservation. Regardless of the vision outlined in wilderness legislation, many island residents and historic preservationists hold that the law, by including the main road in the wilderness, makes it impossible for the NPS to adequately maintain cultural resources. If this is true, it makes a contradiction of the Park Service's mission statement "to conserve the scenery and the natural and historic objects and the wild life therein," at least when applied to wilderness areas (16 USC 1). It is crucial to ask, therefore, *if* the

projects of wilderness conservation and historic preservation are incompatible on Cumberland Island, what is it about their relationship at the functional level that makes that so?

5.3 Isolation vs. Access

The source of the dysfunction in this relationship has always been, according to supporters of the bills proposed by Kingston, Chambliss, and Miller, the inclusion of the main road in the wilderness. As an “imprint of man’s work” that is by no means “substantially unnoticeable” (Wilderness Act, 1131(c)), it is not surprising that the map of the proposed wilderness area in a 1980 environmental impact statement shows much of the main road excluded from the wilderness. However, former board member of the failed Plum Orchard Center for the Arts Nancy Parrish claims that “the wilderness community” pushed to include the road in the wilderness in the final legislation behind the backs of the “Historic Preservation Community¹³.” She further alleges, “wilderness organizations knew the implications of changing the boundaries” and “understood full well [the inclusion of the road’s] negative impact on the cultural resources of the island, especially Plum Orchard.” Without reshaping the wilderness to exclude the main road, Parrish pleads, “the unique cultural resources that currently exist from [the] African American Half Moon Bluff district to the Plum Orchard estate will be forever lost” (US Congress 1998, 38-39). To those of Parrish’s point of view, the inclusion of the main road in the wilderness was so devastating to cultural resources because wilderness designation restricts access—access for maintenance by the Park Service and access for public visitation. While these two forms of access are of course related, their treatments in the

¹³ The selective use of capitalization in describing the two communities is Parrish’s, and its meaning is open for interpretation.

discourse on Cumberland's management point to different schisms in the ideological foundations and functional operations of wilderness conservation and historic preservation.

The testimonies and letters in the two congressional hearings considering adjustments to the wilderness boundary are littered with accounts of the deterioration of Cumberland's historic structures since they were transferred to the stewardship to the NPS, and especially since the designation of the wilderness area. Jack Kingston, Greg Paxton, GoGo Ferguson, and others submitted pages of before-and-after pictures documenting the decline of the Plum Orchard carriage house, the houses at Half Moon Bluff, and the once-spectacular Dungeness pool house. Paxton sums up what he sees as the root of the problem in 1998: "Strict limitations on driving on the historic road through the wilderness area make it nearly impossible to maintain historic buildings that need substantial and consistent upkeep on a subtropical sea island" (US Congress 1998, 77). This is particularly problematic, he argues, because the National Historic Preservation Act charges the NPS with the preservation of the historic structures it controls (US Congress 2003, 18). The goal of these testimonies is to draw a causal line between wilderness designation and the neglect and subsequent decay of historic structures, but this interpretation has some problems.

Don Barger identifies two misconceptions hidden in Paxton's claim. First, Paxton leads us to believe the Park Service itself is unable to drive vehicles on the main road to historic sites, which is not so. The Wilderness Act allows vehicle use by the controlling federal agency to meet "minimum requirements for the administration of the area," and it is, barring abuses like the one identified by the 11th Circuit Court of Appeals in 2004¹⁴, left to the discretion of the Park Service to determine what those minimum requirements are (Wilderness Act, 1131(c)). As long as Cumberland has had a wilderness area, the Park Service has been using vehicles for

¹⁴ This incident is described in detail in chapter 2.

administrative trips to locations on the main road and beyond. Second, Barger notes that one of the principal examples used to illustrate wilderness designation's devastating effect on historic structures, the collapsed Dungeness pool house, is located many miles outside of the wilderness area. In other words, Paxton is right to point out that the Park Service is struggling to maintain historic structures, but wrong to source these struggles in wilderness designation (US Congress 1998, 80).

Another problem with Paxton's argument lies in his vague description of the Park Service's obligations for historic preservation under the National Historic Preservation Act. It is true that the NHPA states that "The heads of all Federal agencies shall assume responsibility for the preservation of historic properties which are owned or controlled by such agency," but this "responsibility" comes with few actually mandated actions. For example, if the agency administers properties listed on or eligible for the National Register, it must do so "in a way that *considers* the preservation of their historic, archeological, architectural, and cultural values" (emphasis added). Moreover, Section 301 defines the "preservation" or "historic preservation" of a structure as any one (or combination) of the following: "identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation, and education" (NHPA 1966). Several of these preservation methods can be carried out without hammer, let alone a truck, and therefore are not hindered by the Wilderness Act.

This is not to say that the rehabilitation, restoration, stabilization, or maintenance of historic structures is easily accomplished under the "minimum requirement" clause of the Wilderness Act. And this is no wonder, as the projects of wilderness conservation and historic preservation occupy opposite ends of what Don Barger calls the "entropy scale":

If you want a natural resource to be more natural, you leave it alone. You stop interfering and step away from it to be natural. In other words, you let entropy go. If you're trying to preserve a cultural resource, your job is to stop natural processes: stop rust; stop rot; stop weathering.

Regardless, wilderness advocates roundly agree that even the more work-intensive preservation methods are not inherently incompatible with wilderness protection. When First African Baptist Church needed a new roof, for example, the NPS drove one truck to the site and a team of Sierra Club volunteers hiked in and replaced the roof using only hand tools, all in perfect accordance with the Wilderness Act. Not every building in the wilderness receives this treatment, but as Barger is quick to point out, not every building that is old is historic:

You've got an old shack or a building that's up in the wilderness area—not historic for any reason—do you just let it fall down? The answer is yeah, you do. The entire structure of potential wilderness is based on that (2010).

Wilderness advocates identify the real culprit behind the sorry condition of the built environment on Cumberland Island, historic and non-, inside and outside the wilderness, as the lack of funding. Insufficient funding plagues all levels of National Park operations—the NPCA estimates that the entire National Park System is operating at a 35% budget shortfall—but it is particularly problematic for cultural resource management compared to wilderness management. Another symptom of the two projects' opposite positions on the entropy scale, historic preservation simply costs more. Defending the Park Service's attempts at cultural resource stewardship in the park's *Mullet Wrapper* newsletter, former superintendent Denis Davis writes that of all the special project funding spent on Cumberland Island during the 1990s, 13.4% went to natural resource projects, 6.2% went to maintenance of non-historic structures, 1.3% went to miscellaneous projects, and a whopping 79.1% was devoted to cultural resource projects, museum curation, and maintenance of historic structures (1998, 3). Despite this drastic difference in spending, when the NPCA published its 2009 *State of Parks* evaluation of

Cumberland Island's resources, overall conditions of natural resources scored a "fair" 74 out of 100, while the condition of cultural resources received a "poor" rating of 55 out of 100. Funding problems are only exacerbated today, as Superintendent Fred Boyles expects to see at least three years of flat budgets, and calculates that operating costs on Cumberland are already at 106% of the park's budget (Boyles 2010). So while the congressional removal of the main road from the wilderness will lower some maintenance costs—for example, large amounts of supplies can reach Plum Orchard by truck instead of by boat—it remains to be seen how exactly an increase in access for maintenance will overcome the startling budget deficiencies that seem to be the real issue.

As mentioned, the promotion of another type of access is also prominent in the calls to carve the main road from the wilderness: public visitation. Jack Kingston was the first to explain to Congress how the public is "locked out" of historically significant areas of Cumberland by "certain wilderness laws and regulations." Under the transportation restrictions imposed by the Wilderness Act, Plum Orchard and Half Moon Bluff are "really only accessible to 18-year-olds with backpacks," Kingston notes (US Congress 1998, 16). Zell Miller adds to the list of those deprived of the north end's history "the elderly and the disabled," as well as school children, for schools cannot "afford to rent a boat to ship their 8th grade Georgia History class to Cumberland Island's north end," and students and teachers cannot be expected to "hike 12 miles each way" (US Congress 2003, 4). And in a letter to Chairman of the Congressional Subcommittee on National Parks, Forests, and Lands, Carnegie heir Joe Graves tells the story of two World War II veterans, buddies since landing at Normandy, who expressed their deep disappointment after the NPS "prevented" them from visiting Plum Orchard and Half Moon Bluff on their day trip to

Cumberland (US Congress 1998, 24). The bottom line, as Miller sees it, is that “Every tax-paying citizen should have the ability to visit these sites” (US Congress 2003, 4).

Here Miller conflates an individual’s *ability to access* historic sites with an imagined obligation of the Park Service to *provide access* to them. Wilderness advocates dispel the existence of such an obligation by referring to any number of the resources administered by the NPS that are not accessible to all the taxpayers who support their protection, including natural resources like the peaks of the Grand Tetons and cultural resources like the ruins of Native American settlements in the deserts of the southwest. This inaccessibility has nothing to do with the NPS “preventing” access, as Joe Graves put it, for anyone is welcome to travel through the wilderness if he or she does so by appropriate means. Neither is inaccessibility evidence of discrimination against the elderly or disabled. The idea that the Park Service should provide a simple way to get to every historic resource it controls is rooted in a common conception summarized by Jack Kingston: “Historic sites lose their value, as you know, if they cannot be viewed and studied and enjoyed by the general public” (US Congress 1998, 16).

This logic may seem axiomatic, but it becomes incredibly troublesome in the context of wilderness conservation. As we have seen, one of the core values of wilderness advocates, and *the* core value written into the Wilderness Act, is a wilderness experience of solitude and isolation. As Will Harlan puts it, “there are some places that must stay hard to get to for the very nature of what makes them desirable to visit” (2010). The question then becomes, if it is accepted that one resource is only valuable when all people have access to it, while another draws its value from being hard to get to, how can the two occupy the same small area and retain their respective value? Invariably, the answer requires compromise.

Such a compromise was attempted in the 1999 Cumberland Island Agreement. Recall from the background chapter that this agreement, the result of the negotiations that began by addressing the Plum Orchard Center for the Arts proposal, allowed for tourists to “piggyback” in NPS vehicles taking administrative trips along the main road to north end. The principle behind the plan, as Don Barger explains, was that if tourists went along on vehicle trips that were going to happen anyway, then there would be no additional vehicles on the main road, and therefore “no net increase in impact” on the wilderness, physically, or on the wilderness experience. As only six people had requested transportation to the north end in the past year, the two trips per month the Park Service planned to make would more than accommodate the expected demand (Barger 2010). But the locally developed compromise—slightly increased public access to historic resources in the wilderness exchanged for slightly increased intrusion on the wilderness experience—did not fit the federal legal framework for wilderness conservation established in the Wilderness Act, according to the 11th Circuit Court of Appeals. Shortly following the breakdown of the agreement, in another circumnavigation of local deliberation, Kingston slipped the 2004 version of his 1998 wilderness adjustment into an omnibus spending bill, removing the main road from the wilderness and mandating that at least five vehicle tours to the north end of Cumberland be available each day.

So politicians, island residents, and historic preservationists will soon have the increased access through the wilderness they asked for, the access that Carnegie heir Margaret Graves said would “ensure the protection of Cumberland Island’s cultural and historic resources,” but it remains unclear exactly how increased access will guarantee salvation. Unlike its 1998 counterpart, which included additional money for historic preservation, funds for the preservation projects and tours mandated by the Cumberland Island Wilderness Boundary

Adjustment Act are only available “subject to appropriation.” And while the Congressional Budget Office says that the bill contains no unfunded mandates (which it must not, according to the Unfunded Mandate Reform Act), Fred Boyles disagrees: “We don’t have the vehicles, we don’t have the money, it’s an unfunded mandate” (US Congress 2004; Boyles 2010). Nor is there a guarantee that the demand will exist for the long, bumpy tours at \$15 per adult passenger. Meanwhile wilderness advocates like Hans Neuhauser mourn the passage of what he calls the “Kingston/Paxton/Park Service Wilderness Destruction Act.” All that it accomplishes, according to Neuhauser, is the perpetuation of vehicle traffic in the wilderness long after the retained driving rights of island residents expire, which counters the entire goal of wilderness designation.

5.4 Rethinking the Balance

According to Fred Boyles, where the interests of wilderness conservation and historic preservation clashed before the Cumberland Island Wilderness Boundary Adjustment Act overhauled park policy, “it’s been the environmental community that’s won out in the battles of Cumberland over the years” (2010). Indeed we have seen how wilderness advocates successfully defeated the plans to increase the island’s daily visitor maximum and expand the use of Plum Orchard that were seen as threats to the wilderness experience. We have also identified one of the key reasons for this winning streak: the demands of the wilderness community are cheaper. But another important advantage that the wilderness community possessed was in the dynamic between the Wilderness Act and the National Historic Preservation Act. Whereas the Wilderness Act contains specific mandates for treatments of the wilderness areas and, more importantly, bans on certain activities, the NHPA is what is sometimes referred to as a “stop, look, and listen” law. It outlines the interests of the cause for historic preservation and some

tactics to advance them, but only mandates that federal agencies *consider* implementing them. Setting aside any abstract comparison of the means by which these two laws aim to improve the quality of life of the American people, when a cash-strapped federal agency is required to pursue an inexpensive goal, but has the option whether or not to pursue a costly one, the outcome is somewhat predictable.

Yet on Cumberland the Park Service tried to accomplish both. Moreover, they were able to do so while satisfying the terms of the Wilderness Act and the NHPA. Under this legal framework, the Wilderness Act allowed the flexibility to preserve historic structures in the wilderness so long as it was done with the minimum tools required. The NHPA allowed the flexibility to prioritize potential projects in terms of historic significance, tell the stories that needed to be told in the landscape, and let some others fade away. Historic preservation projects were not easy, but as demonstrated in the replacement of the First African Baptist Church's roof, they were doable. The only thing that this framework did not accommodate was the historic preservationist ideological imperative of convenient public access to historic structures. Unfounded in law, largely uncalled for in public demand, and unproven in its causal link to the successful preservation of Cumberland's structures, the public access ideal forced Jack Kingston and his supporters to circumvent the deliberative process that had frustrated their cause for years.

And so we arrive again at the fundamental disjuncture between the ideologies of wilderness conservation and historic preservation: In its simplest terms, wilderness should be hard to get to, and history should be easy to get to. To reach Cronon's admirable goal of promoting a historically honest and philosophically responsible wilderness concept, one that accepts and allows for the interpretation of human interactions with nature, this binary must be rethought. In particular, one side of it seems ripe for reconsideration. The benefits of protecting

large tracts of land free from the domination of human development seem to me to be well supported, both in terms of the welfare of non-human populations and as a physical and spiritual retreat for people. There is nothing profoundly apparent, however, to the other side of our riddle. Following the logic of Hans Neuhauser, Will Harlan, and other advocates for wilderness, there is no inherent difference between the spectacles of nature and those of human creation that allows for one to be isolated at the end of a long trail, yet demands that the other have a bus stop at its front door. In fact, I contend that just like wilderness resources, cultural resources can actually draw value from their isolation.

This idea may baffle Jack Kingston, but there is support for it in historic preservationist thought and practice. In evaluating the historic significance of a structure for inclusion on the National Register of Historic Places, a weighty factor under consideration is the structure's *historic integrity*. According to Tyler (2005), the Register breaks this concept down into seven elements: location, design, setting, materials, workmanship, feeling, and association. The means of transportation used to reach a historic structure seem especially relevant to the elements of location and feeling. In the Register's evaluation, integrity in location means that a structure remains where it was built or where an historic event occurred, but a deeper interpretation could easily include its relative location, that is, its proximity or isolation from the surrounding community. Even more striking is the effect that a structure's isolation could have on its *feeling*. For cultural resources that predate automobiles, like the Stafford slave chimneys and the High Point cemetery, or for those historic communities that did not rely on automobiles, like Half Moon Bluff, what could maintain the integrity of feeling more than using authentic means of access and experiencing the corresponding challenges? Wilderness advocates, after all, need not have a monopoly on experience-based conservation. Though heritage consumers may be used to

being coddled by trolley tours and gift shops, there is no reason to shun a more meaningful historic experience when one is available. It is true, and a shame, that not everyone is able to hike the length of Cumberland Island to see Half Moon Bluff, but in terms of policy this should have no more impact than the fact that not everyone can reach the floor of the Grand Canyon.

William Cronon (2003) cites the Wilderness Act, with its enforcement of the nature/culture binary and the difficulties of maintaining and interpreting cultural resources that come with its terms, as the main deterrent to his proposed “historical wilderness.” The evolution of Cumberland Island’s management policies shows, however, that a historical wilderness can exist under the Wilderness Act, and in this case is supported by many wilderness advocates. The problem facing the balance of wilderness conservation and historic preservation on Cumberland Island is not wilderness rejecting history, but history rejecting wilderness. This rejection is based on ideological assumptions—not legal mandates or functional requirements—about access. By rethinking the assumption that history must be convenient to be significant, historical wilderness is possible. It remains to be seen how the fragmenting of Cumberland’s wilderness and the provision of vehicles tours to historic sites will shape the experiences available there, but Cumberland’s potential for historical wilderness is huge. Near the southern boundary of Cumberland’s wilderness, surrounding the chimneys that remain from slave cabins on the grounds of the old Stafford plantation, are oak trees that sprouted exactly 150 years ago. When the course of social and political history ended the subjugation of people and nature in this place, the wilderness took it back. *That’s historical wilderness.*

CHAPTER 6: CONCLUSION

In this research I have applied geographic theories of the social and legal construction of place and landscape to describe how decades of deliberation over conservation policy at Cumberland Island National Seashore have been structured around the seemingly dualistic projects of wilderness conservation and the preservation of the historic built environment. Through my analysis, the discourse of the debates over Cumberland's management have revealed 1) how actors have built and defended their very different interpretations of the wilderness and historic resources Cumberland offers and why they are important to protect, and 2) how the federal legal framework for wilderness conservation and historic preservation has shaped the island's managerial struggles.

To summarize, wilderness advocates, while defending biodiversity and endangered species, upheld the spiritual and recreational significance of the wilderness experience as the *raison d'être* of wilderness protection and chastised increased vehicle access through the wilderness as the destroyer of that experience. Politicians, historic preservationists, and island residents responded that Cumberland's long, visible, and nationally significant human history ought to have disqualified much of it from wilderness designation in the first place. Employing narratives about famous Americans, the Carnegie family, and their imprints on the island, these people at once countered visions of Cumberland as an untouched wilderness and bolstered the need to perpetuate historic narratives in the landscape through preservation. Some wilderness advocates also celebrated the significance of the structures in and around the wilderness, others

relegated them to artifacts of family nostalgia, but they all reconciled these structures' presence with the wilderness concept through the construct of evolving wilderness. Were we to protect only those places that mirror the mythical wilderness of the Wilderness Act, they argued, never allowing places to regain wildness, the eastern U.S. would be devoid of wilderness altogether.

The issue driving these competing interpretations of what Cumberland has to offer is access. Bound up with labels of wilderness and historic significance in the landscape are legal and cultural conceptions of how these resources should (or shouldn't) be accessed. Wilderness advocates believe that the challenge of accessing the wilderness on foot is an indispensable part of the experience available there, and that providing vehicle access for others threatens that experience for all. Historic preservationists argue that vehicle restrictions in the wilderness deprive surrounding structures of the maintenance they need, directly causing their deterioration, and also that the "educational, aesthetic, inspirational, and economic benefits" of preservation outlined in law only accrue if everyone has access to the resources (National Historic Preservation Act 470(b)). My findings show that the Park Service's inability to maintain all of Cumberland's historic structures, inside and outside of the wilderness, is due to substantial budget deficiencies, not limitations on access. What is misunderstood by some as the Park Service's neglect of cultural resources in favor of the wilderness is actually a symptom of the colossal cost of historic preservation when compared to that of wilderness conservation.

Preservationists' appeals for convenient public access to historic sites highlight the fundamental disjuncture in popular conceptions of societal value in wilderness versus historic sites: Wilderness draws its value from being difficult to get to, whereas historic sites must be fully accessible to be valuable. Significantly, only one of these conceptions about access is grounded in federal conservation law. While access may be an implied corollary to the benefits

of historic preservation listed in the National Historic Preservation Act, only the Wilderness Act actually provides guidelines for legal means of access, which, for anyone but wilderness administrators, means walking. This difference between the laws is only one feature of the overall power imbalance where they overlap. The Wilderness Act is built from mandates and bans that guard the wilderness, while the National Historic Preservation Act promotes, encourages, and provides for the consideration of historic preservation, but demands little. However, the Park Service is still obligated by its charter to protect both natural and cultural resources—though always subject to sufficient funding—and the experience of Cumberland Island shows that it is entirely possible to protect historic structures under the terms of the Wilderness Act. The Wilderness Act does not, however, accommodate the entrenched preservationist imperative of easy access to every significant human story in and around the wilderness. I have shown that the rejection of increased public access by wilderness advocates and the 11th Circuit Court of Appeals, while based in law, eventually led to the unilateral and underhanded overhaul of wilderness management in the Cumberland Island Wilderness Boundary Adjustment Act.

My findings are positioned to contribute to Cronon's (2003) efforts in constructing the concept of "historical wilderness." Recall that Cronon advanced a wilderness that retains and embraces the structural evidence, and therefore the stories, of the relationship between people and wild nature. This argument is an important addition to his critique of the wilderness concept as an anti-historical assertion of the nature/culture binary (1996) because it gives us a way forward in protecting wilderness landscapes without insisting that human-altered places are inferior stages for celebrating nature. Especially in the eastern U.S., where ubiquitous human

impacts would otherwise disqualify spaces from the stringent legal environmental protections the Wilderness Act, the historical wilderness construct is promising.

However, while we now have a way to think about wilderness that includes, rather than rejects, the history of human interactions with wild nature, my research shows that recognizing historic significance in the built environment can incite a rejection of wilderness, too. Cronon writes that the successful inclusion of human stories in the wilderness turns on how the landscape is interpreted, but for the most part he ignores who is doing the interpreting and how they access those stories—as well as the landscape itself. Is it the traditional wilderness enthusiast embracing the challenge of reaching his or her destination on foot, or is it the devotee of historic structures, who, my research shows, is likely to demand easy access? I contend that in the project of constructing a wilderness that also celebrates human history, the diametric opposition in conceptions of the appropriate means of access to wilderness versus historic resources that appears on Cumberland Island is too profound to overlook. Dismissing one ideological facet of the wilderness ideal—the myth of untouched nature—thus forces us to confront another: the wilderness ethic of limited access. I do not read Cronon to be challenging vehicle restrictions in his reformulation of the wilderness, but he may not recognize that labeling structures with historic significance, by appealing to the pervasive logic of easy access bound up with the project of historic preservation, invites that challenge. On Cumberland Island, where historic preservationists successfully defied access limitations, wilderness advocates suffered the loss not of an imagined “pristine” landscape, but of an experience beyond the range of guided van tours.

In weighing these caveats, it is important to recognize that Cumberland’s geography and history are unique. The island setting provides the isolation that makes its wilderness so alluring,

but also isolates historic structures on the coasts around the wilderness. The same family that facilitated the return of the wild nature to parts of Cumberland has invested the most in preventing it from returning to others. Moreover, that family is the Carnegies. It seems if every historic structure had a Carnegie in its corner, we would lose far fewer of them. The main flaw in this research is that it remains ignorant to the specific power dynamics expressed between the Carnegie family and their political allies in Congress that allowed the outcome on Cumberland. We have heard their arguments in court and in the Capitol, and we have seen how their opponents regard these arguments as disingenuous. And in the end we know they won. But their unique political power and connections limit my ability to generalize these findings to describe other conflicts between the interests of wilderness conservation and historic preservation.

The experience of Cumberland Island does, however, suggest some broader lessons about the mutual management of natural and cultural resources. And with the 2009 designation of 52 new wilderness areas across the country, including acreage in Massachusetts, Virginia, and Florida—the three eastern states with the longest colonial and American histories—the more we know about this issue, the better (Public Law 111-11). We know that where historic resources have public support and are perceived to be threatened by wilderness designation, conflicts will likely emerge over access to historic structures and cultural landscapes. Unfounded in law, we have nonetheless seen how powerful arguments for convenient access can be when advanced by powerful constituencies. In contesting the essentiality of unfettered public access to historic sites within the wilderness, I have argued that preservation advocates and heritage consumers ought to recognize that the historical and spiritual values of the built environment can actually be enhanced by isolation. I am not, however, suggesting that the wilderness ethic of limited access

always supersedes the right of the public to visit historic sites, only that the provision of public access be *measured* based on the details of each case. The 1999 Cumberland Island agreement to “piggyback” tourists on administrative trips to Plum Orchard and Half Moon Bluff was a non-partisan approach to meeting the (small) public demand for vehicle transportation and minimizing impacts on the wilderness experience for hikers, and it is true that this agreement violated the Wilderness Act. But instead of going to Congress to adjust Cumberland’s wilderness legislation to incorporate the measured terms of the agreement, Kingston’s unilateral Wilderness Boundary Adjustment Act overestimated public demand for tours, overburdened the Park Service financially, and opened the door to private commercial activities in the middle of the wilderness, a drastic departure from the spirit of the Wilderness Act.

This kind of “compromise” must, and can, be avoided. The first step is following Cronon’s (2003) advice in interpreting human interactions and impacts in wilderness areas in historically honest ways, even while, as Don Barger put it, “letting entropy go” in the wilderness around them (Barger 2010). While labeling wilderness and historic significance in the landscape will always be a contestatory political process, understanding that they are not antithetical to one another should make each easier by removing the other as an automatic barrier. There will still be conflicts. After all, the Wilderness Act and the National Historic Preservation Act were both born from the feeling that American heritage, natural and cultural, was being attacked by the modern world.¹⁵ That sense of victimization does not, and for the sake of each project, should not die easy, for there are plenty of obstacles for each besides each other. But by carefully evaluating the balance between natural and cultural resources, the public demand for access to

¹⁵ The Wilderness Act was established “in order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States” (1131(a)). Similarly, the National Historic Preservation Act was enacted as a reaction to “ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments” (470(b)).

them, and the administrative capabilities of the stewarding agency, all while avoiding the pitfalls of entrenched social-legal assumptions about resource management I have described, a system of truly unique historical wilderness areas is possible.

REFERENCES

- Allin, Craig W. (2000) The Triumph Politics Over Wilderness Science. *USDA Forest Service Proceedings* 2: 180-185.
- Aplet, Gregory H. (1999) On the Nature of Wildness: Exploring What Wilderness Really Protects. *Denver University Law Review* 76: 347-366.
- Barger, Don. Personal Interview. 6 October 2010.
- Blomley, Nicholas. (1998) Landscapes of Property. *Law & Society Review* 32(3): 567-612.
- Boyles, Fred. Personal Interview. 3 September 2010.
- Bullard, Mary. (2003) *Cumberland Island: A History*. Athens, GA: University of Georgia Press.
- Cresswell, Tim and Gareth Hoskins. (2008) Place, Persistence, and Practice: Evaluating Historical Significance at Angel Island, San Francisco, and Maxwell Street, Chicago. *Annals of the Association of American Geographers* 98(2): 392-413.
- Crist, Eileen. (2004) Against the Social Construction of Nature and Wilderness. *The Wilderness Debate Rages On: Continuing the Great New Wilderness Debate*. Eds. Nelson, Michael P. and J. Baird Calicott. Athens, GA: University of Georgia Press. 500-525.
- Cronon, William. (1996) The Trouble with Wilderness: Or, Getting Back to the Wrong Nature. *Environmental History* 1(1): 7-28.
- Cronon, William. (2003) The Riddle of the Apostle Islands: How Do You Manage a Wilderness Full of Stories? *ORION* (May/June): 36-42.
- Cumberland Island Wilderness Boundary Adjustment Act of 2004. Public Law 108-447. 108th Cong. 2nd sess.
- Davis, Denis. (1998) *Cumberland Island National Seashore Mullet Wrapper* 2(9): 3.
- Delaney, David. (2001) Making Nature/Marking Humans: Law as a Site of (Cultural) Production. *Annals of the Association of American Geographers* 91(3): 487-503.

- Dilsaver, Lary. (2004) *Cumberland Island National Seashore: A History of Conservation Conflict*. Charlottesville: University of Virginia Press.
- Dilsaver, Lary. (2005) Whose Sacred Place? Planning Conflict at Cumberland Island National Seashore. *Historical Geography* 33: 202-225.
- Dryzek, J.S. (1997) *The Politics of the Earth: Environmental Discourses*. New York: Oxford University Press.
- Feldman, James. (2004) *Rewilding the Islands: Nature, History, and Wilderness at Apostle Islands National Lakeshore*. (Doctoral Dissertation). Received courtesy of author. (ProQuest Accession Order No. AAT 3143101).
- Graves, Joe. (2009) *Cumberland Island Saved: How the Carnegies Helped Preserve a National Treasure*. Lexington, KY: Gravesend, LLC.
- Harlan, Will. (2007) Line in the Sand. *Blue Ridge Outdoors* August: 30-33.
- Harlan, Will. Personal Interview. 20 August 2010.
- Harvey, David. (1993). From Space to Place and Back Again: Reflections on the Condition of Postmodernity. *Mapping the Futures: Local Culture, Global Change*. Eds. Bird, Jon, et al. London: Routledge.
- Head, Lesley. (2008) Is the Concept of Human Impacts Past its Use-By Date? *The Holocene* 18(3): 373-377.
- Hays, Samuel P. (1996) The Trouble with Bill Cronon's Wilderness. *Environmental History* 1(1): 29-32.
- Hollingsworth-Cox, Ginger. 25 August 2010.
- Holstein, James and Jaber Gubrium. (1995). The Active Interview. *Qualitative Research Methods Series* 37. Thousand Oaks, CA: Sage.
- Izaak Walton League v. St. Clair*. 353 F.Supp 698 (5th D. Minn. 1973).
- Kidner, David W. (2000) Fabricating Nature: A Critique of the Social Construction of Nature. *Environmental Ethics* 22(4): 339-357.
- Klyza, Christopher McGrory. (2005) *Wilderness Comes Home: Rewilding the Northeast*. Hanover, NH: University Press of New England.
- Lowenthal, David. (2005) Natural and Cultural Heritage. *International Journal of Heritage Studies* 11(1): 81-92.

- Massey, Doreen. (1993) Power Geometry and a Progressive Sense of Place. *Mapping the Futures: Local Culture, Global Change*. Eds. Bird, Jon, et al. London: Routledge.
- Minteer, Ben and Elizabeth Corley. (2007) Conservation or Preservation? A Qualitative Study of the Conceptual Foundations of Natural Resource Management. *Journal of Agricultural and Environmental Ethics* 20: 307-333.
- Mitchell, Don. (1997) The Annihilation of Space by Law: The Roots and Implications of Anti-Homeless Laws in the United States. *Antipode* 29: 303-335.
- Nash, Roderick Frazier. (2001) *Wilderness & the American Mind*. 4th Edition. New Haven: Yale University Press.
- National Historic Preservation Act. 16 U.S.C. 470. Public Law 89-665. 15 October 1966. Print.
- National Parks Conservation Association. (2009) State of the Parks: Cumberland Island National Seashore. Accessed online at www.npca.org/stateoftheparks/cumberland/CUIS-web.pdf.
- National Park Service. (2009) *Final North End Access and Transportation Management Plan and Environmental Assessment: Cumberland Island National Seashore*. Prepared by Hartrampf, Inc. Atlanta, GA.
- National Park Service Organic Act. 16 U.S.C. 1. 39 Stat. 535. 25 August 1916. Print.
- Neuhauser, Hans. Personal Interview. 11 November 2010.
- Norton, Bryan. (1986) Conservation and Preservation: A Conceptual Rehabilitation. *Environmental Ethics* 8: 195-220.
- Orr, David W. (1999) The Not-So-Great Wilderness Debate...Continued. *The Wilderness Debate Rages On: Continuing the Great New Wilderness Debate*. Eds. Nelson, Michael P. and J. Baird Calicott. Athens, GA: University of Georgia Press. 423-434.
- Powers, Scott. (2005) *Wilderness Watch v. Mainella*: The Wilderness Act and National Environmental Policy Act are Given Meaning by the Eleventh Circuit. *Journal of Land, Resources & Environmental Law* 25: 99-108.
- Pred, Allan. Place as a Historically Contingent Process: Structuration and the Time-Geography of Becoming Places. *Annals of the Association of American Geographers* 74(2): 279-297.
- Public Law 97-250. 96 Stat. 709. 8 September 1982.
- Public Law 111-11. 123 Stat. 991. 30 March 2009.

- Sanders, Scott Russell. (2009) *A Conservationist Manifesto*. Bloomington, IN: University of Indiana Press.
- Schein, Richard H. (1997) The Place of Landscape: A Conceptual Framework for Interpreting an American Scene. *Annals of the Association of American Geographers* 87(4): 660-680.
- Schwarzer, Mitchell. (1994) Myths of Permanence and Transience in the Discourse on Historic Preservation in the United States. *Journal of Architectural Education* 48(1): 2-11.
- Society of American Foresters. (2009) Loss of U.S. Forest Land: A Position Statement of the Society of American Foresters.
- Soulé, Michael E. and Gary Lease. (1995) *Reinventing Nature?: Responses to Postmodern Deconstruction*. Washington: Island Press.
- Tyler, Norman, Ted J. Ligibel and Ilene R. Tyler, eds. (2009) *Historic Preservation: An Introduction to its History, Principles, and Practice*. 2nd Edition. New York: W.W. Norton & Company.
- Rocky Mtn. Oil and Gas Ass. v. Andrus*. 500 F.Supp 1338 (D. Wy. 1980).
- Rutheiser, Charles. (1996) *Imagineering Atlanta: The Politics of Place in the City of Dreams*. New York: Verso.
- Unfunded Mandate Reform Act. Public Law 104-4. 22 March 1995.
- U.S. Congress. House. Committee on Resources. Subcommittee on National Parks and Public Lands. (1998) *Hearing on H.R. 3963, H.R. 2125, H.R. 3950, H.R. 4144, H.R., 2111, H.R. 4230, and H.R. 4287: Hearing before the Subcommittee on National Parks and Public Lands of the Committee on Resources*. 105th Congress, 2nd sess, 28 July 1998. Washington, D.C.: GPO.
- U.S. Congress. Senate. Committee on Energy and Natural Resources. Subcommittee on National Parks. (2003) *Kate Mullaney Site; Amend the Anilca; Connecticut River Watershed; and Cumberland Island Wilderness: Hearing before the Subcommittee on National Parks of the Committee on Energy and Natural Resources*. 108th Congress, 1st sess., 30 October 2003. Washington, D.C.: GPO.
- Vale, Thomas R. (2005) *The American Wilderness: Reflections on Nature Protection in the United States*. Charlottesville: University of Virginia Press.
- Watt, Laura A. (2002) The Trouble with Preservation, or, Getting Back to the Wrong Term For Wilderness Protection: A Case Study at Point Reyes National Seashore. *Association of Pacific Coast Geographers Yearbook* 64: 55-71.
- Wilderness Act. 16 U.S.C. 1131. Public Law 88-577. 3 September 1964. Print.

Wilderness Watch. Our History. Accessed online at wildernesswatch.com/about/index.html.

Wilderness Watch v. Mainella. 375 F.3d 1085 (11th Cir. 2004).

Wolf, Steven A. and Jeffrey A. Klein. (2007) Enter the Working Forest: Discourse Analysis in The Northern Forest. *Geoforum* 38: 985-998.

Wright, Hal. Personal Interview. 7 October 2010.

APPENDIX A: INTERVIEW GUIDE

- 1) Tell me about your personal and professional history with Cumberland Island.
- 2) In your opinion, what qualifies Cumberland's northern end as "wilderness"? What obligations does this status mandate of its caretakers and visitors? Are these just legal obligations, or are there moral obligations as well?
- 3) What does society stand to gain from the protection of the wilderness?
- 4) In your opinion, what qualifies Plum Orchard and the Settlement as "historically significant"? What obligations does this status mandate of their caretakers and visitors? Are these just legal obligations, or are there moral obligations as well?
- 5) What does society stand to gain from the protection of historic structures?
- 6) What are the greatest threats currently facing Cumberland's wilderness area?
- 7) What are the greatest threats currently facing Cumberland's historic sites?
- 8) How effective has park management been in mitigating these threats? How could it be improved?
- 9) Do you feel that the preservation of historic structures can be compatible with the protection of the wilderness? What compromises, if any, does this relationship force?
- 10) In what ways has the relationship between historic preservation and wilderness protection been effectively managed on Cumberland Island? In what ways has this relationship been mismanaged?
- 11) I am going to ask you about a series of laws that govern conservation practices on federal land. For each law, to the extent that you're familiar with it, I'd like you to first give me your general feelings about the law, then to elaborate on how the law has affected, or should affect, Cumberland Island.
 - a. The Wilderness Act of 1964
 - b. The Historic Preservation Act of 1966
 - c. The Eastern Wilderness Areas Act of 1975
 - d. The Cumberland Island Wilderness Boundary Adjustment Act of 2004

12) In 2004 the 11th Circuit Appellate Court struck down the Park Service's transportation of tourists through the wilderness area as a violation of the Wilderness Act. How do you think this ruling has affected the transportation debate?