

A New Tragedy for the Commons: The Threat of Privatization to National Parks (and Other Public Lands)

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*They hang the man and flog the woman
That steal the goose from off the common,
But let the greater villain loose
That steals the common from the goose.*

— English folk poem, ca. 1764

IN 1968, GARRETT HARDIN AUTHORED A PROVOCATIVE ARTICLE called “The Tragedy of the Commons.”¹ In this piece, he used the example of a pasture, open to all, and wherein each herdsman would try to keep as many cattle as possible on the commons. As rational beings, each herdsman seeks to maximize his gain, asking himself, “What is the utility *to me* of adding one more animal to my herd?” This utility has one negative and one positive component. Hardin explains:

1. The positive component is a function of the increment of one animal. Since the herdsman receives all the proceeds from the sale of the additional animal, the positive utility is nearly +1.
2. The negative component is a function of the additional overgrazing created by one more animal. Since, however, the effects of overgrazing are shared by all the herdsmen, the negative utility for any particular decision-making herdsman is only a fraction of -1.

Adding together the component partial utilities, the rational herdsman concludes that the only sensible course for him to pursue is to add

another animal to his herd. And another.... But this is the conclusion reached by each and every rational herdsman sharing a commons. Therein is the tragedy. Each man is locked into a system that compels him to increase his herd without limit—in a world that is limited. Ruin is the destination toward which all men rush, each pursuing his own best interest in a society that believes in the freedom of the commons. Freedom in a commons brings ruin to all.

Hardin goes on to say, “The National Parks present another instance of the working out of the tragedy of the commons. At present, they are open to all, without limit. The

parks themselves are limited in extent—there is only one Yosemite Valley—whereas population seems to grow without limit. The values that visitors seek in the parks are steadily eroded. Plainly, we must soon cease to treat the parks as commons or they will be of no value to anyone.”

What shall we do? We have several options. We might sell them off as private property. We might keep them as public property, but allocate the right to enter them. The allocation might be on the basis of wealth, by the use of an auction system. It might be on the basis of merit, as defined by some agreed upon standards. It might be by lottery. Or it might be on a first-come, first-served basis, administered to long queues. These, I think, are all objectionable. But we must choose—or acquiesce in the destruction of the commons that we call our National Parks.

Hardin’s concepts focus on the issue of individual exploitation—reciprocity and altruism being subordinated in favor of self-interest. An assumption follows: that the government operates in the best interests of the people as a whole and therefore has the responsibility to control individual exploitation and to set rules whereby the commonwealth is protected.

Protection of the commons we call the national park system originated as early as 1832 with the set-aside of Hot Springs in Arkansas. Protection became more formalized in the late 1800s with the creation of a number of national parks in the West. Finally, in 1916, the National Park Service Act (39 Stat. 535) established the agency and specified its mission, “which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and

to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” Subsequently, in the General Authorities Act of 1970 (84 Stat. 825), Congress amended the National Park Service (NPS) mission by specifying that areas in the system are “united through their interrelated purposes and resources into one national park system as cumulative expressions of a single national heritage ... preserved and managed for the benefit and inspiration of all the people of the United States....” And in the Redwood Act of 1978 (92 Stat. 163), Congress further amended the NPS mission by specifying that “protection [of the parks] ... shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established....”

While issues of “carrying capacities” still persist, a new, more serious form of exploitation has become an increasing threat to the values and purposes of the national park system in recent years. This threat is privatization, or more specifically, commercialization. In fact, this threat has accelerated over the past four years. In view of the explicitly stated and enduring mission of NPS, it is especially disturbing that a major source of this new exploitation is the government itself, and in particular, the Department of the Interior (DOI), the department with the affirmative responsibility to carry out the legislated mission of NPS.

Some forms of private enterprise have been present in national parks almost since their inception. The need to accommodate visitors through short-term leases for building purposes was recognized by Congress when it established Yellowstone National

Park in 1872. When he was appointed the first director of NPS in 1916, Stephen Mather, an industrialist, recognized the need to eliminate the chaos of competition that had evolved during the previous several decades. He established a licensed prime concessionaire in each park—a recognition that private interests could provide certain visitor services more appropriately and effectively than could the government. These concessions were carefully overseen and thoroughly regulated monopolies. Instead of turning private enterprise loose to pursue its own interests as it pleased, in these arrangements government safeguarded the public interest through regulation. Many of these concessions used to be “mom and pop” operations, often managed by people who supported the values and purposes of the parks in which they operated. Unfortunately, over the years and with government approval, most of the concessions have evolved to where they are now operated by large, conglomerate business interests with more of an eye on profit than on perpetuation of resources and enlightenment of visitors.

But there is a major difference between commercial activity permitted for the public interest, and the “privatization” that is being promoted by a small faction of calculating extremists who are pushing their interests forward in small, insidious, and steady increments. During the past four years the political leaders of the DOI (and the NPS) have made a concerted effort to promote “partnerships,” to “contract out” certain NPS functions, to increase opportunities for private, commercial interests to become involved in park activities and to expand recreational (especially motorized) uses in NPS areas—promoting what they call the “proper balance between public

access and resource protection.”

There is no question that declining budgets in the national parks have provoked increasing pressure to privatize. This seems to be playing right into the hands of those in Congress, DOI, and NPS who are currently leading the privatization movement. Some even suggest that “starving the NPS budget” is intentional, designed to make it more justifiable to increase reliance on private interests to manage the nation’s heritage.

The current Park Service director, Fran Mainella, came into the job heavily promoting “partnerships” and has moved the partnership agenda to the front of the list of priorities for park managers, even to the extent that this agenda often overshadows the protection of park resources.

Partnerships, such as “friends groups,” park-specific foundations and institutes, and other similar supporters have been around for decades. They began to come to the forefront when Congress chartered the National Park Foundation in 1967 to “encourage [and accept and administer] private gifts of real and personal property of any income therefrom . . . for the benefit of, or in connection with, the National Park Service, its activities, or its services....” Typically, these are professionally organized businesses that operate on the sound principal that charity must supplement federal funds, not replace them. They have traditionally provided NPS with funds that provide a “margin of excellence.” However, many are now realizing that there is an increasing reliance on philanthropic funding to carry out even basic operational needs in parks. Supporters are beginning to see such donations as a form of double taxation—once to pay for parks through the Internal Revenue Service and a second time via a charitable gift to compensate for the offset of

decreased appropriations for parks.

Another disturbing factor related to these kinds of partnerships is the extent to which those who contribute heavily to support national parks expect or are promised some benefit as a result. Concerns have been raised about inappropriate “advertising” on parklands by contributors, and even about the possibility of contributors having inappropriate influence on policy related to the management of national parks. These are real problems that pose a threat to the values and management of the national park system.

In another form of privatizing, DOI Secretary Gale Norton and Director Mainella have aggressively pursued the Administration’s “competitive sourcing” initiative, despite widespread opposition in Congress and repeated warnings from park officials that additional competitive sourcing—the NPS already outsources concessions, with annual revenues of \$800 million, public health, and some visitor information operations—would seriously compromise the Park Service’s ability to perform its three core functions: protect resources, provide for high-quality visitor services, and maintain productive relations with surrounding communities. Required outsourcing studies are expensive, coming in at an astounding \$3,000 per position, or more. These expenditures do little or nothing to further the mission of the National Park Service, and instead diminish already reduced park operational budgets. The studies create employee anxiety and sap morale. Moreover, the Administration’s continuing push to implement the competitive sourcing initiative is targeting not just maintenance but resources management and research employees as well.

Outsourcing focuses on whether a par-

ticular job can be done more economically by a non-governmental entity, but fails to place any value on the expertise and institutional knowledge of Park Service professionals, such as archaeologists and paleontologists who are responsible for preserving Civil War battlefields, prehistoric ruins and artifacts, dinosaur bones, fossils and other relics of American history. Moreover, outsourcing fails to take into account the multidisciplinary nature of many positions in parks. Often, maintenance employees are part of a park’s firefighting (structural and wildland) and search and rescue teams, are qualified as emergency medical personnel, and provide a valuable service to visitors by interpreting the resources and providing information. It is hard to imagine being able to write a contract with a private vendor to provide all of these needed functions in parks. As a result, shifting worker duties to private industry can actually increase costs over retaining Park Service employees because of the loss in productivity and training time, not to mention the loss of educational benefits to visitors. Privatizing jobs would also further open national park management to private influence, rather than retaining direct government oversight and at least the veneer of objectivity when weighing the public interest.

Recent attempts to outsource some of the Park Service’s critical functions, including biological science and archaeological survey and assessment activities, and replace NPS workers with low-bid private contractors, is of particular concern. The scientists and resources management specialists are the people who furnish park managers with the resource information upon which they depend to make wise decisions. The quality of the information is enriched by the institutional knowledge,

gained by years of experience that these NPS specialists possess. Private contractors would not be able to duplicate this expertise.

Voluntarism is also being exploited. Voluntarism has traditionally been viewed as a valuable, "free" way for NPS to augment its staffing. Included in its benefits is an increased understanding of NPS resources and values by those who volunteer. However, it is now increasingly rare for a visitor to enter a national park visitor center and find a uniformed national park ranger. The use of volunteers and "friends" of parks has, for years, been extraordinarily helpful to the national parks. When originally conceived, the Volunteers in Parks (VIP) initiative was intended to augment, not supplant, the services provided by NPS employees. In fact, the NPS policies for VIPs still make that distinction. It is clear, however, that volunteers now are no longer supplementing the work of uniformed, full-time employees; they are replacing them through programs such as Take Pride in America and Volunteers in Parks. In many parks, the volunteers have increasingly become the front-line people most often providing visitor services, including interpretive and educational programs. Park interpreters receive special training to acquire the knowledge, skills, and abilities to deliver these kinds of services to park visitors. While no one questions their motivation, volunteers are not necessarily as well trained, which may clearly affect the quality of interpretive and educational programs. Volunteers are also increasingly performing resources management work, the very heart of the NPS mission. This is not supplemental work. It is crucial to the long-term protection of the resource values for which America's parks were established.

Perhaps the most menacing form of privatizing is that of increasing preferential treatment for special interests in the management and use of national parks. Two examples illustrate this trend. One is the greater tolerance for, if not insistence on, allowing increased motorized recreational uses in parks, in some cases even despite scientific data and recommendations and majority public opinion arguing against such uses. Snowmobiles in Yellowstone National Park and off-highway vehicles in bird nesting areas at Cape Hatteras National Seashore are current cases in point. These increases in industrial recreation not only evolve from the ideology of the political leaders of the DOI and NPS, but often are initiated and strongly supported by the American Recreation Coalition. ARC includes more than 100 private-sector organizations representing the vested interests of nearly every segment of the nation's \$400 billion outdoor recreation industry; the majority has ties to motorized forms of recreation. Key DOI and NPS leaders are nearly always on hand at ARC (and some member) meetings and events and have been frequent recipients of "awards" from ARC. Since 1985, ARC has been involved in supporting presidential inaugural activities. By its own admission, this year ARC stepped up the intensity of its participation and its contributions. Its motives are not exclusively patriotic in nature.

The second example of preferential treatment is the promotion of the belief that a narrow population of citizens should have a greater say in how a national park is managed than the rest of the nation. In the Yellowstone snowmobile situation, both a local judge and DOI leaders have taken the position that the local economic interests of communities adjacent to the park should be

given greater consideration than the interests of citizens from elsewhere. Moreover, a bill passed in the U.S. House of Representatives during the last session, and vigorously supported by the National Alliance of Gateway Communities and the tourism industry, appears to be an attempt to subvert the public's role in park planning by giving interests in so-called gateway communities—communities at or near park boundaries—unprecedented and disproportionate influence over the planning and decision-making processes in the adjacent parks. These examples of preferential treatment work to dilute the “national” in national parks—relegating them more to the status of state, regional, or local parks.

One of the hallmarks of American democracy has been the concept of public funding of programs that are in the public interest. The public funding of the protection of the national park system, which has traditionally been financed through government appropriations, is an example of this concept. An individual taxpayer has (in theory, at least) more influence over the way money is spent by government entities than he or she does over the way money is spent by private entities. Thus, privatization works against the interests of individual taxpayers, but certainly in favor of commercial or special interests.

The rationale hyped for privatization is that it costs less. While direct costs may appear to be lower, when added with the indirect costs of administering the contracts, auditing their work and expenditures and compliance, the costs may well be higher than the cost of the government doing the work. Moreover, when factors such as loss of flexibility, continuity, and institutional memory are considered, the “costs” are even higher.

The fact is that privatization is driven less by any realistic expectation of savings to the taxpayer than by raw political ideology.

Moving the national parks from the public to the private arena opens them to the world of risk, and increases the probability that the idea of parks, as we know it and generations before us intended it, can fail. Are we as a society willing to accept that? Moreover, generational equity has always been a valid principle applied to expansion of the national park system. Each generation, speaking through its elected representatives, adds the areas that it believes deserve protection in perpetuity. Do the leaders in this generation have the right to second-guess the decisions and expectations from previous generations in what constitutes the national park system and how it ought to be managed?

Every citizen in this nation should be troubled about the creeping shift toward private and corporate control of the management of our national parks, a magnificent example of the American commons. The shift is incremental and is motivated by the desire of powerful political forces in our country to deprive public institutions of their ability to manage public resources and to deliver these resources into the hands of interests who can profit from their management. As the noted environmental writer, Michael Frome, has stated: “[P]ublic parks are like art galleries, museums and libraries, meant to enrich society by enlightening and elevating individuals who come to them. There is no way to place a dollar value on a ‘park experience’ or a ‘wilderness experience’ and yet the simple act of visiting the natural world has become a commercial transaction. Worst of all, the agencies in charge, the National Park Service and Forest Service, make ‘partnerships’ with

profit-driven entrepreneurs bent on introducing motorized forms of recreation and commercializing wilderness.”²²

David Bollier, author, policy strategist, and activist, says, “A reckoning of what belongs to the American people is a first step to recovering control of common assets and protecting them for public purposes. When we argue for the American commons, we assert the right to public control over public resources.... The idea that human beings share a moral and civic inheritance that cannot be alienated, commodified, or sold is part of an American tradition that has its roots in the Declaration of Independence.... The silent theft of our shared assets and civic inheritance need not continue. But first we must recognize the commons as such, name it, and understand

the rich possibilities for reclaiming our common wealth.”²³

Former NPS Director Roger Kennedy recently said, “The American people wanted to save these places [the parks], not because they brought money. We knew they would cost money. We saved them because they were worth money. They are precious. That is why we preserve them.”²⁴ We owe the previous generations of Americans who have built our national park system a huge debt. And we owe our children and grandchildren the opportunity to experience these heritage areas. We cannot repay that debt or pass on the parks unimpaired by pursuing policies that place national parks in danger. These parks belong to every American—past, present and future.

Endnotes

1. Garrett Hardin, “The Tragedy of the Commons,” *Science* 162 (1968), 1243–1248.
2. Michael Frome, *Greenspeak: Fifty Years of Environmental Muckraking and Advocacy* (Knoxville: University of Tennessee Press, 2002).
3. David Bollier, *Reclaiming the Commons* (Boston: Boston Review, 2002).
4. Roger G. Kennedy, “With Common Voice for Common Ground,” speech presented in Flagstaff, Arizona, 1996.

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