

## Should There Be Rescue Free Wilderness Areas?



NO

*in Wadlinger plotter (1999)  
(see Cloutier for full reference).*

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It's two in the morning, Chris is lying by the side of a river exhausted, soaked, and nearly beyond shivering. Earlier in the day, while attempting to cross a swollen river, Chris lost his footing and was swept downstream. He slammed into numerous boulders until he was finally pushed out onto a sandy bend. Chris sustained a broken leg and moderate head injuries. His pack is gone. He is alone.

In a few days he will be reported missing, but Chris knows that no one will attempt to rescue him. He realizes this because he chose to travel through a "no-rescue wilderness" area. Chris was aware that the management policies of this area forbid official agencies to attempt any rescue operations. In fact, this is why he chose to travel here. In this predicament, Chris knows that he has little or no chance of coming out of this wilderness area alive.

### NO-RESCUE WILDERNESS CONCEPT

The concept of rescue free wilderness areas or "no-rescue" zones was first conceived by McAvoy and Dustin (1981). They proposed

"an expansion of outdoor recreation opportunities to include wilderness areas in which users would bear the sole responsibility for their personal welfare. Agencies managing areas designated for full-risk use would be absolved, indeed prohibited, from intervening at anytime on behalf of any recreationist in distress" (McAvoy & Dustin, 1981, p. 150).

McAvoy and Dustin felt that the U.S. National Wilderness Preservation System (NWPS) was incomplete, specifically on the primitive end. They proposed the concept of no-rescue wilderness zones in order to accommodate those individuals who desired the "ultimate" wilderness experience. The quest for freedom, self-reliance, and independence fueled this concept (McAvoy & Dustin, 1981).

The no-rescue zone, according to McAvoy (1990), would be managed like any other wilderness area utilizing a user quota system to protect the resource and the wilderness experience. Its uniqueness, he believes, would be that the managing agency would be responsible for informing users of the risks in the area and the fact that no rescue services would be available. However, I will argue that this concept contradicts one of the basic ele-

ments of the U.S. Wilderness Act of 1964 and therefore should not be implemented.

## PRIORITY ON LIFE

In 1964, the U.S. Wilderness Act set aside designated areas to be preserved as "wilderness." Section 2 (c) states that:

"wilderness...is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain...Except as otherwise provided, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use" (Brame & Henderson, 1992, p. 117).

Section 4 (c) of the U.S. Wilderness Act goes on to mention the prohibited uses of wilderness by stating that:

"there shall be no...permanent road within any wilderness area designated by this Act EXCEPT as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area)" (Brame & Henderson, 1992, p.118).

Through Section 4, the Wilderness Act of 1964 clearly establishes a priority on human life. A priority that, according to Colin Campbell, Chief Ranger at Grand Teton National Park, still exists today as a policy within the park services (C. Campbell, personal communication, March 13, 1998).

## ACTUAL NEED

The question then becomes, can individuals who desire a sense of freedom, self-reliance,

and independence attain this in our current wilderness system? McAvoy (1990) says no. He suggests that one cannot approach the edge of life (by potentially gambling with life or death scenarios) if one knows that it is fenced with a rescue policy.

However, according to John Krambrink, Chief Ranger at Mt. Rainier National Park in Washington, "wilderness" truly does exist today due to hazards such as weather, wildlife, and other environmental conditions. "When you travel off trail in a wilderness area, you should not have an expectation of being rescued. People can still get hurt and even killed in wilderness areas today" (J. Krambrink, personal communication, March 5, 1998).

McAvoy (1990) argues that most wilderness users believe they will be rescued if they are overdue, ill, or injured. U.S. Park and Forest Service personnel would argue otherwise due to the wild nature of many existing wilderness areas. According to Pete Armington (1998), Chief Ranger at Isle Royal National Park, the Park Service may intentionally delay a rescue or utilize a slower, more controlled approach in saving someone in order to protect search and rescue (SAR) personnel. In doing so, an individual is entirely dependent upon his/her own self-reliance unless the SAR reaches them in a timely manner. In extreme weather, this could mean countless hours or even days.

In essence, the more rugged, remote, and/or high an area of travel, combined with hazards such as extreme weather, the closer an individual can potentially come to total self reliance. Many winter ascents, for instance, typically offer a very small margin for rescue. In terms of need, Krambrink feels that the concept of no-rescue wilderness areas has "never caught on in the park services because it is really not needed." (J. Krambrink, personal communication, March 5, 1998).

Krambrink believes that "if you truly need 'wilderness,' you can find it."

## PERSONAL CHOICE

It is important to remember that individuals seeking total "independence" are not required to carry a radio or cellular phone, and they are not required to call for help or hike out to a roadhead to get assistance. This is a personal choice. Instead of designating an entire area a no-rescue zone, individuals can simply decide that they are the no-rescue type who will not call for assistance. Furthermore, one can easily travel deep into the wilderness and never inform anyone of his/her whereabouts.

The story of Chris McCandless, which was immortalized in Jon Krakauer's (1996) book *Into the Wild*, is a perfect example of an individual who ultimately spelled out his own fateful destiny by choosing to spend four months living alone in Alaska. Many others have taken similar independent journeys, yet lived to tell about them.

## MORAL ISSUES

On another note, no-rescue wilderness zones are simply not practical in our society. Armington believes that the no-rescue concept has never been taken seriously by SAR, the National Park Service (NPS), or State and volunteer rescue agencies mainly because it is "too far out to ever be worthy of serious thought. It is just not realistic" (P. Armington, personal communication, March 6, 1998). This potentially powerful, self-reliant concept cannot be realistically implemented in our society due to factors such as morality, legality, and a modern day humanitarian philosophy.

Even though the U.S. Park and Forest Services are not legally bound to rescue individuals in need, they still regard visitor protection as a necessary public service. It would be a crime to prevent rescuers from responding to a plea for help. Armington believes that in the "real world," this no-rescue concept would fall flat due to the high value that we place upon human life (P. Armington, personal communication, March 6, 1998).

Ethically, it is not fair to place SAR and park personnel into a complex ethical dilemma if they know that someone is out in a nearby no-rescue zone in critical need of assistance. Peterson (1987) believes that the immorality of the basic no-rescue premise would compromise the very meaning of civilization. He believes that we have not only the right, but the duty, to attempt to rescue people. The human condition is rooted in an ethics of mutual assistance. He feels that "when we rescue someone in trouble, we say something about the kind of species we are, and aspire to be...we rescue people because we have to live with ourselves and our collective consciences" (p. 41).

In effect, it is not realistic to believe that SAR and Park personnel could comfortably sit and wait in their offices, going about business as usual, knowing that they have the ability to save someone who is dying in a no-rescue zone. Just because someone, on a quest to be "independent," made a choice to travel into a no-rescue zone when entering the wilderness, doesn't mean, that on the brink of death, he or she still agrees with their previous choice.

## INDEPENDENCE VERSUS SURVIVAL

It is obvious that the wilderness that once existed during the early frontier days no longer

exists today. And, one could speculate that even the most rugged, self-reliant, and independent early explorers would have graciously accepted assistance instead of facing imminent death. Survival is instinctive in humans; as animals, we have an inner drive to live.

Now, say your friend "Chris" is facing his or her final hours, lying injured in a no-rescue wilderness zone where help is potentially nearby. In those last moments, it is hard to imagine Chris not wanting to live...not wishing that someone would help. "Even in the most desperate of situations, each of us will continue to hope for rescue up to the point of death" (Peterson, 1987, p. 42). Take Rob Hall for example, an experienced mountaineer who knew that the possibility of being rescued near the south summit of Mt. Everest was impossible under the conditions he was facing, yet he continued to ask for help even into his final hours (Krakauer, 1997, p. 234).

Perhaps it is true that many travelers could go into no-rescue zones, have incredible feelings of independence, enjoy themselves immensely, and return home safely to celebrate. Yet, it is difficult to ignore those few who wouldn't make it out. McAvoy (1990) argues that too much emphasis has been placed on what could go wrong in no rescue areas instead of what could go right. Yet, in light of all the potential positives, how can we ignore the reality of those who will never return home to their families. "Self growth is learning from your mistakes...to let someone die because of a bad choice or mistake is not growth." (J. Hughes, SAR, personnel communication, March, 1998).

Where is the honor in dying an independent, self-reliant individual if, in your final hours, someone might have been able to save you, yet you chose ahead of time not to have

them intervene. Where does society draw the line on independence vs. suicide? "Are we really expected to believe that society will profit from a policy which reinforces apathy and insensitivity for the many, so a few can say they are more self-reliant?" (Peterson, 1987, p. 42).

## FAMILY AND COMMUNITY ISSUES

An additional factor that makes the no-rescue concept particularly controversial, centers around the issue of family, friends, and the general public. According to SAR Pilot Tom Jensen, a no-rescue wilderness area would tend to be unfair to the family of a "victim" who might turn up missing. No matter how the "victim" might feel about entering a no-rescue area, Jensen believes that if that person never returned, the family would feel anguish and need the type of closure that a search and rescue or recovery would provide. Without this closure, it is possible that a no-rescue area could have implications which leave family and friends hurt for a very long time (T. Jensen, personal correspondence, March 5, 1998).

The formation of no-rescue zones would definitely compound the problems of a missing wilderness traveller according to Ron Jablonski, Public Affairs Officer for the Rio Grande National Forest in Colorado. Ultimately, untrained family members or friends of a "self-reliant" individual who never returned home might venture out and try to find and save the missing person. In certain wilderness zones, this could mean attempting a vertical rescue for which the friends or family may be untrained to carry out and might result in disastrous consequences (R. Jablonski, personal correspondence, March 10, 1998). It is, therefore, unrealistic to believe

that trained SAR personnel would watch on the sidelines as untrained individuals ventured out to attempt to save friends or family members.

In addition, it is difficult to believe that the media wouldn't catch onto the moral debate of rescue free wilderness areas and severely question its legitimacy after the first person came up missing in a no-rescue wilderness zone. One concerned family member could put an incredible amount of pressure on wilderness managing agencies, including the National Park Service, the Forest Service, the Fish & Wildlife Service, or the Bureau of Land Management (BLM), and in doing so initiate an enormous public outcry.

According to Colin Campbell, Chief Ranger at Grand Teton National Park, "some families already put tremendous pressure on rescue operations" (C. Campbell, personnel correspondence, March 12, 1998). Therefore, if pressure is currently being placed on park services for purposefully delaying a rescue due to unsafe conditions, it is hard to imagine the kind of pressure that could be laid forth if the park service becomes legally bound not to assist a person in a no-rescue wilderness area. "The first few deaths due to a lack of rescue would create such a public cry that the restriction would be lifted. For this reason, the formation of a no-rescue area will never go. If it did, it would not last long" (S. Whitehead, SAR, personal correspondence, February 26, 1998).

Another important element to consider is the management of no-rescue areas where Federal land managing agencies would have to determine what type of individuals will be allowed to enter or not enter these no-rescue zones.

## MENTAL HEALTH ISSUES

In the United States, mental health therapists can be held liable if they even THINK their client might have gone to the wilderness to kill himself or herself (one no-rescue scenario). Kay Sinclair, MA, LPC, (personal correspondence, March 3, 1998), says that "as a mental health therapist, I am expected to protect a suicidal client from himself. Anyone who is 'independent' or a 'hermit' would certainly fit the no-rescue scenario, but they would also fit the person who would need a mental health evaluation."

Along those same lines, no-rescue could also translate into no law enforcement for those seeking refuge from legal authorities. "We already have quite a problem with drug growers creating hazards for the SAR community" (T. Jensen, personal correspondence, March 1, 1998). No-rescue wilderness areas would open up new opportunities for drug cartels and escaped convicts to find refuge.

Ultimately, in an attempt to resolve the aforementioned issues, it seems that the government would have to require that all individuals interested in entering a proposed no-rescue wilderness area be evaluated by a mental health therapist, be fingerprinted and file searched, undergo a physical exam, be of legal age, take a proficiency test, and pass a sound judgment evaluation before being allowed in. How can this concept realistically be said to encourage less government control?

If, by chance, a person passes all of these requirements, then what? According to Peterson (1987), it seems unreasonable to suggest a policy which would, in effect, allow healthy people who have a zest for life to suffer and die-perhaps needlessly-merely be-

cause they wish to be held accountable for their own judgments.

## LEGAL ISSUES

Another argument against no-rescue wilderness zones concerns the many legal complications that would surface. For example, would a signed waiver hold up in court if an individual could have been rescued, but instead died? According to Maio, juries might be quite receptive to an emotional plea from a plaintiff's lawyer bringing suit against the jurisdiction "who let this kind, gentle person suffer such a horrible death" no matter what kind of waiver they signed before going into the no-rescue wilderness zone (J. Maio, SAR, personal correspondence, March 4, 1998). In addition, any agency that doesn't investigate and attempt to locate a subject regardless of mental status, could be held liable for the consequences. There is no doubt that the non-responding SAR agency could be dragged to court for negligence or license revocation.

Jablonski agrees that the liability could be tremendous. "Who's going to incur the wrath of family and media? It will probably be the managing agency" (R. Jablonski, personal correspondence, March 10, 1998). Do we really want to see wilderness managers brought to court and sued for a policy that was disagreeable in the first place? What about the lost hiker who happens to wander unknowingly into a no-rescue zone? To solve this potential dilemma, managing agencies will need to fence in all no-rescue boundaries or be held liable when an innocent person wanders in and gets hurt.

It is important to note that the issues are quite complex even though advocates will argue that there will be no legal battles re-

garding rescue-free wilderness zones. Anyone has the right to sue. And, in these no-rescue circumstances, it is highly likely that someone will.

## IMPLICATIONS FOR ADVENTURE EDUCATION SCHOOLS OR AGENCIES

McAvoy et al. (1985) believe adventure education agencies that sponsor trips to no-rescue areas would not have to fear liability problems if they have qualified staff, adequate supervision, inform participants of risks, and have appropriate group responses to handle emergency situations. I can think of no credible school or agency that would agree with this. It is one thing to put yourself into a no-rescue wilderness area, but how could an institution legally or ethically take students into a no-rescue zone knowing that the students are relying completely on their instructors in a life threatening emergency that potentially requires outside assistance. Where is the personal growth here? Whose self-reliance are we tapping into? How is this student benefiting from the concept of "self-reliance" when they are at the mercy of their instructors?

According to Schimelpfenig (1998, p. 8), "we operate in a climate, in both our industry and society, of growing intolerance to the adverse consequences of risk." It therefore appears very unrealistic to even consider this no-rescue concept an option with educational groups.

When I take a group into a wilderness area, we prepare to be completely self-sufficient even in emergency situations. However, I carry a ground-to-air radio that can be used to signal to an airplane flying overhead in the case of an extreme emergency. Basically, if the

technology and the resources are available to potentially save a student's life, I want to have access to it. Purposefully taking students into no-rescue wilderness zones should, therefore, be considered negligent. Even though it may enhance the instructor's experience, students will not benefit from this gamble. It is very likely that after the first injury or death, any school or agency involved would fold under litigation. And, since most outdoor education schools and agencies would not be willing to take such high risks, these no-rescue wilderness zones, which legally are considered to be public land, would suddenly be off limits to many schools and agencies.

### THE WILDERNESS EXPERIENCE

The idea that individuals should take responsibility for their actions in the wilderness is a very sound one. However, as Allen (1981) points out, "individuals should take responsibility for their actions in all wilderness areas, not just selected ones. To make such a distinction actually demeans the U.S. National Wilderness Preservation System and the spirit of wilderness" (p. 154). Similarly, Peterson (1987) sees the backcountry challenge not simply to survive a wilderness adventure, but to celebrate and savor it. "Not because it is dangerous, powerful, beautiful and, therefore thrilling, and not because it has the potential to help us cope with life. No, wilderness is valuable because it is wilderness. It is that simple" (Peterson, 1987, p. 42).

The "wilderness experience," therefore, takes into account the idea that wilderness is more than just a physical place. Wilderness undeniably offers something different to every individual. It can be viewed as a state

of mind (Nash, 1988), an experience (McAvoy, 1990), a challenge, or a necessity of the human spirit (Abbey, 1968). According to Allen (1981), risk (as proposed by the no-rescue wilderness concept), "is only one component of this wilderness experience, and for many users it is probably subordinate to solitude, nature appreciation and reflection" (p. 153).

### ALTERNATIVE SOLUTIONS

The desire for freedom, self-reliance and independence is an incredibly valid need for some individuals. In this sense, the fuel that burns this no-rescue concept is quite valid. Perhaps some alternate solutions already exist that may help ease McAvoy & Dustin (1981), and any others in their search for complete self-reliance in the wilderness.

According to John Lunn, Manager of Tasmania Emergency Services, "To place yourself in a no-rescue situation is not a geographical decision, it is a psychological decision" (J. Lunn, personal communication, March 3, 1998). It can be done easily enough in most places by simply not telling anyone where you are going. Many search and rescue personnel agree with this somewhat obvious solution. "If you don't want to be found, simply don't tell anyone where you are going or when you might return. A rescue mission would never be initiated if there was no clue of where to look or when to begin looking. The burden of the decision to rescue or not rescue would now rest on the subject" (B. Frost, SAR, personal correspondence, March 3, 1998).

On a similar note, Jablonski feels that if you truly want to be self-reliant, don't even venture into a designated wilderness area. There are plenty of other remote areas of land

to travel through where no one will go looking for you (R. Jablonski, personal correspondence, March 10, 1998). There are the oceans, the Pole's, the rainforests, and many countries with extremely remote areas available for traveling independently.

Traveling through remote areas knowing that a rescue is a very distant possibility is one thing, yet intentionally going somewhere where the hope of rescue is legally out of the question, even though very capable SAR personnel may have the power to reach you, is an unhealthy twist on self-reliance. It seems to be an artificial or contrived way of attempting to create a new frontier in our time.

My advice then, is be creative. When I truly want to be alone, independent, and self-reliant, I don't have to look that hard to find a place to go. If I don't want to be rescued, I don't broadcast my whereabouts to anyone, I simply slide gently into the mountains without a word. It's that simple.

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