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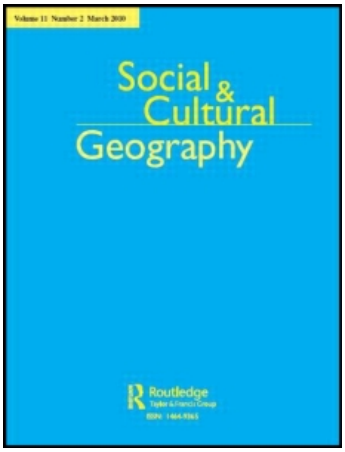

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Governing sexuality and park space: acts of regulation in Vancouver, BC

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Governing sexuality and park space: acts of regulation in Vancouver, BC

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This paper suggests that the coding and ordering of sexuality and space through definitions of which sexual practices and which representations of sexuality are morally appropriate in public space can be usefully understood as a problem of governance. We argue that attempts to hide or make visible specific sexualities in public space are complicated and politically charged because, while written regulations are relatively cut-and-dried, their implementation, by planners, judges, et al., involves significant discretion and leads to contingent, contestable outcomes. Furthermore, the politics of governing sexual morality and public space is made more problematic when the place where a hegemonic norm of behaviour or morality is publically challenged is an iconic park that attracts intense media attention. The paper elaborates these arguments through two interrelated case studies: a debate over the appropriate location of an AIDS memorial in Stanley Park, Vancouver and the reaction to the killing of a gay man who cruised the park for sex. We conclude by linking our argument to recent statements about the future of geographies of sexuality, arguing for analyses that acknowledge both the contingences and potentialities of categories like 'the state,' 'governance,' and 'public space' and also their structural tendencies and their ongoing association with sexual repression.

Key words: public space, sexuality, the state, governance.

Introduction

Contemporary scholarship in social and cultural geography elucidates how urban public space is produced through interrelated spatial codings, regulations, and representations. The relationship between sexuality and space has been one strong theme in this literature (Bell and Valentine 1995; Brown 2000; Hubbard 2004, 2008; Knopp 1995; Miller 2005). This paper draws upon and extends this theme by addressing how certain expressions of sexuality become problems of governance and objects of political contest in and through one specific form of public space: the urban public park. The uses, coding, and

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regulation of parks are frequently represented by the state and the media as of general public concern, since parks are intended for general use and are, in many cases, seen to be icons of their cities. Our purpose is to link analyses of the spatial codings of sexuality and public space to literatures on the politics of park space, morality, and spatial exclusion through a detailed account of two related cases—debates over the location of an AIDS memorial in Stanley Park, Vancouver and reactions to the killing of Aaron Webster, a gay man who used the park's trails for sex. They show how sexual codings and transgressions of public space and hegemonic morality are addressed by the state, the media, and the public as problems of governance.

We build upon analyses of how the state and the media govern homosexuality through regulatory and representational practices that seek to hide transgressive forms of sexuality from the public gaze. These analyses focus, for example, on how urban planning seeks to order and purify space and address fears that sexual activities '"pollute", "taint" or "contaminate" other land uses' (Prior 2008: 342; also Kerkin 2004). They also examine how governance strategies are often entwined with popular media discourses 'to reassert and reinforce traditional understandings of "men" and "women", and hetero- and homosexual' (Bain and Nash 2007: 19). Through these and other forms of socio-spatial ordering and exclusion, 'the organization of space in Western cities … keeps sexual Otherness "out of sight" … [by regulating] disorderly sexuality in the midst of a heterosexually ordered city, segregating it from "respectable" populations while making it accessible to those who wish to indulge' (Hubbard 2002: 357–358).

We suggest that attempts to code, order, and hide sexual difference are complicated and often made more politically charged because: (1) while regulatory policy is relatively cut-and-dried in its written form, the governance of public space is conditioned by the relative discretion of those bureaucrats and judges who adjudicate on specific cases and who thus produce an uneven and contestable terrain of regulation (Lipsky 1980; Proudfoot and McCann 2008); and (2) the politics of governing sexual morality and public space is made more problematic when the site of transgression—the place where a hegemonic norm of behaviour or morality is publically challenged—is an iconic park that attracts intense debate and contestation in the public sphere.

Ideally, iconic parks are understood to represent their community's core moral values and to be open to all who are 'respectable,' who act respectably, or who aspire to respectability. Furthermore, they are places built for visibility: offering opportunities for seeing and being seen while being carefully constructed to offer impressive and pleasing vistas to the recreating public. Parks are usually also the sites of monuments that honour behaviours that are deemed laudable, such as sacrificing one's life for the nation, or that commemorate events and people who are officially considered worthy of tribute. These monuments are themselves designed to be impressive sights/sites and are often associated with regular rituals where people use the surrounding parks to perform certain acts of memory, politics, and community. Different readings or appropriations of existing monuments (Till 2005) or the introduction of new monuments in iconic spaces frequently lead to political controversy since alternative practices of memorialisation can, as Brown (1997: 168) argues in his discussion of an AIDS quilt, undermine attempts to hide and exclude homosexuality from urban space while,

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'extend[ing] gay visibility … [and extending] safe public space for gays and lesbians.'

Transgression, sexual or otherwise, in iconic places of 'propriety' and visibility is a particular problem for governance, we suggest, because it frequently prompts particularly vociferous and sometimes violent reactions, since it is regarded by some to be an affront to 'common values.' Visible transgression, such as the occurrence or representation of Other sexual practices and identities, destabilizes hegemonic norms while state reactions to those disruptions—efforts to actively shore up or adjudicate the space's 'natural' order—reveal that order as social, power-laden, and uneven.

An important element of this governance involves 'moral coding' (Domosh 2001: 576), whereby hegemonic definitions of good and bad, appropriate and inappropriate behaviour reflect and shape social interaction and space. The debates over the AIDS memorial and Webster's killing invite a focus on the spatial politics of sexual morality and its associated geographies since they shed light on the practices through which various actors govern contemporary urban parks. The literature on urban parks addresses how meanings and uses are coded onto these public spaces. Parks are frequently barriers that reinforce spatial divisions between socio-economically distinct neighbourhoods (Gobster 1998; Solecki and Welch 1995) while unequal access to parks conditions and is conditioned by race, ethnicity, class, and gender (Loukaitu-Sideris 1995; Whitzman 2002). These concerns are also evident in analyses of the historical development of urban parks in which the creation of proper, moral citizens is shown to be a key purpose behind their design and governance (Mawani 2005; Rosenzweig 1983).

After drawing upon conceptualizations of exclusion, morality, and visibility and integrating them in a discussion of the governance of sexuality and park space, the paper presents the two case studies from Stanley Park. These accounts are linked, conceptually and empirically, by how they illuminate the problematics of governing and representing Other sexual practices and identities in iconic park space. We conclude by linking our argument to recent statements about the future of geographies of sexuality, arguing for analyses that acknowledge contingences and potentialities of categories like 'the state,' 'governance,' and 'public space' as well as their structural tendencies and their ongoing association with sexual repression.

Morality and visibility in the governance of sexuality and park space

Our analysis of struggles over what is appropriately seen/hidden in urban public space operates at the intersection of literatures on sexuality and space, moral geographies (Lee and Smith 2004; Matless 2000; Setten 2004; Smith 1998, 2000), and urban governance (Brown 1997, 1999; MacLeod 2002; Proudfoot and McCann 2008). The more specific literature on the social geographies of park space (Ingram 2000; Mawani 2005; Mitchell 2003; Rosenzweig 1983; Schultz 1998; Solecki and Welch 1995; Whitzman 2002) speaks to and can also be enhanced by this analysis since it contains insights into how the creation and management of apparently pure and natural space in cities contribute to hegemonic definitions of 'wholesome' and 'moral' publics, illustrations of the consequences of cultural attempts to maintain social boundaries through the invocation of taboos (Douglas 1966; Sibley 1995), and examples

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of the strategies used by urban planners and other state agents to govern society through spatial practices like segregation and exclusion (Corburn 2007; Kerkin 2004; MacLeod 2002; Prior 2008).

For example, Mawani's (2005) account of the development of iconic park space in Vancouver discusses how, in nineteenth-century Canadian settler society, proponents of urban greenery argued that parks contributed to the formation of moral British subjects. As in many other contexts, the production of landscape involved a process of racialization whereby moral Britishness, represented and bolstered by parks, was achieved through the denigration of alternative understandings and uses of space and the attendant eviction of indigenous and immigrant people of colour. Similarly, Rosenzweig (1983) shows how urban green spaces have historically been implicated in the socio-spatial governance of working-class people who are framed as in need of wholesome park spaces if they are to learn middle-class values. Parks are similarly implicated in repressive governance of sexuality in which the regulation of the space is entwined with attempts to foster and guard specific forms of sexual citizenship. In his study of criminological responses to public sex in Seattle parks, Schultz (1998) notes that public calls for increased policing of gay public sex are often accompanied by the invocation of the middle-class heterosexual family as the appropriate user of local greenspace.

The governance of social difference in and through urban parks resonates with geographical approaches to morality, more generally. As Lee and Smith (2004: 2) put it, '[m]orality refers to what people believe and what they do in pursuit of, or merely as a reflection of, their own conceptions of the right and the good.' 'Moralities,' they continue,

> are profoundly geographical products of the uneven development of social relations among people and between people and nature … Moralities are, in short, constructed through geographically articulated social interaction. (2004: 7)

The spatial practices that produce and reflect moralities entail hegemonic definitions of what/who is in/out of place (Cresswell 1996). In scenic recreational parks, moral judgements are imbricated with how the landscape is seen and who/what is allowed to be seen in it. The aestheticization in these spaces 'provides an [illusory] image of enjoyable leisure and endless present' (Mitchell 2000: 446). Such 'sanitized images of a mythical urban environment' (2000: 446) seek to silence sedimented histories of and contested claims to a given place by favouring certain identities and certain social relations over others. The moral judgements explicit in these processes of silencing and hiding are folded into the production of hegemonic moral geographies by a wide range of actors from state agents to hate mongers.

In her study of anti-gay and lesbian hate crime, for example, Sumartojo (2004: 105) argues that these crimes 'are exclusionary acts motivated in part by offenders' desires to assert power over a given space … to send a "message."' Violence is one end of a range of actions intended to maintain the existing socio-spatial order in the face of difference in public space. Other actors maintain the boundaries of place and morality through state institutions and mainstream media (Heibel 2004; Hubbard 2002; Setten 2004; Valentine 2004; Whitehead 2004). Yet, while many forces seek to maintain the status quo, hegemonies can always be overtly contested or subtly negotiated and undermined and the state is frequently called on to regulate and adjudicate these struggles.

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Exclusionary acts are frequently confronted by activists' attempts to enact 'the development—or often the radical claiming—of a *space for representation*, a place in which groups and individuals can make themselves *visible*' to claim their right to space (Mitchell 2003: 33, original emphasis). While visibility can challenge hegemony as part of overt politics, others note that a strategic retreat from visibility in a public space can support a more subtle negotiation and disruption of hegemonic norms. Ingram (2000), for example, explores how the environment of a forested urban park and its adjacent beach enables the formation of spaces of anonymous sexual encounter because its landscape offers numerous concealed spaces for those 'in-the-know.' State attempts to control sexuality in the park have never been successful in part because of its configuration. Thus, Ingram argues, the space is somewhat liberatory and autonomous (Bell and Binnie 2000; Brown 2004).

The political and strategic deployment of visibility in public spaces also characterizes how the state adjudicates appropriate uses of public space. Bain and Nash argue that the legal system and other state actors frequently seek to keep homosexuality invisible and repressed even in cases where legal decisions appear to promote tolerance:

> [L]egislative and policy initiatives concerning gays and lesbians [in Canada] … often [mean] a desexualization and a privatization of gay and lesbian lives which can push alternative sexual practices and identities into the private (and invisible) sphere, causing a division between 'good gays' and (disreputable) 'bad queers.' (2007: 21)

The socio-spatial governance of sexual morality thus involves the ongoing management of what is visible and of the tensions that are produced by governance strategies themselves (Sharp 2005). As Hubbard (2002: 359) argues, 'the geography of sexuality is shaped by a complex aesthetics of desire and disgust, bequeathing a sexual city that discloses some sights/sites but represses others.'

This focus on strategies of exclusion and visibility in the moral politics of sex frames our discussion of the AIDS memorial debate and the Webster killing in Vancouver's Stanley Park. Following Lipsky's (1980: xii) contention that 'public policy is not best understood as made in legislatures or top-floor suites of high-ranking administrators … [but] in the crowded offices and daily encounters' of bureaucrats, we argue that the analysis of how sexuality in public space is governed through strategies of hiding is complicated by the acknowledgement that neither the state nor the media are monolithic but that, instead, they are comprised of various agents with relative discretion who produce, through their adjudication of specific cases and other mundane practices, uneven regulation which invites further struggle (Proudfoot and McCann 2008). Furthermore, when the public space involved is a particularly iconic, visible one, governance becomes more problematic as media attention ratchets up debates about appropriate behaviour. Efforts to govern sexuality and space by *settling* disputes about which elements of the former should be seen in the latter lead, paradoxically, to ongoing critique.

Stanley Park: recreation, exclusion, and order

Near the entrance to Stanley Park, the 1,000 acre heavily forested peninsula on the edge of Vancouver's downtown (Figure 1), a statue depicts Lord Stanley, a nineteenth-century Governor General of Canada, with his arms

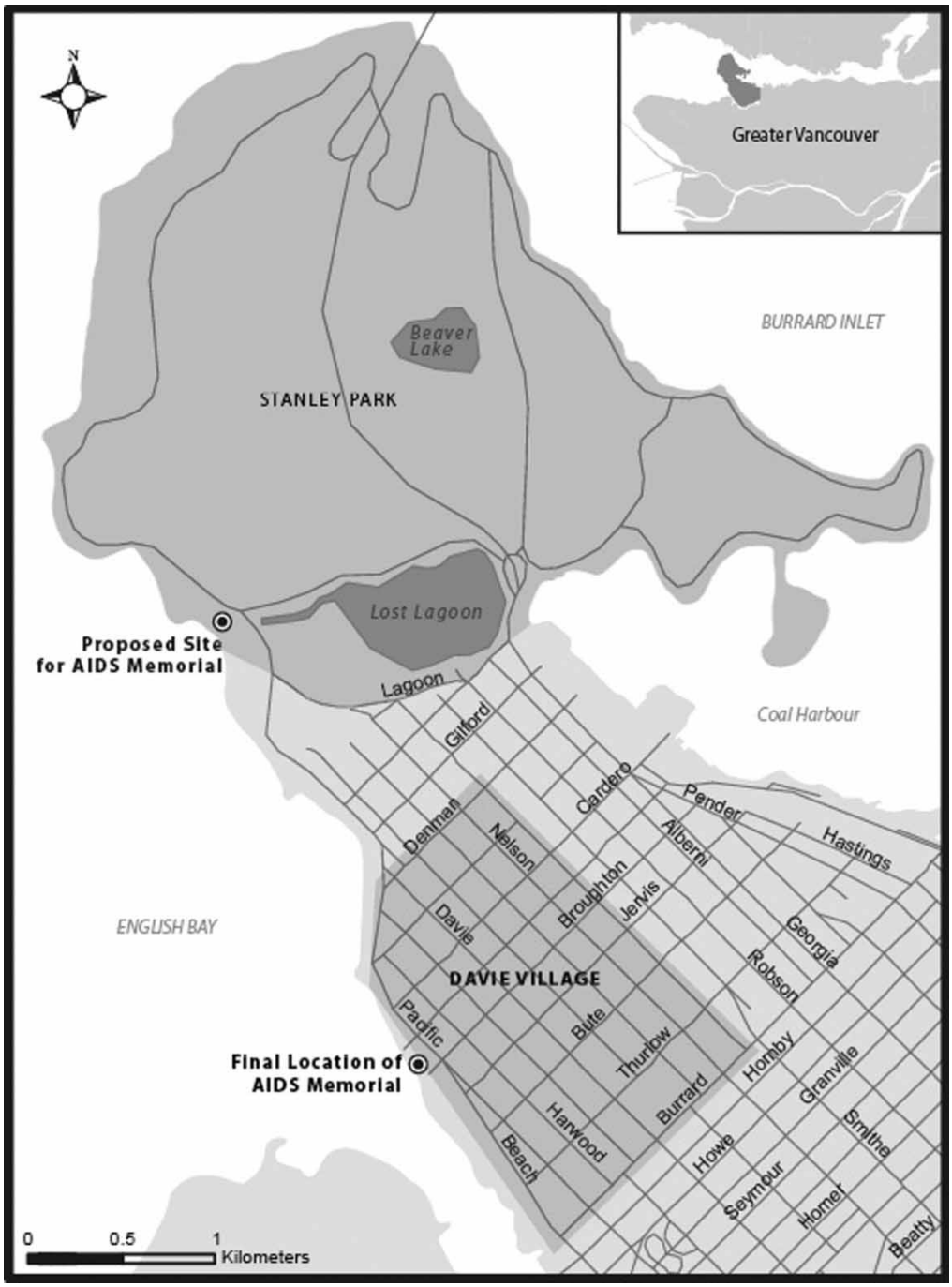

Figure 1 Stanley Park, Davie Village, and the proposed and final locations of the AIDS memorial. Note: We choose not to identify exactly where Webster's body was found since it is near the 'strolls.'

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outstretched in welcome. On the statue's plinth are his words of dedication: 'To the use and enjoyment of people of all colours, creeds and customs for all time—I name thee Stanley Park.' His welcoming sentiment is echoed and extended by britishcolumbia.com (n.d.), a privately owned tourist website which emphasizes the contemporary ideal of the park as a beloved place, open to a vast array of people and activities: 'So firmly is love for Stanley Park rooted in the citizenry's soul that in an annual survey carried out by the *Georgia Straight*, a free weekly paper, readers repeatedly choose the park as the best place in town to take a romantic stroll, watch the rain fall, experience bliss, have sex, break up, make up, and take visitors.' Indeed, the park—which is now commonly referred to as an 'oasis' in the city—attracts twenty million visitors (residents and tourists) annually (Steele 1988, 1993).

Yet its history, like other parts of Vancouver, is characterized by processes of moral ordering and socio-spatial exclusion (Anderson 1991). Soon after the city's incorporation in 1886, the city council employed a discourse of morality to promote the establishment of an urban park, specifically arguing that recreational landscapes create moral and healthy citizens and curb deviance and violence (Steele 1993). Mawani shows that the park was to be an 'imperial icon' to 'promote and develop the *British-ness* of British Columbia' (2005: 325–326, original emphasis). Soon after its establishment, it 'was hailed as an important site of moral, physical and imperial advancement' (Mawani 2005: 326).

This colonial project focused specifically on excluding Chinese and Native populations who were resident in the park (Barman 2005). The justification for their removal was framed in terms of health and the inappropriateness of permanent settlement in a space newly designated as suitable only for brief recreational visits. The Chinese were the first to be uprooted as their homes were officially defined as 'threats to public health' and were burned without warning by local health officials (Mather 1998: 80). Discourses of abjection and threat forced removals, and targeted by-law enforcement accompanied other legal strategies as the state re-ordered the new park space, creating a moral geography of appropriate and inappropriate presence. For example, with its designation as a park, the peninsula became legal property of the City. First Nations and mixed-race residents, whose tenure predated the dedication of the park, were thus prevented from launching their own claims to the land (Blomley 2004; Mawani 2005).

These practices are not only things of the past, however. The work of governing the park's moral geography is ongoing and its socio-spatial order requires constant tending. In turn, it provokes periodic struggles involving, among others, state agencies like the Vancouver Park Board, park users, and, given the park's iconic status, the general population of Greater Vancouver. The two cases we highlight involve negotiations of Stanley Park's meanings where different moral understandings of the landscape collide, leading to significant legal and policy decisions and political struggles, all of which continue to shape and reshape perceptions and uses of the park. In 1996, a memorial to Vancouverites who have died from AIDS was proposed for the park, setting off a protracted debate over appropriate land use. The beating to death of Aaron Webster while cruising (looking for what are often anonymous sexual encounters) in the park in 2001 produced a debate over appropriate behaviour. Both cases highlight actual or potential transgressions of hegemonic definitions of what monuments and

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activities belonged in the park and, thus, revealed a spatial politics of sexual morality in its coding and ordering.

The discussion is based on a document-based study of government and media sources related to the two cases. This approach was chosen first because the research was conducted after the cases occurred, thus barring ethnographic approaches and, second, the research addressed how the debates developed in the public sphere—in the media and other public forums. An online archive of national, provincial and local newspapers provided ninety-six articles—forty-five on the AIDS memorial (August 1995 to July 2004) and fifty-one on the Webster case (November 2001 to March 2005). A survey of key policy and court documents included plans, minutes, court decisions, and tourism marketing materials for the park. A discourse analysis identified instances where reporters, interviewees and other actors spoke of: (1) what they understood Stanley Park to be and/or (2) why the AIDS memorial and public gay sex were considered appropriate or inappropriate there.

'A place to go and feel good'? The AIDS memorial debate

In 1995, AIDS Vancouver, a non-profit AIDS-related social service organization, solicited support for a public memorial to those who had died from, or had been affected by the disease. They believed in part that a Stanley Park location offered the memorial not only a local but also a national and global audience (Griffin 1995). Inspired by 'amazing community response,' the organization petitioned the Vancouver Park Board (VPB) to allocate space in Stanley Park for the memorial, which was designed as a series of copper sheets with the names of people who died of AIDS perforating them. The board approved the project overwhelmingly in November 1996 with only one park commissioner questioning the proposal and arguing that approval would 'set a precedent for other groups to demand Stanley Park space' (Fong 1996a). Later, another commissioner qualified the decision by describing the monument as an exception: 'we routinely turn [requests] down … we have to make sure that only the best of the best is approved' (Fong 1996a). Two days later, BCTV, a local television station, conducted a phone-in poll on the memorial and its proposed location: 96 per cent of the almost 14,000 respondents opposed the project (Gram 1996). Two days later still, the VPB rescinded its approval, citing massive public opposition, although the Board insisted that its decision was not based solely on the results of the television poll (Gram 1996). The debate that ensued, one largely carried out in the mainstream media, was based squarely on discourses of morality and place, sexuality and memorialization.

A pristine park?

Normative visions of the park informed both sides of the debate. Echoing another park commissioner's assertion that Stanley Park is a place that has 'spiritual resonance with Vancouver,' a group called Friends of Stanley Park argued that it should be preserved in its current condition with no built additions (Fong 1996b). 'With green space being more difficult to obtain, why should we be putting more memorials in?' it asked, while calling instead for 'organic' memorials, such as a grove of trees (Fong 1998).

Proponents of the memorial, on the other hand, pointed to the myth of parks in general as natural, pristine spaces. Beyond the exercise of power needed to create Stanley Park, this myth

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is further undermined by a partial listing of some of the more prominent artificial elements of the contemporary park: an extensive system of roadways, including a major commuter route, numerous restaurants, snack bars, a souvenir stand, a major outdoor swimming pool, Vancouver Aquarium, a children's petting zoo and miniature train, a carefully tended rose garden, and an outdoor amphitheatre. Furthermore, Table 1 lists twenty-one monuments and sculptures, defined by the VPB as 'major' elements of the park, that were extant when the AIDS memorial was proposed. Neither was the proposed site pristine, proponents argued, since that part of the park was primarily 'a place [people] take their dogs to do their business' (Haysom 1996b; Yeager 1996). Stanley Park's character as a recreational space also framed debate. According to a letter to the editor, 'Stanley Park is for recreation purposes, not a place for AIDS memorials, or any other type of memorial' (Thompson 1996) and a radio caller argued that 'Stanley Park is a place to go and feel good … [n]ot a place to get depressed' (in Haysom 1996a).

A peopled, political park

The presence of the politically and aesthetically displeasing in public space has traditionally stirred reaction (Sibley 1995). In this case, notions of place—and out-of-placeness—figured in the debate. Opponents deemed the memorial to be out of place because it visibly identified the presence of the diseased sexualized Other, the immoral, and the anti-social in a space they saw in terms of wholesomeness. Therefore, the proposed memorial was a political transgression, revealing and disrupting unquestioned hegemonic assumptions regarding the park. Some opponents argued that memorials should be reserved for heroic acts and argued that people who have died of AIDS were not heroes. When a VPB commissioner likened the memorial to Vancouver's cenotaph at a public hearing, numerous people walked out, shouting, '[t]hey [the war dead] died for you!' (McCune 1998). Continuing this theme, a local physician, writing to *The Vancouver Sun*, argued that, 'The majority of [people with AIDS] are individuals who contracted the virus through sexual contact. … A memorial wall pays tribute to a country's heroes who died for a cause they believed to be noble. What cause have the AIDS victims died for? In what way are they heroes?' Opponents also argued that the memorial was out of place since people with AIDS, as 'figures of contamination' (Sturken 1997: 148), should be in medicalized, private spaces.

For other opponents, the issue was about the place of grieving. To one public hearing participant, '[t]here are special places for things like these … They're called cemeteries' (McCune 1998). This comment makes clear that the realm of the emotional is deemed by this speaker to be private, invisible, and out of place in recreational public space (Burk 2003). Proponents of the memorial challenged these discourses by charging that AIDS *was* a battle—for survival (Bailey 2001; Dixon 1996; Gerlach 1998)—that visible grief is appropriate in public space, and asked rhetorically, '[are we] seeing an AIDS phobia in this city … [a] fear of the disease which has been unspoken until now?' (Haysom 1996a). This reaction echoes Brown's (1997) reflection on the Canadian AIDS Quilt display in Vancouver that had occurred two years before the memorial application. For him, such memorials, 'make the AIDS crisis visible, … [creating] a space of grief for family and friends, a place for them to remember their dead publically … despite society's traditional

Table 1 Major monuments and sculptures in Stanley Park (as defined by the Vancouver Park Board) prior to the proposal for the AIDS memorial

Monument	Vancouver Park Board's description
9 O'Clock Gun	Cast in England in 1816, brought here in 1894, was used by mariners to set their chronometers and also to warn fishers of closings.
Chehalis Monument	Marks lost lives when two ships collided nearby.
David Oppenheimer	1911 bust commemorating Vancouver's Mayor, 1888–1891.
Edward Stamp	Commemorates where lumber operations first started in the park in 1865.
Garden of Remembrance	Air Force Memorial plaques.
Girl in a Wet Suit	Sculpture by Elek Imredy placed on 9 June 1972.
Hallelujah Point	A former site for Salvation Army prayer meetings.
Harding Memorial	Commemorating the first visit of a US president.
Harry Jerome	Famed Vancouver runner.
HMS Egeria	Marks survey point used by Royal Navy ship in 1898.
Japanese Monument	Memorial to Vancouver's Japanese soldiers serving in World War I.
Lord Stanley	Governor General of Canada (Queen's representative) in 1888.
Lumbermen's Arch	Erected in 1952 to honour BC's lumber industry and replacing the original Bowie Arch built in 1912 and dismantled in 1947.
Pauline Johnson	1913 cairn to famous Vancouver poet.
Port of Vancouver	Explains Port of Vancouver landmarks.
Queen Victoria	Built to commemorate her death.
Robert Burns	Famed Scottish poet.
Shakespeare Garden	Trees planted that were mentioned in the Bard's works.
SS Beaver Cairn	Ship wrecked on the rocks below Prospect Point in 1888.
SS Empress of Japan	Replica of ship's figurehead that sailed to the Orient from 1891 to 1922.
Stanley Park Centennial	1988 plaque marks the spot where park was originally declared open.

Source: Vancouver Park Board (n.d.).

placement of grief and personal loss in the private sphere' (Brown 1997: 155–156; Till 2005).

Sexuality, morality, and public visibility were also clear foci of early media coverage, which concentrated on links between AIDS and the gay community, even though AIDS Vancouver representatives argued that 'the memorial is for everyone affected by the syndrome' (Griffin 1995). Even some of those in favour of the memorial equated AIDS with homosexuality in uncritical ways (*The Province* 1996). Certain opponents 'did not shrink from saying that the [AIDS] epidemic … [affected] the sodomites' (Dixon 1996). In addition, a common qualifier to those surveyed by radio and TV stations and other mainstream media outlets was 'I'm not homophobic, but…' (Haysom 1996a). The VPB was aware that many opponents of the memorial were homophobic (Fong 1996a; Gram 1996) and, as a result, one commissioner contradicted his own ecological philosophy by voting *for* the memorial because '[I] will not vote in a manner that may see a victory in this city for bigotry' (Fong 1998).

This reaction was, perhaps, a small victory for proponents of the memorial since they intended it to be a counter-hegemonic memorial, a space deliberately focusing on problematic social relations which would provoke thought and change opinion. Dixon (1996) underlined this intention by rhetorically asking if 'contemplative activity [is] an enemy of the recreation of a complete human being?' Eventually, the VPB's answer was contained in a revised policy, which emphasizes, 'beauty, not controversy, when it comes

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to approving new monuments' (Todd 1998a). '[N]ew monuments,' they continued, 'must enhance the design of parks' (Todd 1998b). Visually pleasing design was to be the future watchword of park governance.

Working under its new policy in 1998, the VPB approved the location of the AIDS memorial for Sunset Beach park (Todd 1998a), located immediately south of Davie Village, Vancouver's gay neighbourhood, and outside the boundary of Stanley Park (Figure 1 and 2). It was officially opened to the public in November 2004, with the following dedication carved into its walkway: 'this Memorial is located in this park as a place of healing and education within an understanding and compassionate city' (AIDS Memorial Society of Vancouver 1998). The park at Sunset Beach does not have the status of Stanley Park and the location of the memorial there may be regarded as a 'ghettoization' of the AIDS issue which negates the opportunity for the memorial to be located in one of Vancouver's iconic places of memory and thus lessens the opportunity for it to be viewed by a wider population or to elicit complex and contradictory emotions about the past and future of AIDS among the general population.

The new policy's focus on the design and moral neutrality of public space certainly lends credence to worries about the state-sanctioned narrowing of what activities are deemed appropriate in public space (MacLeod 2002; Mitchell 2003), but the details of the case also underscore the constant ideological work necessary to maintain hegemonic codings and emphasizes that state governance is not monolithic, nor a 'black box.' Rather, it is contingent on specific situations and the discretion of state agents, like a particular set of Park Board members experiencing certain political pressures. Clearly, the VPB's final decision meant that memorialization of people with AIDS is not visible and therefore not officially sanctioned in Stanley Park and, through this action, a problem of governance was solved and a hegemonic moral order was settled once more in favour of 'taken-for-granted' notions of appropriateness (Matless 2000). Yet, the ability of opposition forces to get the original decision to locate the memorial *inside* Stanley Park changed highlights the potential (but by no means certainty) for governance decisions to be influenced in more progressive directions in other contexts.

Public sex, violence, and moral geography in the Aaron Webster case

Such struggles over what should be visible in Stanley Park have not been limited to the AIDS memorial. Certain spaces in the park constitute sites for anonymous gay public sex and, simultaneously, strategic sites for community-building and networking (Ingram 1997). These spaces often become the site for and stake in struggles over 'appropriate' presence and behaviour in public space, particularly when they are made visible to the general public through media coverage of violence. These cruising grounds, like spaces of memory, become problems of governance that are dealt with using state power that is deployed at the discretion of specific state agents and in a context of often intense political contestation.

On 17 November 2001, Aaron Webster's body was discovered, battered and naked, by a friend taking a late-night stroll in Stanley Park. Subsequent police investigations and media reports implicated four young men in Webster's beating death. Robertson (2005: 485) notes that these men travelled to Stanley Park from their suburban homes, armed with 'an assortment of golf irons, a pool cue and, possibly, baseball bats,' specifically to look for

Figure 2 The AIDS memorial at Sunset Beach park. Source: J. P. Catungal.

'peeping toms.' The logic behind this 'mission,' it was later revealed in the testimony of the accused, was revenge: one of the accused had once been disturbed by a 'peeping tom' in Stanley Park as he and his girlfriend were in his parked car. It was also revealed that the group had gone on several similar forays to the park in the past. That particular evening, the group came upon Aaron Webster, dressed only in socks and boots, smoking near a gay cruising stroll. The group chased him down, repeatedly hitting him with their weapons until he fell to the ground. Webster was pronounced dead by the police and emergency medical personnel who arrived shortly thereafter.

The four men—two youths (identified as A.C. and J.S.) and two adults (Ryan Cran and Danny Rao)—were eventually charged with manslaughter. Faced with the prospect of the charges being made more serious, with an associated higher sentence, the defendants argued that the act should not be defined a hate crime because they had been looking for 'peeping toms,' not gay men. This argument was partially successful. A.C. and J.S. were tried in youth court (in exchange for testifying against the adults); both were found guilty and sentenced to three years detention. Only in J.S.'s trial was hate crime legislation explicitly invoked to affect the sentencing, however. In delivering his sentence, Youth Court Judge Valmond Romilly utilized the hate crime statute by pointing out that the law protected 'peeping toms,' as they constitute 'groups similar to those defined by sexual orientation in that both represent a sexual lifestyle which some consider deviant and, therefore, these groups would suffer discrimination in a similar manner to gay people' (Robertson 2005: 486). He also added that, 'a gay person was "bashed" by the accused and his friends in an area frequented by gays, and in that regard,

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I fail to see why it cannot be regarded as a "gay bashing"' (Robertson 2005: 487).

The trial for the adult suspects had a different tenor. Judge Mary Humphries acquitted Danny Rao, citing insufficient evidence linking him to the incident and sentenced Ryan Cran to the minimum number of years (six) sought by Crown prosecutors. In Cran's sentencing, hate crime legislation was explicitly avoided because the judge felt that there was no proof that the suspect's motive was hate against gay people (Robertson 2005: 488). Media accounts of the killing and subsequent legal case produced an extended public debate around homophobia, morality and violence in public space and helped spur activists' attempts to reorder and recode the spaces of the park and the city more generally.

Protecting the park from sexual 'deviance'

Sumartojo notes that through decisions on how to frame and focus the news, the media are able 'to reflect and influence opinions not only about hate-crime in general, but also about the groups that hate crime laws are designed to protect' (2004: 93). In covering the killing, reporters repeated that Webster was not only in Stanley Park but, 'in an area of Stanley Park that is cut with trails known as strolls, where some in the gay community seek anonymous sex' (Bailey 2001). This focus was accompanied by frequent descriptions of his body as naked, except for hiking boots. In reaction to the media's narrow focus on Webster's sexuality, friends and family sought to portray Webster as a complete person, who 'loved photography and was very good at it, who had a great sense of humour and who was "quite a spiritual person"' (Skelton and Zacharias 2001). It is unsurprising, however, that gay cruising sites continued to figure prominently in the mainstream media coverage. The performance of sex—defined as a private act—in public space ruptures the liberal private–public dichotomy that defines appropriateness. Implicitly, much of the coverage and opinion seemed to ask whether the public visibility of 'inappropriate' acts in gay cruising sites *provokes* violence.

Homophobic commentary on Webster's public performance of gay sexuality formed a significant portion of reactions in the media. For instance, Webster's killing elicited calls to 'ensure that a park [does not] become an outdoor sex shop that turns off legitimate park users' (*North Shore News* 2001). One letter to the editor argued that acts in the place the author called 'The Fruit Loop' were a necessary ingredient in a killing which could have been avoided had Webster 'engaged in whatever type of sex he desired in the privacy of his own home' (Knight 2001). Another letter-writer blamed Webster for his fate because he '[sought] out deserted and potentially dangerous areas in order to have anonymous sex' (*Peace River Block Daily News* 2001). Quoting a police detective, the letter argued that 'people who go [to Stanley Park to seek sex] "create a perfect circumstance to become victims of crime"' (*Peace River Block Daily News* 2001).

These harsh, blame-the-victim reactions sought to defend the 'wholesome' iconic park from deviance. In doing so, they asserted the normalcy of heterosexuality and coded the park space in terms of specific orders of sexual morality. As Brown (2000) notes, such codings serve to 'closet' actions deemed out of place. The invisibility and attendant vulnerability entailed in this closeting was highlighted in the wake of Webster's killing when investigators found it difficult to gather testimony from witnesses who were, in some cases, afraid to reveal their sexuality by admitting their

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presence in the location of the crime (Todd 2003a). In light of both the violence and the harsh judgements of Webster in the media, invisibility became the watchword and protective strategy for many of the cruising ground's regulars just as prosecutors and community activists sought to shed light on the issue of hate crime.

The efforts to bring the killers to account and to make spaces of homophobic violence visible to the state were also confounded by Canadian law's tendency to assign homosexuality to the private, invisible sphere (Bain and Nash 2007) and by its inability to consistently incorporate spatiality into decisions over violent acts. This further element of the socio-spatial production of sexual morality as a problem of governance was epitomized by Judge Humphries' decision to not define Webster's killing as a hate crime. Her decision therefore closed off acknowledgement of the spatiality of hate crime (Bellett 2005; Theodore 2005). As Robertson puts it in his critique of the decision, however,

> Webster performed a gay identity, or space of difference, that was readable as such through action, bodily comportment and time, even to the ilk of the accuseds, and this made him a target, even in the absence of the accuseds' familiarity with [that area of the park] as a gay space or what a gay man looks like … By applying a geographical understanding of the identity of the body and space, it may be asserted that the intersection of the naked body of Aaron Webster and the space of a dark park generally associated with sexual goings-on should have led a reasonable person to conclude that to attack Webster would be an affront if not to the gay community, then to a class of persons who have a sexuality dissimilar from that of the majority. (2005: 499)

In her sentencing, Humphries failed to take into account 'constellations of public–private, action, time and comportment' (Robertson 2005: 500) in identifying a hateful motivation. Yet, for Robertson, Webster's presence was certainly 'queer (or different)' (2005: 500), if not gay, and it was particularly so, we would suggest, since it involved a *taking* of space, of being *visible* in an iconic space where visibility is encouraged but only in strictly constrained forms (Mitchell 2003). His presence disrupted taken-for-granted moral codings. 'By smoking in place, perhaps even languorously,' Robertson (2005: 500) continues,

> Webster expressed the fact that he was appropriating this corner of the park—he was not transiting through with a pet. Through an audacious docility and being outside (as opposed to inside an automobile), as an object, and as a body available to make new acquaintances in the dark he blurred the distinction between the public and private: he drew out the latter to form an ob-scene. (Robertson 2005: 499)

So, while Bain and Nash are right to argue that the state's erasure of a range of sexualities from the public gaze means that the achievement of 'robust sexual citizenship … is often highly problematic, particularly for those whose everyday practices seek to incorporate radical sexual alternatives' (2007: 31), we would add that through decisions like Humphries' which ignore context and thus severely narrow definitions of hate crime, state agents also hide and therefore legally 'bracket,' certain forms of hate. Yet, it is also important to note that 'the state,' in the abstract, does not *do* anything but that it is specific agents of the state (judges, for example) who hold a certain degree of discretion to make judgements and enforce

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regulations. The contrast between Judge Humphries' understanding of hate crime and that of her youth court counterpart is a case in point, since the same statute was applied in one case but not the other. The ordering of morality, sexuality, and public space—even an iconic public space in which the political stakes are raised by its symbolic importance—becomes, from this perspective, a varied and unpredictable terrain upon which struggle plays out.

Beyond Stanley Park: activists' efforts to recode the city in terms of hate crime

While the eventual judgements in the Webster case were largely disappointing to those activists and prosecutors involved, the varied terrain of activism offered other opportunities to work with state agents against endemic homophobic violence. As the investigation into Webster's death proceeded, activists in the gay community sought to utilize the heightened visibility of parks as cruising sites and their attendant threat of violence to also highlight other sites in Vancouver where homophobic violence takes place. They problematized the narrow spatial boundedness of many discussions of Webster's killing. For example, one argued that homophobia and violence were more rampant in the city than reported and that attacks happened 'not just in areas where people would frequent for casual sexual encounters' (in Bailey 2001). Thus, while proponents of the AIDS memorial could be seen to have been thwarted to some extent by its eventual location outside Stanley Park, activists who reacted to Webster's killing took the opportunity to widen the discussion of the locations of hate crime beyond the park in order to advocate for better protection across the city.

Their argument was echoed by a police officer involved in the Webster case who suggested that the suspects were most likely 'serial gay bashers' and that they 'may have cruised down Davie Street or in other areas where there is a highly concentrated gay population' (in Bolan 2001). Indeed, the argument that cruising sites in parks invite violence fails to explain this broader geography of homophobic hate crime. After all, parks are not separate from society or the city more widely; they form a part of a much broader social ecology of queer urban spaces. Davie Street is at the heart of the Davie Village neighbourhood, close to the final location of the AIDS memorial, and is generally considered to be a relatively safe and tolerant space in which Other sexual identities are visible (Miller 2005). By highlighting the widespread threat of violence in the city, even in 'safe' spaces, activists decided 'that [it is] not appropriate anymore to just scurry off and not deal with it,' and so resistance strategies—including some violent retaliation and the involvement of the police—became more common (Carrigg 2003).

Activists sought to overcome the '[community's] historically … adversarial relationship with police' (Morton 2003) and promote a form of community–police collaboration that would not entail simply increased patrols in Stanley Park. They called for more liaisons between gay organizations and the police during hate crime investigations in order to encourage victims to report attacks. In an early attempt to bring GLBT activists into the city's governance networks, Prideline, a peer-support helpline for victims of gay violence, was launched in collaboration with the Vancouver police in 2003 (Morton 2003). In addition, police visibility in public and institutional spaces, such as their participation in pride parades and the enrolment of gay and

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lesbian officers, were seen as necessary steps (Bolan 2001). And on the seventh anniversary of Webster's death, in November 2008, a series of 'Aaron Webster Community Forums' were launched by a Vancouver LGBTQ community centre in partnership with the police department. With the tagline 'Stop the Violence!' these five events were held throughout the city, not just in Davie Village, and indicated the continued resonance of the Webster case for activists, their continued attempts to expand the spatial scope of their concerns, their ongoing good relationship with the police, but also the ongoing cases of anti-GLBT violence (Rolfsen 2008) that underscore the problems of governing sexual morality and public space in Vancouver.

Conclusion

In this paper, we have highlighted coding and ordering practices employed by state actors, the media, and community activists, by violent 'bashers' and by ordinary people like Webster as they seek to govern, define, and contest hegemonic definitions of appropriate presence and behaviour in an iconic park. Through accounts of a dispute over the location of an AIDS memorial in Stanley Park and of the killing of a gay man in the park, we analyse the relationship between sexuality and public space as a problem of governance continually in the process of being regulated and represented within the public sphere.

Recent evaluations of the literatures on geographies of sexuality conclude that scholarship has been somewhat narrow in both its focus on certain types of places where sexualities can be studied and in its deployment of certain standard, relatively under-problematized analytical and political categories. Brown, for example, calls for studies of 'sexualities as they are lived across the whole city, not just the inner-city leisure zones and gentrified neighbourhoods … and [for] research beyond the metropolitan centres of the Global North' (2008: 1216). Hubbard (2008: 641), for his part, notes that 'geographies of sexuality overwhelmingly focus on the way that spaces are produced as *either* heterosexual or homosexual, and consequently fail to acknowledge the diverse sexualities that may exist within these broad categories.'

How, then, might our study be positioned in terms of these programmatic statements? Clearly, we do not venture beyond a well-studied city in our analysis. What we do offer is an argument for understanding *specific* public spaces and their relationship to sexuality, even those spaces in well-studied cities, in their own terms rather than as monoliths. Thus, we argue that our two related cases highlight the specific role of iconic public parks in the spatial governance of sexuality. There is something about Stanley Park and places like it that ratchet up media attention and political stakes in debates over regulation. Similarly, we point to a need for the ongoing conceptualization of the governance of public space and sexuality beyond 'black box' categories like 'the state' (cf. Hubbard 2008: 645 on the '"black box" of heterosexuality').

This is not to dismiss, but to build upon, the important and varied work on the relationship between state actors, space, and sexuality. Work on sexuality and public space as problems of governance can continue to explore how the structural characteristics of the state reproduce inequalities and repression but might also conceptualize the state in a similarly open and potentially empowering way as Brown (2008: 1228) hopes sexuality will be understood: 'as frequently being inconsistent, beyond easy classification, and

as being immanent and "defined" at the moment of the sex act, flirtation or encounter.'

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Abstract translations

Gouvernance de la sexualité et de l'espace du parc: des actes de régulation à Vancouver, BC

Cet article suggère que le codage et le classement de la sexualité et de l'espace au travers des significations de quelles pratiques sexuelles et de quelles représentations de la sexualité sont appropriées moralement dans les espaces publiques peuvent être utilement compris comme un problème de gouvernance. Nous disons que des efforts à masquer ou à rendre visible quelques sexualités spécifiques dans l'espace publique sont compliqués et politiquement sensibles car, tandis que les régulations écrites sont relativement claires et définies, leur implémentation, par des urbanistes, des juges, etc., implique la discrétion significative et mène à des résultats conditionnels et contestables. De plus, les politiques de gouvernance de la moralité sexuelle et de l'espace publique sont rendues plus problématiques quand l'espace où une norme hégémonique de comportement ou de la moralité est confrontée publiquement est un parc iconique qui attire l'attention intensive des medias. L'article élabore ces arguments avec deux cas études interdépendants: un débat sur la localité appropriée d'un mémorial du SIDA à Stanley Park, Vancouver et la réaction au meurtre d'un homosexuel qui arborait le parc à la recherche de sexe. On conclut en établissant un lien entre notre argument et des déclarations récentes au sujet du futur des géographies de la sexualité, en réclamant des analyses qui admettent les potentialités ainsi que les contingences des catégories comme 'l'état', 'le gouvernance', et 'l'espace publique' et aussi leurs tendances structurelles et leur association continue avec la répression sexuelle.

Mots-clefs: espace publique, sexualité, l'etat, gouvernance.

Gobernando la sexualidad y el espacio de parques: actos de regulación en Vancouver, Columbia Británica

Este papel se sugiere que es un problema de gobierno cuando la codificación y ordenación de la sexualidad y espacio están entendidos por definiciones

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morales que designan cuales practicas sexuales y representaciones de sexualidad están apropiados. Discutimos que los intentos esconder o revelar sexualidades específicos en el espacio público están complicados y cargados políticamente porque, aunque las regulaciones escritas son relativamente preestablecidos, su implementación, por planificadores, juicios, et al., se involucra discreción significativo y se lleva a resultados contingentes y discutibles. Además, la política de gobernar la moralidad sexual y el espacio público la hace más problemática cuando se desafía un parque icónico que representa las normas hegemónicas de conducta y moralidad, y se atrae mucha atención de prensa. El papel se elabora estos argumentos por dos estudios interrelacionados: un debate sobre la ubicación apropiada para un monumento a la SIDA en Stanley Park, Vancouver y la reacción al asesinato de un hombre homosexual quien andaba el parque buscando relaciones sexuales. Concluimos por unir nuestro argumento a declaraciones recientes sobre el futuro de geografías de la sexualidad, discutiendo por más análisis que se reconocen ambos contingencias y potencialidades de categorías como 'el estado,' 'gobierno,' y 'espacio público' y también sus tendencias estructurales y su asociación actual con la represión sexual.

Palabras claves: espacio público, sexualidad, el estado, gobierno.

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