

Sea bathing, architecture and law: an overview of 200 years of intersections at the seaside

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Texto recebido em / Text submitted on: 15/04/2025

Texto aprovado em / Text approved on: 14/01/2026



Abstract. This study explores the historical links between sea bathing, architecture and law. It shows how architecture has served to mediate the practice of sea bathing, from its revival in the eighteenth century, to the contemporary spatialisation of the multiple uses of the sea for bathing. It examines the role of law in regulating not only the accessibility and use of maritime space, but also the social practice of sea bathing itself, by attempting to impose moral standards, what we call the 'spatialisation of decency'. In light of the recognition of water-related activities in urban settings, this work sheds light on the complex and often contradictory, yet ever-present, relationships between sea bathing, law and architecture that have shaped both the sea-land interstice as well as the bather's experience throughout history and concludes that this triad has been closely linked, either embracing or opposing the social organisation and habits of sea bathers.

Keywords. Sea bathing, contested places, moral codes, architectural history, law history.

Introduction

Every year, during the bathing season, millions of people flock to coastal settlements to enjoy beach life and its most distinctive feature, sea bathing. While it is easy to associate sea bathing with sun, sea and leisure, it is unlikely that many of these beachgoers would associate sea bathing with architecture and law. However, although seemingly disparate, these three subjects have had much in common throughout history and continue to have intersections in the present day. This study sheds light on these shared histories and explores the links between sea bathing, architecture and law from the late 18th century to the present day.

The historical roots of urban bathing cultures in Europe and worldwide have already been explored in the literature (MCMANAMON 2021; CARR 2022), demonstrating that sea bathing is not only a lived and embodied experience, but above all, a cultural construct that changes over time, reflecting the practices, beliefs, social rules and tensions that exist within a society

at any given time. These cultural mutations may partially explain the differences between the bathing practices of our ancestors and those of our own time. What seems to be constant, however, is the complex interplay between sea bathing practices, architecture and law, where the latter have often been linked to the former, either embracing or opposing the social organisation and habits of the users of a given period, who may have their own social codes and needs while on the beach. Therefore, this research delves into the intricate relationship between architecture, the practice of sea bathing, and the regulations that govern such activities. It also considers the influence of these regulations on urban spaces, such as the governance of beach accessibility, and the regulation of moral standards that are accepted on the beach but not necessarily welcome at other areas of the seaside, a phenomenon that still takes place today, which we call the “spatialisation of decency”.

1. Methods

This study uses a historical research design, drawing on a variety of sources including historical records, paintings, postcards, photographs and legal norms, combined with a narrative literature review to gain insight and trace the connections between sea bathing, architecture and law from the last 200 years. McDowell (2002) defines historical research as the systematic study of the past based on the examination of a wide range of relevant source material and argues that a better understanding of the past puts us in a better position to appreciate change in the present and to try to learn from past mistakes (MCDOWELL 2002: 5).

Although the history of sea bathing is much older than this period, we choose to start with its renaissance in the late eighteenth century because, despite having its peculiarities, it is more similar to what we have today, i.e. a social practice that is transformed into a mass phenomenon with implications for the social fabric and the urban realm.

2. A very different kind of sea dipping, the renaissance of sea bathing as a healing practice by the transition from the 18th to the 19th century

For several centuries, until the beginning of the modern era, the sea remained associated with danger and was considered a place to be avoided

(CORBIN 2010). Despite this dissociation, the situation began to change on the eve of the 19th century, with the increasing promotion of the benefits of the sea for the health of the individual, influenced by works of medical literature that spread first in England and then in the rest of Europe, extolling the virtues of bathing in the sea (RITCHIE 2021). At the time, sea bathing was valued for its preventive and curative medical benefits and restorative powers (POUGET 1851).

As it was common for people, especially men, to swim naked, it was particularly difficult to maintain etiquette when bathing in the sea (PARSONS 2018). Victorian decorum, shared by other parts of the world, demanded that bathing in the sea observed the common sense of decency, and many places had separate male and female bathing areas, although usually only a short distance apart (SHRIMPTON 2017). Spatial and temporal management were the two tools used to promote the spatialisation of decency in beach areas, meaning the designation of specific areas for the use of one gender or separate time slots for the use of the same area, usually men early in the morning and women later (RITCHIE 2021). An example of space management can be seen in the disposal of Les Sables d' Olonne municipal by-law of 5 June 1841 (VINCENT no date):

Les Sables d' Olonne municipal by-law of 5 June 1841

Art. 2. The central part of the beach, indicated by two posts, one pointing north towards the west wall of the Calvary enclosure and the other towards the west wall of the Place d' Armes, is reserved for men's bathing. However, men may only bathe in this area in trousers or shorts [...].

Art. 3. The two lateral parts of the beach between the large harbour pier and the post to the west on the one hand, and between the second post to the east and the line corresponding [...] to the mill situated on the edge of the beach, below the town boundary wall, are exclusively reserved for female bathing. However, men may also bathe in these areas but must always wear trousers and a shirt or waistcoat.

Art. 4. Outside the line mentioned in the previous article [...], everyone is permitted to bathe as they wish.

In addition, to comply with the strict social codes of the Victorian era and maintain privacy while bathing, individuals would disrobe in a bathing machine (fig. 1) before being lowered into the sea, most often with the assistance of a same-sex attendant known as a "dipper" (DAVIDSON 2022).



Fig. 1. Illustration of a sea bathing scene in Brighton Bay/UK by George Walker (1814).
© Public Domain.

Victorian bathing machines were therefore designed to mediate this transition from the land to the sea, where architecture was used for its most primordial purpose, that of providing shelter, in this case not exactly from the elements, but rather from predatory eyes. The utility of the bathing machines was therefore twofold: firstly, they helped female bathers to get in and out of the water safely, as swimming skills were relatively unknown to them at the time; and most importantly, they created a space to preserve a woman's modesty at the seaside, acting as a mobile changing room on wheels that could be transported into the water and back, as undressing in public was considered inappropriate (SHRIMPSON 2017). In fact, even in places where there were no bathing machines, this transitional space was considered. For example, in Turkey during the "Tanzimat" period (19th century), sea bathing was also segregated by gender and forbidden outside the sea baths (fig. 2) which were built under special permission and highly monitored by public authorities (EKINCI 2014; Pera Museum & Istanbul Research Institute 2018).



Fig. 2 Vintage post-card showing wooden enclosures used as sea baths on the Turkish coast (no date). © Public Domain

In Portugal, in the mid-19th century, naval architecture made it possible to adapt old boat hulls for the new purpose of saltwater bathing, making it fashionable to bathe in the Tagus estuary, which the locals traditionally considered their “sea”. The bathing barges (fig. 3), as they came to be known, were equipped on deck with a long wooden box divided into dressing rooms and also composed by a submerged part fitted with an internal flooding system allowing water to enter the compartments and a floorboard surrounded by laths where the swimmers could take a dip in the flowing water in total safety and intimacy. For those who could not afford a bath in the barge, a more simple and economic solution was to use the services of a smaller boat, a “catraio” (fig. 4), also equipped with an indispensable canopy to preserve discretion (SILVA 1949; BRIZ 2003).



Fig. 3. Vintage lithography showing the bathing barges “Flor do Tejo”, “Diligência” e “Deusa do Mar” anchored at the Tagus (1848). © Public Domain.



Fig. 4. Bathing at the Tagus (1826). © A.P.D.G./ Public Domain.

3. The tricky challenge of promoting and controlling sea bathing with its popularisation in the middle of the 19th century

As sea bathing became more fashionable and popular, a trend later fuelled by the expansion of railway networks, the need for stricter regulation of the activity also increased. In that time, it was required a careful balance between promoting it as a driver of economic growth for coastal settlements and ensuring that it conformed to the urban environment and the stringent moral standards of that era.

As a result of the increasing popularity of sea bathing, the changes brought about by visitors to the seaside, especially during the summer season, and the conflicts that resulted with local communities (RITCHIE 2021) have prompted seaside towns to adopt bye-laws to regulate the installation and use of bathing machines on their jurisdiction. In the United Kingdom, as early as mid-19th century the UK Parliament gave power to local authorities to rule different aspects of the use of bathing machines such as location for fixing the stands and limits of bathing areas depending on gender, measures to prevent indecent exposures, manners of using the machines and charges for their utilization, and distances from bathers and other uses of the sea by boats and vessels (fig. 5).

704	Cap. 89.	<i>Police Clauses.</i>	10 & 11 VICT.
<i>Bathing.</i>	And with respect to public Bathing ,	be it enacted as follows:	
Bathing Machines.	LXIX. Where any Part of the Sea-shore or Strand of any River used as a public Bathing-place is within the Limits of any special Act the Commissioners may make Bye Laws for the following Purposes; (that is to say,)		
	For fixing the Stands of Bathing Machines on the Sea-shore or Strand, and the Limits within which Persons of each Sex shall be set down for bathing , and within which Persons shall bathe:		
	For preventing any indecent Exposure of the Persons of the Bathers:		
	For regulating the Manner in which the Bathing Machines shall be used, and the Charges to be made for the same:		
	For regulating the Distance at which Boats and Vessels let to hire for the Purpose of sailing or rowing for Pleasure shall be kept from Persons bathing within the prescribed Limits.		
			LXX. And

Fig. 5. Extract of Public General Statutes passed in the Seventh Session of the Fourteenth Parliament of the United Kingdom of Great Britain and Ireland, 10 & 11 VICTORIA (1847). © UK Parliament/ Open Parliament Licence v3.0.

Although the pudor was still a dominant issue, by this time not all of the rules were concerned solely with the maintenance of decency. The popularity of sea bathing and the increasing number of machines and people on the beach sharing space with other activities such as boating and fishing (fig. 6) pushed for the spatial management of the beach to avoid conflict between the different uses.



Fig. 6. Vintage post-card of Bognor Regis/UK waterfront (no date). © Public Domain

Severo (2010) notes that the practice of bathing in the sea brought not only physical changes to the beachfront but also acquired an official status, with its own legislation that protected it from the activities that had traditionally taken place on the beach. The same author gives the example of the Municipal Ordinance of Oeiras, Portugal, of 1858 (fig. 7), which granted rights to bathers and established civil and safety rules for bathing in the sea. During bathing hours the regulation prohibited, among other things, the bathing of animals, the throwing of rubbish from boats or land, the launching of grapnels from boats that could harm bathers and regulated the placing of stakes that prevented the passage of carriages and horses.



Fig. 8. Blackpool Promenade circa 1890. © The Francis Frith Collection/
Public Domain

Similarly, in Rio de Janeiro, Brazil, the conditions for access to the beach were registered as early as 1871, when the municipality proposed ameliorations in the streets for the transit of people to the bathing areas at Russel Beach (Rio de Janeiro 1871) (fig. 9).

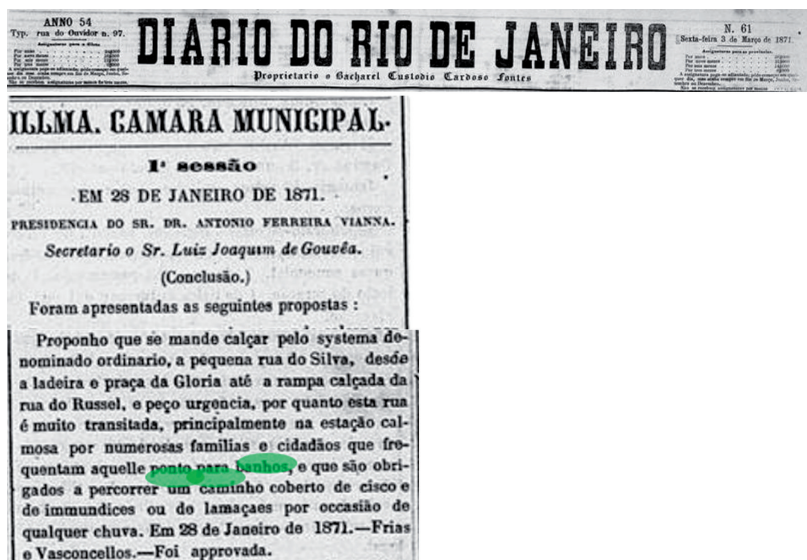


Fig. 9. Proposal to pave a road to improve traffic conditions for bathers in the vicinity of Russel Beach. © Câmara Municipal do Rio de Janeiro/ Public Domain

4. The changing manners of the 20th century: sea bathing, sunbathing and a traditional concern with pudor

In the transition from the 19th to the 20th century, manners had changed and gender segregation was almost universally abolished. Mixed bathing (fig. 10) led to the decline of bathing machines, which were gradually re-purposed into beach huts or entirely replaced by beach tents (FERRY 2023).



Fig. 10. Vintage photograph showing mixed sea bathing with the support of bathing machines (no date). © Rural Historia/Public Domain

The widespread adoption of swimwear and the emergence of the new trend for sunbathing for tanning, which required a greater exposure of bare parts of the body, laid the foundations for the redefinition of bodily exposure as an acceptable part of the cult of health (HORWOOD 2000). At the same time, the emergent fashion also gave a new impetus to the traditional preoccupation of some sectors of society with pudor (DEVIENNE 2015). The question of the limits of bodily exposure and its regulation was to remain controversial throughout the 20th century (fig. 11), and echoes of the debate can still be found today in the continuing attempts to discipline decorum by defining what is acceptable on the beach but not at the seaside.

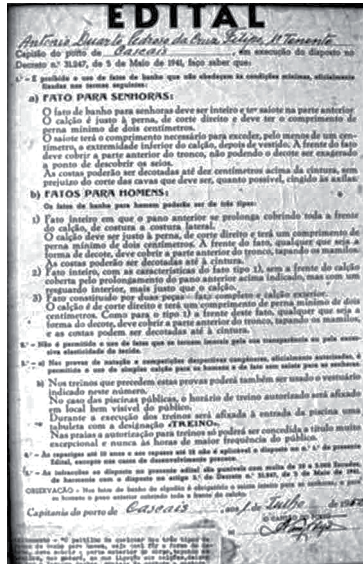


Fig. 11. Public Notice regulating the minimum conditions for the use of swimwear in Cascais (1941). © Arquivo Público de Cascais /Public Domain

According to the legislator, the spatialization of decency is based upon the presumption that, outside the spaces intended for bathing, exposed body parts like nude torsos may “undermine the decency of dress and good order or even be seen as a sexual exhibition in the eyes of the youngest, being inequivalent to the values of citizenship”. Moreover, it is also considered that “wearing a swimming costume in a public space outside swimming areas may be likely to alter hygiene and public health” (MAIRIE DE PORNIC 2021) (fig. 12), thus requiring the definition of spatial limits for its acceptance (fig. 13).

EXTRAIT
DU REGISTRE DES ARRETES DU MAIRE

OBJET : Réglementation du port d'une tenue vestimentaire décente sur l'espace public communal.

Le Maire de la commune de PORNIC (Loire-Atlantique)

Vu le Code Général des Collectivités Territoriales,

Vu le Code pénal,

Vu le Code de la santé publique,

Vu le Code de la sécurité intérieure,

Considérant que l'exhibition d'un torse nu, qu'il soit masculin ou féminin, en dehors des espaces attendus comme les espaces de baignade, est de nature à porter atteinte à la décence vestimentaire et au bon ordre, voire d'être perçu comme une exhibition sexuelle aux regards des plus jeunes, en inéquation avec les valeurs de la citoyenneté que souhaite leur transmettre la municipalité ;

Considérant que le port du maillot de bain dans un espace public, en dehors des espaces de baignade, peut être de nature à altérer l'hygiène et la salubrité publique ;

Considérant que ces tenues de plage peuvent, pour certaines, apparaître choquante et inappropriées ;

Considérant qu'il est de la compétence du Maire de veiller au bon ordre et de réglementer l'usage de la voirie communale ;

ARRETE

ARTICLE 1 : En dehors des plages et de leurs abords (voie jouxtant les plages et parkings, sauf parking du Château), il est interdit de se trouver sur la voie publique ou dans un lieu public seulement vêtu d'une tenue de bain, ou même seulement le torse dénudé.

ARTICLE 2 : Cette interdiction prendra effet dès que l'arrêté aura acquis son caractère exécutoire puis chaque année du 1^{er} mai au 15 octobre.

ARTICLE 3 : Toute violation des interdictions édictée dans le présent arrêté sera punie de l'amende prévue pour les contraventions de 1^{ère} classe.

ARTICLE 4 : Madame la directrice générale des services, le chef de service de la police municipale, le commandant de communauté de brigades de gendarmerie de PORNIC, sont chargés, chacun en ce qui le concerne, de l'exécution du présent arrêté.

Fait à PORNIC, le 26 juillet 2021

Pour le Maire et par délégation,
L'Adjoint au Maire,

Daniel BRETON



« Le Maire certifie, sous sa responsabilité, le caractère exécutoire de cet acte et informe que le présent arrêté peut faire l'objet, dans un délai de deux mois à compter de sa notification, d'un recours pour excès de pouvoir devant le tribunal administratif de Nantes, par voie postale au greffe du tribunal ou via l'application « Télérecours citoyens » sur le site www.telerecours.fr »

Fig. 12. Pornic By-Law regulating the use of a decent dress within the communal public space (2021). © Mairie de Pornic/Domínio Público



Fig. 13. Spatialization of permitted areas for bodily exposure around “Plage du Chateau” in Pornic/FR. © Mairie de Pornic/Domínio Público (top)/ 2025 Google Earth/ Airbus, Maxar Technologies (left)/Mestrinho (collage)

The problem is that dress conventions frontiers between bathing areas and the rest of the city are drawn on what Devienne (2015) calls ‘invisible lines’ that are likely to be ignored by beachgoers, especially when it comes to areas such as promenades, piers and other areas adjacent to and closely associated with beaches (fig. 14). Thus, enforcing “decent dressing” within the boundaries of sand and sea may therefore prove to be a more complex task than legislators originally thought when they considered beaches and the sea as entities separate from the city.



Fig. 14. Invisible line delimitating the frontier between the bathing area and the urban area at Scarborough beach, UK. © Stephen Sweeney CC-BY-SA-2.0 (centre)/ Mestrinho (collage)

In addition, the very idea of what is interpreted as appropriate clothing for bathing, and therefore permitted in beach areas, varies over time according to the moral codes and assumptions that prevail at any given time. For example, in Cannes in the 20th century, covering one's body parts while bathing in the sea was the norm (jersey for men and gown and trousers for women) (Ville de Cannes 1918) (fig. 15), whereas in the 21st century, the town's legislation requires exactly the opposite, interdicting women from accessing the sea with their bodies clothed in "burkinis" (Ville de Cannes 2016) (fig. 16).



Fig. 15. Town of Cannes By-Law regulating sea bathing (1918). © Mairie de Cannes/Domínio Público

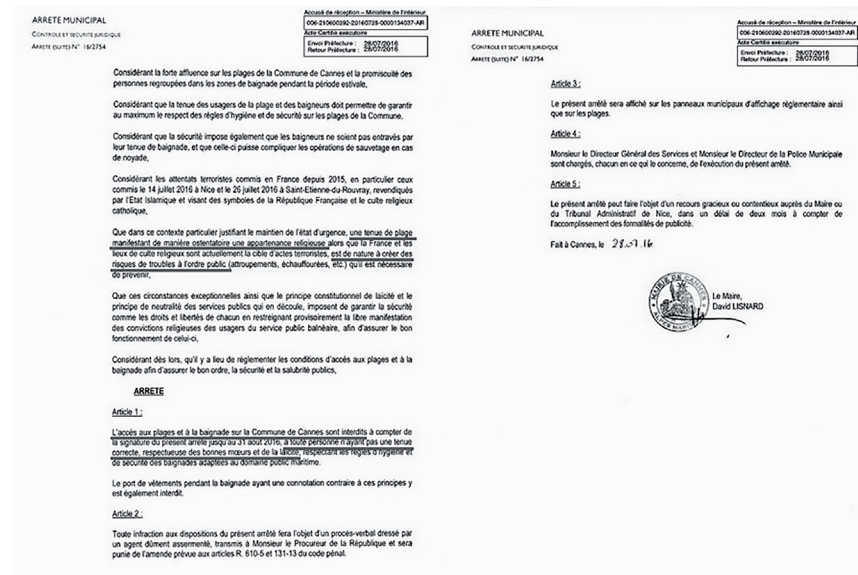


Fig. 16. Town of Cannes By-Law regulating beach and sea access according to appropriate dress-code (2016). © Mairie de Cannes/Domínio Público

5. The wet battles of the contemporary history: bathing in the sea and beach segregation

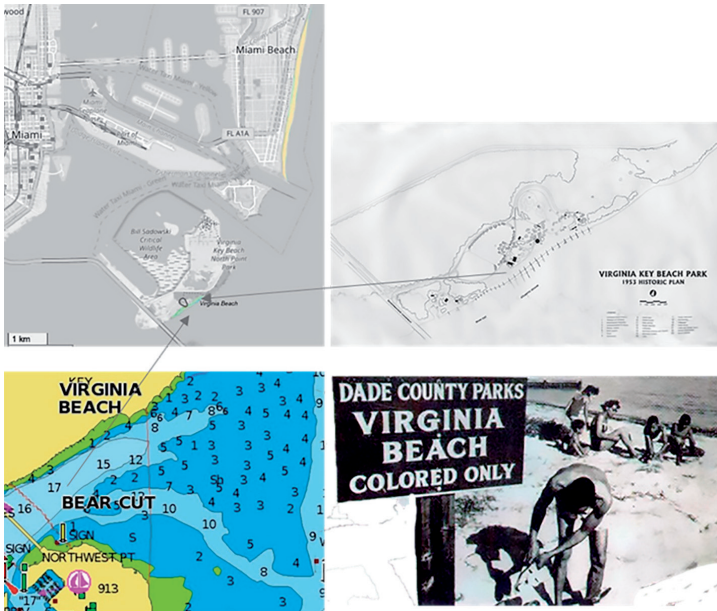
As Walton (2007) points out, the seaside is by its very nature a social melting pot, where different people meet away from their normal habitats, leading to problematic encounters. To avoid unwanted encounters, sea bathing has historically been associated with segregation of all kinds. As mentioned above, gender segregation has marked the revival of the practice, and both spatial and temporal segregation have been common means of preventing the mixing of the sexes during the act of bathing. However, even in places where mixed bathing was not an issue, such as in the United States, segregation took on new forms affecting both the legislation and the urban infrastructure that supported the activity of bathing in the sea. In America, the racialization of public space was mandated by Jim Crow laws (THOMPSON-MILLER & FEAGIN 2007), and whites-only beaches were the most common form of such urban space during the segregation era. It is worth noting that the right to swim in the sea became a symbol of civil rights resistance for the African American community in the form of planned wade-ins demanding equal access to the public beach (Global Nonviolent Action Database 2015). During the peaceful protest, black swimmers would wade into the waters of a segregated white beach to challenge the system (fig. 17).



Fig. 17. Wade-in at St. Augustine Beach/USA, June 1964. © Archives of Florida

The wade-ins were successful in influencing the acceptance of the black community to legally congregate by the sea and, in some instances, they also prompted the establishment of officially designated bathing areas and supporting infrastructure “for the exclusive use of Negroes” (PETERMAN 2021). One such example is Virginia Key Beach in Florida. Nevertheless, discrimination remained an issue, as the spatial allocation of such areas often privileged the choice of remote, polluted and dangerous locations, away from the most sought areas enjoyed by white audiences (diagram 1). It is known that in bathing areas reserved for people of colour, offshore waters could be risky, heavily pollute and absolutely unsuitable for bathing (KAHRL 2018). Furthermore, in beach areas designated for this group, the installed supporting infrastructure did not offer the same standard, accessibility, or level of maintenance as that available in the beach areas reserved for white people (BELL et al. 2019).

Diagram 1. Virginia Key Beach Park, Miami, USA.



(bottom right) Virginia Key Beach © Virginia Key Beach Park Trust;
 (bottom left) location of underwater channel known as “Bear Cut” © US Harbors; (top left) location of beach reserved for people of colour (green) and white people (yellow) © OpenStreetMap; (top right) Virginia Key Beach Park Plan © Virginia Key Beach Park Trust

Equally, in apartheid-era South Africa, racialization of bathing areas was promoted in accordance with South Africa's racial segregation laws of the time particularly by force of the Reservation of Separate Amenities Act of 1953 and its amendment of 1960 which included the sea and beaches as part of its scope (fig. 18).

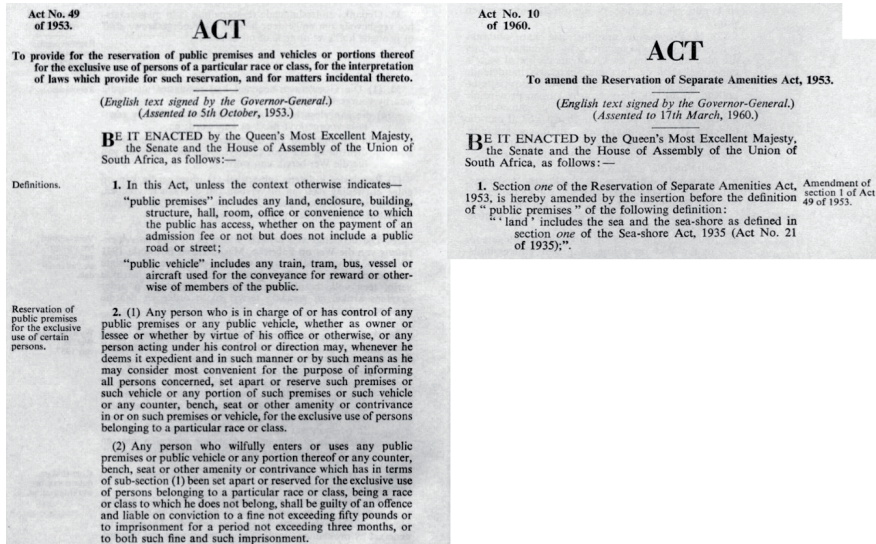


Fig. 18. Reservation of Separate Amenities Act of 1953 and its amendment of 1960. © US Library of Congress

Durrheim & Dixon (2001) explain that references to beaches as family places were used to justify racial exclusion and segregation. Based on this discourse and supported by legislation, as in the United States, the distribution of beaches along the coastline observed a racial hierarchy and policy of no contact, with a predominance of areas reserved for whites (fig. 19) although this group represented a smaller percentage of people in South Africa. Mirroring the patterns seen in the USA, discrimination was also evident in the context of infrastructure, with white beaches having better facilities, being more accessible and closer to the city, while 'non-white' beaches were pushed to the outskirts of the city, being either unsuitable for recreational use or frankly treacherous places (DURRHEIM & DIXON 2001).



Fig. 19. Sign alerting of legal beach reservation area according to race. © Guinnog CC BY-SA 3.0

Beach rules and infrastructure are therefore examples of how the sea can be made more or less available for use by bathers or specific user groups, with beach accessibility serving as a wild card in the game of segregating different audiences, with spatial implications along the way. Although public access to beaches is undoubtedly linked to the accessibility of the sea, i.e., the ability to physically enter the marine environment, some authors (REINDEERS et al.1977) note that guaranteeing public access to beaches remains a long-standing problem. Even though the era of legal beach apartheid is now over, the spatial boundaries between different users have undergone a new metamorphosis and been reborn in a new forms such as the privatization of beaches (LEGAMBIENTE 2022) and closure of waterfronts for ports and other industrial activities (KARSONO 2013). The private control of beaches is considered to be one of the strongest forces against public beach recreation (REINDEERS et al. 2010). Under this model, bathing in the sea, one of the most distinctive features of beach leisure, suffers from a collateral obstacle caused by the privatisation of the beachfront and the consequent blockage of connectivity, which makes the sea practically inaccessible or unevenly accessible to a few users. Indeed, it has been observed that, at times, the privatisation of beaches takes a covert form (Diário de Notícias, 2022; GONÇALVES, 2025) and, although in some countries like Portugal, public access to beaches

is guaranteed by law, in reality, the illegal practice of beach privatisation is implemented through the use of architectural tools to prevent or hinder access, such as gates or fences, or simply by reducing or not implementing the necessary infrastructure, such as parking lots and walkways (GONÇALVES 2025).

6. From disconnection to reconnection: the revival of urban swimming in the early 21st century and architecture as a mediator for bathing

Taken together, segregation, the closure of waterfronts and poor water quality may have contributed to a growing disengagement between people and the practice of swimming and other water-related recreation that was felt towards the end of the 20th century. Although at the time the picture looked rather unfavourable for urbanites looking for a bath and urban bathing culture was fragilized (GLOBEVNIK et al. 2022), by the early 21st century the tide had turned. This was made possible by a number of factors that took place in some parts of the world, towards end of the last century, which simultaneously helped to stimulate a revival of urban swimming in the following one. These were the effects of the implementation of legal norms dealing specifically with bathing water standards, such as the 1976 European Bathing Water Directive, replaced in 2006 by Directive 2006/7/EC, the large investments made on urban wastewater treatment plants (European Commission, no date) and the phenomenon of deindustrialisation of urban waterfronts, which has allowed the reopening of the urban fabric to the sea (BURDA & NYKA 2023).

The city of Copenhagen is a good example of this contemporary relational turn that has led to the renaissance of urban bathing. For 20 years, the city has invested in cleaning its former industrial harbour, installing wastewater treatment plants and large underground reservoirs to prevent untreated wastewater from entering the harbour area and, finally, a monitoring system to manage real-time data on bathing conditions in designated bathing areas (fig. 20) (GLOBEVNIK et al. 2022; MARK & ERICHSEN 2007). As a result, the water around the inner harbour, in the heart of the city, was clean enough to be declared safe for bathing, paving the way for swimming in the city centre, something that had been denied to the public since the practice was banned on health grounds in 1950 (JENSEN et al. 2015). Nevertheless, it must be observed that not all areas of the harbour are open to the public for the purpose of bathing. According with the Harbour Rules for the Port of

Copenhagen, bathing is only allowed in authorised bathing areas (Havnereglement Københavns Havn, Chapter 6, § 38). These may assume different typologies such as harbour baths, bathing zones and dip zones.

Bathing outside the designated areas is considered a transgression and may be punished by a fine (Havnereglement Københavns Havn, Chapter 8, § 43,1). It is important to highlight that the Harbour rules not only stipulate that bathing must occur in designated areas. It also requires that such areas shall present a characteristic built form to explicitly delineate their purpose and spatial boundaries, thereby differentiating them from other concurrent uses that may occur in the vicinity (fig. 20). It reads:

Havnereglement Københavns Havn, Chapter 6, § 38

§ 38. “ (...) Harbour bathing areas and bathing zones are characterised by being surrounded by a physical structure or buoys, floating barriers and the like, and where there are signs stating ‘Bathing permitted’”

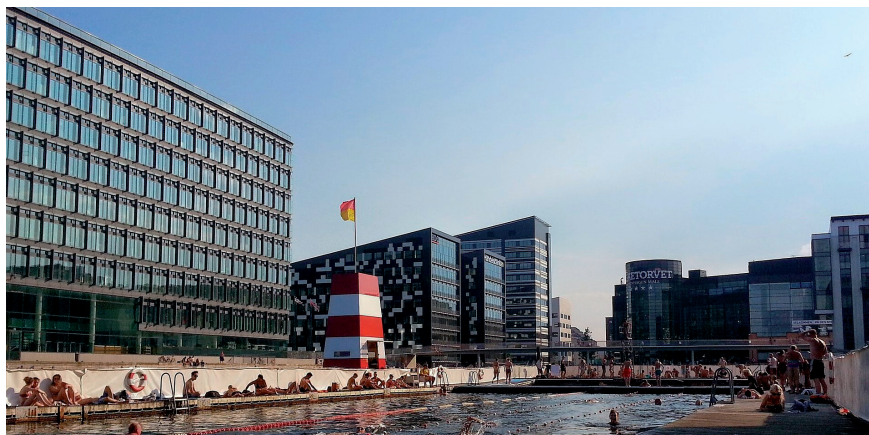


Fig. 20 Fisketorvet Harbour Bath, Copenhagen, DK. © DKON0005, CC BY-SA 4.0

In light of the aforementioned regulation, it is likely that the architectural design of the bathing areas not only provides convenience and accessibility for users but also mediates the spatial organisation of bathing activities in a manner that is coherent with other activities occurring within the harbour area such as the traffic of all sorts of watercrafts. This form and function relationship derives from the fact that, by its own nature, water is a boundless environment and the harbour might be considered what Jensen et al. (2015) call a “junction” that is, an “ill-defined and ambiguous site where the boundaries and interdependencies among systems, infrastructures, and practices are subject to tensions and ambiguities” (JENSEN et al. 2015: 568).

Conclusion

This paper presents an overview of the multiple and close interrelationships between sea bathing, architecture and law over the past two centuries. It demonstrates that architecture was initially utilised to facilitate a transition between the terrestrial and maritime realms. It was deployed in its most primordial function, namely, to provide shelter, in this case, not from the elements as usual, but rather from unwanted attention and indiscreet gazes. Over time, the relationship between architecture and sea bathing evolved from a classical approach related to build devices that facilitated bathing making it safer and more convenient, as seen in bathing machines, tents, huts, barges and harbour baths into new forms that are more subtle and akin to Perrault's (2012) interpretation of contemporary architecture, which is less about buildings and more about systems — sets of mechanisms and measures that transform places. In this latter form, the relationship of architecture and sea bathing reaches another scale, the district scale, and extends beyond the sea itself, becoming more closely related to phenomena occurring on land such as with the amelioration and transformation of urban waterfronts. This is illustrated by the transformations in the urban realm resulting from the influx of bathers to the bathing areas, most of which were subject to legal provisions so that they could have been implemented or managed according with other uses or, still, to comply with building and moral codes in place.

This study makes an original contribution to knowledge by highlighting the fact that, as bathing activities have become increasingly mainstream, legislation has been introduced to regulate not only the locations where bathing and the associated infrastructure could take place, that is, regulating spatial management, but, in addition, to rule the social practices that are deemed acceptable within these designated areas, while rendering those same practices unacceptable when carried out in other urban contexts, that is, ruling behaviour. The study shows that the association between bathing, law and modesty has been a persistent phenomenon throughout history, and it continues to be in the present through the establishment of regulations governing the conduct of bathers at beaches and other similar locations. The phenomenon may be described as the “spatialisation of decency”. This concept encompasses the way in which spatial limitations are established in order to regulate body exposure, an essential element of sea bathing. The findings suggest that the extent of this acceptance may vary depending on the prevailing moral standards and that its enforcement may prove challenging due to the proximity of and

interconnectedness of bathing areas with the rest of the urban environment, which is delineated by uncertain boundaries.

The issue of spatial implications resulting from gender, racial and economic segregation, some recurrent aspects associated with sea bathing, has also been documented. The evidence indicates that the design, allocation and infrastructure provided for bathing sites was frequently more aligned with the objective of segregation than with the suitability of these sites for water recreation. This is exemplified by the cases of the United States and South Africa. The analysis confirms what has already been noted in the literature: blue spaces can also lead to marginalisation and exclusion due to economic, political, cultural and historical factors (WHEATON et al. 2021). Throughout history, inequality has been a remarkable feature of who can use blue spaces, and this exclusionary characteristic still echoes in contemporary coastal practices (OLIVE & WHEATON 2021). In this regard we reviewed how beach accessibility, understood as the opportunities for interaction with and ability to use urban natural spaces (HAEFFNER et al. 2017) is still been used nowadays as a wild card for exclusion and presented how architectural tools such as gates and fences are used to create a new form of racialization of seaside space, this time no longer based on race as previously, but rather on social class distinction that favours private owners, even if this practice goes against what is preconised in the law.

The study finally explored the revival of urban bathing culture in the present era, which has resulted from a combination of legislative effort, economic profile changes and infrastructure amelioration. The city of Copenhagen was taken as an illustrative example to demonstrate how architecture may serve not only to facilitate accessibility and convenience for the use of bathing areas, but also to mediate the relationship between bathing areas and other concurrent uses of water in an environment that, by its own nature, is borderless.

In light of the growing recognition of water-related activities in urban settings and the resurgence of urban bathing, this paper aims to elucidate the complex and often contradictory yet ever-present relationships between sea bathing, law and architecture, which collectively shape the bather's experience. It should be noted, however, that this work does not aspire to be a definitive account of the theme. There are other relationships that could be identified within this triangulation, for example, the acceptance and mitigation of risk related to sea bathing. This particular area has not been explored in depth here, and it could be a topic worthy of further investigation in future research. In addition, a more systematic review would be welcome, focusing specifically on the legal history of sea bathing management in urban spaces in different countries,

highlighting similarities and differences, in order to gain insights into the best tools for promoting interactions with blue spaces and reflecting on how to prevent exclusionary practices that still plague urban blue spaces, since it has been demonstrated that their legal status as public spaces does not always guarantee that their use will not be distorted in an attempt to favour certain groups.

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