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Forestry Referendum Commentaries: Three Perspectives on where to go from here

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Mitch Lanski

Part I: What Happened?

A 1986 poll conducted by the Forests for the Future Program asked Maine people what they considered their two most important problems. Only four-tenths of 1 percent of the respondents directly referred to forests or forest-related industries in their replies. The authors commented (in surprise): "Apparently, forest-related concerns are not foremost in people's minds. . . ."

The report also found that in this forest-dominated state, the public was "often poorly informed about the forest." The referendum has changed at least half of these findings. Forestry is now an issue for many people in Maine.

Forestry traditionally has not been a major public issue in Maine because conflicts were settled by key insiders. Industry could influence policy through sending PAC money to legislators, getting former industry representatives appointed to key government posts, flooding hearings with industry employees, or making sure committees had industry representation. With these tactics, conflicts often could lead to benefits, such as tax breaks.

The Ban Clearcut referendum, however, bypassed industry's traditional strategies for influencing forest policy. Industry representatives now had to convince the public, not just key interest groups with whom they have economic leverage.

Industry's first response was to deny there are problems in the woods. Polling, however, showed that this approach was backfiring. A large percentage of the public perceived that there are problems in the woods, including too much clearcutting. Industry was losing credibility.

The next strategy, therefore, was to try to get the public to perceive that industry is part of a "responsible" solution. Large landowners joined with "mainstream" environmental groups to negotiate the 2B compact. Company officials decided to spend as much money as needed to accomplish this new task--and they did. But this massive expenditure in public relations meant that forestry finally has become a high-profile issue.

Do We Have a Mandate?

With 77 percent of the public voting either for 2A or 2B, the forestry referendum can be interpreted as a mandate for change. It clearly was not a Green Party vote--their Senatorial candidate received only 4 percent of the vote. The 2A option received nearly 30 percent of the vote despite more than \$6 million spent to whip up a frenzy of fear and loathing over the "drastic Green forestry ban." That so many people would vote for 2A, despite predictions of disaster by authorities, is quite a statement. Votes for 2A clearly sent a message that major change is needed.

Votes for 2B also could be interpreted as votes for change. Some who voted for 2B, however, did not really want change; they wanted to stop or stall 2A and felt 2B would be more effective than 2C in reaching that goal. Votes for 2C cannot be interpreted completely as a vote for the status quo. Many voted for 2C because they wanted change, but not in the way mandated by the other options. If there is a mandate, the raw voting figures do not give a clear image of what that might be.

What Are We Left With?

Confusion: Despite all the advertisements and debates, the public still is not well-informed on forestry issues--but people are better informed than they were a year ago. At least they know there has been a lot of clearcutting in the past. I would estimate that a tiny fraction of 1 percent of all voters actually read, let alone understood, the Forest Practices Act, the Ban Clearcut referendum, or the forestry compact. Much of the debate was in television sound bites that hardly were more enlightening than a catalogue of "informal fallacies" one might find in an introductory logic textbook (e.g., "attack the person," "appeal to authority," "bandwagon," "irrelevant analogies," etc.).

Some newspapers did make a major effort to present a series of articles that went into more depth. An increased depth of coverage, however, does not always translate into an increased clarity or public understanding. Many people exposed to the complexities of the issue felt increasingly confused.

Distrust: One result of the campaign is residual anger and distrust. Because of the compact, there are serious divisions not only among environmentalists, but also in the forest products industry. Indeed, one lumber company announced that different divisions within the company were going to support different referendum options.

Some members of groups that signed on to the compact have bitter feelings toward their leadership, who they feel did not represent them. This bitter feeling also has extended to Governor King. The governor hardly was constructive or statesmanlike in the debate, using the authority of his office to engage in gutter-level rhetoric. He claimed, for example, that the referendum was "a loaded gun to the head of the economy," and that "they want to shut the woods down and turn it into a park."

Chaos: Industry expenditures on the compact set records. There was an impressive lineup of organizations in support, including paper companies, major conservation groups, the Maine Forest Service, and every daily newspaper in the state. Yet the compact still did not win a majority of the votes. Because of this, many issues are left hanging.

If the vote is delayed until next November, it may become irrelevant since some legislators already have announced they will introduce forestry legislation. Many items of the compact, such as the resource educator, the ecological reserves, or the study on liquidation cutting, easily could be enacted as separate legislation. Indeed, one wonders why they had to be in a compact in the first place.

Large landowners have agreed to abide by the new clearcutting rules regardless of whether the compact passes or not. The audit program is voluntary and supposedly will be enacted regardless of legislative backing. Since the compact refers to actions to be taken by certain dates, and since these dates will have passed by next November, and since it is possible that the wording of a referendum must not change, there may be legal obstacles to its passage.

Part II: Where Do We Go From Here?

When Custer asked his Indian guide the same question, the response was "What do you mean 'we,' White Man?" Not everyone wants changes in forest policy. A certain element of the public will argue for the sacred right of property owners to do anything they want to their land, regardless of the impact these actions might have on the rights of other property owners or the community. Some supporters of this argument happen to be large contractors who rely on liquidation cutting for part of their income. The degree to which they defend the Forest Practices Act indicates the degree to which they think it is the equivalent of no regulation.

Because of the level of distrust, it may be difficult to forge new alliances, or keep old ones. Although some of the signatories to the compact may be tempted to opt out and connect to other options, they risk breeding greater distrust. If these organizations want to retain their membership, they cannot bide their time until the next election. They must show some credible progress towards the compact, or they will be attacked from many sides.

Assuming a genuine desire to come up with a better forestry policy, what steps should be taken?

1. Assess the situation. There are a number of recent documents concerning forest statistics, forest practices, and biodiversity that can give us a shared body of facts. Having a shared body of facts, however, does not guarantee a shared interpretation. Facts exist in contexts, which can be manipulated. This is called "spin control." Undoubtedly, we will have some lively debates on what the figures mean.

2. Define the issues. If the issue is "sustainable" forest management, for example, we need to determine just what we are sustaining, where, for how long, and for whose benefit? If the issues are defined too narrowly, comprehensive solutions that take into account silvicultural, ecological, and social issues will not result. Problems not dealt with will continue to fester.

3. Define the problems. My own reading of the available data shows there are problems, either statewide or on a regional basis, in the following areas:

Silvicultural:

- Overcutting (cutting more than growth);
- Clearcutting (where other options could be viable);
- Understocking (overstories with insufficient stocking to make adequate use of the growing space);
- Highgrading (shifting from high-grade to low-grade species and trees); and,
- Stand damage (to the soil and residual trees).

Ecological:

- Simplification (loss of key species or structures in a stand);
- Fragmentation (chopping up of habitat to the point where it may not be adequate for viable populations, migration, or dispersal);
- Conversion (drastic change in habitat types);
- Invasions (of exotic species);
- Pollution (to the air, soil, and water); and,
- Instability (lowered resistance to disturbances-- such as the spruce budworm--and/or lowered resilience from disturbances).

Social/political:

- Job loss (in the woods and in the mills);
- Revenue loss (profits, jobs, and value-added going out of state);
- Tax loss (lowered percentage of General Fund from corporate income tax or lower revenues from corporate property tax);
- Ownership changes (lowered commitment to communities; more nonstrategic lands spun off and liquidated);
- Economic domination (artificially low purchase prices for wood and payments for woods labor due to oligopsony and vertical integration); and,
- Political domination (leverage over state and local political processes due to economic domination).

4. Define the goals. Clearly defining the problems is key to a good definition of goals. For example, based on the silvicultural problems listed, the solutions would be to cut less than growth, have a presumption against clearcutting, maintain adequate stocking (unless there is good reason not to), increase forest quality, and do less stand damage.

Supporters of the compact may think such goals are implicit in the audit program. If so, these goals were buried in twenty-seven pages and were not well-communicated to the public. The public was not reassured by the process to reach these goals, either.

6. Set up a process to reach the goals. In the last decade we have had a number of processes that have failed to address the issues adequately. The Forests for the Future Program, the Northern Forest Lands Council, and the Maine Council on Sustainable Forest Management all have been appointed, "balanced" committees (i.e., with a strong industry presence) with limited agendas. They also have had limited impact.

For a process to work, therefore, the public must feel represented--without industry domination--and pressing issues must be dealt with directly. The success of any process will depend on the extent to which the public is interested and involved. If the public loses interest, the process will revert to an insider operation. I believe the public would prefer to vote on legislation that offers clear goals and a believable process to reach those goals rather than another "overly complicated" set of predetermined rules.

Conclusion

We now have more of what Charles Atlas used to call "dynamic tension" in the political process. More people from more perspectives are paying attention to forest policy. It is possible to harness this tension as a source of power to improve our forests by striving to be broader in scope. Or, this tension can be used to further Balkanize forestry politics. Given the current levels of distrust in the state, the latter possibility would not be difficult to achieve.

Improving forest management could be a win-win situation for the public and industry. How could it hurt industry to improve the productivity and quality of its forests? Some debaters concluded that the referendum really was not about improved forest management; it was about power. Those who have power will not relinquish it willingly. There should be some interesting struggles in the coming months.

Mitch Lansky is the author of Beyond the Beauty Strip, an incisive critique of industrial forestry in Maine. He also is a writer for Northern Forest Forum, as well as director of the Maine Low-Impact Forestry Project. Lansky lives in Wytovitlock, Maine with his wife and two children.

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