

# **The Margaret Chase Smith Essay: One Question at a Time, Please!**

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*"...(P)olitics in the broad sense of the term is best conducted in this country (as) a matter of give and take, recognizing that the perfect may be the enemy of good, recognizing that in a democratic society no one faction can get everything, or nothing..."*

—Theodore C. Sorenson, former adviser to President Kennedy,  
as quoted in a Boston Sunday Globe interview, June 9, 1996

*Chris Spruce*

In Maine, referenda initiatives occasionally are considered to result from a failure by the State Legislature to make the tough choices. Depending on one's perspective, that might be said of the pending Green Party-initiated referendum on forest practices. Apparently, forest practices reforms instituted in 1989 via legislative fiat have not been able to satisfy the Greens' fear of impending doom for Maine forests. Thus, Maine citizens are facing the unpleasant choice of voting for a clearcutting ban that more than bans clearcutting or voting against a clearcutting ban when the suspicion abounds that not all is quite right in the North Maine Woods.

The practice of building and maintaining public policies that are at once effective and fair, is a practice that is no more perfect than the practice of harvesting Maine's bountiful forests. Regardless of the level of care exerted, there will always be those hard chances that don't turn out just right. No matter the strategy invoked, it sometimes turns out just plain wrong. But neither the process of formulating effective public policy nor the process of harvesting forest resources necessary for a host of important consumer products are linear. They can be involved and complex. Yet patience with such complexity is in short supply. We prefer processes to be simple and in that preference believe all things can be simplified.

This slouching toward oversimplification has spawned a widespread belief that solutions to complex problems abound like tangles of dew on a June morning lawn. This approach suggests that, "If we just do X, then we'll surely accomplish Y." That may be true until we consider the impact of X on Z or A or B or a host of other constituencies. That is why we have the deliberative processes of government: To make sure that if we do X, then we have done all that could possibly be done to protect the interests of Z, A, and B. If we cannot protect those interests, chances are that X will not survive in the marketplace of public policy ideas. And that, to me, is the genius of American government. It can be slow, frustrating and irritating, but it is of necessity deliberate and cautious. In most instances, change is incremental not revolutionary. Over the long run, we make progress in solving complex problems.

The current vogue in governing is a take-no-prisoners approach. The resulting polarization has made it difficult to operate effectively at the federal and state levels of government. Reasoned discussion and thoughtful debate do still occur, but more and more in Maine, we are going over the heads of elected representatives and taking the case directly to the people. Further, we are arrogant and cynical enough to use a hot-button issue to get others to endorse very specific public policies under the guise of resolving a broad-based concern. So it is with the so-called clearcutting referendum that is much more than a clearcutting referendum. (The question will ask: "Do you want to ban clearcutting and set other new logging standards?") And so it was with the Turnpike widening referendum a few years back that was not entirely about widening the Maine Turnpike. Rather, both referenda were and are about getting more of what proponents want now. They are founded in frustration with the deliberative nature of government and propelled forth by impatience born of the righteousness of a cause. "Don't you understand? This is urgent. The time is now. We just can't wait or all will be lost." Thus, there is no time to wait for these matters to work their way through the traditional policy process once, twice, perhaps a half dozen times before the "best option" is selected.

A system of governance that is deliberate, imprecise, occasionally dysfunctional, and often laborious, does not recommend itself to the impatient citizen. In Washington, these impatient citizens have now taken up their cudgels in Congress. Many veterans of Capitol Hill service are choosing to retire rather than continue trying to represent constituents in an institution that looks upon compromise as a dirty word. The new kids on the block want what they want and they want it now. That approach tends to render useless the traditional deliberative processes of our national and state legislatures. Mainers, of course, only have to remember the state government shutdown of a few years back to understand where failure to invoke the processes of compromise ultimately leads. It was not a pretty sight.

In 1991, Maine voters adopted the Sensible Transportation Policy Act. The referendum, which also blocked the proposed widening of the Maine Turnpike, mandated a process for developing transportation policy in Maine. The process has begun, but, to my knowledge, no formal analysis of the effectiveness of this process has been conducted. Five years into sensible transportation planning and we're not entirely sure how sensible we're being. On the other hand, we haven't widened the turnpike nor are we likely to any time in the future. Although the 1991 referendum made it pretty clear that people didn't want to widen the turnpike, it is less certain, however, that Maine people wanted the transportation policy planning process that was attached, barnacle-like, to the yes-and-no of that question. Had the two issues been addressed separately, as they probably should have, we would know whether transportation planning was a flag to be saluted by voters. Now we have it, like it or not.

The so-called clear-cutting referendum presents a similarly distasteful situation. Most of us will pull the lever in the voting booth in the belief that we are saying yea or nay to clearcutting. The reality will be that if we say "yes," we will be proscribing in great detail how the 10 million forested acres of Maine's unorganized territories will be managed. It's pretty much a one-size fits all approach. But are the forest policies put forward in the Green's referendum the right ones? Are we, the citizens of Maine, able to say with any level of certainty that these policies will be effective, not defective? And if we say "no," what message will that send the individuals and companies that now manage those forests?

Unlike the transportation referendum, the economic impact of the "other new logging standards" included in the Greens' referendum question will be significant. As production on forested acres in the unorganized territories declines under the new harvesting restrictions, it doesn't take a rocket scientist to figure out that there will be a corresponding decline in forest employment there, and, an increase in pressure on the forested lands outside of the unorganized territories. Maybe these are outcomes that we want. However, these are not the questions that most voters will think they are answering in November.

Perhaps we should have a referendum on referenda. It could be a simple one: Every referendum question put to the people of Maine, must ask one, and only one question. It must be a direct, simply-worded question that requires only a yes or no answer. All other detail, if the question is answered in the affirmative, would be properly left to the state legislature and the substantive experts that we employ in state government. Will they always carry out the will of the people if we don't give them specific directions? Probably not. Is this a bad thing? Probably not.

As the debate intensifies on the clearcutting ban, it would behoove us to consider what sort of compromises we are willing to accept. Is it more important to prove a point, to get our way? Or is it best to step back and consider the issue more carefully? Regardless of how much we might wish it to be so, we cannot simplify a complex policy issue that will broadly impact the economy of this state. I am confident the forests of Maine will continue to grow even as we further deliberate. I am also sure that the answers will not come easily, that the solutions will be neither universal nor entirely fair. And, as the Maine Council on Sustainable Forest Management is demonstrating, those answers will not come today.

Clearly, we need to slow down and answer one question at a time.

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