LAD CASE STUDY

Gifford Pinchot and Sustainable Forest Management

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The Leadership Academy for Development (LAD) trains government officials and business leaders from developing countries to help the private sector be a constructive force for economic growth and development. It teaches carefully selected participants how to be effective reform leaders, promoting sound public policies in complex and contentious settings. LAD is a project of the Center on Democracy, Development and the Rule of Law, part of Stanford University's Freeman Spogli Institute for International Studies, and is conducted in partnership with the Johns Hopkins School of Advanced International Studies. LAD gratefully acknowledges support from the Omidyar Network.

Gifford Pinchot and Sustainable Forest Management

The year was 1909, and Gifford Pinchot, Chief Forester of the United States, faced a terrible personal dilemma. Pinchot's patron, President Theodore Roosevelt, had been replaced earlier that year in the White House by the rotund and genial lawyer William Howard Taft, whom Pinchot feared shared few of Roosevelt's convictions about the need for conservation and the sustainable management of American forests. Pinchot didn't think much of President Taft, saying later in his autobiography that he was "Weak rather than wicked... one of those genial men who are everything that fancy paints until a showdown comes along that demands real toughness of moral fiber."

The new administration had appointed the former mayor of Seattle, Richard Ballinger, to head the General Land Office (GLO), a bureau within the rival Interior Department responsible for selling public lands to developers and other private interests. A young GLO agent named Louis Glavis noticed a peculiar pattern of transactions in Alaska coal concessions under Ballinger, with many of the new claims going to former cronies of the ex-mayor. Two of Pinchot's Forest Service agents uncovered a pattern of wrong-doing, including payments being made to Ballinger, and duly reported this to President Taft. The President, dependent on support from western Republicans, placed a gag order on the whole affair and allowed Ballinger to fire Glavis the whistle-blower.

Pinchot was outraged at this evidence of corruption that reached all the way to the White House, but he wanted to give the new President a fair hearing. The new President had, after all, vowed to maintain his successor's support for conservation and strong control over federal lands. President Taft invited Pinchot to the White House, and spent the better part of an hour alternatively imploring Pinchot not to go public with the matter for the good of the Republican Party, and threatening him with dismissal and worse if he violated the gag order. Pinchot had in his pocket a letter to Jonathan Dolliver, chairman of the Senate Agriculture Committee, outlining what he knew about the Ballinger affair and the behavior of his two agents. If he delivered the letter, Dolliver would read it on the floor of the Senate, and President Taft would be forced to respond.

What should Pinchot do? He was, after all, only a mid-level bureaucrat, dependent on Taft's good will and without a strong political patron. If he were to be fired, he would leave the Forest Service, the development of whose staff he had personally overseen, to the vagaries of a system that was still heavily influenced by patronage considerations. On the other hand, the President himself was impugning the integrity of his own staffers, and participating in a cover-up of a major land scandal. Four years earlier he had faced a similar situation in which he confronted the powerful Speaker of the House, Joe Cannon, and forced him to back down on the transfer of

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authority over forests from Interior to his Department. He had done this not by playing by the rules, but by using the political system, and his contacts in Congress and in the press, to get his way. Gifford Pinchot had to make a critical decision.

Free Seeds and the Patronage System

The US Department of Agriculture (USDA) was founded by President Lincoln in 1861 as part of a developmental strategy to upgrade the productivity of American farms, of a piece with the Morrill Act of the same year that created the system of land-grant colleges (including Penn State, Michigan State, Cornell, Kansas State, Iowa State, and others) that would train a new generation of agronomists. The Department was originally intended to be staffed by scientists, but by the 1880s it acquired a different purpose: the free distribution of seeds. Supported by representatives from farm states, the Congressional Free Seed distribution program came to dominate the agency's budget toward the end of the century.

Free seed distribution was very much in line with the broader character of American government at the time. Beginning around the time of the election of Andrew Jackson as president in 1828, the federal government was opened up to a system of patronage controlled by the two political parties. Jackson argued that since his party, the Democrats, had won the election, he should get to decide who held government office; he believed, moreover, that serving in the government did not require any special skills. As a result, he distributed jobs to his own supporters. Over the coming decades, employment in the US government would depend entirely on party patronage; across the country, officials in post offices, customs houses, and survey offices would turn over every time there was an election that brought another political party to power. The officials appointed under this system were expected to "donate" ten to fifteen percent of their salaries back to the parties that gave them the jobs.

Political patronage was practiced even more enthusiastically at a local and municipal level. Virtually every large and mid-sized American city in the East and South was run by a patronage machine, whose political bosses would distribute public jobs, cash payments, services, and turkeys on holidays to their constituents in return for votes. While this practice drew thousands of new voters into polling places each election, citizens voted not on the basis of public policies that addressed issues of common concern, but based on which politician would give them and their families a concrete benefit.

The ability of politicians to hand out patronage fed a huge amount of corruption across the United States. For example, William Marcy Tweed, or "Boss" Tweed, as he was known, and his Tweed Ring managed to enrich themselves substantially due to their control over public contracting in New York City. Under the influence of the Tweed machine, the New York State legislature authorized a new courthouse in 1858 that was supposed to cost no more than $250,000. By 1862 the building had not yet been completed and Tweed authorized another million dollars towards its construction. By 1871 the courthouse was still not finished, and total outlays amounted to $13 million; a special commission was appointed to investigate the project which was itself controlled by Tweed, and which managed to funnel $14,000 in printing costs for its report to a company owned by Tweed.

The idea that the US Department of Agriculture's chief role should be to dole out free seeds to the constituents of Congressmen from rural districts fit in perfectly with the overall ethos of 19th century government. The period after the Civil War was known as the "Gilded Era," famous for its gross corruption scandals like Credit Mobilier affair. This began to change only in the 1880s,

when the assassination of newly-elected President James A. Garfield by a crazed office-seeker motivated Congress to pass the Pendleton Act. The latter legislation created a US Civil Service Commission and a merit-based system of recruitment and promotion within the US government. While patronage appointments remained pervasive, each year saw the growth of the number of bureaucratic positions protected by classification rules under the Pendleton Act. Applicants for government positions would now have to take a competitive examination, and their educational credentials became increasingly important in hiring decisions.

The USDA was one of the first federal agencies to begin protecting its personnel from political patronage, and began hiring large numbers of recent graduates of the new land-grant colleges who had up-to-date training in scientific agriculture. Many of the Department's division and bureau chiefs enjoyed relatively long tenure, and could shepherd along an entire generation of new recruits who had no roots in either the patronage or seed-distribution systems. The quality of the bureaucracy was dependent not just on the higher educational achievements of the new entrants, but to the fact that these individuals constituted a network of trust and possessed what has been labeled "social capital." Much like their counterparts in the legendary German or Japanese bureaucracies of the time, these new officials had similar backgrounds (indeed, often graduating together from the same schools), and embodied a common belief in modern science and the need to employ rational methods to the development of rural communities around the United States. The latter over time became the basis for the organizational ethos of the Agriculture Department, and in particular of one of its key divisions, the US Forest Service.

Scientific Forest Management

Prior to the formation of the Forest Bureau in the Department of Agriculture in 1876, forests in the United States were regarded largely as an impediment to the westward flow of settlers. The idea that they might be resources requiring long-term management was foreign to these early Americans. Settlers burned or cleared land indiscriminately to make way for farms and settlements, depleting other natural resources as well. The 20-30 million head of bison that wandered the American Great Plains at the beginning of the 19th century fell to only 1000 by 1889. Farms in recently cleared areas often proved unproductive, whereupon they would be abandoned and left to be eroded by wind and rain. In the first decade of the 20th century, older parts of the country like New England had been largely denuded of trees; there were concerns that most of the nation's forests would disappear within another generation. While many economists argue that private ownership is the best way to produce the sustainable management of resources like forests, this depends on accurate knowledge about things like yields, tree varieties, harvesting techniques, interactions with other environmental factors, and the like, which private owners did not necessarily possess. While the scientific study of forestry had already begun in countries like Germany and Britain, there were no forestry schools or systematic studies of forest management in the America of the 1880s.

The groundwork for a national forest service was laid by Bernard Fernow, a Prussian immigrant to the United States who had trained at the Münden Academy and the Prussian Forestry Department, which had been a pioneer in developing techniques for the centralized planning of forest management. Fernow on moving to America became active in a number of scientific societies, serving as a secretary in the American Association for the Advancement of Science, and in the American Forest Congress. When Fernow was appointed to head the Agriculture Department's Forestry Division in 1886, it was staffed by two patronage appointees; he used his university and professional networks to begin staffing the organization with highly trained

agronomists. He also cultivated an extensive external constituency of local forestry associations, universities, private foresters, and other parties with an interest in forest management, through an aggressive campaign of scientific papers and bulletins. These would all come to serve the Forest Service well in later years.

Gifford Pinchot

To the extent that there is (or was) an American aristocracy, Gifford Pinchot was a member of it. He was born in his grandfather's summer house in Connecticut, of wealthy parents from Pennsylvania who sent him to the private Phillips Exeter Academy and then to Yale. While at Yale he joined Skull and Bones, the secret society that would one day admit President George H. W. Bush. Like John Quincy Adams, Theodore Roosevelt, William and Henry James, and other elite 19th century Americans, Pinchot traveled extensively in Europe as a young man, where he came into contact with, among other things, European theories of scientific forestry.

Pinchot was for all of his privilege incredibly motivated to make something more of his life. Religion played an important role in shaping his character; he and his mother were caught up in the revival led by Reverend Aitken while traveling in England that taught a social gospel of responsibility. He in many ways embodied Max Weber's Protestant work ethic, observing at one point that "My own money came from unearned increment on land in New York held by my grandfather, who willed the money, not to the land, but to me. Having got my wages in advance in that way, I am now trying to work them out."

Perhaps because his own family were large landowners, Pinchot early on developed an interest in forestry and nature. At that time, however, Yale offered no courses in forest management. After graduating, he was advised to go to Europe, where he met an eminent German forester, Sir Dietrich Brandis, who had worked extensively managing forests on behalf of the British government in India and Burma. Brandis felt that Pinchot should spend several years studying scientific forest management, but the young American was too eager to bring the forestry gospel back to the United States. What Pinchot lacked in academic credentials, he made up for with an uncanny knack for publicity and self-promotion. On returning to the United States in 1890, he began writing about forest management, was soon acknowledged as an expert on forest management, and hired as a consultant by Phelps Dodge and later by George Vanderbilt, grandson of railroad magnate Cornelius, to manage his family's forest in North Carolina.

Pinchot replaced Fernow as US Chief Forester in 1898. Over the next three years Pinchot turned the Division of Forestry into a Bureau of Forestry with a much larger budget and staff. Many of the his closest associates in government were fellow students at Yale, indeed, fellow members of Skull and Bones. Many were graduates of the new Yale School of Forestry. Managing a national system of foresters is a very difficult bureaucratic task, since many of them live in isolated communities far from the Service's headquarters in Washington, DC. What Pinchot did was to create a centralized system of training and socialization for national foresters built around the principles of expert, nonpartisan, and professional forest management for the benefit of multiple users.

The purpose of the Forest Bureau was not, strictly speaking, conservation; Pinchot differed from early environmentalists like John Muir in believing that forests existed to be exploited, but that this should be done on a sustainable basis. Accordingly, he initiated a raft of new programs designed to help private owners of forests manage their properties better. But James Q. Wilson noted, "A decentralized organization with operators working along in isolated outposts might

well have decided that its task was to please whatever dominant and politically influential group existed in local communities."[i]

The Fight Over Forests

One of Pinchot's greatest victories was the transfer of authority over public forests from the Interior Department's General Land Office (GLO) to his own US Forest Service that was part of the Department of Agriculture. In contrast to the professional foresters who staffed the Forest Service, the GLO and the Interior Department was run by a group of lawyers and accountants who saw their function as one of servicing the needs of Western land developers and politicians. There was not a single professional forester or agronomist on the staff of the GLO. It was, however, the favorite office of an influential group of Congressmen who saw it as a source of valuable political patronage. This group was headed by the legendary Republican Speaker of the US House of Representatives, "Uncle" Joe Cannon of Illinois. Cannon, whose name adorns the office building housing today's House of Representatives, famously dismissed conservationism with the words, "Not one cent for scenery."

The battle over control of public lands in the first two years of the 20th century took place in the context of the big changes occurring elsewhere on the American political scene. In contrast to the decades of shifting control of Congress between the two parties after the Civil War, the Republicans controlled both houses of Congress and the presidency after the realigning election of 1896 in which William McKinley defeated populist William Jennings Bryant. McKinley then appointed James S. Wilson as Secretary of Agriculture, a post in which the latter would remain for a record sixteen years. Wilson was critical in shifting the department from a seed-distribution agency to a forward-looking, science-based organization, not just with respect to the Forest Service, but also in areas like agricultural extension services, the regulation of pure foods and drugs, and the like. Wilson, like his lieutenant Gifford Pinchot, made large efforts to reach out to newspaper editors, professional and trade associations, and academic thought leaders to build support for his programs. Theodore Roosevelt had become President in 1901 on McKinley's assassination, and Roosevelt was of course a great outdoorsman who was converted to the cause of conservation by individuals like C. Hart Merriam of the Agriculture Department's Biological Survey, and John Muir, the naturalist and founder of the Sierra Club. Roosevelt shared Gifford Pinchot's agenda and became a powerful patron of his initiatives. The political stars were thus aligned for a new push to manage national forests in a different way.

Pinchot was no ordinary bureaucrat. He was in fact a skilled political tactician who operated way beyond his official mandate. He succeeded in inducing "Major" John Lacey, chairman of the House Public Lands Committee, to sponsor a bill authorizing President Theodore Roosevelt to transfer authority over forests from Interior to Agriculture Department. He also worked tirelessly to form a coalition of private interests and voluntary associations to support the transfer and the broader cause of scientific forest management.

But the mere fact that Pinchot had the support of the President and that his party was in charge of Congress did not, in America's system of separated powers, mean that transfer of land authority to the USDA was in any way a done deal. Joe Cannon was one of the most powerful House Speakers in American history, representative of the Republican Party's Old Guard, and ally of a strong assemblage of Western congressmen bitterly opposed to Washington's interference in western land issues. An American President can use the "bully pulpit" of his office to exhort Congress and his fellow citizens to support his initiatives, and the greatest of American

presidents have used this platform to great effect. But unlike certain parliamentary systems, discipline in American political parties tends to be weak, and Presidents often have to bribe and cajole their own partisans in order to get legislation passed. Roosevelt for all his charisma was unable to sway the House Speaker.

Opposition to the transfer mounted steadily, headed by a Wyoming Congressman named Frank W. Mondell, who wrote the minority report for the Public Lands Committee urging that authority stay with Interior. He assailed the transfer as a "radical change in policy" that didn't correspond to the needs of the people of the West. Western politicians and businessmen scoffed at the Forest Service as "goggle-eyed, bandy-legged dudes from the East," bureaucrats "who were too indolent to go over the country and examine its geography, who simply sat in their offices and made the laws, doing the utmost injustice to the people." Tighter government control over forests, they argued, was contrary to free market principles that had made the US a great country. What they said less publicly was that the shift would make public lands far less available as a source of political patronage for the Republican Party. Cannon attacked Pinchot personally as having been "born with a gold spoon in his mouth," and criticized government scientists for being "industrious to fasten upon the public teat." Working with Mondell, Speaker Cannon arranged to have the enacting clause struck from Lacey's bill, and the measure was killed in the House by a vote of 100 to 73.

Instead of accepting defeat, or agreeing to open his own service to political appointees to appease Cannon, Pinchot embarked on an extraordinary and risky policy to outflank the Speaker. Pinchot's years cultivating a wide range of interest groups, newspaper editors, and scientific societies paid off. The Audubon Society, the Sierra Club, the General Federation of Women's Clubs, western ranchers associations, the National Board of Trade, the National Live Stock Association, and many others attacked Speaker Cannon's move in Congress, and urged the body to reconsider the transfer issue. Pinchot's most daring move was to invite Representative Mondell on a personal tour of the Yellowstone region, where he succeeded in winning him over to the idea of scientific forest management. Instead of spearing the opposition, Mondell in 1905 introduced a new bill to transfer authority to Pinchot's Forest Service, which passed overwhelmingly.

Now, however, Pinchot faced a very different problem. Teddy Roosevelt his friend and mentor was gone; President Taft had a different agenda; and the Old Guard of the Republican Party had regrouped to preserve its powers of patronage. The country was beginning to tire of the conservation issue, and of the relentless advocacy of Pinchot's friends and supporters. Should the Chief Forester accept the fact that conditions had changed, and strike the best deal he could with President Taft? Or should his try to repeat his 1905 move, outflanking his own President, going public, and challenging the authority of the White House?

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[i] James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York: Basic Books, 1989), p. 97.