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« Garder le beurre et l’argent du beurre? » Utilité, écologie, équité et la Loi québécoise sur les forêts de 2001

Nicolas Houde and Anders Sandberg

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Article abstract

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'To Have Your Cake and Eat It Too?' Utility, Ecology, Equity and Québec's New Forest Act, 2001

Nicolas Houde and **L. Anders Sandberg**
Faculty of Environmental Studies
York University, Toronto, Canada
nic_houde@yahoo.fr
sandberg@yorku.ca

Abstract

The new Québec Forest Act appears to give the provincial government a stronger position as umpire in the forest sector. A policy community interpretation suggests that the government has created a mechanism for more input from other stakeholders than the traditional powerhouse, the forest industry, and that progress is being made towards a more socially and ecologically sustainable form of forestry.

Yet a closer examination of the new Forest Act reveals a more uncertain situation. When exploring the outcome of the Forest Act thus far it can be argued that it has not challenged the dominant position of an "economic development" coalition. The dominance of this coalition is reflected in the increasing control of forest lands in fewer hands. There is also evidence that public participation serves as a vehicle for the forest industry and the government to feed the public "information" without taking into account other participants' views. An environmental coalition has made some gains, but the promotion of increased forest yield may compromise the protection of the forest environment. An autonomous or First Nations development coalition has also made some gains, though these are principally confined to the northern Cree and leave most other groups unaffected.

Key Words: **Forest, Québec Forest Act, sustainable forestry, policy community, economic development, coalition, environment, autonomous development, First Nations.**

Résumé

« Garder le beurre et l'argent du beurre? »
Utilité, écologie, équité et la Loi québécoise sur les forêts de 2001

La nouvelle Loi sur les forêts semble avoir renforcé la position du gouvernement du Québec en tant qu'arbitre du secteur forestier. Du point de vue de la communauté forestière, il semblerait que le gouvernement ait créé des mécanismes favorisant une participation plus importante d'une plus grande variété d'acteurs de la foresterie et que certains progrès aient été faits vers une foresterie plus acceptable socialement et écologiquement.

Un examen plus attentif de la nouvelle Loi révèle cependant que la situation est loin d'être claire. En explorant ce qui ressort jusqu'à maintenant de la révision de la Loi, nous pouvons avancer que celle-ci n'a pas remis en question de façon importante l'hégémonie d'une coalition de développement économique. Certains indices laissent croire également que l'industrie et le gouvernement utilisent les forums de consultation comme des tribunes

pour informer le public, sans vraiment prendre en compte le point de vue des participants. Une coalition environnementale a su se faire entendre quelque peu, mais l'introduction, en foresterie, de l'objectif de rendement accru pourrait compromettre la protection de l'environnement forestier. De même, une coalition pour le développement autochtone a également obtenu quelques gains, mais ceux-ci sont en général confinés au territoire cri et n'ont que peu d'effet au sud.

Mots-clés : Forêt, Loi sur les forêts, Québec, foresterie durable, communauté forestière, coalition, développement économique, environnement, développement autochtone, Premières Nations.

INTRODUCTION

According to Myre (1998), Canadian forestry underwent a shift from timber to sustainable forest management (SFM) in the 1990s. For Bouthillier (2001), the timber management era was characterised by the concept of sustained yield, a positivistic, rational and top-down approach aimed at optimising the production of forest-related goods and averting future wood shortages. It barely acknowledged the relatively recent concern for biodiversity and put emphasis on forest productivity for industrial purposes. On the other hand, SFM is a "management regime applied to forest land which maintains the productive and renewal capacities, as well as the genetic, species and ecological diversity of forest ecosystems" (Aird, 1994 : 672).

In Québec, the concept of sustained yield was the cornerstone of the 1986 Forest Act. Throughout the 1990s, however, Québec legislators adopted the new terminology of sustainability, culminating in the passing of a new Forest Act in 2001. Yet the sincerity and effectiveness of this transition has been questioned. In 1999, for example, the release of the film *L'Erreur boréale* by Richard Desjardins and Robert Monderie (1999) revealed a highly critical view of forest management in Québec that propelled a broader public questioning of the province's forestry practices. This debate still continues to call into question efforts to move towards a more ecological and socially sustainable form of forestry.

The goal of this paper is to look at the tensions and contradictions of the different currents of thought that have animated the debate since the beginning of the revision of the new Forest Act six years ago. Are the two models compatible? Can the sustained yield model accommodate a more ecological and social equity approach, or vice versa? Can Québec have its cake and eat it too when it comes to utility, ecological and equity values in forest use? We will explore these questions through a pluralist and policy community analysis focused on public submissions by interest groups that represent coalitions in support and opposition of sustainable forest management. We then assess the various successes and setbacks that the interest coalitions have had in meeting their objectives through the Forest Act. Lastly, we discuss the strengths and weaknesses of the new forest regime in the context of the theoretical approach.

THE EMERGENCE OF SUSTAINABLE FORESTRY, 1987-2000

The late 1980s and early 1990s were important years for Canada's forest policy. In 1987 the Brundtland report, *Our common future*, was released and in 1992 the Earth Summit in Rio prompted Canada's provincial governments to explore concepts such as sustainable forestry, biodiversity conservation, integrated resource management and community forestry. The federal government, through its *Green Plan* of 1990, committed itself to the fulfilment of sustainable development. In 1995 an agreement was also reached between provincial and federal governments to facilitate co-operation in forest management innovation, research and international trade. The Canadian Forest Service set up a network of model forests throughout the country to promote sustainable forest management (Natural Resources Canada, 1997). The Service also developed a series of criteria to define community forests (Bouthillier and Dionne, 1995).

In Québec, several initiatives were taken to put sustainable forestry concepts into practice (BAPE, 1991; Québec, 1994; Dubois, 1994; Lauzon, 1995; MRN, 1998a, 1998b; MEF and MRN, 1999; MRN, 1999, 2000a, 2000b)[1]. A new terminology, following the Brundtland report, developed during public events, conferences and sponsored research as the 1986 *Forest Act* unfolded. Fourteen so-called community forests were established "to promote social justice, cultural identity and territorial identity along with ecological sustainability" (Bouthillier and Dionne, 1995 : 3; see also Groupe de travail interministériel sur la Forêt habitée, 1996; Info-Forêt, Sept. 2000)[2]. The multiple-use concept was also advanced with the search for more sustainable practices in forestry. In 2001, to follow a promise taken at the release of the *Stratégie de protection des forêts* in 1994, the use of airborne pesticides in forests was abolished. Finally, the new Forest Act was adopted in 2001.

A PLURALIST APPROACH

The regional consultation framework[3] used by the Québec government to revise the 2001 Forest Act was based on pluralist assumptions. From this perspective, the power of influence on policies is largely dispersed according to the relative strength of various interest groups. However, even if a dispersion of power between many groups is "a desirable feature in any system approaching the status of a democracy", pluralists recognise that this is not always the case (Jordan, 1990 : 293). Access to the policy process is not always equal among groups. The importance of a group depends on how it can influence the process. The ability to gain the government's attention (the umpire and policy writer) is important because "government monopolises coercion in society: only government can legitimately imprison violators of its policies" (Dye, 1995 : 19). The degree of organisation of a group, along with the strategies employed to get attention, affects its ability to influence policy (Truman, 1971). Generally, it is assumed that extremist positions in policies are avoided because each interest group is counterbalanced by other interests, expressed through organised groups or through *potential groups* (McLennan, 1989; Smith, 1990).

In order for the pluralist model to work, every interest group must have a safe space for discussion, or at least a place where opinions can be expressed. It also means implicitly that the government remains the only decision-maker in forest management. Therefore, the principal tool of pluralistic policy making is public consultations. Having many voices heard allows the government to make the "best" decision. Public hearings facilitate, in theory, the dispersion of power among groups and this process acknowledges that a policy defends people's interests. In geography, Mitchell's BEAT model of resource and environmental management fits the pluralist model. It advocates a model focused on balance between economic and environmental goals, equity with respect to the distribution of benefits, adaptability in the face of ecological uncertainty and teamwork in decision-making (Mitchell, 1991).

A pluralist approach to policy revision typically leaves many documentary tracks. The volume of written documents resulting from the process is often enormous. From this volume of documents, a particular type of empirical data is of interest to decipher the main currents of thought in the particular policy subsystem: submissions handed in by interest groups or individuals. Those submissions are the ideas that are put forward or defended by the various interest groups that lobby to meet the interests of their members. According to Sabatier (1991), interests groups can coalesce around "core beliefs". Coalitions "seek to learn about how the world operates and the effects of various governmental interventions in order to realise their goal over time" (Sabatier, 1991 : 153). A change in policy can come, in part, from the bargaining of coalitions but also from a change in the beliefs of one group. Beliefs are affected by other coalitions' strategies and various external factors.

In order to identify what could be the main currents of thought or core beliefs in the Québec forest policy community, a qualitative content analysis was undertaken for some of the submissions handed in during the public consultation period of the fall of 1998 and of the fall of 2000. In 1998, about 500 organisations or individuals submitted documents at public hearings and in 2000, 113 did so. To determine the currents of thought within the forest policy community, a sample was taken. Those involved in the policy process can be divided into loose categories. The definitions of these categories vary among authors or according to situations. The *Ministère des Ressources naturelles* (MRN) categorisation was used in this research, consisting of the forest industry, forest labour, private woodlot owners, wildlife and recreational organisations, environmentalists, First Nations and "other" stakeholders. Before we explore the interests and coalitions on the Québec forestry scene, however, we need to examine the content of the new Forest Act of 2001.

THE NEW FOREST ACT, 2001

There are four main formal objectives in the 2001 Forest Act: (1) increase economic participation, forest yield and multiple use of the forest, (2) increase public participation, (3) enhance planning and accountability and (4) preserve ecosystem viability. These objectives clearly try to incorporate the goals of sustained yield and sustainable forestry, resulting in a very likely potential for friction and tension among interest groups and coalitions.

The first objective of the Forest Act is to provide access to available wood volumes to more people, maximise the use of available wood volumes and increase the forest yield[4]. To increase access to wood, the extra volume from anticipated increased yields is not automatically granted to existing Timber Supply and Forest Management Agreement (TSFMA) holders[5]. It instead becomes the property of the government which may assign it to any company or individual that meets a specific set of standards. The reassignment of wood can take several forms. Common to them all, however, is that all agreement holders "are jointly responsible for the implementation of their joint management plans" (MRN, 2000b : 56). Holders who refuse to participate in such activity could see their allocated volume decrease accordingly.

The laudable goal of increasing access to wood is, however, tempered by the Act's bias in support of market forces and the maintenance of a revenue stream from the forest. The MRN is an agency historically biased towards providing maximum fibre yield. It is thus charged with the final decision on such matters as stabilising the lease arrangements for all forest management units, calculating the Annual Allowable Cut (AAC), fixing protection and development objectives and requesting participation in operations to "salvage the wood going to waste" following a "natural disaster". The Act also confirms the MRN's right to collect dues based on the market value of wood, endorses a continued sustained or even increased yield, and stipulates that the MRN only has the authority to re-assign wood through collaboration with TSFMA holders. In addition, it is necessary that the AAC permits a redistribution of wood that the minister considers is in the "public interest". Such qualifiers to the provision of "increased access" leave little assurance that there will be an increase in access of wood, at least not to people who do not serve the revenue objectives of the Act.

A second important objective of the new Forest Act is to increase public participation in the management of the publicly-owned forest (MRN, 2000b). To do so, the MRN has developed a consultation policy which specifies that the public should be consulted on topics such as the delineation of new forest management units, the drafting of objectives for forest management and biodiversity conservation. Adopted in 2003, this consultation policy also requests TSFMA holders to "invite" Regional County Municipalities (RCM), First Nation communities, outfitting permit holders, wildlife area managers and holders of special permits (such as maple syrup producers) to participate in preparing general forest management plans. To meet requirements for transparency, citizens have access to general plans and annual reports for consultation. The minister must make this participation accountable. But though these provisions appear strong, there are other conditions that weaken them. As part of the Act, it is also stated that participation should not delay the filing of a plan and if disputes are not resolved, the minister, or an appointed conciliator, can settle the question.

A third objective of the Forest Act targets improved planning and accountability. Under this provision, the MRN is committed to increasing on-site inspections to monitor the forest industry. Recommended proposals include increasing fines to a level "that reflects the true value of the wood harvested" (MRN, 2000b : 70). Until recently the increased costs of control activities were to be covered by a Forestry Fund supported by industry, but in March 2003 the MRN decided that the

government could fund these activities alone (MRN, 2003). This flows from the public's concern to hold the forest industry accountable for potential mismanagement. In addition to these augmented possibilities of control, joint responsibility for TSFMA holders working in the same forest management unit is expected to increase self-discipline. The close historical ties between the MRN and the forest industry, however, may compromise this objective.

The fourth objective concerns environmental protection. The Act is committed to develop, within the framework of the consultation policy, a series of indicators to monitor biodiversity. It has also projected pushing forward the *Stratégie de protection des forêts,* dating from 1994, to expand the current network of protected areas. These areas consist in part of "exceptional forest ecosystems", delineated by the MRN, where forest management is prohibited or conducted only should such activities not threaten biodiversity. The government (through public consultation and a collaboration between MRN, FAPAQ and MENV) has committed itself to protect 8 % of the land as "exceptional forest ecosystems", parks, or other types of protected areas (including some private land) by the end of 2005 (MENV, MRN and FAPAQ, 2002). As of March 2003, 5.3 % of the province of Québec was protected or set aside in anticipation of being protected in the near future (MENV, 2003). One method proposed as a means of overcoming the problem of maintaining levels of logging, while increasing protection, is to develop *mosaic forestry* which adopts new strategies for the spatial distribution of cutting areas to comply more closely with SFM principles.

As another "environmental measure", the MRN established a northern limit beyond which no new TSFMAs could be granted in the fall of 2001. This permanent limit was adopted following consultation with all interested parties. Existing TSFMAs will therefore be modified accordingly.

Like any strategy, environmental objectives contain loopholes. The protective areas may not be ecologically representative since most of the proposed areas (MENV, MRN and FAPAQ, 2002) are located on the least productive land. Moreover, should timber quotas have to be lowered in certain areas as a result of increased protected areas, TSFMA holders would require "fair compensation" (MRN, 2000b : 64).

The proposed amendments outlined thus far concern the entirety of the province. Nevertheless, more flexible rules and standards can be applied in some cases to reflect the province's diversity and local needs. The MRN could "authorise the creation of special integrated resource management programs in designated forests" (MRN, 2000b : 52). Special programs could be implemented to promote regional development, accommodate the specific needs of First Nations, or communities beyond the northern limit of forestry development.

What stands out in all four objectives of the Forest Act is the fact that they are potentially contradictory, flexible in interpretation and therefore highly susceptible to interest group pressure (susceptibility coherent with the MNR's avowed pluralist approach). An assessment of their meaning thus lends itself well to a policy community analysis.

THE POLICY COMMUNITY

Three broad coalitions can be identified from the sample of interest groups: an economic development, an environmentalist and an autonomous development coalition. These coalitions crystallise around three visions of development. To accurately determine the real "winners" and "losers" of the new forest regime one must explore the positions of these coalitions and their aspirations for change as expressed in their public submissions. Herein, we briefly describe the points made by each interest group within the coalition and offer a summary assessment.

THE ECONOMIC DEVELOPMENT COALITION

As its name suggests, this coalition prioritises economic development, wealth and job creation. It consists of industry, forest labour, private woodlot owners, wildlife and recreation organisations and various "other" interest groups.

The Forestry Industry

One of the most important members of the forest policy community, if not the most important, is the forestry industry[6]. TSFMAs and other permits are largely struck between two members: the forestry industry and government. The privilege of signing an agreement puts forestry industry representatives in a special position.

By and large, from 1987 to date the forestry industry has continued to grow, though the lumber and pulp and paper industries have not followed a similar pattern (Robitaille, 1997). In recent years, pulp and paper has expanded whereas the lumber industry has suffered setbacks (Turcotte, 2000). The decline in lumber sales is attributed to a slow down in U.S. construction (housing) following years of expansion, which subsequently drove lumber prices to a 10-year low in 2001 (Dutrisac, 2000; Lunman, 2001). This downturn was aggravated by the long-standing Canada/U.S. softwood lumber dispute which prompted export and countervailing duties on Canada's lumber exports to the U.S. Based on the claim that Canada's lease system is a subsidy to its lumber industry, the U.S. action has led to a decline in exports and recent temporary closures of Québec sawmills.

With the exception of the softwood lumber dispute, the otherwise increased liberalisation of global trade has led to a North American and global consolidation and integration of the forest industry (MRN, 1998a). The relative scarcity in fibre on a local scale has also encouraged consolidations since lumber residue can be transferred more easily to pulp mills within integrated companies. Integrated companies that produce pulp, paper and lumber also find it easier to survive difficult periods if they remain in one sector. The result of this consolidation has been the creation of bigger provincially, nationally and internationally-based entities. Another result is that the position of independent mills, especially those manufacturing products similar to large mills, has weakened (Robitaille, 1997).

This wave of consolidations has had an impact on TSFMAs and wood allocations. Although the total amount of allocated volumes has increased, the number of TSFMAs has decreased (MRN, 1998a). The decrease in TSFMAs allocated to paper mills is also a consequence of the increased use of recycled fibre in newsprint and

the partial integration of the lumber industry into the paper industry. The lumber industry has taken on more forest planning responsibilities because the paper industry now uses more lumber residues. On the whole, a higher percentage of fibre is now extracted for each wood allocation than before. Although the number of TSFMAs has fallen, the opposite has occurred with timber stumpage fees. Stumpage is now defined according to market prices. As a consequence, stumpage fees rose 500 % between 1987 and 1997 and government revenues increased 600 % (MRN, 1998a).

With regard to the Forest Act revision, the forest industry has expressed concern that the Act may undermine the hard work devoted to collaboration between companies and the build-up of trust with local communities. This is because the new forest management units caused boundaries to change in the spring of 2003, thus changing who participates in public consultations within each management unit. The industry further feels that high stumpage fees may threaten its competitive status worldwide, so any increase in this burden may be, from its perspective, catastrophic. It therefore argues that if forest resources exploitation has to be multiple-use and of benefit to more people, the cost of resource management (public consultations, road works, inspections, etc.) should be shared amongst participants. The industry also feels that "joint responsibility" is inappropriate and that increased public participation and environmental protection need to be balanced by "scientific studies" and cost-benefit studies in order to identify the real impacts of the new forest regime.

The forest industry clearly has many criticisms of the Forest Act. On the whole, however, the industry retains the privilege of benefiting from a clear and predictable tenure regime that ensures a continuous fibre supply. Changes in the new Forest Act only marginally affect this situation. The industry nevertheless wants to slow down the implementation process. The slower the process, the closer it remains to the status quo and the more the interests of industry are protected. It has used the arguments of changing global market demands, technology, environmental standards and public opinion to advance this position.

Labour

Labour can be divided into two broad categories. Workers in processing mills are primarily unionised and their unions tend to bargain for both better job conditions and improved forest conservation measures. The other category includes forest workers who harvest, plant trees or manage the forest. Fewer numbers of these workers are unionised and they may belong to forest cooperatives or be independent workers (and own machinery).

According to Bernier (1999), the introduction of the *Forest Act* in 1986 was a pivotal time for labour[7]. The Act impacted on labour relations, specifically with regard to the legal definition of "employer", but also the number of forest workers. The workforce declined sharply between 1963 and 1991, but grew again in 1994, due in part to the growth in global demand for forest products. Bernier also attributes long-term stability in labour conditions to the 1987 Forest Act, especially the requirement that companies restore cleared areas by planting trees in order to sustain production (Bernier, 1999).

The nature of labour has, however, changed. The seasonal type of work typical of earlier times has undergone a process of professionalization and sub-contracting (Mercure, 1996). A new category of workers, wage-earning machinery owners, has emerged, which has difficulty unionising due to their ambivalent status of wage-earner and owner of the means of production (Mercure, 1996; Bernier, 1999). Since 1987, the ratio of unionised to non-unionised forestry workers has declined significantly (Bernier, 1999; FTQ, 2000).

As noted, with the creation of TSFMAs in 1986, responsibility within a forest management unit is shared between TSFMA holders (forest companies). In this situation, TSFMA holders in an area can elect one forest company to be responsible for a category of operations (tree-planting operations, for instance) over a certain period of time. Since operating permits are issued each year by the government, these responsibilities may shift annually. When there is a shift, neither union accreditation nor a collective agreement follows (Normand, 2000b). If the employer changes, the unionisation process must begin again. This loophole in the law is vigorously denounced by labour unions. According to the FTQ, TSFMA holders can escape union accreditation by choosing a proxy (FTQ, 2000).

Forest cooperatives argue that they are best suited to put SFM into practice because their members live and work in the forest and have a logical inclination to develop their economy and maintain a healthy environment (CCFQ, 2000). What cooperatives are looking for in the revised Forest Act is to secure employment in the same way that the industry has secured timber supplies. Cooperatives would then not be in limbo every time their short-term contracts with the big mills expire.

The revised Forest Act does not improve the situation for forestry workers. They are still at the mercy of large companies and their employers and labour unions still have a hard time unionising independent workers. The dubious hope is that a policy of increased yield will serve the interests of labour by maintaining or increasing the number of jobs in the immediate future.

Private woodlot owners

Although the Forest Act concerns mainly public land, private woodlot owners may be affected indirectly by its enforcement. Firstly, stumpage payments for wood logged on public land influence the price of fibre, thereby affecting woodlot owners who sell wood. Secondly, the Forest Act defines the private forest as a priority source of supply over public land and it is argued by some that problems exist with the application of this priority (FPBQ, 2000). This is why woodlot owners have organised to defend their interests in the forest regime revision process[8].

There are about 120 000 private woodlot owners in Québec (FPBQ, 2000). The private forest is primarily located in the densely inhabited southern portion of Québec where growing conditions for trees are better due to richer soils and a warmer climate (FPBQ, 2000). Those advantages help sustain the production of species at a higher market value. Moreover, since the private forest is located relatively close to larger cities, it offers a high potential for alternative activities, such as recreation and ecotourism.

Overall, the 1986 forest regime seems to favour private woodlot owners by retaining the priority status of private wood over public wood in the marketplace. Any change in this situation would be a loss for private woodlot owners. Also in the interests of woodlot owners, stumpage fees on leases reach the level where it makes economical sense for the companies to buy wood from private woodlots, which makes private woodlots competitive.

Wildlife and Recreational Organisations

There are other valuable activities besides wood harvesting that occur in Québec's forests, such as hunting, fishing and trapping. An estimated four million people take part in such activities each year, using the many parks, wildlife reserves, outfitting operations and wildlife management areas. Revenue from these activities generates $2.5 billion annually (ROF, 2000). Two major types of structure exist to support outdoor activities. These include outfitting operations and ZECs (*Zones d'exploitation contrôlées* – wildlife management areas). Many outfitting operations own exclusive fishing, hunting and trapping rights granted by the provincial government (FPQ, 2000).

Throughout the province, 62 wildlife management areas are managed by non-profit organisations represented by the *Fédération québécoise des gestionnaires de ZEC*. The mandate of wildlife managers given by the MEF is to oversee wildlife conservation and ensure public access to areas (FQGZ, 1998). Such wildlife areas were initiated by the Québec government in 1978 in an effort to dissolve private clubs scattered across the province (FQGZ 2000, Francœur, 2001). ZECs and outfitters have at heart hunters' and fishers' interests and these interests could be translated into better wildlife habitat conservation, healthy animal populations and preservation of landscapes for the enjoyment of excursionists. Conservation is also of importance for the burgeoning ecotourism industry.

The co-existence of industrial and recreational interests can prove difficult. In the context of the regime revision, the latter are arguing for an "integrated" approach to resource management in order to resolve tensions between the two industries. Wildlife managers want more input in forest planning in order to maintain healthy game populations (ROF, 2000). In the regime revision process, the MRN seems to have met some of their needs. Amongst "third parties" that do not belong to governmental or forest industry organisations, ZECs and wildlife managers are probably in the best position to make their voice heard. The new Forest Act now allows them to participate at each level of forest planning.

"Others"

In 2000, the *Union des municipalités du Québec* (UMQ) had 271 members, including 235 municipalities, 30 RCMs and two Urban Communities (UMQ, 2000). The UMQ is interested in participating in the debate surrounding forest management because of the many municipalities depending on the forest resource for their survival. Municipalities tend to support the arguments of economic development while stressing the importance of healthy forest landscapes in order to diversify local economies. Not surprisingly, the UMQ is concerned about the consolidation of the forest industry that has occurred in past years and its consequences on labour and small town sustainability.

Maple syrup producers may become important members of the forest policy community because of this industry's growth over the last 20 years. Indeed, the market value of maple syrup has increased as producers have undergone a major modernisation process (QMSPF, 2000). Due to a significant increase in demand for this luxury product, producers understandably want to increase maple product exports. Since room for expansion of this industry lies mostly in public lands, producers are concerned about the rigidity of TSFMAs and are likely to be supporters of multiple-use resource management. The Québec maple syrup producers' federation (QMSPF) represents 10 000 producers and is responsible for the administration of a provincial joint plan that oversees marketing and research funding and controls product quality.

Summary

Upon examining the arguments of the economic development coalition, what is evident is that there are striking differences between what is argued by the forest industry and the other interest groups. The AIFQ and the AMBSQ are essentially asking for the status quo while the other groups are asking for more fundamental changes. It could therefore be inferred that the forest regime, at least to date, continues to favour big forest companies. This corresponds to the findings of other observers who have come to a similar conclusion with respect to the use of other conceptions or discourses of forestry during earlier forest regimes (Blais, 1997, 1999; Bouthillier, 2001).

The other groups of the coalition, in particular outfitters, maple syrup producers and wildlife managers, share the same paradigm of economic development as the forest industry but are in a weaker legal position to develop their industries. They are consequently left with only one option: to try to convince the government to develop the industry they represent by showing the benefits of a multiple use approach to forest management.

For the "economic development" coalition, protection of ecosystems and biodiversity is important, but only from an economic perspective: to protect the economic sustainability of the forest, to develop alternative activities such as ecotourism, and to counter the critique of environmentalists. The primary goal is to protect the environment so long as it does not harm the economy. This vision is in opposition to the environmental coalition.

THE ENVIRONMENTAL COALITION

While the environmental coalition is by no means against economic development, it nonetheless contends that conservation goes beyond economic interests. The members of the coalition speak of biodiversity conservation and of limits to forest exploitation. Environmental groups are more concerned with the long-term health of the forest and with the health of every species living within it. For a few years, environmentalists in Québec have claimed that the forest's health and diversity are at risk because of an alleged collusion between the MRN and the forest industry[9]. They also claim flaws in AAC calculations and a lack of transparency in forest management. In 1999, an environmentally-concerned group fearing that logging could endanger the pristine northern forest, with the help of

the *Union québécoise pour la conservation de la nature* (UQCN), initiated the *Coalition sur les forêts vierges nordiques* (Coalition concerning the Northern pristine forest) in an effort to lobby the government to improve forestry practices (Bélanger, 1999). The coalition's members included labour unions, environmental NGOs, religious and First Nations groups.

In 1999, the release of the activist documentary *L'Erreur boréale* (Desjardins and Monderie, 1999) stirred overwhelming interest among Quebecers and brought the debate on forest management to the forefront. This film, the best-publicised environmentalist action in years, questioned the government's credibility. Since that time, the tone has changed within the forest policy community and it is reflected in the content of the submissions of all interest coalitions. The decision taken in late 2000 to lower the AAC in some eastern Québec regions suggested that excessive harvesting had taken place in the past and prompted environmentalists to call for a public inquiry on forest management (Bouthillier, 2000; Bisson, 2000; Venne, 2000).

The principal goal of this coalition is to provide a clear picture of Québec forestry so that the public at large knows precisely what is going on in the forest. Such an agenda would imply a verification of the way the AAC is calculated (many environmentalists and others claim that too much wood is logged to ensure healthy forest regeneration), a public inquiry independent of the MRN and increased monitoring of forest activities. A key word of the environmental coalition's argument is "independence". Many claim that the MRN is too close to the forest industry to make enlightened decisions. The MRN is one of the most powerful departments within the provincial government because of the importance of natural resources in Québec's economy and its double responsibility of planner-in-chief and collector of royalties makes it the prime suspect in the hunt to find who is responsible for the degradation of the "public good".

The MRN, while revising the Forest Act, has conceded only some points to the environmental coalition. Indeed, the government has introduced a "northern limit to forest exploitation" beyond which it will not be allowed to log, therefore enhancing the protection of northern ecosystems. The government is also supposed to enlarge the network of protected areas. But many say it is not enough. Mainstream environmentalists would like to see more effort put into the application of sustainable development through, among other things, development of the "inhabited forest", a concept promoted by the MRN in the mid-nineties and suddenly abandoned on the eve of the new Forest Act adoption. Meanwhile, a strong faction of the environmentalist coalition pursues what Bernstein has called a "liberal environmentalism", green initiatives that endorse the market, economic growth and trade and work within their boundaries (Bernstein and Cashore, 2001). There are some environmentalist groups, most notably the Forest Stewardship Council, that are active in promoting the certification of sustainably produced wood products in Québec.

THE AUTONOMOUS DEVELOPMENT COALITION

This third coalition refers mainly to Aboriginal organisations. These organisations do not necessarily find themselves defending the forest industry's pro-economic development arguments or the environmentalists' pro-conservation arguments. Their battle is at another level. They fight for a development independent of federal or provincial (outsider) administrations and mobilise for structures that would allow them to make decisions on wildlife and forest management for the territory in which they live. This takes place as they seek to redefine the relationship to the natural resource base and territory that is commensurate with an aboriginal way of life (Desbiens, in press).

It could be inferred that for many years the provincial government did not want to include First Nations' representatives in talks over natural resources management to avoid yielding any control to forces outside the government. From this perspective, the provincial government would remain the only decision-making body in control of natural resources. But this situation may be changing with pressure from well-organised First Nations groups. The Assembly of First Nations of Québec and Labrador (AFNQL) and the Grand Council of the Crees are two organisations that could effectively change the way the provincial government makes decisions. Though the issue of marginalisation is common to most aboriginal peoples, the Cree and their representatives provide a particularly interesting example of Aboriginal activism since they are arguably the most active in Québec politics and media.

Until the early 1970s the Cree were living in relative isolation from Southern populations and its decision-making centre, Québec City. But things quickly changed with the arrival of the James Bay hydroelectric project. Since the government from the south wanted to build an important infrastructure that would affect their livelihood, the Cree created political structures to resist the intrusion on their land. In 1974 the Grand Council of the Cree was created. It participated in negotiations of the James Bay and Northern Québec Agreement. If the James Bay and Northern Québec Agreement – signed by the federal and provincial governments together with Cree and Inuit representatives – cleared the way for extractive activity in the North and clarified jurisdiction over the territory, it also recognised the rights of First Nations to preserve their traditional way of life. The principles of conservation in the agreement ensure that hunting, fishing and trapping are preserved: "Conservation means the pursuit of optimum natural productivity of all living resources and the protection of ecological systems in the territory so as to protect endangered species and to ensure the continuance of traditional pursuits of Native people" (James Bay and Northern Québec Agreement quoted by Muskash, 2000).

Over the past decades, aboriginal leaders, in particular the Cree, have adopted three different strategies to challenge provincial forest policies. The first is negotiation, using channels such as public hearings and cooperation with other interest coalitions. The second is use of international venues to organise protests and boycotts of Québec forest products abroad to discredit the forest regime. In this instance, a group of aboriginal leaders toured Europe in the fall of 2000 to organise boycotts at the same time that the government was holding parliamentary committee hearings on the regime revision. This action effectively brought the forest management issue to the forefront of the media at a critical moment. The third strategy is the use of the courts to challenge the Forest Act. In the fall of 1999, for example, the superior court of Québec declared the forest system in the Cree territory unconstitutional because it violated the James Bay Agreement (Boisvert, 1999). After a government appeal, the case gradually made its way to the Supreme Court of Canada (Lessard, 1999; Muskash, 2000) until November 2001 when the Cree and the Québec government struck a deal ("*la Paix des Braves*") that included some specifications on forestry.

The autonomous development coalition can sometimes be said to be close to the interests of the "economic development" coalition and other times close to the "environmental coalition". But in both cases the proponents want more control over how to direct their futures. The recent agreement between the Cree Nation and the province could potentially lead to a wider openness in harmonising an Aboriginal way of life with the development needs of commercial forest practices. Indeed, Québec's acceptance of Cree traplines as the basis for new forest management units (in "*la Paix des Braves*") is a sign that First Nations' needs and environmental protection in forest management may be considered. This may also accommodate the traditional holders of ecological knowledge who have a close connection to the bush and its flora and fauna (Desbiens, 2003). A different interpretation, however, would not consider the forest concessions toward the Cree by the Québec government as particularly significant. This interpretation suggests that the Québec government was obliged to respond because of the James Bay Convention and the need to get an agreement to proceed with new hydroelectric projects involving the Eastmain and Ruppert Rivers and commercial forest operations. Such arrangements are supported by a group of aboriginal leaders and professional negotiators (Desbiens, 2003). It is thus not due to a change in the government's attitude towards the First Nations that the Cree have their own forest regime, but because of the existing legal framework and court judgements.

The concessions achieved by the Cree from the Québec government suggest that "the autonomous development coalition" can make some gains, albeit not without a solid treaty, a system of "special consultations" and a resolution of the modern and traditional aspirations and interests within Cree society itself.

CONCLUSION

The new Québec Forest Act seems to have given the provincial government a stronger position as umpire in the forest sector. A policy community interpretation suggests that the government has created a mechanism for more input from other stakeholders than the traditional powerhouse, the forest industry. The provision for more groups to access forests for industrial and non-industrial use, the allowance for wider stakeholder input and participation in forest plans and management, and the promotion of optimal use suggests progress towards a more socially sustainable form of forestry. From an environmental standpoint, the application of a "Northern limit to forest exploitation" and the development of a network of protected areas suggests that the government has started to acknowledge the environmentalists' call for forest protection. Lastly, the government has shown some sensitivity towards First Nations' aspirations to build their own unique forms of forest utilisation.

Yet a closer examination of the new Forest Act reveals a more uncertain situation. The wording of the Act contains objectives that support both the old sustained yield and new sustainable forestry positions. Indeed, the endorsement of increased forest production and the provisions for continued support for the large forest companies and leaseholders leave the door open to potential compromises on social equity, public participation and environmental objectives. The Act also contains vague terms and provisions that allow for but do not guarantee such reforms and it further permits the Minister of Natural Resources to close debates and make final decisions.

Upon exploring the outcome of the Forest Act thus far, it can be argued that it has not challenged the dominant position of the "economic development" coalition. This coalition lobbies for a government that remains strong in the decision-making process and that makes concessions to neither the "environmentalist" nor "autonomous development" coalition. The forest industry is the most determined in promoting the idea of having "only one forest regime", hence thwarting the demands of environmentalists and special provisions sought by Aboriginal groups. It also argues that the government should accept only solid "scientific" arguments when protecting the environment at the expense of the allocated volume of wood for harvesting. Such an approach goes against the precautionary principle.

Wildlife and recreational organisations are more sensitive to environmentalist and First Nation demands so long as the government allows more space in the planning process for their own organisations. They do not feel, however, that there should be any preserved areas without public access, nor do they feel that First Nations should benefit from a special status that would put their organisations in a favourable position compared to outfitters or other forest users.

The dominance of the economic development coalition is reflected in the increased control of forest land in fewer hands. There is some evidence to suggest that public participation serves as a vehicle for the forestry industry and government to feed the public "information" without really taking into account other views. The complexity and time-consuming nature of the consultative process leaves the paid participants of the industry dominant and other participants disillusioned. Decisions are arrived at by attrition rather than by building a consensus. Recent "consultations on a policy of consultation" have added to the complexity.

On the environmental front, there have been some gains, but the promotion of increased forest yield may still compromise protection of forest environments. The system of zoning, for example, does not specify the percentage to be reserved for each type of zone, leaving the possibility for 90 % of the forest to fall under intensive development and the remainder as protected window dressing. The compensation provisions for any areas set aside for preserves also add severe financial restrictions on how much can be set aside. The autonomous or First Nations development coalition has also made some gains, though these are confined primarily to the northern Cree and leave most other groups unaffected. Meanwhile, the government is aggressively using the media to promote its questionable progressive stand through using "*La Paix des Braves*" to publicise a new and positive attitude with regard to Québec First Nations in general. However, it is fair to point out that some progress has been made in past years by the Aboriginals on other fronts, as negotiations with the Innu and Atikamekw nations are also advancing.

The economic development coalition and its historical legacy therefore dominate the discourse on forest use and conservation. Economic objectives are pushed to the fore, while environmental and First Nations concerns appear as afterthoughts. Until this situation is challenged more vigorously, the potential for many follow-up versions of *L'Erreur boréale* remains.

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NOTES

1 For the government, sustainable forest management is the type of forestry that meets the goals of sustainable development as defined by the UN in Rio de Janeiro in 1992 (MRN, 1998a).
2 Translation by Nicolas Houde.
3 Regional consultations were held by the *Conseils Régionaux de Développement* (CRD).
4 Increased yield is defined by the MRN as being "an increase in the allowable annual cut obtained in the medium or longer term by intensifying forest management". This approach is explained in more detail in a document published by the MRN in the fall of 2000 and entitled *Investir dans la forêt québécoise pour en augmenter la production*.
5 A TSFMA (CAAF in French) "entitles its holder to obtain, from the forest land described in the agreement, a forest management permit to harvest a volume of round timber (...) to supply his/her wood processing plant, on condition that s/he performs his/her obligations under the Act [...] and that s/he carries out silvicultural treatments to attain the annual yield indicated in the agreement for each area intended for forest production" (RSQ, ch. F-4.1).
6 The two interest groups sampled to represent the forest industry's interests were the *Association des manufacturiers de bois de sciage du Québec* (AMBSQ) and the *Association des industries forestières du Québec* (AIFQ). These are the two most important industry associations. The former represents 127 businesses that own 175 processing plants in the softwood lumber industry. It also represents 230 associate-members who represent industries who have business relations with softwood lumber producers. Members of the AMBSQ produce 90 % of Québec's softwood lumber (AMBSQ, 2000). The AIFQ represents members of the other major forest products industry: the pulp and paper industry. Eighteen pulp and paper corporations, producing 97 % of the pulp and paper products in Québec, are members of the AIFQ (AIFQ, 2000). In 2003, the two associations merged into a single organisation: the *Conseil de l'industrie forestière du Québec*.
7 The two associations sampled to speak for forest workers' interests represented two different types of workers. Unionised workers, mainly from processing plants, were represented by the FTQ in this study. A category of non-unionised workers, members of workers' co-operatives, were represented by the CCFQ. The FTQ and its affiliated unions represented more than 50 % of unionised forest labour. In processing plants, this is as high as 70 % and even 80 % in the pulp and paper industry alone (FTQ, c.1998; 2000).
8 To protect the interests of woodlot owners, unions and groups help them in different areas such as management practices or marketing activities. These organisations include the RESAM and the FPBQ. The RESAM today comprises 44 management venture groups representing 22 000 woodlot owners (RESAM, 1998; 2000). Its purpose is to initiate management activities in private forests and on public lands. Of the 60 000 ha managed in 1997 by RESAM members, 35 % were public lands (RESAM, 2000). Consequently, 30 % of their revenue came from work on public land. This presence on public land is another incentive for the RESAM to get involved in the forest regime revisions. The other organisation sampled in this category of interest groups, the FPBQ, co-ordinates the marketing activities of rural unions and wood producers. It defends the "general interests" of the 120 000 private woodlot owners (FPBQ, 2000).
9 *L'Erreur boréale* is a staunch example of such a critique.

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