



# How interest groups adapt to the changing forest governance landscape in the EU: A case study from Germany



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## ABSTRACT

Multi-level governance theory states that interest groups play an important role in decision-making processes. However, the implications of the assumed trend from government to multi-level forest governance for interest groups have not been sufficiently examined. This paper examines the case of German forest politics and studies the effects of the trend towards multi-level governance for forest-related interest groups. The empirical analysis implies that interest groups are in an organizational and/or strategic reconfiguration process in response to changes of the overall governance structure. Different coping strategies among interest groups organized on multiple levels, and interest groups organized on a single organizational level are observed. Many interest groups feel overwhelmed in their attempt to understand and observe every level of action at the same time. Inequalities between the ability of different interest groups to influence decision-making might be reinforced by the trend towards a multi-level governance structure.

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## 1. Introduction

Ongoing changes in forest governance are a subject of intense scientific debate. The increasing importance of new venues relevant for forest-related decision-making, and the fragmented character of forest governance are important issues for forest policy analysis (e.g. [Hogl, 2000](#); [Weber and Christophersen, 2002](#); [Winkel and Sotirov, 2011](#); [Bjärstig, 2013](#); [Edwards and Kleinschmit, 2013](#); [Giessen, 2013](#)).

In this context, the concept of multi-level governance is becoming increasingly important for explaining forest policy processes in the European Union and its member states. The term multi-level governance (MLG) implies that political systems are becoming more complex with increasing numbers of involved actors and decision-making points ([Benz, 2006](#)). Whereas “multi-level” implies that political processes link different vertical and horizontal political structures because of interdependencies between different levels, “governance” refers to the blurring differences between state and society in public policy ([Benz, 2006](#)).

In this context, scholars of MLG have observed that state sovereignty has been partially transferred to non-state organizations ([Bache and Flinders, 2005a](#); [Hassel, 2010](#); [Kooimann, 2003](#); [Piattoni, 2010](#); [Scholte, 2010](#)). It is argued that modern society is too complex for state authorities to fully understand and deal with each problem in every political subsystem. As a result of this complexity, non-state organizations now play a

role in defining problems and proposing policy solutions for them ([Hassel, 2010](#); [Piattoni, 2010](#)). Non-state organizations are believed to be important for processes of problem framing, agenda setting, and creation of images about a certain issue ([Baumgartner and Jones, 1993](#); [Kooimann, 2003](#)).

While non-state organizations span a wide range of actors, this paper limits its scope to interest groups, defined here as organized groups with the aim to influence public policy without seeking to attain political office themselves ([Halpin, 2010, p. 32](#)). The increasing importance of interest groups in decision-making is one of the core elements used to describe the trend from government towards MLG; however, empirical research considering the implications of this trend for different policy fields is lacking ([Hassel, 2010](#); [Piattoni, 2010](#)).

In the context of forest politics, knowledge about the implications of the suggested trend towards MLG on forest-related interest groups remains insufficient ([Hogl, 2000](#)). The increasing internationalization and Europeanization of forest governance bring up questions about the reactions of relevant interest groups that require empirical research to be answered ([Hogl, 2000](#); [Bjärstig, 2013](#)). For example, questions about the challenges and opportunities of interest groups lobbying in a changed forest governance landscape ([Weber and Christophersen, 2002](#)).

German forest politics can be characterized by a broad range of interest groups that differ substantially in their goals, strategies, organizational structure, and available resources. The effects of the apparent trend towards MLG on interest groups have not been sufficiently addressed.

In order to address this research gap, this paper examines how interest groups in Germany react structurally and strategically to the alleged

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trend towards MLG. Specifically, two questions are addressed in this paper:

1. Does the trend towards MLG in forest governance influence the organizational structure of relevant interest groups?
2. How does the trend towards MLG in forest governance influence the lobbying strategy of interest groups active in forest politics?

We begin by illustrating how ongoing changes in forest governance provide an empirical example for the apparent trend towards MLG. We also demonstrate how recent changes in German forest governance differ from the theoretical assumptions about MLG. Next, two sets of guiding hypotheses about the relationship between interest group structure and strategy with governance structure are presented. These hypotheses are empirically tested for the case of German forest politics. An analysis of 33 interviews with interest groups from Germany provides evidence that interest groups are in a process of reconfiguration, and are gradually adapting their organizational structure, and/or their strategy to suit the changing forest governance landscape.

Differences between interest groups organized into several administrative levels, and interest groups organized in a single administrative level can also be observed. However, the newly developed governance levels are not often used by interest groups as a strategy for venue shopping; instead, interest groups feel overwhelmed when observing and considering the fragmented forest governance landscape.

## 2. Is there a trend towards MLG in the German forest sector?

Based on the assumption that the policy sectors of less importance for national governments are more likely to develop into MLG (Bache and Flinders, 2005b), forest politics would be an auspicious candidate for multi-level forest governance. However, ongoing changes in forest governance only partially fit into the theoretical assumptions of MLG.

### 2.1. Increasing numbers of decision-making points in forest governance

Forest policy at the national level had been relatively weak originally, and a national forest law was not enacted until 1975. The federal states (*Bundesländer*) were opposed to shifting forest policy competences to the national level because forests were mainly seen as a local issue, based on the high site specificity of forest ecosystems (Köpf, 2002). Still, the main competences for forests have remained at the state level.

Since the beginning of the 1980s, a serious change has taken place in forest policy. Forests are no longer seen as a regional policy field with a clear assignment to institutions, who view forests economically. Instead, the different economic, ecologic, and social functions of forests have become the subject of an international discourse (Hellström and Welp, 1996; Mann, 1998; Weber et al., 2000). This new framing was responsible for substantial changes in the institutional assignment of forests. Environmental ministries at state and federal levels have received part of the competencies for the legal regulation of forests.

At the European level, forest policy was virtually absent before 1989, when the Standing Forestry Committee was established to enable information exchange and to provide consulting for forest-related measures. From 1990 onwards, the Ministerial Conferences on the Protection of Forests in Europe (MCPFE) took place six times as a pan-European political process to create a shared understanding of sustainable forest use in Europe. In 2011, an intergovernmental Committee was established to negotiate a legally binding agreement for forests in Europe.

Compared to other policy fields, forest policies are still controlled largely by the member states. Soft instruments with guideline character dominate the institutionalization at the European level (Table 1). However, linkages to other policy fields such as biodiversity protection have made some parts of forest policies profoundly supranational (Edwards and Kleinschmit, 2013). Even if forestry in general is not a major European policy field, some aspects of different directives have

had substantial impact on forests in Germany. The development of the Habitats Directive provides an example of how new venues have been used by some interest groups to bypass national decision-makers and parts of the forest interest group landscape, with mostly economic interests used to strengthen the conservation function of forests (Weber and Christophersen, 2002).

The 1992 Earth Summit in Rio called for a discussion about international forest governance (Brown, 2001; Kunzmann, 2008). This was described as an internationalization of forest policies. International forest policy processes with soft law instruments have been occurring for more than twenty years, but there is no legally binding international agreement for forests (Brown, 2001; Davenport, 2005). However, forests are often indirectly (but quite importantly) addressed in other legally binding global treaties (Table 1) (Brown, 2001; Rosendal, 2001).

Table 1 gives an overview of the fragmented forest governance landscape. Included are soft and legally binding forest-related policies, guidelines, and instruments that impact forest area use and management in Germany.

### 2.2. Blurring differences between state and society in forest governance

Two main trends in the relationship between state and society in forest governance can be observed:

- A trend towards involvement of interest groups in decision-making processes, although it is controversial.
- The development of new modes of governance.

#### 2.2.1. Involvement of non-state actors in decision-making

A changed zeitgeist has been reshaping forest policy since the Rio Earth Summit in 1992 (Rametsteiner, 2009). Stakeholder involvement and participation were declared to be imperative for successful implementation of sustainable development, and gained enormous importance within forest policy making. The institutionalized inclusion of stakeholders in decision-making processes can be characterized as a shift towards a new mode of forest governance, differing distinctly from former top-down, exclusive governance modes (Appelstrand, 2002; Pülzl and Rametsteiner, 2002). The Rio Summit prompted the National Forest Programs in Germany, and led many other countries across the globe to develop strategies for national forest management with broad inclusion of interest groups (Pülzl and Rametsteiner, 2002; Winkel and Sotirov, 2011).

Justifications for including interest groups in decision-making are based on three main arguments: 1) improvement of decision quality, 2) more successful implementation of decisions, and 3) higher democratic legitimacy of decisions (Halpin, 2010; Jordan and Maloney, 2007; Newig and Kvarda, 2012; Pappila and Pölonen, 2012). However, there is also a lot of skepticism surrounding whether or not interest groups can meet these normative expectations. Critics often complain that involvement of those interest groups without internal democracy does not improve democratic quality in decision-making. However, it is also argued that internal democracy is just one of many sources for interest group legitimacy. For example, further sources of legitimacy might include membership size, victimhood, or expertise, among others (Halpin, 2010). Up to this point, it has not been possible to clearly confirm the empirical validity of these normative expectations because empirical studies examining the complex relationship between MLG and participation are rare (Newig and Fritsch, 2009).

Additionally, the legitimacy of these developments has also been questioned because stakeholder organizations involved in participatory processes are usually “neither democratically authorized nor accountable to the population” (Elsasser, 2007, p. 1018). Forest policy has a reputation for being a conservative policy field, which might explain why participatory processes were hesitantly implemented (Pülzl and Rametsteiner, 2002).

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