

EIA and Interaction of Government Policies

Harold Pickering

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INTRODUCTION

According to one definition, environmental impact assessment is a process which attempts to identify and predict the impacts of legislative proposals, policies, programs, projects and operational procedures on the biogeophysical environment and on human health and well-being. It also interprets and communicates information about those impacts and investigates and prepares means for their management.¹ But the objective of EIA is not to force decision makers to adopt the least environmentally damaging alternative. Environmental impact is but one of the issues addressed by decision makers as they seek to balance the often competing demands of development and environmental protection. Social, economic and political factors may be far more pressing at any particular time.² As Richard Simeon has stated, policy making is a matter of choice in which resources are limited and in which goals and objectives differ and cannot easily be weighed against each other. There is often conflict involved in this process.³

¹ Canadian Environmental Assessment Research Council, **Evaluating Environmental Impact Assessment: An Action Prospectus**, 1988, pg.1.

² Peter Wathern, "An Introductory Guide to E.I.A.", in Peter Wathern, ed., **Environmental Impact Assessment - Theory and Practice**, London, Unwin Hyman Ltd., 1988, pg.21.

³ Richard Simeon, "Studying Public Policy", **Canadian Journal of Political Science**, Vol. 9, No. 4, December 1976, pg. 550. And D.W.Middlemiss and J.J.Sokolsky (**Canadian Defence- Decisions and Determinants**, Toronto, Harcourt Brace Jovanivich, Canada, 1989, pg. 4) say that policy is essentially concerned with the making of choices. These choices are shaped and constrained by many factors, including:

1. the interests, motivations and preferences of various **actors**(individuals, organizations and institutions).
2. the nature and interplay of the **processes** by which decisions are formulated and implemented.
3. the character of the **environments** in which these actors and processes operate

In the case of the proposed Tactical Fighter Weapons Training Centre at Goose Bay, and the current and projected low-level flying in Labrador and Quebec under the existing MMOU (multi-lateral memorandum of understanding), the environmental assessment is being carried out in a situation where the other issues involved are both domestic and international, the latter including aspects of Canadian foreign and defence policy, **specifically** Canada's NATO **commitments**. The Minister of Defence must make the final decision on the proposed centre and the long-term continuation of low-level flying after receiving the recommendations of the environmental assessment panel. The North Atlantic Treaty Organization (NATO) is currently involved in evaluating two proposals for the TFWTC, Goose Bay and Konya, Turkey. It has been stated that the NATO Defence Committee will make a choice between these two sights. However it is possible that the decision could involve determining if this type of facility is justifiable given the changing political situation in Europe. Both these decisions will be affected by domestic political concerns in NATO member states. In the case of Canada, two of these concerns are regional economic development and the land claims of aboriginal groups in Labrador and Quebec. For the other NATO countries, there are a number of domestic concerns, the most conspicuous being the increasing opposition to low-level flying in West Germany and the changing perception of the Soviet threat in European countries. In addition, the current Vienna talks on Conventional Force Reductions in Europe(CFE) will definitely have an impact on the NATO decision as the member states express their views on how NATO should respond to whatever progress is made in the talks.

The environmental assessment of this project is being carried out under the Environmental Assessment and Review Process(EARP). This process was established in 1973 by Cabinet directive and strengthened in 1984 by the approval of an Environmental Assessment and Review

Process Guidelines Order under authority of the Government Organization Act.⁴ The Guidelines apply to any proposal:

1. that is undertaken directly by a federal government;
2. that may have an environmental effect on an area of federal responsibility;
3. for which the Government of Canada makes a financial commitment; or
4. that is located on lands, including the offshore, that are administered by the Government of Canada.

Under the process, environmental matters are to be taken into account throughout the planning and implementation of all proposals falling under federal jurisdiction. This is to be done before commitments or irrevocable decisions are made. The authority and responsibility for environmental assessment rest with the minister that has the decision-making authority for the proposal.

Under the process that minister is known as the initiating minister.⁵

The process has two phases: **initial assessment** and **public review**. Systematic initial assessment procedures have been developed for determining the potential environmental impacts and directly related social impacts that could result from a proposal. After initial assessment by the initiating department four courses of action are possible:

1. If no potentially adverse environmental effects will result from a proposal, or if its effects are insignificant or can be mitigated with known technology, the proposal may proceed.
2. If the potentially adverse environmental effects are significant or if public concern is such that a public review is desirable, the Minister of the initiating department must refer the proposal to the Minister of the Environment for a review by an independent panel.
3. If the potential adverse environmental effects are unknown, the initiating department must undertake a more detailed study, known as an initial environmental evaluation, then reassess whether the proposal warrants a public review; if so, the Minister of the initiating department must refer it to the Minister of the Environment for an independent panel review.

⁴ Canada, Parliament, 1984, **Environmental Assessment and review process guidelines order. SOR/84-467**, Canada Gazette Part II, Vol. 118, No. 14, 2794-2802.

⁵ Canada, Ministry of the Environment, **Reforming Federal Environmental Assessment- A Discussion Paper**, 1987, pp. 7-12 and David H. Barnes, Planning **for Marine Resource Development: The Role of Environmental Assessment**, Federal Environmental Assessment Review Office (Reprinted from Marine Engineering Digest, April 1988), pp. 1-8.

4. If the potential **adverse** environmental effects of the proposal are unacceptable, the initiating department must **either** modify and reassess it, or abandon it.

Actions that could mitigate or avoid those environmental impacts which are identified as a result of initial assessment and considered to be important must be incorporated into any proposal that **proceeds**.⁶

If the choice is to go to a public review, there will be a detailed examination of the potential environmental and directly related social effects of a proposal by an independent panel appointed by the Minister of the Environment. A new panel, normally drawn, except for the chairman, from outside of government, is constituted for each review. The Minister of the Environment issues each panel's terms of reference, describing the nature and scope of the review. At the discretion of the initiating Minister and the Environment Minister, the scope of the review may be expanded to include general socioeconomic effects, assessment of technology, and the need for the proposal.

The panel's responsibility is to investigate the potential adverse environmental impacts of a proposal, to examine the scope and importance of issues and public concerns, and, at the end of the review, to make recommendations to the government in a report that is made public. Each panel also conducts a public information program and holds public meetings, including hearings. The hearings provide an opportunity for public comment, including supporting and opposing views of the proposal. Hearings are **onducted** in accordance with **publicized** procedures, but are neither judicial nor quasi-judicial; rather they are as informal and flexible as practicable.

The proponent of **the** proposal produces a document, usually in the form of an Environmental Impact Statement, that describes the proposal in detail. It usually portrays the present state of the environment in the proposal's locale, and the potential impacts of the proposal. It normally

⁶ Canada, Ministry of the Environment, *i&i.d.*, pp. 8-10.

indicates how adverse impacts will be avoided or reduced. This document, like all other material given to the panel, is made public.

At the end of its hearings the panel writes a report for the Minister of the Environment and the Minister who initiated the review. The report contains a description of the proposal, the site, and the potential impacts and issues, and, most importantly, contains recommendations to the ministers. Normally, the panel may recommend that the proposal can proceed as intended, can proceed under certain conditions, or not proceed at all. The two ministers make the report public, and the initiating department decides whether the proposal should proceed or not, the extent to which panel recommendations are to be adopted before proceeding, and the manner in which these decisions are to be made public.⁷

EARP, though a process with its own goals and objectives and carried out under a specific mandate, is not completely ~~seperate~~ from the other issues and decision making arenas. The EIA will be affected by, and in turn have an effect on, decisions made both at the domestic and international level. The subject of the assessment is such that this will be inevitable. This EIA is a study of the impact of military flight training activities using modern tactical fighter technology carrying out aspects of NATO's military strategy. It is also a review of the socio-economic effects of the proposed development at Goose Bay. The recommendations made by the panel will not only affect the decision made by the **Canadian** Minister of Defence, but they could stand as a guide for dealing with the general issue of the environmental impact of military technology and strategy in the future. And conceivably, these recommendations could have an effect on how NATO deals with the question of military flight training, whether this involves a Tactical Weapons Centre or some other arrangement. Of course, this will only be one of NATO's considerations, and it will be weighed against the other factors that were mentioned earlier.

⁷ **Loc. cit..**

Aside from the effect that the panel's report could have on decisions at different levels, the issues of NATO strategy in a changing world and the land claims question are part of the formal structure of the assessment. The panel **has**, through two sections in its guidelines for the preparation of the environmental impact statement for Goose Bay, brought the issues of NATO military strategy and the changing **political** and military situation in Europe into the assessment process. In Section 6.2.2(Project Justification) of the guidelines it states that,

The Panel needs to understand the reasons for the Project in order to weigh adequately the benefits **and** disadvantages of its proceeding or not proceeding. This subsection must therefore describe the purposes of the Project and how it fits into international, national or regional treaties, plans, agreements, strategies, or requirements.

And Section 6.2.5(**Alternatives**) states,

The Proponent must describe the major alternatives to the Project or any of its elements, including those that have already been rejected, in sufficient detail to allow the reader to compare and evaluate their respective benefits and advantages. The Proponent must address the question of whether there are alternative strategies for achieving the goals of the Project.⁸

Under these two sections, the current situation in Europe and Canada's role in NATO will come under consideration and the fundamental questions being faced by NATO will have to be included in the **process** that the panel goes through in preparing their report. It is because of this that it is necessary for the panel to have an understanding of the history and the underlying reasons for Canada's commitment to the NATO alliance and the arguments put forward for the necessity of this base, as well as the questions that are being raised as a result of a rapidly changing situation in Europe, both in relations between states and inside the various NATO countries.

In many countries in Europe, in particular the Federal Republic of Germany, low-level flying has become an environmental issue, and the concept of national **security** is being interpreted in different ways than it has traditionally. It is being defined in environmental terms, and this has

⁸ Environmental Assessment Panel, **Guidelines For The Preparation of: An Environmental Impact Statement On Military Flying Activities in Labrador and Quebec**, January 1987, pp. 16&17.

been given formal expression by the World Commission on Environment and Development (the "Brundtland Commission"), which states in its report,

the whole notion of security as traditionally understood - in terms of political and military threats to national sovereignty - must be expanded to include the growing impacts of environmental stress - locally, nationally, regionally, and globally. There are no military solutions to 'environmental **insecurity**'.⁹

To many people, low-level flying constitutes environmental insecurity and this makes it appropriate to take into consideration the effects of modern conventional technology and the military strategy that NATO has adopted to deal with the situation in Europe. Canadian governments have committed themselves to membership in a military alliance and have accepted that a certain price must be paid for that membership, as have the other members of NATO. One of the prices that people in Europe have paid is the presence of low-level military flights. But this price is now being questioned on environmental grounds, and it is necessary for the impact assessment in Labrador and Quebec to take these questions into consideration, and to put the government's justification for these projects under close scrutiny.

The question of aboriginal sovereignty (land claims) in Labrador and Quebec is the **major** domestic issue faced by the Canadian government. The essence of the dispute between the Innu of Labrador and the federal government is the question of "the entitlement of the Government of Canada to exercise its sovereignty over territory and peoples who reject the notion that Canada **has** sovereignty over lands they have historically claimed as their **own**."¹⁰ To many, the land claims question is separate from the question of the environmental consequences of the projects. The opposition by the Innu of Labrador and Quebec is seen **as** a means of advancing their position in their dispute with the federal government.

⁹ The World Commission on Environment and Development, **Our Common Future**, Oxford, New York, Oxford University Press, pg. 19.

¹⁰ David **Haglund** and Joel **Sokolsky**, **Goose Bay and Canadian Military Strategy**, Centre for International Relations, Queen's University, Kingston, Ontario, 1988, pg. 1.

This is true to the extent that it is one of the major issues, and that the Innu really do not have much choice as they live in a modern state where the institutions and laws are overwhelmingly in favour of enforcing the claim to sovereignty of the Government of Canada. However, the land claims issue is tied up with the aboriginal peoples relationship with the natural environment. Section **5.0(Issues)** subsection (9) of the panel guidelines states that one of the issues to be considered is

the effects of the Project on the aboriginal and treaty rights **recognized** and affirmed in Schedule **B**, Part 2 of the Constitution Act 1982, including the effects on the process of negotiation and settlement of aboriginal claims.¹¹

According to the Innu of Sheshatshit the issue of low-level flying and land-use cannot be **separated**, and this means that they will demand that they be considered together during the assessment process. This will have consequences for this process and for the Canadian government when it comes to making its final decision.

THE INTERACTION BETWEEN FOREIGN, DEFENCE AND DOMESTIC POLICY

Realist international relations theorists have tended to see foreign policy as concerned with issues that are quite distinct from those of domestic policy. In this view, the proper realm of foreign policy is the realm of “high” politics. This constitutes the juggling, conspiring and, if necessary, fighting that states engage in for dominance and control in an anarchic system.¹² In this system, there is no overriding authority that can guarantee each country’s security, and the decisions of other states will impose constraints on the choices available. Leaders of states balance and counter-balance power, aligning and combining, to avoid the inexorable consequences of losing power:

¹¹ Environmental Assessment Panel, pg.14.

¹² Kim Nossal, **The Politics of Canadian Foreign Policy**, Second Edition, Scarborough, Ontario, Prentice-Hall Canada inc., 1989, pg. 4.

domination, conquest, enslavement, or death at the hands of their rivals.¹³ But international politics is also an arena in which states cooperate with one another in limited ways, creating what Hedley Bull has termed an “anarchical society.”¹⁴ In this view, foreign policy is concerned with three dominant questions of high politics: international order, peace and war.

Theorists who asserted that we were entering a world of interdependence claimed that these views were outmoded. They say that nuclear weapons have made war and the use of force impractical, society is more complex, the rate of change is more dramatic, the forces of technology and capitalist exchange have led to the emergence of a global economy that ties all states closely together and communications have been revolutionized, creating a global village. According to these theorists, we are living in an interdependent world, where issues of “high” politics have given way in importance to “low” issues of international relations: the distribution of wealth, the exchange of goods, services and knowledge, the protection of the environment, the maintenance of adequate global food supplies and health, and the management of international communications.¹⁵

It would be wrong to assert that “low” politics have replaced “high” politics as subjects of foreign policy, but it has become accepted among many international relations theorists that domestic politics and international relations are often inextricably entangled. With the growing acceptance of the view that the world is becoming more interdependent, the boundaries separating international and domestic politics are becoming erased, with ‘domestic’ political issues spilling over into international politics and ‘foreign’ policy having domestic roots and consequences.¹⁶ The current

¹³ Kenneth **Waltz**, **Theory of International Politics**, Reading, Mass., Addison-Wesley Publishing Co., 1979, Ch. 9.

¹⁴ Hedley **Bull**, **The Anarchical Society**, London, The MacMillan Press, 1977, pp. 46-51.

¹⁵ Edward L. **Morse**, “The Transformation of Foreign Policies”, **World Politics**, 22, April 1907, pp. 371-392. and Robert O. Keohane and Joseph **Nye**, **Power and Interdependence**, Boston, Toronto, Little, Brown and Company, 1977.

¹⁶ Robert Putnam/Diplomacy and domestic politics: the logic of two-level **games**”, **International**

environmental impact assessment of low-level flight training in Labrador and in the Northern and lower north shore parts of Quebec provides a unique instance of the interaction between foreign, defence and domestic policy for a number of reasons:

1. The 'high politics' of defence interacts with domestic environmental politics, native land claims and regional economic development.
2. In contrast to the familiar Canada-US. scenario, this is an instance where a number of foreign governments, as well as an international **organization**(the NATO alliance) are involved.
3. It is the government of Canada, rather than a foreign government, which has generated the issue of proposing that NATO build its Tactical Fighter Weapons Training Centre (TFWTC) at Goose Bay.
4. Thus, whereas in cases such as the dispute over acid rain with the United States, where Canada is acting to defend the Canadian environment and citizens from the actions of a foreign government, Ottawa now finds that it must defend its own policies before its own citizens on the grounds that foreign **governments**(the allies) would benefit from using Goose Bay.

This interaction makes this a very complicated case for the environmental impact assessment process. The result of this assessment could have consequences for Canada's alliance relationships. In an age of interdependence it is inevitable that the conclusions that are reached in the Goose Bay case will have international repercussions. This proposal was made for a number of reasons, not all of which were based on Canada's military alliance obligations. It was made because it would provide a reason for keeping the Goose Bay base open, and keeping it open became a military imperative, a regional economic necessity and a foreign policy symbol, both for Canadians and for the other members of NATO. And for individual members of NATO, it is providing a means of reducing political pressure at home as the populations of countries such as West Germany show increasing opposition to low-level flying in their countries.

Organization, Vol. 42, No. 3 Summer 1988, pg. 427 and **Stephan Haggard** and **Beth A. Simmons**, "Theories of international relations **regimes**", **International Organization**, Vol. 41, No. 3, Summer 1987, pp. 515-516.

CANADA AND THE NORTH ATLANTIC ALLIANCE

Canadian defence and foreign policy are shaped very much by the perception policy makers have of the international system and how Canada can best protect her interests in that system. Canada must shape its defence and foreign policy in an anarchic international system where there is no supranational authority to guarantee each country's security and where the decisions of other states will impose constraints on the choices available. One means of dealing with this reality, in a situation where the individual country does not have the capabilities of guaranteeing their own security, is to join military alliances. As the 1987 Defence White Paper, **Challenge and Commitment** states

The first objective of Canada's security policy is to promote a stronger and more stable international environment in which our values and interests can flourish. It does so within the framework of collective security.¹⁷

Canada became a founding member of the North Atlantic Alliance in 1949 with the belief that North American security and European security were indivisible, and with the vision of a more closely knit Atlantic community. It was also perceived as more than a military alliance, it was seen by Canada as an alliance where there was an intimate relationship among defence, political stability, democratic values and economic well-being. NATO was created because of the belief that the Soviet Union posed a threat to Europe, and not simply a military threat. In fact, as Escott Reid has stated, the founders of NATO were not frightened by the thought that the Soviet Union might invade Western Europe. What they feared was that the Soviet Union would continue to expand its power in Western Europe by using the then powerful communist parties of Western Europe as its subservient agents, and by undermining one Western European government after another. A subsidiary fear was that the United States might pursue impatient or provocative policies in its relations with the Soviet Union. It was the common belief that membership with the

¹⁷ Canada, Department of National Defence, **Challenge and Commitment**, Ottawa, 1987.

United States in an alliance would give the other members of the alliance opportunities to restrain the United States from pursuing impatient or provocative policies.¹⁸

According to Tom Keating and Larry Pratt, Canada had three interests in helping to form this **alliance**:

1. Preventing another major war through the creation of a regional system of collective security.
2. Binding the United States to multilateral rather than unilateral guarantees and decisions.
3. And the need for a broader Atlantic security grouping as a counterweight to American dominance in North America.¹⁹

These three interests appear to have underlay Canada's very strong diplomatic support for the North Atlantic Treaty in the late 1940s. The underlying assumption was that the country's independence could be served only through a coalition strategy that would involve some sacrifice of all its member's autonomy in military affairs.

This assumption has continued to this day, and it stands as the basis upon which the activity at Goose Bay is ultimately justified. It seems, however, that the benefits Canada gains from this membership, and the influence that would be lost if we were to pull out, are offered more often as reasons for maintaining the alliance than these more lofty goals. It very often comes across as pure self-interest on Canada's part. However, there has been a consistency behind the arguments for maintaining Canada's alliance commitment. According to John Halstead, a former Canadian ambassador to NATO,

¹⁸ **Escott Reid, "Forty years of NATO", International Perspectives**, October, 1988, pg. 3. It is interesting to note that, with the apparent willingness of Gorbachev to begin to make reductions in the Soviet military presence in Eastern Europe, West Europeans are reasserting the need to concentrate more on the political aspects of the Atlantic Alliance. They are calling for a redefinition of the alliance in a changing world. This is quite logical, given that the initial threat, as explained by Reid, no longer exists. The West European countries are stable and the communist parties in the west are not really relevant in the discussion about the shapes those societies will take in the future.

¹⁹ Tom Keating and Larry Pratt, **Canada, NATO and the Bomb**, Edmonton, Alberta, Hurtig Publishers Ltd., 1988, pg. 5.

A clear objective for Canada, as for any country, is to exercise control over its own territory and to defend it if necessary. But the defense of Canadian territory by Canadian forces alone is impossible, because the territory is too large, the population too small, and the threat nuclear. Beyond **self-defense**, the security imperatives in this nuclear age are reasonably clear: to prevent war and deter aggression; to maintain the democratic values and institutions Canada shares with others; and to promote verifiable arms control, the peaceful settlement of disputes, and the rule of law. These imply making a contribution to the political management of East-West relations as well as to the military measures necessary for defense and deterrence.²⁰

However, there may be questions about the appropriate measures now necessary to perform these functions as the situation in Europe changes.

NATO's MILITARY STRATEGY.

One of the military measures that is considered necessary for defence and deterrence is the use of tactical strike aircraft to hit targets behind enemy lines. This is part of the Follow-on Forces Attack(FOFA) concept adopted by NATO's Defence Planning Committee on November 4, 1984. Under FOFA, allied forces would seek to blunt the movement of Soviet conventional forces, mainly tank formations, by striking at rear areas behind the forward edge of the battle area(FEBA). The stated objective of FOFA is to restore the flexibility to Flexible Response by assuring that NATO will be able to make a measured response to an attack by the numerically superior Warsaw Pact forces, and that it will retain control of the decision to escalate to nuclear weapons - that it will not be forced into an early all or nothing decision.

Flexible response is a concept that was adopted by the North Atlantic Council in December 1967, and has guided NATO planning ever since. Under this concept the Alliance would try and deter aggression and maintain peace by having available a mix of strategic nuclear, theatre nuclear and conventional forces. In the event of an attack, the alliance would respond at the level of the attack. If it is conventional, NATO would respond with conventional forces as far forward as possible.

²⁰ Joseph T. Jockel and Joel J. Sokolsky, **Canada and Collective Security**, New York, Westport, Connecticut, Praeger, 1986, pp. vii-viii.

The alliance has not ruled out the first use of nuclear weapons should conventional resistance fail to hold the forward areas. Flexible response is a concept which evolved as a result of a conflicting view of the nature of deterrence on the part of the United States and its European allies. The Americans have promoted increased conventional forces in order to raise the nuclear threshold, as there is some question about the desirability of committing the American strategic arsenal to the defence of Europe, and thus open the United States up to Soviet retaliation.²¹

The Europeans, particularly the West Germans, want the nuclear threshold to be as low as possible, with the possibility of early use of the American strategic arsenal acting as the true deterrent. Any increase in the credibility of intermediate conventional and nuclear steps in the escalation "ladder" implies the possibility of a war actually being fought. This would be based on the belief by the Americans that it could be contained at an acceptable level. Any war that is fought in Europe will be fought on West German territory. Flexible response is a compromise of sorts, with greater emphasis on conventional forces, but with the retention of the strategic option.

²¹ According to Stephen Flanagan (**NATO's Conventional Defenses**, Cambridge, Massachusetts, Ballinger Publishing Company, 1988, pp. 1-7) a general consensus has emerged in the West over the past few years that NATO's conventional military capabilities should be increased as a way of reducing what many regard as excessive - and unrealistic - Allied dependence on nuclear weapons in deterring Soviet aggression in Europe. However, views among the Allies and within member states diverge sharply over the specific conventional force enhancements that should be pursued and the military plans, doctrines and tactics they should serve. And, there are also differences throughout the Alliance over the course Western arms control policy should pursue and its place within the spectrum of inter-state relations. And The European Security Study (ESECS) **Strengthening Conventional Deterrence in Europe**, New York, St. Martin's Press, 1983, pg. 8 states that;

The need for attention to NATO's conventional defensive capability is not new, but for several reasons it has acquired new urgency in recent years. First, the Soviet Union has achieved full strategic nuclear parity with the United States. Second, Soviet theater nuclear forces aimed at Europe have rapidly grown far beyond NATO's capabilities in this category. Third, Soviet conventional capabilities have also continued to expand. Finally, in response to these changes and others, there has been a growth in uneasiness and concern of the governments and peoples of NATO. The growth of vast and varied nuclear forces on both sides has brought home to both peoples and governments the risks and consequences of nuclear war. Our present reliance on possible first use of nuclear weapons threatens to undermine the two main purposes of the Alliance - the need for credible deterrence of adversaries and effective reassurance of our own peoples. We find ourselves in strong agreement that the Alliance should **now** move energetically to reduce its dependence on such early use.

The Europeans **realized** that they would have to concede this to the Americans in order to give substance to the latter's commitment to provide Europe with the ultimate strategic deterrent.

According to some writers, FOFA does not represent a change in strategy; it is merely a refinement of flexible response. At the heart of the follow-on forces attack concept is the assumption that NATO's conventional forward defences will be able to withstand an initial attack by Warsaw Pact armies in the Central Region - where the Federal Republic of Germany is bordered by East Germany and Czechoslovakia and where the mass of Warsaw Pact ground forces are concentrated - but that they are likely to be overwhelmed by a rapid succession of reinforcing **echelons**(the follow-on forces) arriving at the battle area to exploit weaknesses created by the initial attack. According to General Bernard Rogers (former Supreme Allied Commander in Europe who proposed this concept),

the goal of follow-on-forces attack is to reduce to manageable proportions the number of Warsaw Pact forces arriving at our General Defensive Position by attacking --- with conventional weapons --- those enemy forces which stretch from just behind the troops in contact to as far into the enemy's rear as our target acquisition and conventional weapons systems will permit.²²

The prevention of enemy reinforcements reaching the front is not an idea that is new to NATO's conventional defence plans. NATO's air forces have always had the mission of "interdiction" - striking targets behind enemy lines, including follow-on forces - and even army artillery has had the capability to fire beyond the close-in battle. But NATO has tended to lack the technology, or the right combinations of technologies, to find mobile targets at a distance and to hit them effectively. As a result, aircraft and other weapons systems have tended to be assigned to other missions that appeared likely to have a higher payoff. Recent developments in sensors and weapons **systems**("smart **weapons**" or, more generally, "emerging technologies") have dovetailed with new thinking about how to exploit the vulnerabilities in Warsaw Pact ground forces

²² General Bernard Rogers, "Follow-On Forces Attack(FOFA): Myths and Realities", **Nato Review**, No. 6, Volume 32, December 1984, pp. 1-2.

operations- specifically, the rigid timing required to move up the follow-on forces and commit them to battle - to produce the follow-on forces attack concept.²³

At the present time, tactical fighters are the best means of carrying out the rear interdiction role envisioned under FOFA. In flying their missions, however, they will face heavy fire from Soviet surface-to-air(SAM) forces and be subject to advanced radar technology and look-down/shoot-down capability on enemy fighters. In order to deal with these aspects of the "lethal" modern battlefield, they must fly low and fast, have the element of surprise and use the landscape to hide from radar. That is what they are doing in Labrador and Quebec. It is the contention of the pilots who fly these planes that they fly low because of the nature of the modern, lethal battlefield. And Labrador and Quebec provide terrain that is similar to the area in Europe that they would fly over in the event of war.

It is contended that it is NATO's emphasis on conventional deterrence, not refinements such as FOFA, that has created the need for the kinds of tactical air training currently being conducted at Goose Bay. This is partially true, **after** all FOFA is the result of pressure by the United States to put more emphasis on conventional forces. However, many of the aircraft at Goose Bay are dual-capable, they are able to deliver both conventional and nuclear weapons. The Intermediate Nuclear Forces(INF) agreement is removing a wide range of medium range nuclear missiles, such as the Cruise, Pershing II, SS-20 and SS-23 missiles, from the arsenals of NATO and the Warsaw Pact. NATO has decided to fill the gap created by this agreement by shifting part of the nuclear

²³ Congress of the United States, Office of Technology **Assessment, Technologies** for NATO's Follow-On **Forces Attack Concept**, A Special Report of OTA's Assessment on Improving NATO's **Defense** Response, Washington D.C., July 1986, pp. 1-2. The thing that is new about this concept is the belief that interdiction will be carried out more effectively and efficiently in the future with the help of new military technology, including cruise missiles, new surface-to-surface missiles, more effective munitions and submunitions and better surveillance and target acquisition **systems**. The fact that there have been technological developments that make many of the air delivered munitions more effective and the airplanes more survivable, has put more emphasis on the use of tactical fighters as strike aircraft.

role over to manned aircraft which already form part of the European forces. Thus, the training at Goose Bay could be seen as training for nuclear strikes.²⁴

It is also wrong to assert that FOFA is not a new concept. It is new because it is based on the belief that technology is available, or will soon be available, to allow for more emphasis on deep strikes. The Americans have long pushed for a greater emphasis on conventional weapons, and on the development of intermediate nuclear forces that would raise the threshold of strategic deterrence. This mentality lies at the roots of the current emphasis on conventional weapons. As the nuclear weapons are being negotiated away, conventional weapons become more important in terms of the perceptions of the Americans and the Europeans as to how low the threshold of nuclear deterrence should be. FOFA is a concept that makes official this emphasis on conventional weapons and on the use of technology to try and even the odds a little, given the Soviet numerical superiority in conventional weapons.

²⁴ This is the contention in an article I received from Peter Armitage from Memorial University, who is associated with the North Atlantic Peace Organization, is working with the **NMIA** on their land claims proposal, and has made submissions to the assessment panel during their public hearings. Paul Rogers and Dan Plesch, in an article entitled "Less means more", in a recent issue of *New Statesman and Society* (issue number unknown at this time), contend that NATO is bringing in more nuclear capable strike aircraft and fitting many of them with new "stand-off" missiles. These missiles could actually carry thermonuclear warheads removed from ground-launched cruise missiles before they are scrapped. This is allowed under the INF treaty. According to Rogers and Plesch, plans for American bases in Britain involve:

- Keeping existing F-11 nuclear bombers in service at two bases in Britain for at least another ten years.
- Bringing in a new type of F-11, converted from a strategic version of the plane.
- Deploying large numbers of the new **F-15E** Strike Eagle to Europe, many of them in Britain, and
- Fitting these aircraft with at least one and possibly two new nuclear-armed air-launched missiles.

In an article dealing with the debate over deep attack concepts in the early **1980s**(Boyd D. Sutton, John R. Landry, Malcolm B. Armstrong, Howell M. Estes III and Wesley K. Clark, "Deep Attack Concepts and the Defence of Central Europe", **Survival**, Vol. 26, No. 2, March/April 1964, pp. 50-70) the authors argue that NATO cannot afford entirely to dispense with a capability to target with nuclear means the forward attacking echelons of **Soviet/WTO** forces, and also for disrupting and destroying Soviet operational and strategic follow-on echelons as they transit deep through Pact territory before being committed to the forward battle. According to them, the political utility of such an option is that it would convey clearly to the Soviet Union NATO's ability to deny the **WTO** its war aims, while threatening subsequent and more dangerous escalation of the conflict, should hostilities continue. The authors wish to convey the belief that it is essential that conventional Deep Attack operations be recognized as complementary, rather than as an alternative, to proposed modifications to nuclear options which rely on similar emerging weapons developments.

FOFA is portrayed as a defensive concept, as NATO is a defensive alliance which avoids any strategy that appears to be offensive. However, the FOFA concept is based on the power of attack, not defence. Deep strikes are offensive in nature, even if their intent is to prevent the Soviets from gaining an advantage over NATO defensive forces through their use of a surprise, "blitzkrieg" attack and waves of echeloned forces.²⁵ According to Sutton, **Landry** et al, deep attack concepts emerged from the interaction of three related but distinctly different influences: NATO concerns with the unrelenting **WTO** conventional force build-up in Central Europe since the late 1960s; dissatisfaction with what was widely regarded by the U.S. Army to be an excessively reactive defence doctrine; and the development of emerging technologies that offer the potential for substantially better target acquisition and conventional weapons lethality.²⁶ It is possible to argue that the Warsaw Pact would feel and be more secure if the United States and NATO did not have the offensive weapons to execute their two broad doctrines: the **AirLand** Battle, which calls for ground and tactical air forces to engage the enemy not only at the front but also in his own territory, and FOFA, in which highly accurate smart weapons would cut the tail of a Pact offensive with deep strikes at its rear.²⁷ The fact that the Soviets have called for the inclusion of attack aircraft in the current Conventional Forces in Europe(CFE) talks in Vienna is an indication that they view these as a threat. With many of these aircraft being dual-capable, and the fact that their targets include elements of the Warsaw Pact's self-defensive capabilities such as **airbases** for

²⁵ Jack **Beatty**, "The Exorbitant **Anachronism**", **The Atlantic**, June 1989, pp. 40-53. In this article, Beatty talks about the possibility of reducing the offensive nature of the deterrent strategy, which is based on the capacity to attack, or to threaten to attack, in order to protect. **Accdording** to to Mark **Sommer**, the research director of the Alternative **Defense** Project in New York City, whom he quotes. "Nuclear deterrence has dominated our thinking about **defense** in general. In that theory, its true. it is only through the capacity to attack, or to threaten attack, that you have the capacity to protect. But it's possible to think of conventional deterrence in a less punitive way."

²⁶ Sutton et. al., op. cit., pg. 54-55.

²⁷ **Beatty**, op. cit., pg. 46., **United** States Department of the Army, **FM 100-5 Operations**. Headquarters, Washington DC., May 5, 1996, and **Huba** **Wass de Czege**, "Army Doctrinal Reform". **Asa A. Clark** IV, Peter W. Chiarelli, Jeffrey S. **McKittrick** and James W. Reed **eds.**, **The Defense** Reform Debate, Baltimore and London, The Johns Hopkins University Press, 1984, pp. In looking at the **AirLand** Battle concept, it is quite apparent that, even when the discussion is about defensive operations, the emphasis is on the offensive and maneuver. It gives one a good insight into the nature of modern warfare, and how the West perceives Soviet military strategy.

interceptor aircraft, radar sites and air defence command centres, could make the Warsaw Pact jittery.

The purpose of this analysis is not to claim that the assertions by those who are supporting low-level flying are absolutely wrong. In the case of the strike aircraft, NATO argues that they are a response to the massive superiority of Warsaw Pact tank forces and the doctrine of surprise attack with superior, mobile forces which underlies Soviet strategy. The point is that there are alternative ways of viewing NATO military strategy. The **need** for low-level flying was not created by the emergence of the FOFA concept, but the nature of the missions to be carried out by the strike aircraft is very much a product of this concept. And the concept itself is the result of the dynamics of the alliance and the differing views of deterrence that are held by the United States and the European members of NATO. An environmental impact assessment of the effect of military technology on the ecosystem of Labrador and Quebec must take these things into consideration. It is necessary to look at the connection between technology and strategy, and to trace the underlying assumptions upon which that strategy has been based.

It is also important to point out that the situation in Europe is changing quite rapidly. The CFE talks appear to be taking on a new sense of urgency and expectancy with the announcement by President Bush of new proposals for conventional arms reductions and a new timetable for completion of an agreement within six months or a year, to be implemented by 1992 or 1993.²⁸

²⁸ Graham Fraser, "Bush plan opens door for NATO agreement", **The Globe and Mail**, Tuesday, May 30, 1989, pg. 1 and 10. Mr. Bush's four point program consisted of:

- Seeking a commitment by the Warsaw Pact countries of the NATO proposal at the negotiations on conventional forces in Vienna of ceilings on **tanks(20,000 each)**, armored troop carriers(**28,000 each**) and artillery **pieces(a range of between 16,500 and 24,000 for each side, depending on how they were defined)**.
- The inclusion of all land-based combat aircraft and helicopters in the area from the Atlantic to the Urals, with each side reducing its holdings to 15 per cent below the current NATO total.
- The United States and the Soviet Union should both reduce their armed forces in Europe to 275,000 **each(involving a reduction of U.S. forces from 345,000 to 275,000 and Soviet forces from approximately 600,000 to 275,000)**.
- That both sides speed up their timetable so that an agreement could be reached within six

Obviously, this will have an impact on the nature of the alliances in Europe, the perception of these alliances by the **populations** in the member countries, the urgency of different developments in **strategy** and technology and the necessity of projects such as Goose Bay. The impact remains to be **seen**.

EUROPEAN AND AMERICAN PERCEPTIONS

The major policy decision in the Goose Bay case will be that made by NATO on where to locate the TFWTC. In the current East-West climate, this decision could turn out to be one on whether to go ahead with a **TFWTC** at all. This is because of the domestic debates that are going on in West Germany and the United States over the future of NATO and the changing perception of the threat that is posed by the Warsaw Pact. The nature of the NATO military deterrent will be very much dependent on domestic politics in Europe and the ultimate impact that the Gorbachev initiatives have on European and American perceptions of the nature of the threat. It is very important not to overestimate the impact of the security and stability arguments put forward by those who see the NATO alliance as a response, and a necessary response, to the nature of the international system. This is by no means a universally accepted argument. And, as the interdependence theorists have argued, domestic concerns are very important in determining how states act in the international arena. Included in these domestic concerns are the perceptions by various populations of the threat to national security.

The government of West Germany is currently under a great degree of political pressure. The ruling **CDU/CSU/FDP** coalition faces a strong challenge from the SPD, with some analysts positing a possible **SPD/Green** coalition after the 1990 elections. Part of this challenge is based on German concerns with **the** apparent erosion of West German sovereignty as a result of their

months or a year, and be implemented by 1992 or 1993.

NATO membership. People are beginning to question the price they have been asked to pay to guarantee peace and security. It has not reached the point where the majority are calling for the abolishment of NATO. What is happening is that there is a reassessment of the nature of the alliance and its response to the Soviet Union. As long as the Warsaw Pact seemed to pose a threat to peace and security, then the West Germans were prepared to pay the price. However, **support** for NATO is based on acceptance of the alliance as an abstract concept. If the price being extracted appears to be too high, then **support** for the alliance may begin to erode. One's view of an acceptable price is very much dependent on their view of the nature of the Soviet threat. This view is changing, and people are beginning to question the price they have been asked to pay.

Low-level flying is one of the prices that West Germans have been asked to pay, and they are now saying no more. It has not yet reached the point where the majority of West Germans are rejecting the need for low-level flying, but they want it out of Germany.²⁹ They do not accept it as a legitimate price to pay for freedom. It is not sufficient for those who are doing the impact assessment of the Goose Bay projects to dismiss this as merely a case of "not in my backyard". Low-level flying is not accepted by West Germans as a legitimate activity in peacetime. The fact that it is occurring over a more densely populated country and that it is the changing international situation that has apparently added a sense of urgency to the opposition does not take away from the fact that the vast majority of West Germans are opposed to this activity. It is perceived as an environmental problem and by the standards of such work as the Brundtland report, this makes it a legitimate security concern in the broader sense. The international climate has changed, and the definition of the threat has changed as far as West Germans are concerned, and the Goose Bay case must be studied in this light. This view could change, of course, if the conventional arms talks in Vienna are successful, and that will also have to be taken into account.

²⁹ There is no shortage of newspaper articles dealing with this issue and debates in the Bundestag show that all the political parties want the number of **flights** reduced somehow. One of the solutions is obviously to export **them** to places like Canada.

The situation with the United States is somewhat ambiguous. There is no apparent public outcry against low-level flying as such, and the NATO issue is not as important as it is in Europe. There is, however, growing concern with the use of American airspace for low-level flying and other military activities, especially in western states like Nevada, where the activity is the most intense.³⁰ Among the foreign policy elite it is part of the debate over the commitment-capability gap. There is an increasing number of people who are critical of the apparent disparity in military expenditure commitments to NATO, the burden sharing argument. The Europeans are not pulling their weight, according to this view. This is not a new argument, and there have always been those who have felt the United States should reduce its commitment to NATO. But there is also an increase in the amount of criticism of the whole concept of flexible response.

It has always been an open question whether or not the United States was prepared to use its strategic arsenal to defend Europe. According to Colonel Harry G. Summers in an article in *The Atlantic*, the United States is faced with what is known as Darling's dilemma, which says that the United States has built its strategy in Europe on nuclear weapons systems that they will refuse to use when the time comes.³¹ U.S. forward based forces now find themselves in the worst of all worlds. They lack sufficient conventional combat power to stand alone; the NATO allies, still officially relying on U.S. nuclear guarantees that have long since lost their validity, also lack sufficient conventional combat power; and the nuclear forces upon which both once depended have become paper tigers.

³⁰ This is an area that requires further study, but it is obvious that this is an issue in a number of areas in the United States. It has not reached the scale it has in Europe, but it is fairly substantial.

³¹ Colonel Harry G. Summers Jr., "A Bankrupt Military Strategy", **The Atlantic**, June 1989, pg. 36. Darling's dilemma was based on a challenge by a Lieutenant Colonel Dean Darling to the War Plans Directorate of the U.S. Army. He challenged them to imagine they were the Joint Chiefs of Staff and that he was the President of the United States. The scenario is a cross-border attack on Western Europe by the Soviets and the President has to decide whether to authorize the use of tactical nuclear weapons to slow their advance. What the President wants from the Joint Chiefs is an assurance that the Soviets will not respond with a strategic nuclear attack on the United States. He was quite willing to accept a fifty percent or better assurance. There was a deafening silence in the room. Thus, Darling's dilemma. According to Darling, "We have built our strategy in Europe on nuclear weapons systems that we will refuse to use when the time comes to use them. Not only that - by relying on this nuclear facade, we have undermined the war-fighting abilities of our conventional forces as well."

According to Summers, it is only a matter of time before tactical nuclear weapons are withdrawn from Europe. Like intermediate nuclear weapons, they have long since lost their battlefield utility. This strips the underpinnings from the nuclear-based short-war scenarios and the whole U.S. forward-basing strategy. According to Summers, the reason the United States built its strategy on nuclear forces to begin with was that they were much cheaper than conventional forces. And the reason NATO welcomed U.S. forward-deployed forces in Europe was that they served as a trip wire to those U.S. nuclear forces. As long as the nuclear-based strategy was credible, both the United States and its NATO allies could avoid spending the huge sums that a **conventional**-based strategy would have entailed. But as the perceived value of the nuclear deterrent declines in the face of the intermediate-nuclear forces agreement and Soviet glasnost and perestroika, so does the tolerance for the forward basing of American troops, which are increasingly seen as an irritant.

Summers purpose in putting forward this analysis is to make the case for withdrawing American troops from NATO. It is part of the ongoing debate in the United States over the proper policies to be undertaken by a "declining" power. However, his analysis is quite logical and relevant to the question of low-level flying in Labrador. The military strategy of NATO is based on the use of nuclear weapons which are rapidly losing their credibility as a deterrent. Low-level flying activities at Goose Bay are, according to some writers, based on the emphasis on conventional deterrence. However, with the loss of credibility of nuclear weapons, and the inability to provide sufficient conventional forces to provide for the defence of Europe, what role do tactical strike aircraft play? As indicated earlier, FOFA is really a strategy that depends on a technological solution to the problem of insufficient conventional forces. The question is whether this technological solution will work.

THE NATO DECISION - CANADA OR TURKEY

If NATO goes ahead with the decision to establish the TFWTC, then it will have to choose between Konya, Turkey and Goose Bay, Labrador. Both countries have advantages and disadvantages, and it is hard to determine which one **will** get the go **ahead**. In terms of the conditions for flying, Labrador would **seem** to have the advantage **due** to its size, lack of population, similarity of the terrain to that in Central Europe and the existing facilities. One disadvantage is the distance from Europe. In terms of the economic need for this project, it would appear that generally, the perception would **be** that Turkey would need it more and would **be** willing to make any necessary concessions to get the base. However, Labrador is a very economically depressed area, and the Newfoundland government is promoting the base very strongly. And the economic issue will obviously be a major determinant in the way the projects are promoted and the decisions made by the federal government.

It is the political situation that could be one of the determining factors in **the** final decision. The most prominent issue is the question of aboriginal land claims. The fact that the confrontation with the Innu is receiving more and more media coverage, and that this is a fundamental confrontation with the federal government over the question of aboriginal rights, will obviously weigh in the decision by NATO. Compared to this situation, Turkey appeared originally to be quite placid. However, it appears that there is some internal opposition to the proposed centre, and the Turkish government has proposed some further restrictions on the proposed development. As Turkey becomes more closely **tied** to Europe through the European Community, it is quite reasonable to assume that the environmental and peace movements will begin to make inroads **into** the political spectrum. For this reason, it is not at all obvious that the land claims question puts Canada at a distinct disadvantage.

ABORIGINAL LAND CLAIMS

The land claims, or sovereignty question, is by far the major issue surrounding the activities at Goose Bay. This process will proceed independent of the environmental impact assessment. It is now being fought out in the legal arena, where the Innu of Labrador are seeking an injunction to prevent low-level flying until the issue of sovereignty is resolved. The result of this confrontation with the federal government will have an impact on the decision-making process involved. Obviously, if the Innu are successful in seeking an injunction, the government will have problems abiding by the terms of the MMOU with the three countries. And the ongoing conflict and the accompanying publicity will have an impact on the final decision by NATO on the location of the TFWTC.

The whole issue of Innu land claims became more urgent with the dismissal by a provincial court judge of public-mischief charges against four native people who broke into a military base to protest against low-level flying over their hunting territory. Judge James Igloliorte accepted the defence argument that the Innu believe they own the land involved. He said "I am satisfied that the four believe their ancestors predate any Canadian claims to...this **land**."³² He noted that the 10,000 Innu have never ceded any rights to the 100,000 square kilometres of the flying range. Igloliorte said the issue should be settled by compromise. "The parties will have to negotiate answers to their problems, since the court is unable to answer these problems for **them**."³³

The issue involved here is the federal government's land claims process. The judge attacked much of the case law that has developed in Canada and governmental policy by suggesting its been designed with **17th-century** reasoning involved in which the Crown somehow magically **ac-**quired the land that we now call Canada from the actual owners. And he suggests that it is high

³² Dan Smith, "Innu case sends message of hope to other natives", **The Toronto Star**, Tuesday, April 25, 1989, pg. A20.

³³ Loc. cit..

time that Canadians and the Canadian government specifically come to grips with these questions and address them in light of what is rapidly becoming the 21st century reality. According to Bradford Morris, an expert on aboriginal law, it is an attempt by a judge to break a cycle, a cycle in which Canadian courts have tended to continue to rely upon 19th century approaches. This approach was a legal theory that was always an aspect of naked power or colonialism, but has been cloaked in the language of the law. And Canadian courts have never come to grips with the fundamental fact that aboriginal people were here first and that through the aspects of **colonization**, the Crown frequently just shoved them aside.³⁴

In a 1985 Task Force reviewing comprehensive land claims, it was stated that the relationship of aboriginal peoples to their traditional lands and resources is closely bound up with their sense of self. Their identity is tied inextricably to the land. The deepest conflicts between aboriginals and Europeans have been rooted in their different aspirations for the land. Historically, European desire to exploit lands and resources inevitably motivated the removal of aboriginal title. This desire remains, as demonstrated by modern treaties such as those reached for James Bay, the Western Arctic and Alaska. In these areas, settlement agreements were pursued by the dominant society to facilitate major resource projects.³⁵

One of the major concerns pointed out by this task force, and one which is a major issue with the Innu of Labrador, is the question of development before a settlement is reached. As the task force report said at that time,

Although the federal government has agreed to negotiate claims relating to most areas, it continues to behave as though claims did not exist. Land is alienated, projects are authorized and management decisions are made with little (if any) regard to the claim. For

³⁴ Bradford Morris on As It Happens, April 19, 1989.

³⁵ Task Force to Review Comprehensive Claims **Policy, Living Treaties: Lasting Agreements**, Ottawa, Department of Indian Affairs and Northern Development, 1985, pg. 54. This is the feeling that is conveyed by a number of the submissions by aboriginal groups and individuals to the environmental panel during the public hearings in the fall of 1986.

the government, business proceeds much as usual. Because the functions of government are unimpaired by the claims, government feels no pressure to move negotiations forward.³⁶

The report recommended that, in areas of federal jurisdiction south of the 60th parallel for which a comprehensive claim has been accepted, the federal government should refrain from **authorizing** activities or land alienation that could derogate from the aboriginal rights asserted, unless such activities or alienations either have been consented to by the affected aboriginal group or are essential to the national interest. A comprehensive claim has been accepted from the **NMIA** (Naskapi Montagnais Innu Association which is the group that represents the Innu of Labrador) but they have not begun to negotiate. **DIAND** is currently negotiating with the Conseil Attikamek-Montagnais(CAM), representing the Innu of the lower north shore parts of Quebec, and the Labrador Inuit Association.

The government is claiming that this project is essential to the national interest, given our NATO commitments. But, this is an open question - it is not by any means a universally accepted argument, as the preceding material on foreign and defence policy and NATO military strategy has indicated. The Innu of Labrador have a legitimate argument, and the land claims issue is an area of concern for the environmental review. The other side of the argument should also be taken into consideration. **DIAND** claims that **NMIA** has not prepared the documentation that is necessary to proceed with negotiations towards a framework agreement. And the Innu have also claimed that they should be **recognized** as a sovereign power **and** be able to **negotiate** with the Canadian government as one sovereign to another. However, it will be hard for these negotiations to proceed without some changes in the process.³⁷

³⁶ Ibid, pg. 63. This issue was also raised in two of the submissions to the public meeting held by the environmental panel - James Roche "Presentation to the Environmental Assessment Panel", Brief, Sheshatshit, Oct. 13 1989, pp. 799 - 812 and Peter Armitage, "Presentation to the Federal Environmental Assessment Review **Office(FEARO)** Panel Hearing on the Draft Guidelines for an Environmental **Impact** Assessment of Military Flying Activities in Quebec and Labrador", Brief and Tabled Documents, St. John's Oct. 27, 1986, pp. 1089-1139.

³⁷ Interviews with Lizzy Fraikin and Rick Van Loon at Indian Affairs and Northern Development, October 1988.

The judge in the Goose Bay case has suggested that these issues should be negotiated. They should be addressed in more of a political context of direct negotiations between the Innu people and the government rather than through the courts. At present, there is a practice of only negotiating with six aboriginal groups at one time and the Labrador Innu are not one of those groups. The question remains whether the government **will** make any moves to expedite the **NMIA** claim.³⁸ **DIAND** says that this would mean that the negotiations with other native groups would be slowed down, and it would **create** resentment by those who were bumped back on the queue. However, this court decision has probably boosted the morale of aboriginal peoples across the country and they would not buy this argument. They would take it as an indication that the whole process itself should be streamlined and speeded up. After all, they did not set the terms of the negotiation process.

If this and subsequent court decisions result in the government speeding up the land claims process, this could very well add to the costs of establishing the centre. It is quite apparent that the continuing confrontation between the federal government and the Innu will not enhance Canada's proposal in the eyes of NATO. This is a clear case where domestic policy concerns will have an impact on Canada's international commitments.

THE EIA PROCESS.

The argument that has been put forward in this report is that it is not possible to **seperate** the various issues involved in this particular case. Given the nature of the world today, one which is interdependent, it is not possible to separate the "high" politics of international order, peace and

³⁸ In the 1985 Task Force report, it was stated that at that time the government was negotiating comprehensive claims with six groups, another fifteen had been accepted for negotiation, thirteen of which were in B.C., seven claims were under review and several others were anticipated. At the rate of settlement at that time, the report's authors calculated that it could be another 100 years before these claims had been addressed.

war and the "low" politics of **economics**, environmental issues and social and other concerns. And, given the nature of environmental impact assessments in the wake of the Brundtland report, it is difficult to argue the relevance of an impact assessment process which does not question underlying assumptions about development, and, in the Goose Bay case, peace and security.³⁹

The relevance and effectiveness of the process being carried out in Labrador and Quebec will very much be determined by how the issues of aboriginal sovereignty and the impact of military technology on peacetime society are dealt with. What in effect is happening with this assessment is a determination of the environmental impact of NATO military strategy. With the emphasis on conventional weapons, and the changing environment in Europe as more and more weapons are subject to reduction talks, there could be an increase in the type of activities occurring and anticipated at Goose Bay. According to the MMOU Canada has signed, low-level flying will continue until at least 1996, and there is room for an increase in this activity according to these agreements. However, there could also be a decrease in these activities, depending on how far arms negotiations proceed in Europe, the impact of the domestic political **scene** in West Germany and elsewhere, including Canada, the importance of the economic aspects of the projects and to what extent the **people** of Goose Bay voice their approval of the projects as economic necessities, the extent to which environmental groups mobilize to oppose further expansion of **these** activities and, finally, how this issue is dealt with by the EIA process in countries such as Canada.

In order to effectively deal with this issue, it is necessary for the panel to look critically at the stated justification for these projects. This means the underlying policies related to Canada's NATO membership and the theoretical underpinnings of those policies. That is, the long held belief that Canada's security is dependent on stability in Europe and our security objectives can

³⁹ The Brundtland report figures in most publications that deal with the changing role of environmental impact assessments, including the 1988 **Environmental Assessment In Canada** published under the auspices of the Canadian Council of Resource and Environment Ministers. This document pointed out that the Brundtland report explicitly identified environmental assessment as an invaluable operational tool for decision-making.(pg. 5)

best be fulfilled in the NATO alliance. The argument for NATO is a quite compelling one, and it has been difficult to present a counter-argument, considering NATO's apparent success. But, it is not the only argument and it is looking less and less credible as the Canadian government speaks about the need for a strong alliance on the one hand, and reduces its actual military commitment on the other. It would be quite easy to be cynical and say that this commitment is mere political rhetoric. But, for the purposes of the environmental impact assessment, it is necessary to assert that there is a direct connection between low-level flying in Labrador and Quebec, developments in conventional military technology, NATO military strategy and Canada's commitment to the North Atlantic alliance. And all these issues will have to be dealt with in the EIA.

The aboriginal sovereignty issue also contains logical connections. It is not possible to separate the question of the impact of these projects on the settlement of land claims and the land claims process itself. Any finding by the panel of a negative impact would have to be based on the way the process was carried out, the fact that the government assumed that it owned the land and allowed the land to be used before negotiating terms with the Innu. The recent court decision makes it even more imperative that this issue be negotiated as soon as possible, and this would have to be taken into account in the impact assessment process.

This is not an assertion that the decision of the panel should be to reject the projects, and to censure the government for its land claims policy. It is merely to indicate that, given the nature of the issues involved and the dynamics at work, the impact assessment process will be more relevant and effective if these issues are opened up for discussion and evaluation. The need for the EIA process to shift its focus to policy, programs and project justification, rather than simply impact mitigation, has been supported by practitioners in the field. There is no agreement, however, about the principles that would guide this type of assessment and allow the determination

of significance of impacts. The Goose Bay case could provide some insight into a resolution of this problem.⁴⁰

⁴⁰ Federal Environmental Assessment Review Office, **The National** Workshop On Federal Environmental Assessment Reform, Report of Proceedings, May 4, 1988, pp. 10-11. Some groups at this workshop felt that the focus of the EARP should shift to policy, programs and project justification, rather than simply impact mitigation. This would mean the subject matter would have to be broadened but there was no resolution of the problem with the principles that would guide this type of assessment. William E. Rees, "A Role For Environmental Assessment In Achieving Sustainable Development", **Environmental Impact Assessment Review**, 8, 1988 - in this article, the author offers a radical interpretation of sustainable development, and explores an expanded role for environmental assessment. He says that,

By adopting a radical approach, I am implying that Western society needs to take a hard look at where it is "coming from" to have arrived at its present dilemma. We have to consider seriously whether a change in our basic beliefs and perceptions is not essential to get us where we want to go. Thus, even to posit an extended role for EA requires first an examination of the sociocultural roots of our so-called environmental crisis, and the ecological realities in which they are embedded.(pg. 274)

Later he says that "Sustainable development requires that the scope and institutional mechanisms for EA-like endeavours be extended to capture the full range of human activities significantly affecting the environment."

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