



Terrorising public confidence to no avail

Pretty much as the ADA has long predicted, the new counter-terrorist measures have been refined and much improved by the necessary negotiations between federal and state governments of different political hues (and with the keen legal eyes on the Government backbench). For all the genuine, mistaken, exaggerated, sceptical, cynical, alarmist and even ignorant claims paraded in the media over the last month or so, in the end true-blue Aussie reasonableness has won out again.

As demonstrated by the marked opinion poll margins in favour, the real argument about these new measures has never really been about whether stronger protective action is required. The key issue of debate has always been about the extent, nature and quality of the safeguards needed. To simply deny the increased threat from Islamist terrorism (as opposed to calmly discussing its duration, nature, intentions, methods, etc) is neither intellectually viable nor practically useful. This has, of course, not stopped many from denying, ignoring or downplaying the Islamist threat for a variety of partisan, religious or other unduly subjective reasons.

This said, genuine community concerns were still needlessly exacerbated by the Government's apparent difficulty in explaining the new measures and the unnecessary rush at times to introduce them without due consultation. Public debate on such issues already suffers from too many of those involved being content to just talk at each other rather than to each other. It would appear that just as opponents of the Keating Government were prone to give it no quarter on any issue, opponents of the Howard Government often seem fixated on opposing everything it suggests – or in suspecting a hidden intention behind every action it undertakes. In the case of the new counter-terrorism measures too much criticism, while not always biased in some manner, has been ahistoric or otherwise simplistic.

But the bottom line remains that if a conservative federal government and eight Labor state and territory governments are able to negotiate and agree on a way forward on this issue, then critics need to base their arguments on more than oversimplifications, generalisations and blanket suspicion.

Much public debate on common security matters in a democracy naturally revolves around the issue of balancing public safety (a fundamental human right) with potential limitations on individual liberty in some circumstances for the wider community good (temporarily infringing, to varying degrees, other human rights of varying importance). No matter what decisions are eventually implemented by the federal and state governments concerning counter-terrorism measures, some aspects of human rights will be affected, albeit temporarily in most cases. This is why sunset clauses, thorough judicial oversight and informed debate generally are so important in this regard.●

Highlights:

- Counter-terrorism: Much ado about nothing much finally
- Joint headquarters birthing pains after ten-year labour
- Senator Hill: Digging in or beating a withdrawal?
- Petty regulation still hampers defence force operations
- Equal opportunity laws undermine national security
- ASIS: Are the leaks genuine?
- New NZ Minister of Defence a man to watch

Easing creaky joints

The last-minute decision to down-size the staffing and change the layout of the new joint headquarters at Bungendore has naturally upset the firms bidding to construct the building under private-public partnership arrangements. This unnecessary debacle could have been easily avoided and the short-listed builders are rightly angry.

The sensible decision to finally configure the staff on a fully integrated model, rather than just co-locate the six Service and functional components and attempt to knit them together with a small joint staff, is long overdue having first been proposed when the headquarters' antecedent was first established back in 1995.

The rationalisation of operational-level command and control in the ADF has taken far too long. A key impediment has been the size of the three Service-environment based components and the two-star level status of their commanders. This has tended to reinforce conservative intransigence, not least because overall single-Service promotion systems have been heavily biased towards traditional careers in each Service rather than fairly considering those innovative officers who have championed a joint-Service approach to ADF operations and capability development. Indeed the pioneers of 'jointery' in the late 1980s and 1990s largely cruelled their own careers by their success in making joint structures work when the hidebound single-Service conservatives believed they would and should fail (and in some cases sought to punish those responsible when they did not). This can be seen by how unusual it still is among ADF senior officers for the current CDF to have held real joint appointments below one-star and even group captain rank.

As overseas experience (and the example of the Darwin-based Headquarters Northern Command) has always shown, all joint headquarters become progressively integrated over time as trust builds, synergies flourish and the operational, logistic and financial benefits become unarguable. The key to configuring effective joint structures is a conceptual approach whereby all functions and tasks are jointly commanded and controlled wherever possible. This has always been anathema to Service traditionalists who advocate the opposite model and constantly seek to maximise the retention of single-Service control.

Across the Tasman in 2001 the Kiwis achieved the change to a fully integrated joint headquarters straight away. They changed because they had to – the NZDF being too small to maintain effective components – especially ones large enough to nurture cultural and doctrinal dinosaurs.

The easiest way to cross a chasm is with a single step. Bungendore is increasingly looking like the landing pad for such a step, albeit a decade or so late and at greatly increased cost.●

Uphill battle looming?

Speculation that the next cabinet reshuffle might involve Minister for Defence, Senator Robert Hill, being replaced by Senator Nick Minchin continues to grow. Whatever the outcome, four things need to be remembered.

First, Senator Hill has clearly been the most effective Minister for Defence since the Howard Government assumed office, and not just because of the continuity he has brought to what had become the running bad joke of inflicting the ADF with three short-time ministers on their terminal period in parliament.

Second, despite or perhaps because Defence is different to the vote-buying or ideology-driven portfolios, whether a minister is suited to it or actually wants Defence are usually only criteria 6 and 7 in the priority of factors influencing ministerial allocations. They follow who he or she voted for in the last leadership election, factional balance, state balance, gender balance, chamber balance and keeping the National Party in its place.

Third, the two best Defence ministers since the very early 1970s, Senators Ray and Hill, have both also been Government Leaders in the Senate. A case of busy men doing all their jobs properly (and being senior enough to minimise the chances of being rolled in Cabinet too often). Minchin fits the bill too.

Finally, if a reshuffle is to occur, the Prime-Minister should take the opportunity to increase ministerial oversight of the Defence portfolio by adding a second, dedicated, junior minister to oversee defence procurement and science responsibilities. This would allow the other junior minister to become the Minister for the Defence Force (along the lines of the UK's Minister of State for the Armed Forces) and assume responsibility for minor day-to-day operational issues as well as their personnel implications. The assistance of two junior ministers would allow the portfolio minister to concentrate, without undue distraction, on the many corporate strategic and real strategic issues facing the Department of Defence, the ADF and national security generally.●

Free for Service instead of fee for Service

Surprising as it may seem in the early 21st Century, the ADF remains plagued by petty and inconsistent regulation in its planning and conduct of operations for our common defence. While the Navy's ships are quite rightly legislatively immune from paying port fees throughout the country (a facility the RAN takes great pains not to abuse), all three Services continue to pay landing fees when ADF aircraft need to land at Australian airports.

Furthermore, while the ADF is also exempt from paying state registration fees on its numerous vehicles it still has to pay fees (some \$10.7m a year) to the Australian Communications Authority for its use of the electromagnetic spectrum. This even includes frequencies used by the defence force when operating in overseas war zones.

The freedom of navigation enjoyed by our exporters, and the economy overall, are partially underwritten by the everyday activities of the ADF. Given the straitened defence budget, and the attitude of the Howard Government to abolishing outmoded regulation, surely it is high time the common purpose of the defence force was reflected in a blanket exemption from charges for using the very national infrastructure they protect.●

Blacklists – colour-blind not racist

Australian Defence Industries (ADI) has rightly won its exemption from equal opportunity laws in Western Australia in order to comply with the Commonwealth's longstanding requirements for access by ADI employees to classified information from Australian or allied sources. ADI has similar exemptions in Victoria and New South Wales, and Boeing has the same in Queensland.

The Western Australian Government is muttering about an appeal, in flagrant disregard of the long established and internationally well-proven practice of using citizenship as a key measure of an individual's loyalty for security purposes. This is not a form of 'racial' or other discrimination, particularly when all the countries concerned are thoroughly multiracial societies.

It is high time for Commonwealth legislation under the constitutional defence power to permanently exempt defence contracts and contractors from the purview of parochial state laws that ignore and undermine the national interest.●

I spy bull#@%*

A recent article in *The Bulletin* reported that 'a senior ASIS officer has broken ranks and revealed ... how poor management, an increasingly politicised environment, bad recruiting, lack of field experience and appalling retention rates have dangerously diminished Australia's capacity to infiltrate radical Islamic militant groups that are murdering Australians overseas'.

Notwithstanding the validity (to varying extents) of some of these comments, the purported source of the remarks has aroused considerable scepticism in intelligence community circles. This is because such an interview with a news magazine would seriously contravene both the Intelligence Services Act and the professional culture of the Service. Scepticism is also due to the article's discussion of ASIS responsibilities and operations including obvious errors beyond deliberate disinformation. Finally, any experienced ASIS officer would know that there are far more reliable, discreet and effective means of airing such professional concerns than in the public media.

And another thing. Sub-editors love the term spy for its utility in a short headline. There is, however, no excuse for its frequent misuse in articles that seek to describe the professional staff of our intelligence and security agencies.●

Mighty oaks and little nuts

The appointment of Winston Peters as New Zealand's new foreign (but thankfully not trade) minister has naturally attracted much attention because of his mercurial record in Kiwi governance and the ostensibly isolationist (but really just populist) views of his minority New Zealand First party.

Of more practical interest is the move of previous Foreign Minister Phil Goff to the Defence portfolio. Goff, one of the few really capable talents in the Helen Clark Cabinet stands a good chance of leading the Kiwi Labour Party as successor to Clark outright or at least as probable next in line to her successor. Goff will be good for Defence and Defence will be good for Goff, especially in broadening his undoubtedly fine mind on the security practicalities of New Zealand's international relations.

Goff is currently wedded to current policy on nuclear propulsion and nuclear weapon issues. But the world continues to move further away from the Cold War certainties of the 1960s, 1970s and 1980s that underly this stance. In an era when (what used to be allied) warships do not carry nuclear weapons, and an official NZ inquiry found no appreciable risks in nuclear propulsion, the internal contradictions, technological mythology and strategic lunacy of the bans grow ever more self-evident.

Just as the life-long anti-communist Nixon could open up the US strategically to Communist China, and the hard-line Zionist Sharon could withdraw Israel from Gaza, a visionary future Labour leader in New Zealand may be more able than a National Party leader to reverse the strategic dead-end of that country's now irrelevant ban on visits by nuclear-powered warships. Goff, a genuine and intellectual internationalist in a party full of professed and closet isolationists, may eventually be such a man. His time as Minister of Defence can only further round him out in modern international matters.●

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