



Dark Victory

David Marr and Marian Wilkinson

reviewed by **Michael O'Connor**

At the outset, let me confess to being no fan of the authors of this book, both Sydney journalists would be widely regarded as of a Left political persuasion. That said, this is an excellent book that should be read by all Australians who have any interest in the way our country is governed.

Dark Victory is the story of the political exploitation of boatloads of asylum seekers in the 2001 federal election campaign in Australia. The story begins with the rescue of a boatload of Middle Eastern asylum seekers by the Norwegian container ship MV Tampa at the request of Australia's search and rescue authorities. Australian government attempts to have Tampa take the rescued asylum seekers back to Indonesia instead of to the nearest port — Christmas Island — were unavailing in the face of the desperate conditions on board for a vessel not equipped to handle large numbers of people.

The book then follows through the events of the succeeding weeks until the November 10 election. A brief aftermath chapter is disappointing because it does not cover the subsequent Senate inquiry into a Certain Maritime Incident, the so-called 'children overboard' affair. Presumably this was due to a clash with publication deadlines. If the book is ever republished, as it deserves, additional material on the inquiry would be useful. The Report of that inquiry makes devastating reading.

Overall, the book reflects the results of hard and detailed research. The analysis is sound and the description of the sequence of events coupled with the political and bureaucratic manoeuvring makes compelling reading. The only disappointing — and unnecessary — feature was the tendency, all too common in Australian journalism, to intrude unnecessarily derogatory comments on individual players.

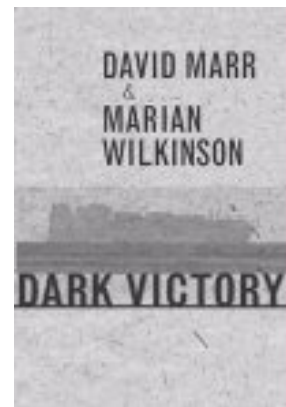
The most disturbing aspect of the book was its reinforcement of a suspicion that the nature of Australian government has been changed dramatically by a stealthy process that has led to what might almost

be called an executive dictatorship. The Westminster tradition of an executive answerable to Parliament has been sharply diminished by rigid party disciplinary structures coupled with the effective politicisation of the senior levels of the public service. This trend towards an American-style presidential government lacks the checks and balances that are built in to the American system.

Senior ministers from the prime minister down show a dangerous tendency to bypass the rule of law by ramming expedient and ill-considered legislation through a compliant Parliament. In the period covered by the book, this was accompanied by the misuse of the Defence Force, especially the navy, in enforcing directives that were of dubious legality and sharply contrary to the traditions and the legal obligations of saving life at sea.

Border protection missions were controlled very tightly from an inter-departmental committee in Canberra, leaving professional officers on the spot not only unable to exercise independent judgement according to the circumstances but also being forced to carry out orders that were arguably illegal and certainly contrary to the safety of life traditions with which they had been imbued.

Generally speaking, Australians have little understanding of the sea. As a distinguished naval officer and former Governor of New South Wales, Rear Admiral Peter Sinclair, once pointed out, Australia is a maritime nation with a continental mindset. Our merchant shipping fleet is negligible and our navy tiny by any measure. Few Australians ever go to sea; fewer still attempt to live for even short periods at sea. We have a general understanding that Australia's dry interior can be a dangerous place but it is far less



dangerous than the sea. Unlike desert travel, those who use the sea must contend not only with an even greater lack of fresh water but also the immense power of the sea itself.

On land, even in the most inhospitable parts of the country, help is not far away. There exists a strong network of emergency services to assist those in distress. At sea, the traveller must depend upon passing merchant ships directed to answer a distress call (as was the Tampa), the navy or a coastguard. The area Australia's small forces have to cover is, in fact, larger by more than 50 per cent than our land mass. Under international agreements to which we have become a party, Australia's responsibility for SOLAS tasks is even greater. Indeed it is one of the largest in the world.

The policy of intercepting asylum-seeker vessels and sending them away adds to the risks these people are already running. There is a Pontius Pilate air about a policy that effectively washes its hands of these people. Certainly, the risk is theirs and perhaps they should not have taken it. The fact remains that, like some of the more stupid risk takers who venture unprepared into the Australian wilderness, their lives are in danger and the navy, which has been ordered to turn them away, is also the primary ocean search and rescue organisation. If it is at the whim of office-bound politicians and bureaucrats to pick and choose between those it will support and those it will send away, our part of the world has suddenly become a more dangerous place as a matter of Australian national policy. As the book makes plain, many governments and international maritime organisations have become understandably alarmed at the implications of Australia's border-control policy.

Many of the asylum seekers did not help their cause. They were aggressively hostile and sometimes violent towards their rescuers. They made serious accusations, such as the use of cattle prods, that cannot be sustained and that have, in fact, been denied by Air Marshal Houston, whose reputation for honesty was substantially enhanced over this period. This, incidentally, is one aspect of the book that could have been improved by closer investigation.

The Defence Force comes out of the whole affair as the only Australian government body to have acted properly, despite some provocation from those it rescued but far more from its political masters and their hangers-on. The role of the then Defence Minister, Peter Reith, and his personal staff can only be described as a blot on Australian government. Part of that can be put down to plain incompetence in overseeing military operations in a dangerous environment but most is due to the opportunistic politicisation of the process in an election campaign. It is this elevation of the political ambition over the responsibility for good government that is the most disturbing feature of this period.

Personally, I have no quibble with the principle that a judgement of the legitimacy of asylum seekers should

be made or that it is Australia's right to refuse entry, even to detain people in safety until a determination of their status is made. Certainly, measures should be taken to deal with the people smugglers who prey upon their clients and to persuade regional governments to meet their responsibilities. What is morally wrong in my view is making a blanket judgement that each and every asylum seeker on each and every vessel has no justification for the attempt to reach Australia and that their lives should be put in jeopardy as a result.

The proper course of action should be to get these people ashore into a place of safety as soon as possible. Then the proper assessment procedure can be set in train. The current practice, however, is morally wrong, dangerous to human life and, I would suggest, demoralising and confusing for the men and women of the navy who have to do the politicians' dirty work.

Marr, D. & Wilkinson, M. 2003, Dark Victory, Allen & Unwin, Sydney, 350 pp, soft cover, \$29.95.

Mad Harry

George Franki and Clyde Slatyer

reviewed by Michael O'Connor

Mad Harry was the soubriquet for Lieutenant Colonel Harry Murray who enlisted in the AIF on 30th September 1914 and rose to the rank of lieutenant colonel and commanding officer of the 4th Machine Gun Battalion. Along the way, he collected a Victoria Cross, CMG, two DSOs, DCM, a Mention in Dispatches and the Croix de Guerre, and is renowned as Australia's most decorated soldier. He re-enlisted immediately before World War II and, for a short while, commanded 26th (Militia) Battalion. Mobilised for full-time service in 1941 at the age of 61, he was stood aside on age grounds a year later but continued to serve, this time commanding a mounted unit of the Volunteer Defence Corps.

Even before the Great War, Murray served in the Launceston Artillery before moving to Western Australia. Upon enlistment, he was assigned to the 16th Battalion, the cradle of many famous soldiers in both World Wars. With his battalion, he landed at Gallipoli on the afternoon of that first ANZAC Day and, apart from periods in hospital with wounds and sickness, served throughout the campaign, being one of the last to leave in the evacuation. He was commissioned while on Gallipoli.

This excellent book tells not merely the story of Murray's exploits but provides an insight into the character of a man who was more mature than most, a sober, deliberate and cautious individual very much unlike the popular picture of the reckless collector of decorations. The name Mad Harry clearly owes its origin