



## No more wanton politicising of the ADF

Our defence force is rightly a staunchly apolitical national institution that defends all Australians equally. The constitutional provisions, statutes and conventions underlying this democratic necessity have been developed and tested over centuries of Westminster-system evolution.

As a result the institutional and professional cultures of the ADF have long been resolutely non-partisan. In both act and perception the personal political inclinations of ADF personnel rarely influence the exercise of their duties. Public trust in the ADF is in part underwritten by this entrenched convention.

The restraint involved needs to be reciprocated by our politicians. Since the mid 1990s there has instead been a growing, clearly detrimental and disrespectful politicisation of many public events involving our defence force. Such as where politicians improperly preside at ADF deployment and welcome home ceremonies, rather than this being done only by a non-partisan community figure.

The trend seems to be steepening. Especially as the number of parliamentarians with personal experience of military service has declined, the media and consequent political cycles have quickened, and polls showing the gap in public trust of the ADF compared to our elected representatives continues to widen.

Up until now, the launching of this year's Defence White Paper has been sadly regarded as the apparent nadir in improper use of our defence force for blatantly partisan purposes. Exemplified by the insensitivity and indeed outright arrogance shown in misusing clearly embarrassed ADF personnel merely to provide a television backdrop for speeches by the PM and Minister for Defence. Some, such as the Minister's media adviser, subsequently tried to defend the misuse by claiming that the launch was somehow not a party-political event, and that the ADF personnel had been 'volunteered by the Service Chiefs'. This spin is belied by the nakedly political motivation for the document, the politically subjective nature of much of its key content, and the fact that it has yet to be even tabled in Parliament let alone debated in that appropriate forum.

Unfortunately, the problem of misusing the apolitical status of our defence force for partisan purposes has grown even worse during this election campaign. The Opposition, for example, released its defence policy at an ADF base. The government has similarly used defence bases for announcements integrally involved with its re-election campaign rather than governance.

This constitutionally improper and unfair habit must cease. The conventions preserving the essential apoliticism of our defence force need to be reinforced not further undermined. For future election campaigns in particular, there needs to be agreement now between the major parties that ADF personnel and facilities are not to be used for party-political events.

### Highlights:

- Partisan misappropriation of the ADF reaches new nadir
- Fleet Base East to Brisbane proposal gulls too many
- Coalition: Scaring no horses but too easy a ride
- Labor: Gillard, Swan & Smith's destructive defence legacy
- Minor parties: Generally minor attention to defence
- Greens: Unresolved contradictions but maturing policy
- Border security wrangling helps no-one
- Irony Corner: Barry O'Farrell and the rent-seekers

If the political parties cannot agree among themselves to stop such misuse of ADF personnel and facilities, the CDF and Service Chiefs will need to act. Not least by reminding both sides of politics, respectfully but forcefully, that using the defence force for party-political campaigning is contrary to the reciprocal de-politicisation principle underlying proper civil-control-of-the-military. Such compromising of the necessary apolitical status of the ADF is also to the long-term detriment of both Australia's defence capabilities and the integrity of Australian democracy. ●

## Harbouring doubts

What was probably most disturbing about Kevin Rudd's late-in-the-campaign election gimmick proposing a future study into moving Fleet Base East, and its supporting dockyard, from Sydney Harbour to Brisbane was how readily so many people accepted this as feasible or otherwise somehow a 'good idea'.

Despite such a move contradicting the government's own strategic conclusions resulting from the 2012 *Force Posture Review*, contradicting the recommendations from its own 2012 independent review into the potential for even occasional cruise-ship access to Garden Island, and contradicting its own strategic decisions as declared in the 2013 Defence White Paper.

And indeed how such an idea runs counter to commonsense observations resulting from any more than the briefest glance at a map and nautical charts of Australia's east coast. Particularly ones showing the seaborne trade routes Australia's economy and whole way-of-life so depend on.

Not to mention the more specific facts and enduring concepts long governing the strategic dispositions of the navy, and the major east coast bases necessary to sustain such dispositions and effective maritime operations:

- Sydney's relatively central location for the protection of our international trade routes to, from and along the entire east coast of the continent.
- The extensive naval and supporting industrial, engineering and commercial infrastructure built up at Garden Island, and nearby, for well over a century by the facility's beneficial owner — the national taxpayer.
- The continental-scale and localised effects of the Great Barrier Reef on the northern third of Australia's east coast.
- The significant local constraints of the flood-prone Brisbane River, the shallowness of Moreton Bay, and the general navigation and considerable tactical difficulties of the bay's dredged channels and numerous islands. All key reasons (plus saving money) why HMAS Moreton in Brisbane was closed in 1994 and the Navy's amphibious squadron relocated to guess where — Garden Island in Sydney Harbour.
- The overall geographic and oceanographic reality that, on the entire east coast of the continent, Port Jackson remains the only large, natural, deep-water harbour that is defensible, has sufficient manouvre room and facilities without seriously affecting commercial shipping, and which has immediate access to oceanic deepwater. Including access to nearby fleet exercise areas, firing ranges and ammunitioning facilities away from commercial shipping routes and coastal communities.

Fleet Base East is likely to remain at Garden Island until another ice age creates another Port Jackson or Australia no longer needs a navy. Neither eventuality is remotely likely in the foreseeable future. ●

## Liberal-National Coalition

The Coalition's defence policy was released in the last week of the election campaign. It appears strongly influenced by five factors with only the final one being really controversial politically.

- The ADF's period of high operational tempo and participation in sometimes controversial wars since 1999 is drawing to a close.
- There is a natural tendency to focus on force-structure matters when in parliamentary opposition.
- The Coalition's declared belief that most hard decisions on force structure and equipment procurement need to be based on the greater information available to governments, rather than on the much more limited data obtainable when occupying the Opposition benches.
- The politically convenient situation that strategic policy and defence are not high-profile issues among voters in 2013.
- The even more politically convenient situation of low expectations. Even among those Australians interested and knowledgeable in such issues, there is now a widespread belief that an incoming government is unlikely to do a worse job of managing the Defence portfolio than what has occurred during the Gillard years in particular.

As with ostensible Labor policy in the 2009 and 2013 Defence White Papers, in terms of force structure the Coalition are pretty much sticking with the key decisions taken in the 2003 Defence Capability Review (by the Howard Government). This makes sense because the DCR was empirically based on the profound strategic shock of the close-run East Timor crisis in 1999. A crisis that also revealed in detail just how much of the chronic and sustained under-investment in defence over the preceding three decades needed to be cancelled out by significantly increased budgetary allocations.

In regard to strategic policy, the Coalition has expressed a general view to further strengthen Australia's alliance with the USA. How this might be implemented remains inchoate.

In regard to corporate reform of the Department of Defence, the Coalition has promised a first-principles and objective review of the department's structure and processes. This is sorely needed as the last such over-arching inquiry was the Morshead Review in 1957-58. (The 1973 Tange Report not being the result of an objective review, either first-principles or otherwise).

This initiative is also no doubt influenced by some telling conclusions of the 2007 Proust Review during the latter Howard Government. This review clearly discerned that structural reform was integral to process improvement, but that the review team had been wrongly prevented from examining structural matters in their terms of reference.

The Coalition will, of course, need to avoid the pitfalls that undermined the 1996-97 Defence Efficiency Review during the early Howard Government. And avoid the mistakes that flowed from its foreseeable and unintended consequences. Situations that were especially revealed in the subsequent East Timor and Solomons crises, and the wars in Iraq and Afghanistan.

In particular, the proposed review will need to avoid reflexive and naïve beliefs that continually strike some conservative politicians. Especially the delusion that the answer to making the Department of Defence more efficient is always to try and make its processes more 'businesslike' or 'commercial'.

It remains an enduring truth that to maintain a defence force that is efficient in deterring and winning wars, and efficient in minimising loss of life among its personnel in combat, financial efficiency must necessarily often be allocated a lower governance priority than how the force needs to be structured, equipped, based, dispersed and administered in peacetime.

In terms of specific important commitments, six other points are worth noting:

- The Coalition's professed bottom line is that the ADF should be restored to the levels of capability achieved at the end of the Howard Government in 2007. This will be neither easy nor cheap.
- They have undertaken to make no further cuts in defence investment. It is the ADA's understanding this means that the cuts planned by Labor over the forward estimates and beyond will also not be implemented by the Coalition.
- They profess the aspiration to peg defence investment at two per cent of GDP and aim at achieving this proportion within a decade. They undertake, once the overall federal budgetary position improves, to 'restore the real growth in defence investment that marked the final seven years of the Howard Government' (after the East Timor strategic shock).
- They will produce an 'objective' Defence White Paper within 18 months. It might be even more useful to examine whether the white paper process actually works. Especially given that no defence white paper has ever been funded to the extent declared as necessary in the paper.
- They have undertaken not to create a Military Court of Australia in place of courts martial. The flawed bill to do this lapsed when parliament rose for the election. The ADA has been assured by the Coalition that it will not be resurrected by them in any form.

Other defence policy undertakings of a supportive or more peripheral nature include:

- The long overdue annual indexation of DFRB and DFRDB military superannuation pensions, from the age of 55, to the better of CPI, MTAW and the PBCLI.
- Dependants of ADF personnel will be eligible to claim out-of-pocket expenses for general-practitioner services and up to \$400 annually for allied health services.
- The ADF gap-year programme will be restored, and progressively increased to the 1000 places annually it originally had under the Howard Government.

In summary, Coalition defence policy has struck a reasonable balance between the need for product differentiation electorally and initiatives realistically dependent on the economy and federal budgetary situation first improving.

There also appears to be a coherent line of thinking throughout the policy that future strategic risks, other uncertainties and long-term cost savings mean that Australia cannot continue to under-invest in defence so significantly. Or continue to invest so cyclically, in spurts followed by steep declines, that it ends up costing more to fix over the long run than lower but sustained funding levels would achieve.

Finally, the situation in Defence they stand to inherit, some apparent tensions in the Coalition defence team, and the loss of shadow parliamentary secretary Gary Humphries from the Senate now rather than next July, all mean the Coalition need to exert a truly team-led, top-down ministerial approach from day-1.

If elected they should reinstitute the cohesive team-based system of ministerial oversight so successfully developed by John Faulkner, but then thoughtlessly sabotaged throughout four reshuffles of the portfolio by Julia Gillard. As a team the Minister for Defence should be assisted by two full-time junior ministers with no responsibilities in other portfolios (such as DVA):

- a Minister for Defence Science, Technology and Materiel to enable integrated supervision of DSTO and the DMO; and
- a Minister for the Defence Force to supervise day-to-day operational matters and the personnel and administrative functions that are the other side of the operational coin (thereby freeing the senior Minister for higher priorities). ●

## Labor

The ALP have not released a defence policy for this election. Furthermore, the promised revision of the Defence Capability Plan (DCP) and the much-heralded new defence industry policy have also not been released in time for the election. Despite previous ministerial assurances that both would occur by mid 2013.

The closest thing to a defence policy released since the election was called has been a half-hearted four-page media release focused entirely on criticising the Coalition's defence policy statement. No adequate explanation for this situation has been forthcoming but obvious conclusions can be drawn.

Even excluding the Rudd-then-Gillard-and-now-Rudd-again saga —and especially its implications in terms of their contrasting interest in national security policy — Labor faces a considerable dilemma with defence as an election issue. Campaigning on Stephen Smith's seriously flawed record as Minister for Defence, for example, presents largely insurmountable problems.

In effect, Labor has not tried to defend the indefensible and instead has highlighted the undoubted efforts of Dr Mike Kelly as the Minister for Defence Materiel and designated Minister for Defence should Labor be re-elected. This has helped bury public memories of the four bungled reshuffles and discontinuities in the Defence portfolio during the Gillard era. Although not burying them, of course, in the Department of Defence or the ADF where such experiences are still somewhat raw.

Whether the approach of hiding Smith and highlighting Kelly is deliberate, or yet another manifestation of Smith's profound lack of interest and care in the portfolio, does not matter much in effect now. The tactic has the benefit of partially rekindling favourable recollections of the considerable reputation for competence Labor accrued during John Faulkner's tenure as Minister for Defence (with Greg Combet, Alan Griffin and Mike Kelly in his cohesive and focused ministerial team).

In retrospect, it has been a serious mistake to leave Stephen Smith as an even lamer-duck Minister for Defence following Kevin Rudd's return to the prime-ministership. This has given the Opposition continuous free-kicks during the campaign even though few Australians regard defence as a key election issue.

More broadly and more importantly, Labor faces the particular difficulty of trying to defend the 'magic pudding' approach of the last three years. Especially the thoughtless plundering of current and future defence investment by Prime-Minister Julia Gillard, Treasurer Wayne Swan and Defence Minister Stephen Smith, solely in order to buttress their personal political priorities and quest for an overall budget surplus.

The Gillard-Smith approach is, however, an aberration historically. A key long-term truth in Australian governance and a self-correcting reaction within the ALP both need to be noted.

First, any objective analysis of how Coalition and Labor governments have met their defence responsibilities since World War II cannot conclude that one is automatically or consistently better than the other in this regard. Over this timeframe both parties have had periods of both adequate stewardship and serial neglect. The 1971-1985 period in particular shames both sides of politics. Or to put it in another light, the most generally respected Ministers for Defence since the mid-1960s (Ray, Faulkner, Hill, Nelson and Beazley) have come from both parties.

Second, Labor's recent record should not be judged without acknowledging the stark contrast in the Defence portfolio between the Faulkner and Smith eras under recent Labor administrations. Nor without noting the depth of feeling in the wider ALP about the damage inflicted on both the ALP and Australia's defence capabilities over the last three years.

Following the political polarisation of the Vietnam War years two generations of Labor figures, across all party factions,

worked hard to restore the party's credibility in defence matters. Particularly that the ALP could be trusted to fulfill the national defence and strategic policy responsibilities reasonably expected of every Australian government and alternative government.

There has long been considerable and growing anger in such circles, including among both Gillard and Rudd supporters, that this reputation and Labor's future long-term credibility have been so trashed since 2010. This is exacerbated by the disgust often forcefully expressed that these political assets have been squandered solely for squalid reasons centred on the personal advancement of those temporarily in charge of national security. And squandered without even the fig leaves of this being necessitated by supposed electoral benefit, maintenance of policy continuity or party ideological purity. •

## Minor parties

Until 2010 the ADA's comparative analysis of party strategic security and defence policies in each election did not include those of the minor parties. Chiefly because our resources are not unlimited, and because even where a minor party has such policies they tend to be:

- minimally developed; or
- developed with insufficient thought about how they might actually need to be implemented in government; and
- there is low and often no likelihood anyway that such implementation might actually occur, and even if it ever did it would probably not occur in the way now intended.

In 2010 we included the Greens for the first time and have again done so below.

The defence policies of Katter's Australian Party (KAP) and the Palmer United Party (PUP) have not been included. The KAP have not published a defence policy but the parliamentary voting record of Bob Katter on defence issues is a good one. The PUP has published a very general summary of their views on international affairs and defence matters. Its contents broadly agree with the bipartisan consensus of the major parties concerning core strategic policy principles.

The defence policy of the Democratic Labor Party (DLP) has also not been included. Chiefly because the term of their one senator (from Victoria) does not end at this half-Senate election and there is little likelihood of other DLP candidates being elected. In general terms, however, the DLP has well-developed and coherent national security policies for a minor party. Senator John Madigan also has a good voting and debate participation record for such matters. •

## The Greens

At the last federal election in 2010 we noted that the Greens' policies on strategic security, defence and related issues essentially comprised only lists of objectives expressed as bullet points and that these included numerous contradictions between the supposedly related policy areas. There is more coherence in their policies for this election but many of the contradictions or ideologically-rigid stances have survived. There is still generally no detail on how the proclaimed principles and aims in each policy area would be put into practice.

On their website the Greens have published policies covering 102 areas across the board. Their policy on *Peace and Security* is listed at number 100. Of its 13 principles and 24 aims, most are simply statements reflecting an ideological stance rather than a policy explaining how this might be implemented. The proposal (at Aim 15) to create a coastguard in order to replace the ADF's role in border security and offshore sovereignty protection and resource conservation — all of which they term only as 'coastal policing' — is one of the few showing even why they consider something should be done.

In terms of parliamentary debate on national defence policy, participation by the Greens in machinery-of-government committee work, and inter-party policy negotiations, have shown an increasing flexibility and practicality since 2010.

The work by Senator Scott Ludlam (from WA) in estimates committee examination of the Defence portfolio is measured and adds to the effectiveness of such proceedings.

Senator Penny Wright (from SA) has been consistent in marshalling her party's opposition, on human rights grounds, to the flawed and now lapsed bill to create a uniquely jury-free Military Court of Australia in place of courts martial.

Both senators are also respected for their work on health issues affecting war and nuclear-test veterans. ●

## Border security wrangling

The ADA continues to note that asylum seeking and refugee matters are strategic policy issues with domestic ramifications, not vice versa, and must be primarily resolved by strategic policy measures. Such matters comprise just one part of our broader and longer-term strategic relationships with neighbouring countries and our broader region collectively.

Much public discussion of such issues is perennially skewed because many disputants incorrectly assume it is wholly or chiefly a domestic policy matter and a largely social policy one at that. Moreover, the political polarisation of public argument — and the emotive approaches or one-sided moral judgements adopted by many disputants — largely occur because the actual strategic policy context is ignored or discounted.

Combatting people-smuggling (and reducing the risk of drownings at sea) requires a multi-pronged approach and in a strategic context. Not reliance on any one measure, type of measure or level of measure alone.

Since 2006, for example, the ADA has been a major contributor to informed debate on the place of Temporary Protection Visas in the multi-pronged approach required. When consulted in early 2008 we advised the new Rudd Government not to withdraw the use of TPVs and certain other processing, and crime-deterrence, measures.

The bottom line is that, as with armed conflict, such strategic-level law enforcement contests are ultimately conflicts of will and only end when one side gives up. Since 2008 Australia has been projecting a lack of national resolution in the strategic contest of will with the people-smugglers and the corrupt Indonesian officials facilitating the crime. And with irresolution in countering the bureaucratic and diplomatic inertia, and highly subjective cultural attitudes within Indonesian society in general, about what is a shared problem not Australia's dilemma alone.

The ADA has no objection to much of the new Coalition plan, *Operation Sovereign Borders*. Indeed we have long highlighted the difficulties caused by the extensive inter-agency co-ordination inherent in securing Australia's borders.

In terms of countering the marked resurgence of people-smuggling, however, we have some concerns about three particular aspects of the Coalition plan.

First, there are obvious domestic and international risks in appearing to 'militarise' an unequivocally civil law enforcement function. Especially one so centred in an international strategic setting where appearances can count as much as reality.

While ADF (and Customs) boarding parties tackling people smuggling now need to be armed for self-protection and the protection of others aboard vessels intending an unauthorised entry into Australia, *Operation Resolute* now — and an *Operation Sovereign Borders*-type activity in the future — are still not the type of national security matters requiring the use of *military force* by the ADF in defence of Australia and its interests.

Certainly not force as authorised by the Defence Act in Australian law. Nor as governed by the self-defence or collective security provisions of the UN Charter in international law.

Second, as the intervention into Northern Territory boriginal communities demonstrated, there remain proven risks in dragging our defence force into party-political and community controversy (even in logistic support roles where no ADF assistance to civil law enforcement is involved). The NT intervention also highlighted the controversy that can embroil the defence force when a senior ADF officer is seconded to lead an emergency activity in a non-defence portfolio.

More generally, no matter how serious our current and future border security problems might be, or be perceived to be at any one time, the use of our defence force to assist with civil law enforcement remains an extraordinary measure. It should never be regarded as an ordinary activity for the ADF.

Border security duties are also hard. The ADF already receives much inaccurate, unfair and biased criticism when rendering such assistance. Special effort is therefore needed to minimise further defence force involvement in such situations of already high party-political controversy, not increase the risk. Particularly for perceived or real electoral benefit.

Third, it is not clear in either the plan or subsequent contradictory explanations whether the proposed (and admirable) inter-agency effort is to be *commanded* in the military (and legal) sense by a military officer as a military operation, or just *led* in the civil sense by a military officer seconded from the ADF.

Or indeed whether this command or leadership will be exercised through a specially constituted military headquarters, or just a civil inter-agency structure modelled on one.

If, as stated, 'the scale of the problem requires the discipline and focus of a targeted military operation' then what needs unambiguous clarification is whether it is military command and/or a military operation that are intended, or just organisational leadership by a seconded military officer in the existing or a reformed civil setting.

If military command or an overall 'targeted military operation' are not intended, then the option of leadership by a former senior military officer is surely worth discussion — or explanation as to why such an option has been apparently rejected.

Since the plan's release there have been insufficient clarifications of these matters and continued contradictory explanations by its principal proponents. ●

## Irony Corner

The 'impromptu' harbourside confrontation engineered by NSW premier Barry O'Farrell with Prime Minister Kevin Rudd was great political theatre. Subsequent verbal skirmishing over Rudd's suggestion that Fleet Base East and its supporting facilities could be moved to Brisbane (see above) has, however, produced the sublime irony of a premier about-face.

The NSW premier apparently now disagrees with the rent-seeking push by the cruise-ship lobby to steal the irreplaceable national defence infrastructure at Garden Island from its beneficial owner, the national taxpayer, rather than the industry pay its own way. Hopefully Premier O'Farrell will now also publicly criticise the cruise-ship lobby's continual silly remarks about the taxpayer's tenant at Garden Island, the Navy.

This particular industry, and the state government, surely cannot continue to seek 'cheap fixes' at national expense. Nor continue to evade their responsibilities to invest in deep-water wharfrage for cruise ships elsewhere in Sydney Harbour.

This particular matter continues to be primarily another manifestation of the faltering federal-state compact nationally. And also not a matter where strategic reasoning about defence force basing is somehow flawed, outdated or easily reversible. ●