

THE POLITICS OF AUSTRALIA'S NATIONAL SECURITY

Neil James tells **Sergei DeSilva-Ranasinghe** that with no votes in defence, we under-invest and get caught out in crises

Neil James is the Executive Director of the Australia Defence Association, the national public-interest watchdog on defence and wider national security issues. In February 2011, he spoke with Sergei DeSilva-Ranasinghe, a defence analyst who has published widely on Australian, South Asian, and Indian Ocean political and security issues, about the state of Australia's defence, the status of the ADF reserve system, the importance of Australia's contribution to Afghanistan, the impending trial of three Australian commandos, and the impact on the Navy of the continued influx of boatpeople.

Sergei DeSilva-Ranasinghe: How would you describe the state of Australia's defence?

Neil James: Any informed discussion of the state of Australia's defence needs to acknowledge our geostrategic setting and the long history of how we have tackled, or failed to tackle, our defence challenges.

Our geo-strategic setting is that Australia remains a heavily seaborne-trade dependent island continent, surrounded on two sides by archipelagos and with vast oceans in every direction. We are also a country responsible strategically and/or legally for 10% of the Earth's surface (most of it ocean). The sea-lanes crossing these oceans carry some 99.9% of Australia's trade by volume and 75.4% by value.

Our standard of living and way of life depends on freedom of navigation over secure sea-lanes. Securing them by a rules-based

international system, and in conjunction with like-minded allies, has been Australia's enduring and greatest strategic challenge since the early nineteenth century. It underlies all key aspects of our foreign, trade and defence policies.

Sadly, there is a pervasive but unrealistic belief that our defence planning should instead be based solely on the perceived absence or presence of threats that might be readily identified and agreed upon at any one time.

This belief runs counter to historical experience and commonsense. It disregards the intrinsic unpredictability of the future and the speed at which unforeseen or new strategic challenges tend to emerge. It ignores the difficulty in actually identifying threats early enough to respond to them effectively. It disregards the perpetual difficulty of securing agreement by our government (and the wider Australian community) that a threat or risk now exists and something needs to be done about it. Finally, it ignores the constant and usually irreconcilable background arguments about what is, and is not, a potential threat and what its perceived likelihood or seriousness might be.

Entirely threat-based paradigms are therefore an ineffective means on which to base Australian strategic policy and defence capability development—not least because of the very long time-scales and sustained efforts involved with the latter. Instead, we need to develop and maintain a balanced and versatile defence force that can be reasonably capable of coping with, or adapting to, most types of future strategic challenges.

Effective defence capability development programs require a decade or so to implement, and major weapons platforms (ships, aircraft, vehicles, etc) often serve for around three to four decades. Defence programs therefore need to be sustained by a robust and consistent approach to strategic policy development and force structuring, and by consistent and adequate investment over lengthy periods.

Proper consideration of defence and wider national security matters in Australia instead tends to be continually bogged down in a mix of party-political rivalries, ideological constructs, bureaucratic processes, insufficient investment, narrowly-defined academic theories, and fads concerning potential threats and their perceived likelihood or absence. All this is permeated by the endemic short-term perspectives engendered by Australia's three-year federal electoral cycle and its attendant party-political, media and public debate cultures. This three-year cycle clashes perpetually with the 15-year defence capability development cycle—to the detriment of the latter.

The bottom line is that because there are no votes in it, Australia tends to under-invest in defence until caught out by a crisis. In muddling through, we then pay an excessive price in blood and treasure that could have been avoided, and which certainly would have been mitigated by much lower but sustained levels of investment over time.

Twelve years after the East Timor crisis last caught us with our strategic pants down, we are again seeing widespread calls to cut defence investment. In nearly every case, such calls fail to acknowledge that the real increases in defence investment since 2000 have been mainly to cancel the chronic under-investment of the preceding three decades. They also generally fail to acknowledge that national spending on social security, health and education continues to be much greater in each case and is rising at much greater rates. Finally, most observers miss that this latter spending is disguised by much of it being spent in many small amounts, whereas defence spending tends to be in a small number of larger sums—and that defence is the only major

governmental responsibility wholly funded federally.

Sergei DeSilva-Ranasinghe: How would you describe the state of Australia's defence reserve system today? Given the obvious utility of defence reserves in times of war, regional contingencies, and national emergencies, can you tell us why defence reserves in Australia appear not to be given primacy in funding and defence planning?

Neil James: To start with the last question first, Australia has never been able to maintain defence force reservist numbers above around 30,000 without conscription, and even then the last time we hit 30,000 was in the early 1980s. So a large or mass-based defence force reserve strength is a complete fantasy, even if it could be justified on strategic grounds (which it cannot).

The trouble with discussions about defence force reservists (and I am one) is that in terms of argument, proponents of reservist forces are too often simply nostalgic (often for an idealised past that really did not exist even then) or fail to set the purpose of maintaining reservist-based capabilities in a contemporary strategic setting.

Obviously the ADF needs reservists. But we must accept the limits posed by demographics, modern Australian culture, and competing calls on citizenship obligations (volunteering for community groups in general, state emergency services, rural fire services, surf lifesaving, etc). There are also financial costs and operational limitations, such as less time for individual and collective training of reservists, problems with their short-notice availability, and simple geographic constraints (in that they often do not live where they are most needed and can be used efficiently).

In strategic terms, we no longer need, nor can we afford, to maintain the type of 'third AIF in waiting' that underwrote the structure and culture of the Army Reserve, in particular, from the late 1940s to the mid-1990s. We also cannot afford the destructive tribalism such a culture propagated between the Army's regular and part-time soldiers.

But we do need to maintain viable defence capabilities manned wholly, mainly or partly by

reservists. Sometimes we need to do this because it makes sense financially and operationally, as the qualifications and skills sets involved are not required in the defence force on a continually available or often-used basis. Surgical and some logistic capabilities are good examples. Sometimes we need to do it because such qualifications and skills are either widespread in the civil community, or only available in the civil community, and using reservists with such qualifications and skills is the best way to tap the national community for a defence capability. Often both criteria apply.

But the future of reservist capacity in the ADF lies in furnishing specialists and in supplementing generalists already present in the full-time force to increase readiness and preparedness levels for current operational requirements. It does not lie in maintaining an under-trained, relatively expensive, second-string force of generalists purely as an expansion base in case of major and protracted wars.

This said, investment in reservist capacity has been cut too far and needs to be restored.

Sergei DeSilva-Ranasinghe: In your opinion how important is Australia's contribution to Afghanistan? Some commentators argue that we either increase troop numbers or pull out altogether. How do you interpret this? Why is the Australian public growing increasingly sceptical about the Australian commitment to Afghanistan?

Neil James: We need to stay the course in Afghanistan for the foreseeable future, but the time to increase the commitment substantially is now past, both strategically and operationally as 'Afghanisation' takes hold. When the Americans, British and Afghans most needed us to increase our effort there (not least because the United States and the United Kingdom were very stretched), we chose not to and this decision may come back to haunt us strategically and morally.

On a strategic, practical and moral level, of course, we should never get into any war we do not intend to win. Young Australian men and women may be prepared to risk their lives for an ideal, but you cannot ask them to do so

for esoteric or theoretical policy. I have this argument all the time with public servants in Defence's International Policy division who maintain that it's important we stay in Afghanistan because of the American alliance. I have two problems with this argument. First, it's difficult to ask young Australian men and women to go and die just for an alliance. Second, the people setting the policy aren't the people who are called on to do the dying.

The public has grown sceptical about our mission in Afghanistan because the levels of public understanding are generally quite low and/or simplistic, and because governments have failed to explain the strategic rationale effectively. I include the Howard, Rudd and Gillard governments in this.

Australian society also now lacks much general understanding of war anyway. Granddads or great-granddads who fought in World War II are dead. When an Australian family discusses the Afghanistan War sitting around the kitchen table, it doesn't matter whether the World War II generation are against the war or not. The problem is that their commonsense truisms aren't with us anymore, and so the wider community debate often doesn't lead anywhere.

Then there's the problem of forgetting or misunderstanding the history of the war. People often say 'we've been in Afghanistan nine years and we haven't achieved anything.' Well, actually we've only had major combat troops in Afghanistan since July 2005 if you don't count the short period that Special Forces were there in 2001 and early 2002.

These inadequate memories are also exacerbated by false memories of previous wars. Some opponents of the Afghanistan war are locked into the strategic arguments of a bygone era where they are refighting the Vietnam War of their youth. Moreover, they remember what they think happened then, rather than what actually did happen.

The overall result is that most arguments opposing the Afghanistan war have a factual deficit, and many arguments in favour a conceptual one.

Finally, we now face the unhealthy problem for a liberal democracy that the troops have

a much better understanding of the situation on the ground than the rest of the country. And they have a much greater belief in the worth of their mission because they can see the beneficial effects they are having at the grassroots level, irrespective of problems at higher levels.

How long can the government and the main opposition party in a democracy continue fighting a war, against the apparent tide of public opinion, only because that opinion is predominately uninformed? You can do that for a long time but you can't do it forever.

Sergei DeSilva-Ranasinghe: Given the controversial charges being faced by three commandos, there appears to be some concern that there is insufficient legal protection for Australian soldiers engaged in combat. How accurate is this perception?

Neil James: Well, the perception is quite inaccurate because it's mainly based on false assumptions exacerbated by inaccurate and sensationalist media coverage.

First of all, this was a battlefield accident, not an atrocity. That it was an accident is undisputed by everyone except Taliban propaganda.

Second, the circumstances of this accident appear so specific to the planning, command and conduct of this particular commando raid that their application to wider combat is probably minimal to nil. From my visit there last December, I am certain our diggers in Afghanistan understand all this (after some initial concern).

Moreover, some veterans of previous wars quoted in the media seem to have forgotten that the law is essentially no different to what has applied to every Australian digger in all our previous wars back to and including World War I (chiefly, the Hague and Geneva conventions).

The ADF is not the SS or the Japanese in World War II. No Australian soldier has ever been allowed to apply unlimited force in battle. That is why the ADF uses rules-of-engagement and orders-for-opening-fire. It is also why politicians who send the ADF to war are accountable for their actions.

Just as important is also why our defence force, and the society and nation it comes from, is different to the Taliban and its Islamist allies—just as in previous wars, we were so different to the Nazis, Japanese militarists, Chinese, North Korean and North Vietnamese communists, and Baathist Iraqis.

Third, no soldier has been charged with manslaughter for killing an enemy in combat, as many wrongly believe. But many of the facts involved need to be established or tested in court. The ADA believes that once this occurs, the one digger charged with manslaughter (of four children and a youth) is likely to be acquitted. At the very least, such facts are likely to be of such a mitigating nature that any punishment would and should be minimal if he was found guilty.

The ADA also firmly believes that the diggers involved are better off clearing their names in court. Otherwise, just like with regular scurrilous allegations from the Vietnam War, unprofessional journalists are likely to run sensationalist 'atrocity' stories every few years for ever.

Fortunately, those charged will be tried by court martial, rather than the proposed new Military Court of Australia (MCA) being foisted on the ADF by out-of-touch politicians and civilian lawyers. It is frankly disgraceful that this aspect is largely ignored by the very same media and commentators who purport to be 'outraged' by the charges.

In a court martial, decisions on guilt and innocence, and on any aggravating or mitigating factors, are made by professional peers of those charged—a court martial board of fellow defence force members who understand the operational complexities and moral nuances of military service and war. Unlike in the proposed MCA, they will not be made by a civilian judge, with no such knowledge or experience, sitting alone with no jury.

Sergei DeSilva-Ranasinghe: Are so-called 'boat people' a strategic problem? What impact is the continued influx having on the ADF? How do you respond to the comments made by some journalists and lobbyists accusing

the Navy of not doing their job, and worse, of complicity in the drowning of asylum seekers?

Neil James: The ADA has always monitored the people smuggling and unauthorised arrival issue because of its impact on defence capabilities and preparedness, and on our strategic relationship with neighbouring countries. Such operations also involve using the defence force to assist in domestic law enforcement; the ADA is always cautious about this in principle and keen to see that governments do not abuse our defence force in practice. Where the Navy has been wrongly and inaccurately criticised by the media or single-issue activists, we have also sought to correct such inaccuracies. In particular too, much media coverage is simply ignorant regarding relevant operational and environmental matters such as sea-keeping, climate, weather, and safety-of-life-at-sea precautions.

More broadly, the political polarisation of public debate on border protection, the insular or emotive focus of some contributors (such as many refugee advocates), and the overall lack of a truly strategic perspective by most participants means that public debate largely revolves around the symptoms of Australia's dilemma rather than its actual strategic, legal and moral causes.

In principle and practice, asylum seeker flows are not just an Australian problem. Such flows are a regional problem, and there needs to be a genuine regional solution. Moreover, our refugee policy and our associated expectations of other countries are but two of many aspects in our overall strategic relationship with our regional neighbours. Refugee matters must not be allowed to become a defining or persistent problem in such complex strategic relationships. We must avoid the potential for regional neighbours to pressure us strategically through threatening or facilitating extra-regional refugee flows into Australia or not.

Most refugee debate participants ignore Australia's strategic and moral setting. Of the 35 or so countries between the Aegean and Arafura seas, there are only seven signatories to the 1951 Refugee Convention. With the partial exception of Israel, the other six (Turkey, Yemen, Iran, Afghanistan, East Timor and Cambodia)

are effectively lip-service or pseudo-signatories, most with records of causing refugee flows rather than providing sanctuary.

Few countries in the Asia-Pacific are signatories. Of our closer neighbours, only New Zealand, and to an extent PNG, takes its responsibilities seriously in action. The brutal geo-strategic fact is that Australia's geographic setting, and our First-World status, places us permanently in our region's frontline for asylum claims from West Asia, South Asia, and the Middle East in particular.

Australia is also, of course, a much nicer place to live in than most other countries, particularly in our near and wider region. Otherwise, asylum seekers would readily seek sanctuary with other nearby convention signatories such as East Timor and PNG. Australia also remains one of the only four First World countries with a mass immigration program. Plus, we have a long and impressive history (and culture) of permanently resettling immigrants and refugees in large per capita and absolute numbers.

All these 'pull factors' markedly affect the culture, politics and emotion of our public debate, often detrimentally or irrelevantly. This especially concerns the mistaken or wilfully evasive assumption by many that offering asylum must always involve granting permanent residence and then citizenship, rather than just providing sanctuary for as long as it might be needed or applicable.

Permanent resettlement is not and never has been the intention of the Refugee Convention, and indeed, undermines its international acceptance by deterring most countries from ever becoming signatories. It also tends to encourage scepticism domestically about various groups of asylum claimants. This is why our previous system of Temporary Protection Visas, while it had some negative (and preventable) outcomes due to flawed implementation, was very much in accord with the principles, intentions and moral integrity of the Refugee Convention.

But the most important factor complicating Australia's strategic position and moral dilemma is the real 'push' one 'that most countries, especially in our near and wider regions, have

not acceded to the convention because our doing so lets them off the hook. The incidence of war or civil strife is not a 'push factor' per se but a symptom of the convention not being truly universal, especially across much of the world where the wars that ceaselessly cause refugees occur without being stopped.

Even more importantly, a core intention of the Refugee Convention (as with Chapter VIII of the UN Charter) is to encourage permanent solutions to such conflicts on a regional basis. Neighbouring countries are meant to solve the causes of refugee crises in the first place so refugees can quickly, safely and easily return to their homes to rebuild broken societies and polities (rather than having their best nation-rebuilders bleed off to staff First World hospitals, etc). The rejection of the convention by so many countries has meant constant wars, never-ending destruction of civil society in afflicted countries more widely, the misery of permanent refugee camps across much of the world, and the endemic strategic instability, misery and moral hypocrisy of near-permanent, extra-regional refugee flows.

Australian public debate on refugee policy largely ignores our geo-strategic setting and the noble intention of the Refugee Convention. Consequently, argument often only involves either beating or puffing ourselves up morally and emotionally over our national willingness, or not, to accept refugees (either some or all). Alternatively, public debate descends into the advocacy of simplistic and draconian pseudo-solutions, such as trying to deter or punish every refugee or unauthorised

immigrant who might come here, or alternatively accepting everyone and anyone on an unlimited basis. Both types of behaviour are arguing about symptoms rather than curing the causes.

Over the medium to long term, there will be no effective solution but there will be increasing strategic risks for Australia until more countries sign the convention. India, Singapore and Indonesia, for example, would be a good start both morally and strategically. Those who claim that declared universal responsibilities in refugee matters only apply to Australia and other First World countries in practice ignore the good take-up of the convention in South America, the Caribbean, and much of Africa and Central Asia.

Our enduring strategic problem is that while current numbers of genuine refugees entering Australia appear manageable, this manageability is fragile. It is inversely proportional to future numbers, any lessening of the time period involved, and to the degree of foreign strategic pressure on this and wider grounds. Moreover, public concern about 'boat people' is grounded not in supposed racism, but in conscious and unconscious apprehensions about potentially large, not currently low, numbers. So merely emphasising the low numbers does not assuage the concern.

Australia needs a consistent and strategically viable refugee policy, rather than one that depends almost entirely on the current low numbers for its legitimacy, effectiveness, popular support, international acceptability, or purported long-term viability.