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The Army Reserve

Dear Editor,

In his article “The Army Reserve: Preparing for a Total Force” Australian Defence Force Journal No. 123, Lieutenant Colonel Garry Tamsitt speaks enthusiastically of Common Induction Training (CIT) as a means of revitalising the Army Reserve. However, in my view, CIT presents major challenges for the Army Reserve, and could seriously undermine Army Reserve recruiting if it becomes the accepted means of delivering induction training for Army Reserve soldiers.

I believe that the following factors have to be considered when evaluating CIT as a tool for revitalising the Reserve:

a. what standard of training do we want the Reserve to achieve?
b. how much will it cost to implement? and
c. what types of Reserve recruits will be able to undertake it?

The philosophy behind CIT appears to be that Part-time (Reserve) and Full-time (Regular) personnel should undertake the same training, and achieve the same standard. I believe that this is an unrealistic expectation. Certainly at the end of CIT, the standard of training achieved by Reserve and Regular recruits should be identical. However, in the period following completion of CIT, the experience gap between the Reservist and the Regular will probably widen. This will occur because a Reservist may be classed as Efficient for the Training Year if he/she completes 14 days training in that year. Obviously, it is ludicrous to expect that a Reserve soldier who has rendered 14 days training in a year has anything like the experience of a Regular soldier, rendering 254 days service per year (allowing for weekends and public holidays).

Given this scenario, we may well ask what CIT has achieved. Wouldn’t it be better to accept that the Army Reserve will always achieve a lower standard of training within a mobilisation timeframe of, say, 90 days? The issue of resources is another factor that needs to be examined when the concept of CIT is evaluated. Prior to the advent of Restructuring the Army (RTA) initiatives, Reserve units were allocated Training days on the basis of 35 per posted soldier. RTA initiatives to revitalise the Reserve have included the proposal to allocate up to 50 Training Days per soldier. At present, 42 Training Days have been allocated per soldier.

The obvious problem is that with a six-week Recruit Course followed by a six-week IET Course, a Reserve recruit would consume 84 training days, or the equivalent of the annual allocation of Training Days for two Reservists. The implications for the Reserve are clear. If CIT is fully implemented, then the Reserve will need a far greater allocation of Training Days. The question is: would the Government accept this? Up until now, the argument for maintaining the Reserve has been that it provides a cost-effective (some would say cheap) level of defence preparedness. If CIT is fully implemented, then the Reserve may no longer provide a cost-effective alternative to full-time personnel.

However, the most serious issue with CIT is: what kind of Reserve recruits will be available to undertake a six-week Recruit Course closely followed by a six-week IET course? Lieutenant Colonel Tamsitt supplies the answer to this one: “Tertiary students and school leavers, in particular, could meet such a training commitment”.

This statement hits the nail right on the head. However, I would add the unemployed to the categories of potential recruits identified by Lieutenant Colonel Tamsitt. What Defence planners seem to ignore is the fact that Reservists in full-time employment or running their own business will find it almost impossible to obtain periods of six weeks leave from work or absence from their business.

This is not just the case for Reservists working in the private sector or running their own businesses. In the current industrial climate, even public sector employees find it difficult to obtain leave from their employers. Military Leave is a condition of employment which public sector employers often attempt to trade-off during negotiations for the introduction of enterprise agreements. The only legislation currently in force which requires employers to release their employees to undertake Reserve service is Section 50 of the Defence Act, which requires an employer to release a Reservist to undertake an annual obligation to complete 14 days Continuous Training.

Letters to the Editor
Also, the expectation that Reserve Recruits will be able to undertake CIT runs counter to the conditions under which they are enlisted. Under present Conditions of Service, Army Reserve Recruits are advised that they are required to render 26 days training per year, comprising 12 days Home Training (night parades and weekends) and 14 days Continuous Training (Course or Camp). As I have mentioned, a Reservist may be categorised as “efficient” if he/she completes 14 days training in a Training Year.

The recruitment of tertiary students, school leavers and the unemployed will introduce its own problems for the Reserve. Certainly these people will be available to undertake CIT training, but how long will they serve with the Reserve? I think it is reasonable to expect that a significant proportion of school leavers and the unemployed will leave the Reserve when they gain employment. Similarly, even if we accept that the average tertiary student will study for three years, then it is reasonable to expect that a significant proportion of tertiary students will leave the Reserve after rendering three years service, to take up civil employment.

If my assumptions are correct, this would imply a high turnover, with many Reservists serving for three years or less (not dissimilar to the current situation). However, this new breed of Reservist represents a significant monetary investment. Are we getting value for money? Should we expect a Return of Service? Finally, the move to CIT may have the effect of narrowing the recruiting base for the Reserve to such an extent that the Reserve will be unable to recruit to MLOC.

Probably the only way that this kind of scheme could be made to work satisfactorily would be via a return to something akin to the National Service scheme which operated in Australia in the 1950s. Under the terms of this scheme, all young men served for a period of three months full-time in the CMF (during which they completed Recruit Training) and then six years part-time in CMF units. Are we to conclude that CIT is the first step in a move to introduce National Service by stealth?

Major Jim Sinclair
OC 2 Div Int Coy (Part-time)

The Application of False Principles

Dear Editor,

The article in the Australian Defence Force Journal No. 124 May/June 1997, by A.C.G. Welburn entitled “The Application of False Principles and the Misapplication of Valid Principles” was a brave attempt at historical analysis of several wars. However, I must take issue with the author’s remarks about the “Black Buck” bombing raids over the Falklands.

“The effort expended in mounting the Black Buck operations was out of all proportion to the amount of damage explicitly and implicitly caused”, he writes.

In fact, the prime achievement of the Black Buck operations was the demonstration that the British could reach mainland Argentina, with the result that the Mirage III squadrons, Argentina’s best air-to-air fighters were withdrawn from the Southern region and redeployed north to protect the capital and FAA air bases. This was a strategic achievement by the Vulcans, because it reduced the odds for the Sea Harriers, and so assisted the RN directly in its battle for sea and air control over the islands.

In addition, the RAF’s long-range air operations mounted from Ascension comprised more than just the Vulcan sorties – there were Victor and Nimrod long-range reconnaissance missions and Hercules resupply flights to the task force at sea, all of which depended on the force of Victor tankers. The long-range maritime reconnaissance missions were clearly more directly important to the task force commander than the Vulcan sorties, hence the Nimrod and Victor sorties alone were sufficient justification for the deployment of the Victor tankers to Ascension. Thus, there was no waste of resources.

It is true that there is a clear flavour of the RAF mounting the Black Buck sorties because the capability existed, yet that in no way diverted British resources from deploying their critical capability necessary for winning the war, the sea based joint force. I believe A.C.G Welburn is transposing the key arguments about the bomber offensive of WWII into the Falklands, where those arguments are not relevant.

From about 1936 the RAF’s claim to be able to mount a war-winning “strategic” bombing campaign distorted British war production and diverted much of the Commonwealth’s manpower into what was mostly an unproductive campaign. There are valuable lessons to be drawn from a hard analysis of the RAF’s place in British warfighting priorities, but they do not transfer so glibly to the Falklands.

In the South Atlantic the RAF’s long-range reach gave the British commanders a vital ability to conduct maritime reconnaissance, essential for their maritime operation. The Black Buck sorties were in a sense icing on the cake of long-range air capability, but when those sorties lead to the withdrawal of the Mirage III force, they made a truly strategic contribution to the British campaign.

Commander R T Jackson
RNZN
The Application of False Principles

Dear Editor,

As a very occasional reader of your Journal I was interested to read A.C.G. Welburn’s article in the May/June edition.

I entirely agree with the thesis that the circumstances and practices of the past or elsewhere must be carefully appraised for relevance before being applied to other situations, while remembering the American philosopher George Santayana’s “those who forget history are doomed to repeat it.” This is not, of course, applicable only to military affairs.

Unfortunately I think Welburn’s case is undermined by the choice of examples, most noticeably the Falklands example of special forces. RM Commandos and the Parachute Regiment are not special forces. They are light(ish) infantry trained in specialised deployment techniques, with the commando brigade also being the UK’s main specialists in mountain and arctic warfare. All have operated in conventional infantry roles almost since their formation in 1940/41. Indeed at any one time only two of the three regular parachute battalions are in an airborne role.

It is easy to become mesmerised by the specialised deployment techniques. The important thing is not these skills themselves, which have been little used – it’s now 41 years since Operation Musketeer, an opposed parachute assault and heliborne assault from ships! What really counts is the challenging airborne and commando training undergone by all members of those brigades. Its purpose is building esprit de corps leading to very high levels of unit and formation cohesion – the key element on the human side to the fighting power equation. This makes these forces ideally suited to adverse circumstances and high risk operations. The Falklands was, without doubt, in this category.

The UK has some six battalion equivalents of special forces and if the author wanted an example of one being used in a conventional role then 73 Battery on Operation Granby in 1991 would be a place to look. In the Falklands all special forces units (SBS, MAW Cadre, 148 Battery and SAS) were used in their role.

Finally shipping constraints, which had resulted in rigorous pruning of the ground forces deployed on Operation Corporate, made relieve forces an unaffordable luxury. Even Battle Casualty Replacements had to be parachuted in!

I fear Welburn made his own error by selecting inapplicable examples to support an otherwise sound argument. Of course it may be that he made the first error of intelligence officers – attributing one’s own ways of thinking to another army, and forgetting that there are very few universally agreed military principles.

Nigel Evans

The Private War

Dear Editor,

I plan to write a book which aims to bring to light previously unpublished photographs, diaries and letters recorded by Australian soldiers during World War I. It will be a kind of sequel to my first effort, Lost Anzacs: The Story of Two Brothers, based on the experiences of my grandfather and his brother at Gallipoli, and published by Oxford University Press in April 1997.

Although the concept of life in the trenches is not new, I feel strongly that there are some compelling photos and diaries – both in private hands and institutions – still waiting to see the light of day.

I am hoping to strike a chord with collectors and descendants of 1st AIF servicemen who have access to unpublished memorabilia relating to Gallipoli and the Western Front. As well as standing as a document in military history, the book provides an opportunity to record one’s family heritage for posterity.

As I have no funding for my research, I am not able to offer any money for material selected. I will acknowledge in print the owners of memorabilia loaned to the project, and make every effort to attribute sources and to return the material intact.

Postal address for The Private War is: P.O.Box 4077, Auburn South 3122. Participants are encouraged to contact me first to establish if the material they are willing to loan is appropriate. My telephone number is (03) 9819 9589.

Greg Kerr
Lawyers on Warships: Oxygen Thieves or Weapons Systems?

By Lieutenant Felicity Rogers, RAN and Lieutenant Commander Glenn T. Ware, JAGC, USN

“Operational law is going to become as significant to the commander as fire support and logistics.”

Lieutenant General Anthony C. Zinni, USMC

Introduction

A lawyer on a warship? Not too long ago the only explanation for such an occurrence would have been that the lawyer was rescued from sea after having capsized a cruising yacht. Now, however the appearance of lawyers on warships is becoming far more common. There are those who would still claim that lawyers on warships are nothing more than “oxygen thieves”.1 Today however, in the dynamic, highly relativistic international environment, the provision of trained lawyers on board warships or with ground combat troops can be an extremely useful asset.2

Modern “warfare” is conducted under the auspices of the UN and takes place in unique operational environments. Operations such as peacekeeping, peace enforcement and Service Protected or Assisted Evacuations, all present unique legal challenges to the commander on the ground, in the air or at sea. An entirely new legal specialty has developed to assist the commander in operating in these unique environments. International law, environmental law, international relations and domestic law have been brought together under the mantra, “operational law”. Operational law has become an indispensable factor and component in the planning and execution of today’s military operations.3

The concept of legal advisers at sea is still a relatively recent phenomenon and one which has raised a degree of debate, particularly amongst the Australian military. The United States Navy currently has approximately 800 lawyers on active duty as members of the Judge Advocate General Corps (JAGC). Approximately 50 of these “JAG” officers are currently serving in ship based billets.4 The Royal Australian Navy currently has approximately 25 qualified lawyers on active duty (legal officers) and no permanent sea going billet.5 The debate over the deployment of lawyers seems to arise from the perception that operators have of the character of operational law. It is our observation that operational law is perceived in two contradictory perspectives. One only has to sit in the wardroom of an Australian or US Navy ship to quickly discern the two contrary perceptions on the character of law. The first of these is the restrictive view, in which law is viewed as unnecessary and overly restrictive of operations. The restrictive view holds that the character of law is confining in nature and thus mission debilitating. The environmental restrictions that prevent ships from conducting exercises in certain areas would be cited as evidence of the overly restrictive nature of law.

The alternate perception of the law is that it is indeterminate. The law provides such a vast array of choices when confronted with a given scenario that there are no specific guidelines that define a course of action with particularity. In this case, the operator is left with something they call “commander’s discretion” as the only way out of the indeterminate dilemma of law. For example, the rule of international law that requires that collateral damage must be kept to a minimum. Another example would be the international law of self defence which states that only proportional and necessary force may be used. Many would argue that these rules leave so much room for interpretation that the commander is essentially without guidance from the law, but rather must rest on his or her own discretion. It is our position that operational lawyers must be pragmatists in the sense that they can assist the commander in interpreting the law, both under a restrictive regime, and when confronted with the indeterminate dilemma. The operational lawyer would best serve the commander by not becoming embroiled in the various perceptions of operational law. Rather, the operational lawyer must be a pragmatist in that he or she can assist the commander in dealing with the various perceptions to enhance mission accomplishment. The operational lawyer should not merely provide advice on the restrictive nature of the law, but should suggest alternative courses of action that
permit mission accomplishment within the law. Under the indeterminate dilemma, the operational lawyer can draw on previous cases and scenarios as examples to aid in choosing the best course of action.

### Operational Lawyering

Speaking as two Navy lawyers with pragmatic orientations, we had the unique opportunity to compare notes regarding our respective roles during the US/Australian combined exercise Tandem Thrust 97. Stationed aboard the aircraft carrier USS Independence (CV62), we acted as legal adviser to the Commander Naval Force (CNAVFOR) and the Deputy CNAVFOR. Legal advisers were also provided to the Commander Combined Task Force and the other Task Force Elements. Ashore, lawyers were based in the Combined Exercise Support Group handling any claims for damage caused during the exercise. Lawyers are also permanently based in Headquarters Australian Defence Force and Commander in Chief Pacific, as well as the Air Force and Army bases that were involved in the exercise. During this exercise the need for “lawyers at sea” became readily apparent, even to those who had previously subscribed to the “oxygen thief” theory. The experience of exercise Tandem Thrust provides valuable insight as to how legal advisers can provide critical, pragmatic input to an operational exercise or real world scenario.

While at sea, lawyers can be presented with a plethora of legal problems covering a wide array of subjects, some legal, others merely requiring the problem solving approach that a lawyer can bring to bear. This necessitates a wide knowledge of the law and the nature of the military system by the operational lawyer.

### Rules of Engagement

One of the most important developments in modern warfare has been the evolution of the concept of Rules of Engagement (ROE). These are rules that are issued to Defence Forces delineating the circumstances in which, and extent to which, they may use force. ROE must be consistent with international law and any national law that may be applicable in a particular operation. There are however many other factors that will influence the ROE that are issued. These include policy and diplomatic considerations and operational factors amongst others. While operators can provide input regarding the operational considerations, and senior officers regarding policy implications, the lawyer must ensure that all promulgated rules are in accordance with the law. This is where the pragmatic operational lawyers earn their keep. The rules must be articulated in a clear and concise manner and provide adequate guidance to the warfighter as to exactly when they can or cannot use force. If there is uncertainty or ambiguity in the rules, the risk to the warfighter may increase as it could cause hesitation at the time when force will be necessary. Moreover, ambiguous rules may give the impression that force is authorised, when in fact it is not. This in turn may lead to a heightening of hostilities.

ROE are promulgated in accordance with the legislative model and hence their initial drafting and interpretation is usually the responsibility of a lawyer. For this reason there is often a perception amongst operators that it is the lawyer who constrains the ROE that are issued. This is not necessarily the case, although bad operational lawyering may come into play. Because the ROE represent a balance of interests across disciplines, there are bound to be restrictions that operators will see as dangerous in the sense that they infringe in some way the right to self defence. This is a dangerous perception and something that an operational lawyer must protect against. While operational lawyers must not, and should not, have their fingers on the launch button, what they bring to the operational table is interpretive guidance to assist the operator in making the decision for which they are accountable and responsible.

The Combined nature of Exercise Tandem Thrust required both US and Australian forces to become familiar with a new set of ROE. To facilitate this familiarisation, an exercise was distributed to all NAVFOR units immediately prior to the start of the exercise. The responses received to this exercise indicated a high degree of awareness regarding the ROE for the exercise.

As the exercise progressed, operational lawyers at all levels were responsible for tailoring the rules of engagement to meet the specific scenario presented. These proposed rules were then submitted for approval up the chain of command. Throughout the exercise many requests were received for briefings regarding the ROE, as well as other aspects of law applying to the exercise. It was at this stage that the operational lawyer could provide interpretive guidance to the operators before they had to make exercise simulated shoot decisions.

Passage to the exercise area involved passage through the territorial seas, archipelagic waters and
A territory air space of foreign states. This necessitated an understanding on behalf of ship’s commanders and navigators of the rights of navigation under the law of the sea. This can be a particularly complex issue in areas that contain archipelagic states. Advice was provided as to what activities were acceptable in particular types of passage and when ships were in fact undertaking certain types of passage. This involved a consideration of the declared baselines of foreign states as compared to the ship’s position at the relevant time. A failure to correctly analyse these baselines would result in a territorial violation. Weather conditions experienced early in the exercise necessitated changes to the ship’s flight schedule. Consequently short notice diplomatic clearance was sought through the assistance of the lawyer to allow passage through foreign airspace.

The exercise was conducted within the Great Barrier Reef Marine Park that is a World Heritage listed area due to its environmental sensitivity. Prior to the exercise, extensive discussions took place between exercise planners and the Great Barrier Reef Marine Park Authority regarding the precautions to be taken to minimise environmental damage. The activities of NAVFOR units during the exercise were closely monitored to ensure compliance with the agreed procedures.

In addition to operational legal advice provided to the commanders, lawyers at sea can also be invaluable in dealing with personal legal issues that may arise. As a quality of life measure, lawyers can provide invaluable assistance to sailors who spend a great deal of time at sea and must deal with personal legal problems that arise while away from home. A lawyer immediately available for assistance can work with the sailor to resolve any personal legal issues and thus enable the sailor to focus on their primary mission. In that regard, lawyers at sea can improve readiness by ensuring that the crew’s attention is focused on their primary mission and not a personal legal problem that may be troubling them. On the aircraft carrier USS Independence there are two lawyers and three legal clerks dedicated to the ship’s crew, both providing legal assistance and assisting the Commanding Officer in discipline matters that may arise.

Other incidental legal issues considered during the exercise included advice regarding domestic legal issues that may arise while forces are on the territory of a foreign country.

**Domestic Law**

The Australian lawyers assisted US ships in preparing briefs on domestic law in Australia. This information could be passed along to ship’s crew prior to their entering port. This is important as the domestic laws of different states can differ markedly and whilst ashore in a foreign country ship’s crew are bound by the laws of that country. As an example, drunken driving in the United States is usually defined as blood alcohol level of .10 or greater, while in Australia the limit is .05 or greater. It is therefore important that the ship’s crew be fully briefed on the applicable domestic law before they disembark in a foreign port.

**Conclusion**

The need for operational lawyers may not be readily apparent for all exercises. But the need for operationally trained lawyers within the Royal Australian Navy would be apparent if a real world scenario, such as a crisis in the Persian Gulf, developed. In that regard, it is only through active integration of the lawyers in fleet activities that a cadre of experienced lawyers can be developed. Furthermore, embarkation of lawyers on small exercises would provide operators with the opportunity to see how lawyers provide meaningful assistance and ensure mission accomplishment. Australian lawyers should routinely interact with their counterparts from other services. Cross training and exchange programs should also be developed that facilitate interoperability. Embarkation of Australian lawyers for exercises such as Tandem Thrust is one important method of ensuring this interaction.

**NOTES**

1. Although most comments were made in jest, it is widely viewed as “in vogue” and politically correct to engage in good natured lawyer bashing.
2. Keeve, Lawyers in the War Room, ABA Journal, Dec. 1991 at 52. During Desert Storm, the United States Army forward deployed 200 lawyers to the theatre of operation to provide a comprehensive range of legal advice. Hays Park, special assistant for the law of war matters in the Office of the Judge.
Advocate General of the Army states “I have heard General Schwartzkopf, General Powell and just about any other general officer who I run into, say that they consider the lawyer to be absolutely indispensable to military operations.” Id at 59.


4. Within the United States Navy, ships that do not have lawyers on board, have designated non-lawyer legal officers who attend a four week legal officers course in Newport, Rhode Island to manage shipboard legal affairs and liaise with the JAGs. All aircraft carriers as well as other large platforms and major afloat staffs have a JAG officer permanently assigned.

5. Within the Royal Australian Navy, the platforms do not exist that would mandate having a permanent lawyer embarked, but for exercise purposes, lawyers should be routinely embarked for the reasons stated in this article.


7. Id at footnote 2.

8. An example of the danger of ambiguous ROE occurred in Lebanon in 1983, when marine sentries hesitated when a truck bomb approached their barracks at the Beirut Airport. Their hesitation was attributed to the fact that they had been issued with contradictory ROE. In Somalia in 1993, an Army soldier killed an unarmed Somali civilian who was running away and posed no threat. The soldier would later claim that he was firing a warning shot as permitted by the ROE. Id at 4. See also, Cohen, E.A. A Revolution in Warfare, Foreign Affairs, Vol 75, No. 2, at 37. Cohen notes that politics and economics “often drive changes in the conduct of war,” at 43.


10. Martins notes that “interpretive guidance” is often lacking at the level where the shoot decisions are made, such as the foot soldier or frigate commander because lawyers are not available at such a level in the command structure. Id at 59.


Lieutenant Felicity Rogers, RAN, is an international lawyer currently posted as the Deputy Fleet Legal Officer at Maritime Headquarters, Royal Australian Navy. She holds a B.A.(Juri.), LL.B.(with honours) and LL.M.(International Law) Lieutenant Commander G. T. Ware, JAGC, USN, is the staff judge advocate for Battle Force SEVENTH Fleet, he holds a B.S. (cum laude) JD (cum laude) and LL. M in international law.
The Australian Frigate Project

By Dr Paul Earnshaw, Department of Defence

There has been a great deal of criticism of late regarding unsuccessful Defence projects. To balance the ledger just a little bit, it is important that successful Defence projects also receive some attention. One successful project that deserves coverage is the Australian Frigate Project (AFP). The case history follows.

The AFP was the mechanism by which from the mid 1970s, successive Federal Governments sought to re-establish a major warship construction capability in Australia. This capability was eventually established by the construction of two guided missile Frigates (FFGs), HMAS Melbourne (FFG 05) and HMAS Newcastle (FFG 06) by Transfield Defence Systems (formerly AMECON and before that, Williamstown Naval Dockyard [WND]).

The decision to build the ships at WND was courageous, particularly as WND’s record of industrial dispute and low productivity was a major factor in the Whitlam Government’s 1972 decision to reject local construction and acquire four FFGs, HMA Ships Adelaide, Canberra, Sydney and Darwin, from Todd Pacific Shipyards in the United States under Foreign Military Sales (FMS) arrangements. When the Hawke Government approved the AFP in 1983, the industrial situation at WND had not improved much beyond that of the 1970s and contributed to the Government’s decision to offer the dockyard for sale in 1987. The sale process delayed ship construction by several months, but resulted in significant work place reforms and efficiency gains.

The decision to acquire two FFGs was a fairly straightforward decision for the Hawke Government. Following on from the Whitlam Government’s decision, the acquisition of that type of ship was “pretty well set in concrete... There was a lot that was just proforma about (the AFP and) in many ways it was the last of the old fashioned acquisitions” (The Hon. Kim C. Beazley. Interview with Author, Parliament House 16 August 1994 [Beazley 1994]). Nevertheless, the AFP still offers a number of useful project lessons.

In the early years, the AFP was known as the Follow On Destroyer (FOD) Project. In May 1978, the Defence Naval Destroyer Group (DNDG) was established to examine and resolve a range of complex FOD force requirements and acquisition issues. In July 1979 the DNDG recommended that two ships be short listed, the United States FFG-7, and the Netherlands M-Class. Although both ships would have met the capability sought by Australia, the FFG was preferred because it offered a relatively straightforward program and could move early to local construction. Higher Defence committees commented that the DNDG report provided them with an unusually comprehensive basis in strategic, capability and technical terms on which to develop discussion on the future destroyer force. A crucial element in the selection was the strategic need to regain shipbuilding skills, which the majority of Defence committee members perceived was practicable only through the FFG-7 option. The FFG also met the criterion that any ship design chosen should be well established or well advanced. Nevertheless, selection between the FFG and M-Class options was not clear cut, the M-Class ship appeared to offer the lower unit price, and lower life-of-type costs, but involved too many perceived development uncertainties and risks.

Another FFG advantage was that it was designed to be built in a number of shipyards, which offered construction flexibility for both Defence and potential contractors. It was also believed that an Australian built FFG would allow incorporation of local technological initiatives and offer potential savings. The Australian designed and built Mulloka sonar system for example, was expected to be more expensive, but was potentially operationally superior to the US produced AN/SQS 56 Sonar fitted to FFGs 01 to 04, and offered substantial local industry participation.

On 25 February 1981, Government agreed, inter alia, that further development of the project proceed with HMAS Darwin (FFG 04) as the base-line
configuration, and possible installation of the Mulloka system. Government also gave approval for Defence to seek a Letter of Offer and Acceptance through the FMS process for long lead items to support the construction of two FFG Class vessels in Australia. Navy had initially sought a commitment to three, and a program of up to six, vessels but accepted that two was the minimum number needed to re-establish the shipbuilding capability. A decision on where the ships were to be built was not required until 1982. Several higher Defence committee members doubted whether WND could meet the productivity and personnel requirements of the FOD program.

Over the period March/April 1982, Defence committees noted that an accurate assessment of the cost to build the FFGs at WND (excluding overheads) was not possible because the expected productivity increases were yet to be realised. Navy however, argued that a 30 per cent cost premium for local construction would be reasonable in terms of general Government policy. The cost of local construction for two FODs was estimated at about $228 million, compared with $175 million from Todd Seattle, and a total project cost of $625 million (in January 1982 prices), based on up to 3.2 million man hours for FOD 01 and 2.8 million man hours for FOD 02 (compared with 1.8 million man hours per ship for Todd Seattle) and WND overheads of 170 per cent. WND submitted its proposal for ship construction in February 1983, and received endorsement by the (then) Department of Defence Support, with the qualification that the quality of the estimates should be regarded as Class B (plus or minus 15 per cent).

When the Hawke Labor Government came to office in 1983, it was prepared to use WND to demonstrate its willingness to employ commercialisation measures to achieve public sector and micro-economic reform. The reason for such an approach was the poor record of major defence shipbuilding projects in Australia, particularly the escalating costs and extended delays associated with the construction of HMAS Success at the Vickers Cockatoo dockyard in Sydney. The fact that a Labor Government was now in power did not comfort those who wanted to build the ships in Australia, particularly the Unions, because “It was a Labor Government which elected to buy the US-built FFG-7 class instead of the RAN-proposed DDL-class…designed in (Australia)” (Cranston, F. “Naval Programs in Serious Doubt”, Canberra Times, 8 September 1983, p.6).

The new Labor Government also foreshadowed a review of Defence infrastructure. On 14 March 1983 the then Minister for Defence announced the Government’s decision not to acquire an aircraft carrier, and indicated that if WND’s costs for the FODs were not reasonable, Government would reconsider the need to maintain a warship building capability in Australia.

Defence committees acknowledged that the choice between construction of the new FFGs in Australia or overseas would have strategic implications for the maintenance of an Australian capability to build modern warships. It was also noted that if an order for two FFG-7 Class Ships were placed with WND by November 1983 it would allow the ships to be delivered to the RAN within the time bands of about two years centred on 1991 for the first ship, and 1993 for the second ship. Making allowance for programming pressures and other priorities, higher Defence committees recommended that Government approval be sought for the project.

**Project Management**

**Williamstown Naval Dockyard**

On 12 October 1983, Government approved the construction of two FFG-7 type ships at WND at an estimated total project cost of $830 million, but with authorisation for ship construction conditional upon satisfactory productivity improvements and the signing by all parties of a formal agreement on industrial relations issues and work practices. In approving the project, Government also agreed that delivery of ships should occur within a two year window. This innovative approach recognised the impracticality of expressing such a major undertaking in terms of a specific date against which all other project achievements could be measured. Also in October, the project name changed to the Australian Frigate Project.

In agreeing to construction, Government asked to be advised regularly of WND progress, and requested advice on how WND was handling the AFP from the wider perspective of the ability of Australian Unions and management to sustain collaboration on a major and demanding project. One reason for this request was to determine the capability of Australian shipbuilding to engage in a number of high cost, high profile acquisitions being planned at that time, specifically the ANZAC Ships and the new submarine projects. In the context of these latter projects, the construction of the FFGs at WND was seen to provide significant opportunities for both Defence and defence industry (Grazebrook, A.W.
The guided-missile frigate HMAS Darwin (FFG-04) at speed in the Indian Ocean.

Photograph: LSPH Peter Lewis, RAN.

In November 1983, the Australian Frigate Shipbuilding Agreement (AFSA) between Defence and the (then) Department of Defence Support for the supply of Australian Frigates 05 and 06 was signed. A further agreement was concluded with the United States Navy (USN) FFG Program Office for support in building the FFGs in Australia.

The AFSA required that FFG 05 be delivered by 14 May 1991, and FFG 06 by 30 November 1993. This delivery schedule recognised the learning curve expected and the uncertainties associated with restarting major ship construction after a 20 year period. Implicit in this arrangement was that delivery of the ships was to be achieved as early as practicable within a two-year time frame, FFG 05 – mid 1990 to mid 1992, and FFG 06 mid 1992 to mid 1994.

Construction of the first Australian Frigate commenced on 4 March 1985, even though WND was unable to meet all of the necessary prerequisite conditions stipulated by Government. These issues were addressed in a Naval Quality Assurance audit of WND on 28 and 29 August 1985. Government was informed that construction was behind schedule because of WND difficulties in recruiting sufficient skilled tradesmen, particularly welders, and delays in the procurement of material from Australian industry. A recovery plan had however, been formulated by WND. Six months later, the AF Project Director (AFPD) informed Government that construction of the first ship was three months behind schedule. In February 1986, the project was also criticised for incurring “a substantial premium in terms of cost and time” (Joint Committee of Public Accounts, Report 243. Review of Defence Project Management, AGPS, 1986).

In October 1986 the AFPD informed Government that the construction of FFG 05 had slipped nine months against the schedule set by the AFSA. The main reason was the difficulties experienced in restarting warship construction after a gap of 20 years. Some cost overrun had also occurred on the work completed to that point, partly due to start up problems and partly to lower than expected productivity. In February 1987, Government was informed that a further revision to the construction schedule had been agreed to take account of the earlier productivity difficulties, but that this had resulted in the slippage of delivery dates of the order of 16 months for FFG 05 and 25 months for FFG 06: to mid 1991 and late 1993 respectively. The dates were still within the delivery bands.

More extreme measures were considered necessary to remedy the situation, and on 1 April 1987 the Minister for Defence announced major changes aimed at restructuring the Australian shipbuilding and ship repair industries. This included the sale of WND, and some $280 million of work remaining on the two Australian Frigates, “as a last-ditch effort to achieve efficiency and cost cutting before the (ANZAC) frigate project (was) awarded’’ (Greene, G. “Navy to Sell Dockyard”, Adelaide Advertiser, 2 April 1987, p.18). The proposed sale was supported by senior dockyard management however, the Government’s decision came as a surprise to the Labor Party Caucus, which had established a committee to examine the proposed privatisation of the dockyard and had not completed its investigation.

Following the Government’s announcement, an Invitation to Register Interest and then a Request For Tender were released to consortia interested in purchasing the dockyard, entering into a contract for the completion of the Australian Frigates and tendering for selection as Prime Contractor for the ANZAC Ships Project. Following the evaluation of tenders, two consortia were selected to enter parallel negotiations covering both the sale of the dockyard and the completion of the Frigates. Both tenderers stated a preference for a fixed price contract for Frigate construction. On 11 December 1987 the Minister for Defence announced the sale of WND to AMECON for $100 million. Within a few months, AMECON was acquired by Transfield, an initially unsuccessful bidder for the dockyard and FFG construction. From the time of the sale, AMECON began a program of significant work place reform.

In the Government’s view, the sale of WND to AMECON virtually guaranteed the dockyard to be one of the final tenderers for the ANZAC Ship Project (Milne, C. “Eglo in Dockyard Deal to “Win Navy Contract”, Adelaide Advertiser, 12 December 1987, p.8). Late in 1989 Government awarded the $3.7 billion contract to build 10 ANZAC Ships to AMECON. Although the bids were very close, “Williamstown’s bid had… begun to look more credible since AMECO became work on (the) two FFG frigates for the RAN” (Bradley, A. “High-Tech Frigate Work Will Sail North”, Herald, 15 August 1989, p.10).

If there had not been reforms of the magnitude experienced within the Williamstown dockyard following the sale to AMECON, it may not have won the contract for the ANZAC Ships. But, “having done the reforms... there wasn’t a strong inclination on the part of Cabinet to deny (Williamstown the project). Nevertheless, the “politicals were so difficult on
location (between Newcastle and Williamstown) that there was an audible sigh of relief within Cabinet when the price came in as it did”. Even so, the “politics of location” was not the primary driver for the decision. Those members of Cabinet “who were impressed by (inter-state, inter-town) rivalry discovered that their colleagues were disinterested. They would move off arguing the merits of towns and start getting into the merits of the capabilities of this or that type of equipment”. Government also used the ANZAC Ships Project to involve New Zealand, and thus tie New Zealand and Australian defence postures more closely together, “Incorporating New Zealand was enormously important...Basically, the defence of New Zealand is the defence of Australia” (Beazley 1994).

AMECON Ship Construction

On 4 February 1988, the contract for the completion of construction of FFGs 05 and 06 was signed, and the AFSA was replaced by the Australian Frigate Shipbuilding Contract (AFSC). Not surprisingly, several changes to the previously agreed shipbuilding arrangements were incorporated in the new contract. The more significant of these were a real price increase of $80 million, with $50 million to be paid “up front”, extension of the delivery date for FFG 05 by three months to August 1991, and modification of the cost/schedule control system to provide visibility of schedule and earned price elements without disclosure of the contractor’s actual costs. The delivery schedule for FFG 06 was unchanged from 1983, i.e. 30 November 1993.

On 22 February 1988, in pursuit of achieving respondent status with AMECON, the Federated Storemen and Packers Union of Australia (FSPUA) began picketing the dockyard. Following the refusal of a mass meeting to endorse AMECON’s “Three Union” Industrial Agreement on 18 March 1988, AMECON declined to offer employment to the production workforce (primarily Government employees). A Conciliation and Arbitration hearing into the dispute was held on 10 May 1988 and the picket was lifted. One month later, the Australian Council of Trade Unions accepted the Industrial Agreement, including coverage by three Unions. The dispute resulted in a five month hiatus in ship construction.

By 26 August 1988 AMECON claimed a total delay of 13 weeks for each ship and additional costs of $12.5 million resulting from FSPUA disputes between 18 February and 5 August 1988. This claim was rejected by the AFPD following detailed discussions with Defence and the Attorney General’s Department.

By the end of 1988 AMECON’s rate of work had increased significantly, and Frigate construction continued to accelerate, but at a significantly slower rate than planned. AMECON had not achieved the necessary productivity from its workforce, although manning levels were not far short of their target figures. Nevertheless, no adverse impact was expected on the planned launch date for FFG 05 (5 May 1989). However, the overall rate of construction continued to fall behind the rapidly accelerating requirements of the contractual program. In May 1989 AMECON began to submit revised Performance Measurement Base-Lines (PMB).

On 5 May 1989, NUSHIP Melbourne (FFG 05) was launched at AMECON’s shipyard, the first launch of a major Australian built ship since HMAS Torrens at Cockatoo Naval Dockyard in 1970. Although Melbourne was reportedly successfully launched to schedule, AMECON was not granted the milestone achievement because it had not accomplished all contractual pre-launch activities, such as the installation of propeller shafting, the consolidation of superstructure, and the erection of masts.

AMECON’s overall poor rate of construction schedule performance during 1989 was such that the AFPD considered the Contract Delivery Date of August 1991 for FFG 05 to be unattainable. On 15 December 1989 therefore, AMECON submitted a revised PMB designed to establish an acceptable way forward to complete the contract. The plan was based on moderate increases in demonstrated progress but required a seven-month extension to the period of construction for FFG 05 to March 1992. The planned delivery of FFG 06 remained at November 1993 and both dates remained within the approved ship delivery bands.

Progress on FFG 06 was slow. Although AMECON had officially laid the ship’s keel on 21 July 1989, there were few follow-on events achieved to the hull modular construction by either AMECON or Eglo Engineering, Newcastle. The only satisfactory progress made during these months was on the aluminium superstructure by Eglo Engineering, Adelaide. Construction of FFG 06 hull and superstructure units proceeded throughout 1990 but behind schedule, indicating that the December 1989 plan might not work. When analysed, AMECON’s December 1989 plan was found to contain unachievable rates of production for most of 1990. AMECON responded outlining appropriate amendments but advised that a further 16 weeks was
required to develop the necessary details. The project office believed that a period of 11 months to produce a realistic construction program was far below the standard required from a major contractor.

On 29 June 1990 a revised PMB was received. Navy’s perception was that for the first time since contract award, this revised plan provided AMECON with a realistic way forward to manage the construction of the ships to meet the mutually agreed delivery dates. Even though progress on the FFG 06 hull assembly at both AMECON and Eglo Newcastle work sites was substantially behind the December 1989 PMB, work progressed according to the schedules specified in the July 1990 PMB (1990 to mid 1992 for FFG 05 and mid 1992 to mid 1994 for FFG 06). To enhance its managerial expertise, AMECON acquired the services of an ex-Todd Los Angeles senior manager with considerable experience in FFG-7 Class production.

FFG 05 was taken to sea on 15 September 1991 for Builders Trials in Port Phillip Bay and adjacent Bass Strait waters. Initial reports indicated overall successful testing, but in line with normal practice, some activities were postponed until supplementary trials in November 1991. On 22 November 1991 FFG 05 successfully completed acceptance trials. In excess of 2,000 minor deficiencies were found as a result of the Builders Trials, Acceptance Trials, Inspection and Survey Board review and Shock Inspections. The number of defects was similar to that experienced by the USN with its FFG-7 program. The RAN formally accepted delivery of FFG 05 on 7 February 1992, and one week later, the ship was commissioned as HMAS Melbourne.

On 24 August 1992 AMECON completed Post Shakedown Availability work on FFG 05, and after completing successful Combat System Sea Qualification Trials, HMAS Melbourne returned to the AMECON yard on 24 September 1992. The consequent “Acceptance into Naval Service” was effected in Sydney on 28 September 1992 and a few days later, the project office was presented with a commendation from Assistant Chief of Materiel – Navy (ACMAT-N) for the successful acceptance of the ship.

The assembly of FFG 06 proceeded rapidly during the latter half of 1991 with the delivery of the hull and superstructure units from Eglo Newcastle, and Adelaide. Consolidation of the forward and midships sections of the superstructure to the hull had also advanced well in preparation for its launch (as NUSHIP Newcastle), which occurred on 21 February 1992. HMAS Newcastle was delivered on 20 October 1993, one month ahead of the original schedule, and commissioned into the RAN on 11 December 1993. Following shakedown and other trials, HMAS Newcastle was accepted into RAN service on 8 August 1994.

Delivery of both FFGs was achieved within (although at the extremes of) the bands established between Navy and WND some 10 years earlier. The final AMECON FFG product was also very similar to HMAS Darwin, but there were differences. In addition to the Australian designed and manufactured Mulloka sonar, other departures from the Darwin configuration base-line were the replacement of the Motor Whaleboat with a rigid inflatable boat, modified corrosion protection and paint scheme, increased limiting displacement, and a later base-line Close-In Weapon System and Fire Control System.

The RAN is very pleased with the overall performance of both HMAS Melbourne and Newcastle, and consider these ships to perform better than those acquired from the US. The only real initial concern was non-AMECON specific, the US supplied Phalanx Close-In Weapon System. Although it met capability performance requirements, the levels of maintenance and “down time” were unacceptable. The problem has since been remedied.

**Australian Industry Involvement**

Australian Industry Involvement (AII) in the project was based on maximising local content and support. This translated into a number of goals: to use the FFG AII program to expand local industry involvement in the project; to establish local manufacturing capabilities for a number of important systems/equipments principally relating to the hull, propulsion and auxiliary machinery; and to establish in-country support facilities.

The AII component of the project was substantial, primarily because of the extent to which Australian industry was expected to participate. For example, before the contracts were negotiated with the US and WND, industry participation was planned in the following areas; manufacture of Government Furnished Equipment; establishment of overhaul or repair facilities in Australia; offset arrangements; incorporation of Australian sourced parts; and those items which should be manufactured in Australia to increase self-reliance and preparedness.

However, it was also determined that the substitution of Australian sourced equipments for US items would proceed only if it could be accomplished within project schedules, without significant impact on the design and construction packages from the US, without significant complication of the ship construction task, and within the AII premium.
included in project funding. To facilitate the process, an AII Planning Contract between Todd Pacific of Seattle and WND was completed on 29 June 1984. 800 line items of shipbuilder furnished equipment and materials were identified as having potential for supply by Australian industry. 649 requests for budgetary proposals were sent to Australian industry from which 196 proposals were received. 373 companies advised that they would not bid and 80 companies did not respond.

Virtually all tasks associated with the construction of the Frigates were undertaken by Australian industry. The contract with AMECON required that the company achieve a minimum of 75 per cent AII of the contract price. AMECON actually achieved over 90 per cent AII, and an overall project AII level of about 67 per cent. Included in the AII program was the local acquisition of two Mulloka Sonar Systems from Thorn-EMI, two Mk 75 76mm Gun Mounts through ADI Bendigo, and castings for two sets of propellers by Timcast in Western Australia, with machining and finish by ADI Bendigo. For those equipments procured through the USN, negotiations were undertaken with US suppliers to obtain agreement on the level of AII to be achieved against USN orders.

Organisational Arrangements

Following the Government’s approval of the Australian Frigate Project in 1983, a staff organisation was established to allow the AFPD to achieve project objectives. The organisation comprised the AFPD and central staff in Canberra, and a small overseas project team located in the Offices of the USN Program Manager. Initially, an AFPD’s Representative organisation was established at WND to provide on-site supervision of the shipbuilding process. In March 1985, this organisation was transferred from the AFP and established separately as Supervisor of Shipbuilding – Victoria to overcome prevailing management problems with the Destroyer Escort modernisation.

The Project Office was structured along functional lines, and reflected the intention to minimise the need to seek support from external agencies. Accordingly, individual managers were appointed as specialist members of the project team.

Education and Employment

During the course of the project, there were a number of AFPD incumbents, including Captain Nisbet (later promoted to Commodore), Captain

HMAS Melbourne and HMAS Newcastle at sea.
Hammond (later to be promoted to Rear Admiral and ACMAT-N). Captain McNally, Captain Lamacraft (now Commodore and Project Director [PD] of the ANZAC Ships Project), and Mr Ron Irwin, the only civilian to have held the position.

For this project, all AFPDs had previous substantial project management experience and were well qualified to undertake their project management duties. All AFPDs had undertaken many in-house project related courses.

**Project Evaluation**

**Management Reviews**

A comprehensive audit of the AFP was conducted by the Defence Audit Branch between April and October 1985. In the audit report of July 1986, the AFP was thought to be unduly reliant on *ad hoc* and informal managerial and financial measures, both in Canberra and WND. The report stated that ideally, all planning for financial and managerial controls should have been determined and in place as soon as possible after the AFP commenced, but acknowledged that tight time constraints, heavy workloads and limited staff militated against the early preparation of formal procedures. The audit also found that there could be a gap of some years in Naval capability between decommissioning the first two Destroyer Escorts and commissioning the two Australian Frigates, and noted that there was considerable slippage in the earlier stages of the project.

The findings of the audit team also indicated that the degree of autonomy afforded WND fell short of earlier recommendations, and that this had influenced the performance of the dockyard. The audit team recommended that an official implementation schedule be developed for every project (initially in the broad sense for large projects), and that amendments and flow-on effects of changes be closely monitored. It also suggested that for major projects stretching over 10 or more years, the PD should not be changed too frequently, with a hand-over/take-over period in the order of two to three months.

The Management Audit Branch conducted another review during 1989. The audit was not overly critical of the project, and considering the complexity of management requirements, was almost complimentary. In the opinion of audit, the AFP was managed in an efficient and effective manner, with the project on time and within budget. Specifically, construction of the ships was within the production window and within approved cost. Competent Navy project management over the years in Canberra, and by the Navy representative at the dockyard, was found to have contributed to the project’s success.

The efficient management of the AFP was also found to have been facilitated by a sound commercial contract based on USN shipbuilding experience. The primary recommendations of the audit indicated however, that the efficiency and effectiveness of project management could be further enhanced by including in the various project plans, the roles, responsibilities and reporting arrangements between the AFPD and related functional areas.

A further audit of the project on 11 January 1990 focused on Integrated Logistics Support. The general observations were that the project benefited from Mr Irwin’s long-term association with the project, and that his corporate knowledge and understanding of project requirements were invaluable.

**Project Team Lessons**

A number of lessons learned were recorded by the project, and were formulated primarily at the time of hand-over of responsibility from the outgoing to the incoming AFPD. The record of lessons learned for the AFP is substantial. On occasions, these lessons were passed to other Navy project offices.

One of the earlier AFPDs observed that the establishment of clearly defined project objectives had been extremely beneficial and recommended that objectives be promulgated for all significant projects. Also considered invaluable were a dedicated computer system for project management purposes, and the establishment of a Project Director’s Representative cell at WND. The AFP was also regarded as fortunate in its ability to recruit a considerable number of staff with previous USN FFG program experience.

Several project deficiencies during the earlier years of the project were also noted. For example, it was recommended that there be greater trading of information between PDs to permit more experienced PDs to provide guidance and assistance to those with less experience. It was also considered that about five years was optimum for a PD to be in charge of a major shipbuilding project - any less time would be disruptive, but any longer could have adverse consequences for the officer’s career.

Another point was that a major project must be adequately staffed. Although the AFP had a large staff (36 in Canberra, 22 at WND, and six in the US) when compared with other projects, there was still a number of tasks that the project was unable to
perform satisfactorily, such as configuration management, and AII achievement. It was noted that one of the reasons the AFP was successful was that the project had been largely autonomous.

The achievement of AII in the project was found to be demanding of resources and it was recommended that every major shipbuilding project have its own AII cell. The Mulloka Sonar and the Mk 75 76mm Gun Mount were perceived to require substantially more effort to place to procurement than buying similar equipments through FMS.

Multiple activities (parallel or series) were found to invariably take longer than originally planned and result in schedule slippage if an appropriate allowance was not included in the original schedule. The time allowed between the receipt of the tender and contract award was inadequate. The departmental processes required during these two events mandated a project planning period of 12 months rather than nine months; and a minimum of 18 months was needed between contract award and the commencement of construction by the shipbuilder. It was also noted that in developing detailed cost estimates, the project had the benefit of cost details of the USN FFG program and that this enabled the development of accurate costings and the categorisation of the project as a low cost risk program.

In a report dated 26 April 1985 on the condition of a number of projects, the then Chief of Naval Materiel made many important observations concerning the AFP, many of which were later adopted by Defence:

- Higher Defence committee processes were generally protracted, and the project development process made no commitment to project decision timetables. This made planning impossible.
- Staff requirements detailing the project proposal were usually developed by a staff specialist in collaboration with Defence Science and Technology Organisation and Chief of Naval Engineering staff. The staff requirement was commonly overambitious, over specific and over optimistic in regard to cost.
- Greater weight should be afforded equipment solutions that offered lower costs and simplicity, and commercial rather than specially designed solutions.
- Capability options should be kept open until a capability requirement and associated costs could be endorsed by both Defence and Government.
- Inflated force structure and capability expectations encouraged unduly high unit costs, and when reconciliation occurred it was commonly achieved by a belated reduction in unit numbers.
- A greater time and cost realism would be obtainable by establishing a cost assessment group and ensuring that the group, rather than the project manager, provided estimates of time and cost.
- Not enough had been done to train project managers, particularly in financial management, although the level of training and experience had improved.

Although a significant amount of project procurement and logistics work was satisfactorily conducted by functional divisions, the AFP was probably the first Navy project to utilise a highly autonomous organisational structure. There was a strong perception that matrix structures were inappropriate for large, complex projects; creating too many communication problems, conflicts of interest, and a lack of functional division loyalty. Matrix arrangements were also found to diminish project control over related functions and result in delays to project activities.

Navy tends to put more people into their projects than the other Services and the AFP was probably the first large Navy project where a good number of specialist staff were appointed. While this “hurt” other areas for a time, it was a sound investment. The key to project success was the right number of staff in the project office, at the dockyard, and overseas. For example, Navy had a very strong project team at WND, it was also useful for on-site trouble shooting purposes, and its information was a major factor in determining shipbuilding progress.

There was a need to monitor contracts closely, but initially there was very little contracting experience in the team and the project was not particularly good at monitoring other than major contractual milestones. A consistent problem throughout contract management was claims for excusable delay. Since such claims can add substantial costs to a project, a project team must include a dedicated contract specialist.

The AFP used milestones in its Agreements and contracts, and while this was a new innovation for that time, it caused problems. Even though payments were not tied to milestones, but against completed work, it was found that the contractor would do everything possible to meet a particular milestone, but not necessarily complete work in other areas as planned. It was also difficult to adequately define milestones, so that interpretations of what elements comprise the event and whether they had been achieved became contentious.
Conclusion

The FFG-7 ship was selected by Defence for two main reasons; military effectiveness, and to re-establish a major warship building capability in Australia. HMAS Melbourne and Newcastle have met Navy performance requirements and provide a more effective military capability than those Frigates purchased from the United States. This outcome was achieved however, at a cost. A premium in the order of 20 to 30 per cent for local construction was necessary, the low level of productivity at WND threatened the AFP and other major projects, and delayed ship delivery.

Following the sale however, productivity at the dockyard increased significantly so that the Australian Frigates were delivered within the delivery band established 10 years earlier. The only real price increase during the project was associated with the sale of the dockyard and the negotiation of a contract with AMECON. Funding write-backs for the project (the difference between project approval and actual project cost) were eventually in the order of $80 million, offsetting some of the real cost increase resulting from the sale of WND. Thus, in real terms, the AFP came in within the project cost estimated in 1983.

Construction of the two Australian Frigates occurred over a period of about 10 years, and was followed by a further contract to build ANZAC Ships. Consequently, the capability to build major warships in Australia has been re-established after a 20 year gap. Having achieved this, the challenge will be to sustain this capability.

NOTES

1. The acronym for the Australian Marine Engineering Corporation was AMEC, which was formed from a consortium including Eglo Engineering, Australian Shipbuilding Industries (ASI), and International Combustion Australia (ICAL). A few days after AMEC acquired the dockyard, Transfield acquired Eglo. In February 1988, Transfield attempted to takeover ASI, but in a countermove, ASI was acquired by ICAL. By August 1988, Transfield had acquired ICAL and, therefore, completely owned Williamstown. On 9 January 1989, the company name changed to Australian Marine Engineering Consolidated Limited (AMECON). Since then, internal Company restructuring has led to a number of name changes. The most recent is Transfield Defence Systems, which reflects the Company’s broader defence capabilities in addition to its core business of shipbuilding. For the purposes of consistency, the acronym AMECON has been used in this article.

2. The DNDG report was a remarkable achievement, particularly as there was no budget allocated specifically for this research, or people appointed solely to conduct the research and evaluation. In excess of seven ship types were evaluated. The team was led by then Commander Rob Walls and Mr John Mortimer.

3. An example of the problems of matrix arrangements relates to Government Furnished Equipment, where substantial delays were experienced in the processing and ordering of requirements by functional areas. This became frustrating for project personnel who had little control or influence over functional areas priorities and work rate. Navy has since reduced the extent of problems by bringing relevant areas into a project and making them specialist members of the project team.

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By Major B.M. Oswald, CSC, AALC

“Australian medical elements provide assistance to a vehicle accident involving a UNAMIR (United Nations Assistance Mission in Rwanda) vehicle which had struck two pedestrians at Butare (Rwanda) 9 Feb 95. The medical element provided emergency medical treatment to the patients whilst their infantry protection party provided immediate security.

The Gendarmes arrived at the accident scene and attempted to arrest the UNAMIR soldier involved, who was a Zambian Sergeant.

Our (Australian) infantry element intervened and assisted the Zambian reinforcing (to the Gendarmes) that the Gendarmes cannot arrest UNAMIR members. The element stated that they (the Gendarmes) must pursue investigations through the UNAMIR MP (military police) cell.

The Gendarmes refused to accept this and became agitated and went to action with their weapons. The Australian troops went to action in response. A brief stand-off ensued which was quickly averted. The Australian element then escorted the Zambian to UNAMIR Tac HQ (Tactical Headquarters) for his safety and for an investigation to occur. The Gendarmes followed the Australian troops and at the entrance to the Tac HQ insisted once again that they hand over the Zambian. Once again a brief stand-off occurred which was again averted, and the Zambian was handed over to Tac HQ staff.”

Excerpt from Situation Report (SITREP) in Rwanda dated 10 Feb 95.

The situation described above highlights the issue of immunity for peacekeepers from host nation laws and could occur during any military operation, especially in non-traditional military operations other than war. Commanders and soldiers need to be aware of what immunities they, and others working with them, have under international and host nation law. Such an understanding will permit them to carry out their mission impartially and effectively.

The issue of immunity is linked to jurisdiction. Generally each state can exercise jurisdiction over any matter that concerns it within its territory. Lord Macmillian expressed this idea of territorial jurisdiction as follows:

“It is an essential attribute of the Sovereignty of this realm, as of all sovereign independent States, that it should possess jurisdiction over all persons and things within its territorial limits and all causes civil and criminal arising from within these limits”.

This absolute view of territorial jurisdiction has over the last 50 or so years seen considerable change. For example, it is now accepted that territorial jurisdiction may be restricted if it is shown that a person by reason of some special immunity is not subject to the operation of local law, or the local law is not in conformity with international law.

On peacekeeping missions there are four types of immunities. These are immunity from (i) criminal, (ii) civil, (iii) administrative, and (iv) legal process. Immunity from criminal process prohibits any action of a criminal nature instituted in a court being taken against an accused. Immunity from civil proceedings prohibits action that is for the redress of a private injury. Immunity from administrative process prohibits actions that relate to the exercise of power and procedures of administrative bodies.

Immunity from criminal, civil, and administrative processes are subsets of immunity from legal process. Immunity from legal process is immunity from:

“All proceedings authorised or sanctioned by law, and brought or instituted in a court or a legal tribunal, for the acquiring of a right or the enforcement of a remedy.”

Immunity may, in some circumstances, be limited to immunity from criminal, civil or administrative action. Thus an individual may be immune from criminal process for committing an assault but not from civil immunity if accused of breaching a contract. It is possible that a person is granted more than one type of legal immunity. It should be noted that immunity from legal process is limited to immunity from jurisdiction and not from legal liability.

What is the purpose of granting such immunities? In the area of peacekeeping the purpose of immunities is to allow representatives of the UN, including peacekeepers, to carry out their duties effectively by protecting them from harassment or interference from local authorities. The purpose is clearly not to benefit the individual but to ensure that he or she efficiently represents the aim and purpose of the UN on a particular mission.
In the area of peacekeeping legal immunities arise from:
(i) international law;
(ii) status of force agreement (SOFA); and
(iii) domestic law.

International law

A number of international conventions address the issue of immunities. These conventions include:
(i) United Nations Charter;
(ii) Vienna Convention on Diplomatic Relations (Vienna Convention);
(iii) Convention on the Privileges and Immunities of the United Nations (CPIUN); and

The above Conventions establish that there are certain categories of individuals that are to receive varying levels of immunities. For example, the (CPIUN) states that officials of the UN shall be:

"immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity" (CPIUN Section 18(a)).

An official is a person whom the Secretary-General (SG) designates as such. There is a requirement for the SG to submit the names of the officials to the General Assembly and to communicate those names to the Government of all member states (CPIUN Section 17). This is an important requirement. The failure to notify the receiving state of the person’s position will, arguably, fail to give immunity to the individual seeking it.

Certain representatives of the UN have the immunity granted to officials of the UN and diplomats under the Vienna Convention.

Experts on UN missions are to be accorded such privileges and immunities from host nation laws as are necessary for the independent exercise of their functions during the period of their missions. In particular they are to be accorded:

"(a) immunity from personal arrest or detention and from seizure of their personal baggage;
(b) In respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind." (CPIUN Section 22).

As a further example of establishing immunities, the CPIUNSA states, among other things that officials of an agency shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity (CPIUNSA Section 19).

There is no doubt that signatories to the Conventions must provide the immunities mentioned. Arguably, these immunities are now customary international law and therefore even countries not party to these Conventions must abide by them. In practical terms however, the UN emphasises the applicability of some of the above mentioned Conventions by entering into a SOFA with the host nation. For example, the SOFA entered into between Rwanda and the UN recognised the application of the CPIUN the UN (SOFA Article 15).

While the mentioned Conventions address the immunities of officials, representatives, experts on mission and officials of specialised agencies on a particular mission they do not address the immunities of other representative of the UN. That role falls to the SOFA.

Recognising that there are other categories of people who represent the UN during peacekeeping missions the SOFA addresses the legal status of both the civil and military components of the mission. For example, the SOFA entered into between Rwanda and the UN stipulates the immunity of the following categories of people vis-a-vis Rwandan law:
(i) The Special Representative of the Secretary General (SRSG), the Force Commander of the military component, the Police Commissioner and such high ranking members of the Special Representative’s staff agreed upon with the Government shall have the status accorded to diplomatic envoys and officials of the UN. This immunity extends to their spouses and minor children (SOFA Article 24). Therefore these members have absolute immunity from criminal action and limited immunity from civil and administrative actions.
(ii) Other UN officials assigned to the civilian component remain officials of the UN entitled to the privileges and immunities accorded to officials and experts on mission as stated in the CPIUN (see earlier discussion as to officials and experts) (SOFA Article 25).
(iii) Military observers, civilian police personnel and civilian personnel other than the UN officials whose names are notified to the Rwandan Government by the SRSG shall be considered as experts on mission within the meaning of the CPIUN (see earlier discussion as to experts) (SOFA Article 26).22

(iv) Locally recruited members of the UN shall enjoy immunity from legal process concerning words spoken or written and all acts performed by them in their official capacity (SOFA Article 28).23

(v) All members24 of the Mission, including locally recruited personnel, shall be immune from legal process concerning words spoken or written or acts performed by them in their official capacity. Such immunity shall continue even after they cease to be members or employed by the mission and after the expiration of the other provisions of the present SOFA (SOFA Article 46).

The SOFA distinguishes between the civilian and military component of a mission and criminal and civil offences. If a member of the civilian component or a civilian member of the military component commits a criminal offence, the SRSG and the Rwandan Government are to decide whether to institute criminal proceedings (SOFA Article 47(a)). If agreement is not reached the matter is submitted to a tribunal of three arbitrators (SOFA Article 52).

Regarding civil immunity for UNAMIR members, the SOFA states that if any proceedings are instituted against a member of UNAMIR the SRSG is to certify whether the proceedings relate to the official duties of the member. If proceedings do relate to official duties action against a member is to be discontinued and the matter settled according to Article 5025 of the SOFA (SOFA Article 48). If the proceedings do not relate to official duties then they may continue. A caveat is attached prohibiting the tribunal trying the proceedings from restricting the personal liberty of the member for any reason (SOFA Article 48(b)).

Concerning military members of UNAMIR, the SOFA clearly states that they are subject to the exclusive jurisdiction of their state regarding any criminal offences committed in Rwanda (SOFA Article 47(b)). Therefore it is for the appropriate contingent commander to decide whether he will take disciplinary action against one of her/his soldiers.

What of situations where both civil and criminal proceedings arise from the one act? For example, a peacekeeper is accused of committing an assault while off duty and arising from this assault the victim decides to sue the peacekeeper in a civil court for damages. In such a case one approach is to treat each action as separate. Clearly, the host nation will have no criminal jurisdiction. However, the contingent to which the peacekeeper belongs may decide to take criminal action against the accused. The host nation retains the right to take civil action if the SRSG does not certify that the assault took place in the course of the peacekeeper’s duty. This is not an unanimous view, however in Whitley v Aitchison27 the Court stated that once the local authorities had waived their right to primary jurisdiction they could not revive that or another jurisdiction in relation to the same offence. Commanders should argue the latter view emphasising to the host nation that they will investigate and take the required criminal action should it be necessary to do so. If a commander wishes to diffuse the situation by offering compensation, liability should not be admitted.

A practical difficulty may arise in deciding whether an act occurred in the course of the peacekeeper’s duty. For example, if an accident occurs while a peacekeeper is returning from a party is he or she protected from civil jurisdiction? In other words, did the accident arise from an act performed while the member was on duty? Needless to say, one must convince local authorities that the member was attending the function in an official capacity and not on a frolic of her or his own. This argument may be supported if the soldier was in uniform at the time of the accident. If the peacekeeper was not at the party in an official capacity then it is likely that her or his immunity may be lost.

It should be noted that the SOFA permitted the Rwandan Government to take into custody a member of UNAMIR committing or attempting commission of a criminal offence (SOFA Article 42(b)). In such cases the Rwandan Government is required to hand the member over to the UN as soon as possible (SOFA Article 43). While it is arguable that this temporary loss of immunity contradicts the principles of immunity from legal process discussed earlier, the practical reasons for waiving immunity in such circumstances are obvious.

The SOFA is silent concerning criminal offences committed by locally recruited members but there is no reason to expect that their position would be different to that of members of the civilian component. It should be noted that the immunity of locally recruited members does not extend to acts committed by them before they became UN employees. For civil offences, a locally recruited member would have the same immunity as other UNAMIR members.
Medical education in Rwanda
UNAMIR had to use the legal immunities detailed in the SOFA on a number of occasions. For example, on 15 February 1995, a Rwandan Patriotic Army (RPA) vehicle backed into an Australian Medical Support Force (MSF) vehicle at the front gate of the Australian Barracks in Kigali. The only damage to either vehicle was a broken tail light on the RPA vehicle. The RPA claimed that the MSF vehicle caused the accident. This lead to a heated argument between the MFS and RPA. The Gendarmes then arrived at the scene and demanded that the MSF vehicle and the driver be taken to the Gendarmes Headquarters (HQ) for the necessary statements. It was explained to the Gendarmes and the RPA that the SOFA prohibited them from arresting the MSF driver in these circumstances. Discussion continued between the Gendarmes and the MSF Commanding Officer (CO), the MSF legal officer and the UN Military Police (MPs). As tensions increased the Gendarmes and the RPA wanted to confiscate the MSF vehicle and arrest the MSF driver. The RPA and Gendarmes refused to change their stance and at one stage a RPA soldier cocked his weapon resulting in all MFS soldiers and RPA at the scene going to action. The tense situation was defused when MSF troops were ordered by their CO to return to the load condition. After further argument it was decided that the driver, co-driver, legal officer and three person infantry protection party would drive to the Gendarmes HQ in the vehicle that was involved in the accident. The tense situation was defused when MSF troops were ordered by their CO to return to the load condition. At the HQ the driver and co-driver, with the assistance of the MSF legal officer, provided a statement to the Gendarmes. The Gendarmes continued to insist that they wanted to arrest the MSF driver. Again the legal officer insisted that the SOFA provisions were to apply and there could be no arrest. After at least an hour of tense arguing and various threats being made, the Gendarmes allowed all MSF members to return to the Australian barracks.28

The continued insistence on the application of the SOFA averted the incarceration, or worse, of an Australian soldier. If the Rwandans had insisted on arresting the soldier, would the Australians have been entitled to use reasonable force to stop the arrest? At that time in Rwanda there would have been no possibility that the CO could guarantee the safety of any soldier arrested by the local authorities. The Australian contingent was very aware of numerous cases of summary justice during their deployment in Rwanda. There was no reason to have any confidence in the judiciary system and this was evidenced by thousands of people already in jails throughout the country. For example, the prison in Kigali had been built to house 2000 criminals. At about the time of this incident it held more than 6000 inmates. Most of these prisoners had received no hearing by any judicial authority and were being held indefinitely. Furthermore, the local authorities had no legal authority under the SOFA or Rwandan domestic law to arrest the driver for the accident and therefore they were acting unlawfully. In this case, for the above reasons, the Australians would have been entitled to use reasonable force to protect the driver from being taken into custody because the CO could not guarantee the safety of the soldier and local authorities were acting unlawfully.29 Each situation must, however, be viewed on its facts.

On another occasion the RPA and Gendarmes arrived at UN HQ demanding that they be allowed to arrest a locally recruited Rwandan working for the HQ on charges relating to genocide. As discussed above, the SOFA only provided immunity to locally recruited personnel for acts committed during their employment. Therefore the UN had no option but to hand over the Rwandan to the Gendarmes.

These immunity problems highlighted the need for the Force Commander and Contingent Commander to understand their rights and obligations and to insist that the local Rwandan authorities adhere to the SOFA.

In practice it is difficult for a peacekeeper to convince local authorities that international law and/or the SOFA establishes certain immunities. Clearly soldiers and commanders are likely to be more convincing if they can point to local law that supports the immunity granted to them.

In many cases where a peacekeeping force has deployed, there may be little or no domestic law applied during the early stages of the mission. However, as the local infrastructure develops, as happened in Rwanda, the local authorities begin to apply local laws, not only to their nationals but also to foreigners. It is therefore important that soldiers and commanders know the extent of any immunities that they may be able to claim under local law.

Most countries that are party to the mentioned Conventions will have enshrined the principles of those Conventions in their national law. For example, the Rwandans adopted the CPIUN as a part of their domestic law.

Knowledge of local laws applying to such everyday issues as traffic violations, assaults, entering....
into transactions that may be considered contractual in nature and the powers of various police, paramilitary and military organisations should be passed on to soldiers. This knowledge is essential for at least two reasons. Firstly, it allows soldiers to know their responsibilities under local law. Secondly, it allows them to exercise their powers as peacekeepers ensuring that they maintain their effectiveness.

It is arguable that even if the above immunities did not exist, local laws are unlikely to affect matters that are solely military in nature. Most nations that have foreign troops exercising within their territory recognise that a foreign military force has exclusive right to try its members for offenses such as absence without leave, disobedience of a lawful command and insubordination.

The Conventions mentioned stipulate that immunity may be waived if granting the immunity would impede the course of justice. The authority to waive legal immunity lies with the highest ranking person of the particular organisation. For example, the CPIUN authorises the SG to waive immunity for UN officials, representatives and experts on mission, including UNMOs (CPIUN Sections 20 and 23). The CPIUNSA gives each agency the authority to waive immunity (CPIUNSA Section 22).

Considering the SOFA’s stance to criminal offences committed by military members it is arguable that the issue of waiving immunity does not arise because jurisdiction rests solely with the contingent commander to which the member belongs. However, immunity may be waived by the SRSG where a criminal offence has been committed by a member of the civilian component or a civilian member of the military component of the mission (SOFA Article 47(a)).

Insofar as civil proceedings are concerned immunity can be waived for all members of the mission for any act or words spoken that are not related to the official duties of a member. The waiving of an immunity should only occur in exceptional circumstances because once an immunity is waived an individual may be found legally liable.

### Guidelines for Future Deployments

It is beyond argument that every peacekeeping mission will at some stage involve the question of immunity. With this fact in mind commanders will need, at the very least, to address the following issues:

(i) What immunities the SOFA offers and under what circumstances.

(ii) What instructions need to be issued to soldiers so that they have clear guidelines as to what immunities exist, how to apply them and under what circumstances they can be waived. One way of achieving this is to provide soldiers with a template which summarises the immunities available to all categories of people in the host nation. An example of such a template is at Appendix 1.

(iii) Procedures must be put in place to ensure that the UN chain of command and the local authorities of the host nation are aware of how members of the various groups granted immunities are to be treated if a member is accused of breaking the law. It is for the UN hierarchy to insist that the host nation abides by these procedures. By way of example, Appendix 2 has the guidelines used by UNAMIR in situations where the issue of immunity arose. As a rule, commanders should never waive a peacekeeper’s criminal immunity. Immunity for civil acts should only be waived in exceptional circumstances.

(iv) Policies dealing with immunities and handling procedures should be developed for those groups of foreigners not covered by the SOFA and international law.

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### Immunity of Non-UN Representative

What of the immunity of those foreign individuals working in the host nation who are not covered by the Conventions or the SOFA? Clearly they have no immunity from the host nation’s laws unless they have entered into a bilateral agreement. Thus journalists, Non-Government Organisations (NGOs) employing foreign nationals, and foreign contract workers are not entitled to any immunity(s) from the laws of the host nation. Generally, it would be unusual for such bilateral agreements to be entered into. One exception is the International Committee of the Red Cross (ICRC) which does enter into a bilateral agreement with the host nation. This agreement establishes, amongst other things, what levels of immunity the Head of Delegation and other delegates have. As a rule ICRC delegates are given diplomatic status in accordance with the Vienna Convention.

In practical terms, depending on the level of anarchy in the host country, the Force Commander or the SRSG may be left with no option but to address this issue by negotiating certain immunities for the various NGOs.

The issues of who can claim immunities, the extend of the immunity(s) and who can waive the immunity(s) are not easy concepts for soldiers to distil.
It should always be remembered that immunities provided to UN representatives should only be waived as a last resort. It should be remembered that once an immunity is waived the representative may be found legally liable.

**Conclusion**

What does the issue of immunity mean for commanders and soldiers on peacekeeping missions? In practical terms it may protect a peacekeeper and those that he or she is required to protect from harassment, assault or incarceration by local authorities. At the very least, knowledge of the immunities gives peacekeepers a legal basis from which to argue with a host nation that they, the host nation, are acting *ultra vires*. As the above examples have shown this stance allows peacekeepers the confidence to act in an impartial and efficient manner to achieve their mission.

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**APPENDIX 1**

**HANDBOVER OF MILITARY PERSONNEL OF NATIONAL CONTINGENTS WHO ARE A PART OF UNAMIR**

1. As soon as a Rwandan authority seeks jurisdiction over military personnel of national contingents who are a part of UNAMIR, the Force Commander or his representative, the appropriate contingent commander and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. The Rwandan authorities are to be told THAT MILITARY MEMBERS OF THE MILITARY COMPONENT OF UNAMIR SHALL BE SUBJECT TO THE EXCLUSIVE JURISDICTION OF THEIR RESPECTIVE PARTICIPATING CONTINGENTS in respect of any criminal offences that may have been committed by them in Rwanda.

2. UNAMIR soldiers are **NOT** to allow Rwandan authority(s) to take custody of another UNAMIR soldier unless the Force Commander and the appropriate contingent commander have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

3. If the Rwanda authority(s) uses force to attempt to take custody of the UNAMIR soldier, UNAMIR troops are authorised to use force in accordance with the Rules of Engagement.

4. If authority is given for the handover, the UNAMIR soldier must be taken to the appropriate Prosecutor’s Office in Rwanda. The ICRC are to be notified as far as possible in advance and, if possible, are to be present during the handover. A handover proforma is to be completed and signed by the UNAMIR person conducting the handover and the person in the Prosecutor’s Office to whom the handover is made.

5. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 OPS and the Force Provost Marshall:
   a. name of person handed over;
   b. location where the Rwandan Government sought jurisdiction;
   c. crime person accused of and the name of any witnesses to the crime;
   d. name of the UNAMIR person(s) present when the Rwandan authorities sought jurisdiction;
   e. date, time and place the person was handed to the Prosecutor’s Office; and
   f. whether an ICRC representative was present during the handover and if not, why not.
# GUIDE FOR COMMANDERS AND SOLDIERS IMMUNITY

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>LEGAL IMMUNITY</th>
<th>AUTHORITY FOR HANDOVER</th>
</tr>
</thead>
<tbody>
<tr>
<td>SRSG, FC, Police Comm of Civ Pol</td>
<td>Accorced diplomatic immunity and privilege under international law</td>
<td>Not to be handed over to Rwandan authorities under any circumstances</td>
</tr>
<tr>
<td>UN civilian officials assigned to the civilian component to serve with UNAMIR</td>
<td>Immune from legal process for all acts performed by them in their official capacity</td>
<td>Only to be handed over with the concurrence of the SRSG</td>
</tr>
<tr>
<td>UNMO, CIVPOL and consultants</td>
<td>• immune from legal process for all acts performed by them in their official capacity • immune from personal arrest or detention and seizure of their personnel baggage</td>
<td>Only to be handed over with the concurrence of the FC and/or the SRSG</td>
</tr>
<tr>
<td>Military pers of national contingents who are a part of UNAMIR</td>
<td>Immunity from legal process in respect of acts performed by them in their official capacity</td>
<td>Only to be handed over with the concurrence of the FC and the contingent commander</td>
</tr>
<tr>
<td>Personnel of UN specialist agencies</td>
<td>Immunity from legal process in respect of acts performed by them in their official capacity</td>
<td>Only to be handed over with the concurrence of the head of the agency</td>
</tr>
<tr>
<td>Personnel of NGOs</td>
<td>No immunity unless they have entered into a bilateral arrangement with the Rwandan Government</td>
<td>Only to handed over with the concurrence of the head of the NGO</td>
</tr>
<tr>
<td>Locally recruited Rwandans</td>
<td>Immune from legal process in respect of all acts performed by them in their official capacity  Note: this immunity does not extend to acts committed before their employment with the UN</td>
<td>Only to be handed over with the concurrence of the SRSG</td>
</tr>
</tbody>
</table>
I wish to thank Colonel D.J. Hurley, DSC; Lieutenant Colonel P.M. Boyd, Lieutenant Colonel J.A.T. Dunn and Lieutenant G.J. Cartledge for their comments in relation to this article.

The term “action” refers to the state of the weapon. In this state the weapon is loaded, there is a round in the chamber and the safety catch is on safe.

The term host nation is used here to mean the country in which a UN operation is taking place.

The Vienna Convention of 18 April 1961 deals with the immunities of diplomats of countries. It states, amongst other things, that a diplomat has absolute immunity from the criminal jurisdiction of the local state and is therefore not liable to any form of arrest or detention (Vienna Convention Article 29).

Insofar as administrative and civil jurisdiction is concerned a diplomat is immune from anything he/she does while on duty. This immunity extends to spouses and minor children.

Adopted by the General Assembly of the UN on 13 February 1946 and came into force on 17 September 1946.

Approved by the General Assembly of the UN on 31 November 1947 and came into force on 2 December 1948.

see Regina v Governor of Pentonville Prison, Ex parte Teja, [1971] 2 QB 274.

Representatives include the SG and all Assistant SG (CPIUN Section 19).

The Convention does not define who an expert is. However, generally the term includes military observers and civilian police personnel.

This includes time spent on journeys in connection with their mission. The immunity from legal process continues even when a person ceases to be employed on a particular mission for the UN (CPIUN Section 22).

Example of such agencies include the Food and Agriculture Organisation of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the International Monetary Fund (IMF), the International Bank for Reconstruction and Development (IBRD), the World Health Organisation (WHO) and any other agency in a relationship with the UN in accordance with Articles 57 and 63 of the UN Charter.

An official of a specialised agency is a person whom the specialised agency has specified and communicated to all governments party to the Convention and to the SG (CPIUNSA Section 18).

See US Diplomatic and Consular Staff in Teheran Case 1980 ICJ Rep 3. In this case the International Court of Justice (ICJ) held that a great part of the Vienna Convention reflected customary international law.

The official title of the agreement was the Agreement between the United Nations and the Government of the Republic of Rwanda on the Status of the United Nations Assistance Mission for Rwanda, hereinafter referred to as the SOFA. It should be noted that this agreement is a standard agreement used by the UN. The name of the mission and the host country are usually the only two details changed.

The CPIUN applied to UNAMIR on the basis that UNAMIR was a subsidiary of the UN (SOFA Article 15).

The civilian component of UNAMIR consisted of UN officials and other persons assigned by the SG to assist the SRSG or made available by participating states to serve as a part of UNAMIR (SOFA Article 1 (a) (ii)).

This is one reason why United Nations Military Observers (UNMOs) are treated as experts on mission.

It should be noted that Article 28 of the SOFA accords locally recruited members with the same immunities given to Officials under Section 18 (a), (b) and (c) of the CPIUN.

A “member” is defined as any member of the civilian or military component but unless specifically stated otherwise does not include locally recruited personnel (Article 1(b)).

Article 50 of the SOFA envisages the establishment of a standing claims commission to settle civil disputes.

It has been argued that where a SOFA has not been signed, the mere fact of admitting a military force into a host nation’s territory gives rise to the expectation, under international law, that the host nation will not exercise “any jurisdiction over the force collectively or its members individually which would be inconsistent with its continuing to exist as an efficient force available for the service of its sovereign” Jordan CJ, of the NSW Supreme Court, in Wright v Cantwell (1943) 44 SRNSW as quoted by Shearer op cit at p.207.


Excerpt from Rwanda SITREP dated 15 February 1995.

29. Similar arguments were mounted by the US when justifying the attempted rescue of US Embassy hostages in Iran. See M.N. Leich Digest of US Practice in International Law. 1980, Department of State Publications, Washington D.C. 1986, pp.323-324.

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Australians in Vietnam gives an account of Australian participation in the Vietnam War 1962-1973 and follows the return visit of veterans to commemorate the 30th Anniversary of the Battle of Long Tan, the first major battle fought by Australian troops in Vietnam.

Australians in Vietnam is an Australian Defence Force Journal production. This case-bound book is the ninth in a series commemorating anniversaries of Australia’s participation in war.

Australians in Vietnam is available from the Office of the Australian Defence Force Journal at a cost of $29.95.


**Operation Resolute – Some Observations**

By Captain J.H. Murray, RASigs

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**Introduction**

*Operation Resolute* was the title given to the British tri-service commitment to the North Atlantic Treaty Organisation (NATO) Implementation Force (IFOR) in the Former Republic of Yugoslavia during 1996, in particular the states known as Croatia and Bosnia-Herzegovina. At the NATO/North Atlantic Council level the operation was known as *Joint Endeavour* but as the author’s involvement was in an exchange position with British forces the British term is adopted.

*Operation Resolute* saw the first deployment of NATO forces on operations in a multinational effort to create a suitable environment in Bosnia-Herzegovina for the peace agreement to succeed. Though a NATO operation, the participants in IFOR included many non-NATO member nations. These included both traditional contributors to peace keeping efforts such as Austria and the Scandinavian countries and former Warsaw Pact members such as the Czech and Slovak Republics and Russia. The implications of this eclectic mix of participants will be commented on later.

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**Background**

The history of the war in Bosnia-Herzegovina over the period from the declaration of independence in 1992 until 1995 has been well documented and reported via various news media. Images and accusations of ethnic cleansing, mass destruction, refugees and displaced persons readily come to mind. What must be remembered is that the origins of the conflict are historical with a timeframe of centuries. The actions and the policy processes of the current faction leaderships are guided and influenced by a strong sense of history.

History as a contributor to the political agenda may manifest itself in efforts to “correct” or replicate the past. Examples may include the capture of territory traditionally viewed by one faction as a homeland but occupied by another or the desire to establish an “ethnically pure” autonomous self determining political entity as with the self declared Bosnian Serb region of Republika Srpska.

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**The Dayton Accord**

Late in 1995 the United States was able to bring together a number of the key political figures in the region at a US Air Force Base outside Dayton, Ohio. These included the President of Croatia, Franjo Tudjman, the President of Bosnia-Herzegovina, Alija Izetbegovic, representing Bosnian Muslims and the President of Serbia, Slobodan Milosevic, representing the interests of Bosnian Serbs. The result of two weeks of intense negotiations was the *Dayton Accord* which was formally endorsed in November 1995 by the *Paris Peace Treaty*. The result of these combined political and diplomatic initiatives is referred to as the Peace Agreement.

The Peace Agreement established a number of concessions in relation to recognition, entities, territory and the creation of an Implementation Force. The agreement saw the creation of two entities with self-contained territory. The state of Bosnia-Herzegovina that existed under the auspices of the Socialist Federal Republic of Yugoslavia was effectively divided into two. The first new entity, the Federation of Bosnia-Herzegovina, occupies approximately 49 per cent of the previous territory and Republika Srpska 51 per cent.

The Federation of Bosnia-Herzegovina is based on the coalition between Bosnian Muslims and Bosnian Croats created in March 1994 to counter advances by the Bosnian Serbs. The territory allocated is homogeneous and includes areas captured during the last period of conflict in the 1995 northern summer such as the Sipovo “anvil” in western Bosnia. The territory was also shaped to provide land corridors to Muslim enclaves such as the Gorazde pocket in eastern Bosnia.

Republika Srpska is the self declared territory of the Bosnian Serbs. It occupies the northern and eastern area of Bosnia and is joined by a narrow land isthmus in the vicinity of Brcko in northern Bosnia near the Croatian border. The desire for a contiguous border for both entities was a key feature of the Dayton negotiations and has been a focus of tension.
since. Brcko became, and still is, an area of significant strategic importance to the Bosnian Serbs.

**IFOR**

The Peace Agreement established an Implementation Force to deploy to the region to implement the peace plan. This force, operating under the banner of NATO, replaced the United Nations Protection Force (UNPROFOR) that operated from 1992-1995 in the Former Yugoslavia. UNPROFOR was mandated by the United Nations Security Council Resolution 758/92. The missions of UNPROFOR included implementation of economic agreements, cessation of hostility agreements and providing protection to allow for the delivery of international humanitarian aid and assistance.

The IFOR mandate was for twelve months from 22 December 1995. The role of IFOR was to complete the military tasks of the Peace Agreement. The main task was the enforcement of the terms of the Peace Agreement and the cease-fire between the Former Warring Factions (FWF). Those factions being:

a. The Army of Bosnia-Herzegovina (ABiH) – Bosnian Muslims;
b. The Vojska Republika Srpska (VRS) – Bosnian Serbs; and
c. The Hrvatsko Vijece Obrane (HVO) – Bosnian Croats.

Other IFOR tasks included:

a. Identification and marking of the agreed boundaries;
b. Establishment and policing of the Zone of Separation between the FWF;
c. Oversight of the withdrawal of forces;
d. Monitoring of redeployment of forces and heavy weapons to designated holding areas; and
e. Assistance in the creation of conditions to allow civilian and non-government organisations to carry out tasks of reconstruction.

**Training**

All personnel who were to deploy in theatre with British forces including exchange personnel were required to undertake specific to operation pre-deployment training. This training was conducted under the auspices of the Combined Arms Training Centre at Warminster utilising the experience of personnel who had served on Operation Grapple (UK forces with UNPROFOR) or early rotations of Operation Resolute. This training and the facilities used were particularly impressive. The training was a five day package consisting of both lectures and practical exercises which culminated in range practices to qualify in the annual proficiency test on the specific personal weapon to be carried into theatre.

The lecture subjects were varied and presented by a number of well qualified visiting lecturers. Subjects included theatre orientation, warring factions, current faction update, operation update, driving conditions, personal security, mine awareness and rules of engagement. A topic that drew attention from the audience was the hostage brief conducted by staff who had debriefed UK personnel taken hostage by the warring factions during service with Unprofor. Another good subject was media awareness and an introduction to public information. The war in Bosnia has always been highly publicised and no service in theatre went without some contact with the news media or the system of public information. In the case of the author it was with UK regional radio and television crews recording human interest stories amongst the UK soldiers.

The practical aspects of the pre-deployment training were conducted at the British Army Urban Battle Trainer (UBT) at Copeland Down Village on the Salisbury Plain Training Area. The UBT is a purpose built village containing mock-ups of both public and residential buildings in a European style and is used to train battle groups/company groups in Fighting in Built Up Areas (FIBUA) procedures and tactics. For the period of training the facility was staffed by members of the FIBUA Training Team and a company group from a battalion that had just returned from a six month operational tour in Bosnia (1st Bn The Queen’s Lancashire Regiment). The members of the company provided instructors, enemy and a source of recent experiences for those preparing to deploy.

The practical training included mine awareness and mine drills, language training and the particularly valuable experience of role playing the use of interpreters with Serbo-Croat speakers. Other activities included practical rotary wing aircraft handling drills and security in built up areas involving protective measures such as sandbagging and strong points. A particular amount of time was spent in practical rules of engagement scenarios.

The practical aspects were enhanced by the reality of the training. Serbo-Croat speakers, faction uniforms, faction weapons and a realistic physical environment including buildings daubed with Serbo-
Croat graffiti and street signs, battle damaged vehicles and infrastructure went to creating an overall image. This image was one of professional and credible training.

The focus of the practical training was on the junior leader. Most exercises were section level scenarios that revolved around real instances in theatre. The level of platoon/section commander was appropriate because in most instances this was the command level of first contact in a situation or of first response to a situation or occurrence in the area of operations. Therefore the effectiveness of the training was amplified by satisfying the principle of training the right people in the first place.

During the course of the pre-deployment training personnel were issued with documents to provide guidance during the conduct of the operation. Every member deploying was issued a copy of the operation specific aide memoire. This was issued in an A5 size ring binder and matched the standard issue Tactical Aide Memoire (TAM). This is an equivalent to the Infantry Commanders Handbook. The Operation Resolute Aide Memoire provided specific advice and guidance and was designed to complement but not replace the TAM. This concept had been successfully employed for Operation Granby (Gulf War) and Operation Grapple (UNPROFOR). The aide memoire included a background on the conflict, language cards, recognition tables and diagrams and planning considerations amongst other things. It provided an effective and invaluable ready-reference whilst in theatre.

Good practical, relevant and realistic training was essential prior to deployment. Not only must it prepare the selected personnel for their roles and tasks but it gives the participants a confidence in their own abilities and in the abilities of their comrades and the unit of which they are a part. It can also reduce the feeling of dislocation upon arrival in the area of operations. Those undertaking the training had little problem paying attention as all knew that within weeks, or in some cases, days they themselves would be in theatre on operations.

The orbat for IFOR was a three division corps based on the Allied Rapid Reaction Corps (ARRC). The ARRC as a formation headquarters evolved from the Germany based 1 (Br) Corps when the British Army of the Rhine (BAOR) was disestablished. The ARRC retains a strong British flavour and most of the key staff appointments, including COMARRC are British. ARRC Main was located at Sarejavo and ARRC Rear under command of a one star Deputy Chief of Staff was located at Kiseljak.

ARRC deployed with three divisions under command, one British, one US and one French. Each division was in fact a Multinational Division (MND) with a mixture of nationality at each command and formation level. Each division was distinguished and identified by its geographic location. Hence the British division headquartered at Banja Luka was MND (South West), the US division at Tuzla was MND (North) and the French division at Mostar was MND (South East).

Each division had a Division Rear locality and in the case of MND(SW) (1 UK Armd Div) it was collocated with the UK National Support Element (NSE) at Devulje Barracks near the port of Split, just across the border in Croatia on the Adriatic coast. Split was the main port of entry for Operation Resolute. The NSE provided the staff and headquarters functions for all UK logistic support type units in theatre.

The MND boundaries were designed to demonstrate IFOR impartiality between the FWF. Each MND area of operations was approximately the same size, covering one third of Bosnia-Herzegovina. Each MND also contained a segment of the 3 000m wide Zone of Separation and territory of both entities. Hence each MND contained elements of all FWF and no one faction could dominate a particular area of operations or claim partial treatment.

The multinational nature of the operation brought with it command and control arrangements unfamiliar and not always interoperable. The key formations were either British, US or French and supported by interoperable command and control communications (C3) systems and procedures well tested and practiced on NATO and ABCA exercises. The ARRC is supported by British C3 units who provide Communications Information Systems from higher to lower (Qstag 522). The easiest interface naturally was from ARRC to the British MND (SW) using the Ptarmigan tactical trunk communications system. This system is interoperable with the US equivalent and is a model for the new generation tactical trunking system being procured under Project Parakeet.

Command and Control

The multinational nature of the operation brought with it command and control arrangements unfamiliar and not always interoperable. The key formations were either British, US or French and supported by interoperable command and control communications (C3) systems and procedures well tested and practiced on NATO and ABCA exercises. The ARRC is supported by British C3 units who provide Communications Information Systems from higher to lower (Qstag 522). The easiest interface naturally was from ARRC to the British MND (SW) using the Ptarmigan tactical trunk communications system. This system is interoperable with the US equivalent and is a model for the new generation tactical trunking system being procured under Project Parakeet.

Command and control became more difficult in relation to some of the more exotic arrangements at
divisional level and below. An example is the case of the Portuguese Battalion of the Italian Brigade of the French Division. Though all NATO members, and English was the formal common language of the operation, at the tactical level there was a language change commensurate with each level of command. NATO interoperability could go some of the way to overcoming this but not if there were non-NATO participants involved. This was true of the Czech Battalion of the French Canadian Brigade of the British Division in MND (SW) where not only language but procedures and military culture in general varied.

**Security**

The multinational nature of the operation had certain security implications. Security was truly multi-layered due to the diversity of contributing nations. At the lowest common denominator was membership of IFOR and the access it allowed. At the level above this was the distinction between NATO and non-NATO participants. Membership of NATO allowed access to certain information and formed a discriminator against just general IFOR membership. The next level of access or cooperation was that offered by other discriminators such as the ABCA treaties and agreements. The irony for the author whilst deployed was that though not an officer of a NATO member nation, access allowed because of these multi-lateral agreements meant he could be fully integrated into the British planning process and contribute as an equal party, something not available to all participants, even some NATO members 4.

**Rules of Engagement**

As mentioned previously the pre-deployment training focused on Rules of Engagement (ROE). The ROE for UK forces were developed and promulgated by Joint Headquarters and ROE cards were issued prior to deployment. Every member serving with UK forces was provided with the *aide memoire* “Operation Resolute – Guidance on the use of force” and for section commanders and above there was the additional issue of “Operation Resolute Aide Memoire for Commanders”. The standard ROE card detailed the IFOR mission, i.e. to implement the peace plan, and provide details on general rules, challenging, opening fire and guidance on minimum force. The ROE card for commanders provided elaborated details for the use of force beyond self defence and other general command guidance.

The IFOR ROE were more robust than for UNPROFOR and this resulted in a greater confidence on the part of the participants. The UNPROFOR ROE were restricted in the sense that they were essentially defensive and governed by constraints. The IFOR ROE on the other hand were broader and gave a degree of decision making control to the commander on site whether that be a section commander or higher. The IFOR ROE allowed not and not recorded at unit or formation level and this has created problems for clearance which will have to be a long term continued initiative.

Vehicle accidents, sometimes combined with mine strikes, were the other major threat in theatre. The road and environmental conditions, driver attitude, equipment failure and the actions of the local drivers were the main contributing factors. The author during one five hour road move through central Bosnia across the border into Croatia saw three accidents involving IFOR vehicles, two of which also involved civilian vehicles.

Military action on the part of the FWF was always a potential threat but generally manifested itself between factions or if against IFOR at the very lowest tactical level where political control of forces was weakest. There was always the threat of the disgruntled local commander or gunman wanting to display his disagreement to the peace plan or the idea of foreign troops deployed in his local area. This often manifested itself in the form of illegal roadblocks and checkpoints, the open display of illegal long barrelled and heavy weapons or their use and the hindering of civilian and non-government agencies in their activities.

**Threats**

The greatest threats to personnel on *Operation Resolute* were mines and vehicle accidents. Bosnia, like similar sites of long term conventional and guerrilla warfare in Africa and Asia, is stricken with land mines. The exact number of mines is not known and according to the Mine Action Centre in Zagreb only approximately 50 per cent of minefields are known and marked 5. It is a provision of the *Dayton Accord* that the FWF undertake mine clearance. It was often the case that IFOR had to impose training and movement bans on the FWF because they were not complying 6. The nature of the warfare in Bosnia was such that mines were generally laid, not marked
only for self defence to hostile acts but also acting against any hostile intent. Hostile intent was defined as an act which appears to be preparation of a hostile act such as raising a weapon, preparing to throw a device or driving a vehicle in a hostile manner. For UK forces hostile acts also included the theft of any service property or acts against persons of designated special status such as VIP visitors or interpreters.

The other distinguishing feature was the authorisation of the use of necessary minimum force to perform pre-emptive military operations to enforce compliance with a relevant provision of the Peace Agreement. This robust ROE was important for gaining participant support for IFOR in the same way that a strict twelve month timeframe was important for gaining US involvement. From a political perspective the governments of nations requested to contribute did not want to see a repeat of the images of redundant UNPROFOR troops unable to act against factions and hence become either hostages to be exploited for political gain or unable to achieve their mission. The most publicised example of this was the case of the Dutch Battalion at Sebrenicia who handed the Muslim safe haven over to VRS forces and as a result approximately 7,000 Muslim males are alleged to have been killed. It should always be a principle of peace keeping and enforcement that a clear mandate exist together with the authority to exercise that mandate.

### The Future

IFOR completed its tenure in December 1996 and has been replaced with a Stabilisation Force (SFOR) with which ADF personnel are currently serving. SFOR has an 18 month mandate to continue the work that IFOR commenced. SFOR has seen the downsizing of forces deployed from three divisions to three brigades within the same boundaries and areas of operation. The mission of SFOR is to continue military operations to create a suitable environment for the return of refugees and displaced persons, infrastructure repair and reconstruction, fulfilment of the Peace Agreement and activities of civilian and non-government organisations in Bosnia-Herzegovina.

### Conclusion

Participation on Operation Resolute gave an exposure to operations, structures, procedures and military organisations not accessible in the course of normal ADF service. The opportunity to observe the staff of a Corps headquarters was notable. As was the chance to complete the full pre-deployment and training cycle prior to operations. The multinational nature of the operation gave the chance to compare and contrast ADF practices and mix with service personnel from a variety of nations and backgrounds as an equal partner and full contributor.

### NOTES

4. Observation of the author over the period of deployment.
5. IFOR Mine data as at 25 June 96.
6. Authors observation whilst at HQ ARRC Rear.

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Captain James Murray graduated from OCTU 2 Training Group in 1992 was allocated to RASigs and transferred to the ARA in 1994. He has held regimental appointments at 8 Signal Regiment as a Troop Commander and 1 Signal Regiment as Squadron Second in Command and Assistant Operations Officer. During 1996 he served on exchange with the British Army as part of Exercise Long Look and during the course of that exchange served on Operation Resolute with 214 (UK) Signal Squadron in Croatia and Bosnia-Herzegovina. Captain Murray is currently serving as the Regimental Signals Officer of 51 Battalion, The Far North Queensland Regiment.
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Leadership

By A.R. Bannister-Tyrrell, RAAFGR

Established views, thoughts and comments:

**Leader - one who, or that which leads.**
*The Macquarie Dictionary*

...is the art of consistently influencing and directing men in tasks in such ways as to obtain their willing obedience, confidence, respect and loyal cooperation in the manner desired by the leader.

*The Handbook of Leadership*

Management is efficiency in climbing the ladder of success; leadership determines whether the ladder is leaning against the right wall.

*Dr. Stephen Covey*
*The 7 Habits of Highly Effective People*

Leaders need to listen to their followers.

*Lucy*
*Race for your Life – Charlie Brown*

Leadership can only be exercised effectively when people want to reach a common goal.

*Fred E. Fielder*
*The Leader Match Concept*

Research in industry has shown that there is agreement that an effective ‘grass roots’ leader is likely to be loyal to the organisation, to have influence with his superiors, to maintain good interpersonal relations and to actively protect the interests of his subordinates.

*W.J. Byrt*
*Leaders and Leadership*

The good commander seeks virtues and goes about disciplining himself according to the laws so as to effect control over his success.

*Sun Tzu* (military strategist – 500BC)
as retold by Khoo Kheng-Hor in “War at Work”

I’d be a better leader if only I had better troops.

*Commissioned Officer – Australian Defence Force*

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**Introduction**

Many people have written about great leaders and their leadership skills. They have espoused opinions on the way in which leadership is taught and developed from an organisational sense and from an individuals perspective. They have argued that great leaders are born and that leadership cannot be taught. They have argued that leadership is a skill and that therefore it can be taught. They have argued that leadership is not inherent within an individuals genetic make-up, that it cannot be taught but that it can be learned. They have argued that leadership is a product of the environment within which an individual is placed – some will succeed, others will perish. Each argument is quantifiable and statistically based on research and case studies. Yet the outcomes produce arguments at each end of the reality spectrum. Are we then as defence personnel to accept that all assumptions are possible and that any number of correct answers exist to the same questions. Unfortunately, this is unlikely to occur due to vested interests and ideological extremes within each argument.

**The Leadership Quota**

How many leaders do we require in the Defence Force? Are all officers required to be leaders, if so, that means our starting figure is around 22,000 out of an established ADF strength of 63,000. What then is the requirement for leaders from the airmen’, sailors and soldiers. Surely all Warrant Officers would be leaders – add another 3,000. Flight Sergeants and Chief Petty Officers would be expected to display leadership characteristics and perform duties requiring leadership ability – add another 2,000. Sergeants and Petty Officers must, by the very nature of their positions as section commanders, trade professionals and team leaders, display leadership traits and abilities – add another 4,000. Are the Corporals and Leading Seamen obliged to use leadership skills in the routine completion of tasks? Is it not a prerequisite for higher promotion that they prove their proficiency as a leader at junior level as
section 2I/Cs and Trade NCOs – add another 10 000.
If we need 10 000 junior NCOs with leadership ability then there must be a pool of leaders within the Aircraftsmen\(^2\), Leading Aircraftsmen, Privates, Lance Corporals, Seamen and Able Seamen from which to choose. Let’s say then that the available percentage of leadership proteges is conservatively 25 \textit{per cent} – add another 5 500. Therefore the total number of leaders required by the Australian Defence Force is 46 500. True or False?

If “True” is your answer, where will they come from. If you belong to the “Leaders are born” school then we are indeed fortunate to have such a wealth of home grown talent eagerly fronting up to Recruiting Offices all across the country. If you belong to the “Leadership can be taught” school then how can we cater for the needs of 46 500 leaders within a comparatively small defence organisation. If you belong to the “Leadership cannot be taught” school, how then can we possibly succeed as a viable defence organisation when there appears to be a valid requirement for 74 \textit{per cent} of all personnel to be leaders but that they cannot be taught to perform this function.

If you believe “False” then what is the actual number of leaders required to adequately perform the functions of a peacetime defence force? Is it only to be a percentage of each rank? Is it only to be a percentage of the senior commissioned officers and senior Warrant Officers. Will it be possible to identify certain positions that require leadership skills thus officers and other ranks can be streamed and managed into these positions. Potential leaders could be given prerequisite postings in order to prove their leadership prowess and to prove their suitability for higher command.

\textbf{Current Leadership Training}

The question of how many and whom is indeed a vexing one. There are some clues as to how this is currently handled by a brief examination of the existing system. The Australian Defence Force Academy requires all students to undergo the same leadership studies and to pass the same leadership assessments. Cadets and Midshipmen are not streamed into reduced leadership courses should they fail to perform against a set criteria. Likewise, those who excel face no greater challenge in leadership assessment, save the appointment to a senior Corps of Officer Cadets (COOC) appointment in their final year. Appointment to a COOC hierarchy position is indeed a significant recognition of outstanding leadership qualities, however, it is not without fundamental flaws in the application of such appointments. If the most outstanding leader within the COOC happens to be an engineering student then it is unlikely that this Cadet/Midshipman will be appointed to the top job due to concerns that the academic workload is too great. This is indeed a valid stance, but in doing so it clearly identifies ADFA as an academic institution rather than a school for leaders offering a “degree on the side”.

Upon departure from ADFA it is the responsibility of single service offices to satisfy the ongoing leadership requirements of its junior officers. RAAFCOL, RMC Duntroon and HMAS Creswell all provide post-ADFA training. For RAAF graduates of ADFA it is only the non-aircrew officers that will ever return to RAAFCOL for the Junior Officer Executive Course. Aircrew will not return to RAAFCOL until senior Flight Lieutenant or junior Squadron Leader for Basic Staff Course. RMC Duntroon is in a league of its own with respect of post-ADFA leadership training.

There is, however, no structured or systematic development and assessment of leadership ability for commissioned officers within the ADF beyond initial training. This need has, however, been recognised within the confines of the Other Ranks promotion system and has resulted in the relatively recent development of the Warrant Officers Course for the RAAF (I presume there are similar courses for RAN and ARA) and enhanced requirements for promotion to Corporal and Sergeant.

Leadership development can be compared with parenting. The parent brings the child into the world, is taught how to walk, talk, run, how to write and possibly how to read. When the child is ready it will be sent to school to further its education and learn new skills and to develop the ability and desire to seek knowledge and enhancement. The ADF, by comparison, has stopped at the school gates. They have put in the early work, laid the foundations, provided the basic preparatory skills, but has failed to put in place a mechanism for advancement of an individuals leadership ability and competence. Sure the gate is open for individuals to make a personal choice, but in the context of the importance of leadership proficiency and competency, this is an ineffective method of providing leadership enhancement.
LEADERSHIP

Is it Really a Skill?

The prophets of the “Leadership can be taught” ideology would argue that leadership is a skill and therefore, as with any skill, it must be able to be taught. I agree. However, if I may be permitted to provide an example from my early service career.

I joined the RAAF in April 1979, having completed recruit training. I proceeded to RAAFSTT at Wagga Wagga to begin trade training. At the recruiting office I was told that my training at RAAFSTT would involve a range of activities including trade skills, marshalling aircraft, hydraulic systems servicing etc, etc, and filing. Well all of these went straight over my head except for filing. You see, before I enlisted I worked as a bank clerk and was very familiar with filing, and even filing cabinets. I was also proficient with retrieving items out of filing cabinets. Imagine my surprise when I was handed a block of steel closely followed by an odd shaped metal implement with a wooden handle; and to my amazement – told to commence filing. Well, filing I was told was a skill and therefore it can be taught – and indeed if you don’t learn in accordance with the syllabus you can be removed from the course. So I learned. The vice I made was not returned to me upon completion of the final assessment however, which was RAAFSTT’s way of saying that you hadn’t really learned enough, but you’ll have to do.

So what does this tell us of teaching to a set syllabus on the assumption that if it’s defined as a skill it must therefore be able to be taught. It tells us that the results will differ, some will fail, the rest will pass but with varying degrees of proficiency. It is easy to assess the relative merits of a vice, you can see it, touch it, make sure that it works. Leadership is entirely intangible.

In attempting to quantify leadership performance standards the military staff at ADFA developed an assessment proforma and matrix that is used during a number of staged field exercises. This proforma provides the military staff, and the Cadet/Midshipmen, with an accurate word picture of each participants performance within a relatively controlled environment, but its use is confined to a given scenario at a particular point in time. It would be inappropriate to use such a detailed assessment and counselling proforma outside the initial training institution as part of the annual assessment process, however, it could be used effectively to counsel officers with an observed lack of leadership ability. What then is available post-ADFA, RMC Duntroon, RAAFCOL and HMAS Creswell to accurately assess the leadership abilities of junior officers? Answer: very little.

Leadership Accountability

Some may argue that the lack of available leadership development places the onus on the individual to seek enhancement of their leadership skills. In some instances this is most correct.

Achieving professional competence is a task faced by every leader. As with any task a leader must carry out certain functions to ensure that it is done properly. Before you can successfully lead you must first master yourself by knowing your own capabilities and limitations. You may do this by constantly reviewing your own performance and by seeking the honest opinion of your associates.

This extract from the Handbook of Leadership places the onus on the individual to seek leadership enhancement. But what if the individual is either incapable of making a self assessment, or is unwilling to seek self enhancement. What then is the mechanism that will identify a less than capable leader in need of such development – surely it must be the annual assessment; the Officer Evaluation Report in the case of RAAF officers. A casual perusal of the OER reveals that there is no obvious assessment of leadership ability. In fact, the only reference to leadership asks for an assessment of “Overall Leadership Potential”. There is no assessment of current leadership performance unless we are to believe that “Control of Subordinates” is the be-all and end-all of leadership. This lack of assessment is not surprising as it is indeed difficult to quantify leadership ability against the background of daily tasks and management based performance. Even if extremely difficult there must at the very least be an attempt to redress this deficiency. Proven leadership competency, that which has been displayed and witnessed, must be assessed. It is not good enough to merely seek a “motherhood statement” of leadership potential. Measure the here and now, plan for the future, promote on leadership performance, and base leadership potential on proven capability and competency.
There is a need to address the varying skill levels of leaders. To make a definitive assessment of an individual's competence as a leader, a pilot's proficiency is graded against a set criteria and defines the level of capability and competence. Routine tasking is then programmed within the bounds of this competency to hone existing skill levels and to build confidence. Training sorties are programmed to raise the level of competency in order to progress to the next level of competence.

The cycle of routine tasks and training sorties is continued until the highest level of competency is attained within the limits of the individual's ability. Pilot assessment methodologies are based on the understanding that not all pilots are capable of attaining the highest level of competency and that contributing factors such as length of tour, previous type experience, emotional stability, basic skills etc, will all effect the ability of the individual to perform a set function. Why does not the same methodology apply to the development and assessment of leadership ability?

The ADF has, by virtue of the establishment of "leadership institutions", holistically subscribed to the adage – leadership can be taught. There is therefore, a disconnect between the holistic view of leadership training and the annual assessment of potential. The disconnect is that if leadership can be taught, everyone can learn, and we accept that the level of competency gained will differ between individuals. Hence an assessment of leadership potential is as irrelevant as assessing pilot potential for all officers. Given infinite time and resources 99 per cent of all officers would have the potential to pilot a Beechcraft Skipper (low speed, minimal performance, and very little room for passengers). The question remains – is that an acceptable level of competence for a modern defence force? I don't think so. Yet, for leadership competency, it is the lowest common denominator that is accepted, we settle for the "Beechcraft Skipper" performance. As a responsible defence organisation is it really in our best interest to accept the lowest common denominator competency. Should we not strive for excellence.

Leadership is vigorously defined as an art and skill. Yet its treatment as a subject, for officers at least, assumes that some form of genetic programming will click-in automatically when an individual's "internal low leadership light" is illuminated, thus spurring them on to seek leadership development and enhancement of their own accord. What a marvellous attribute this would be, but sadly it does not exist. Individuals, placed in leadership roles, that do not possess the required leadership competency will fail just as quickly as a pilot, engineer, technician, supplier etc would fail if asked to perform at a level far exceeding their known competency.

I readily acknowledge that there are extraordinary individuals who rise beyond the human paradigm and whose achievements make them legendary. History provides these examples, but they are beyond the norm. It would be lunacy to design a command system based upon the potential abilities of extraordinary individuals.

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I believe that there needs to be a revival of the Principles of Leadership. The following is an extract from The 7 Habits of Highly Effective People:

*Correct principles do not change; they don’t die; and they aren’t here one day and gone the next.*
Principles are deep fundamental truths, classic truths, generic common denominators. They are tightly interwoven threads running with exactness, consistency and strength through the fabric of life. Even in the midst of people and circumstances that seem to ignore the principles, we can be secure in the knowledge that principles are bigger than people or circumstances, and that thousands of years of history have seen them triumph, time and time again. Even more important, we can be secure in the knowledge that we can validate them in our own lives, by our own experience.

Given that correct principles do not change it should be fair to say that leadership principles have been with us for some time, however, like the Ten Commandments of the Bible it may be well beyond the capacity of the majority to recall each commandment in precise detail. Yet most would agree that they believe in the spirituality of the Ten Commandments and would indeed attempt to live and act in accordance with their general philosophy. The leadership writings of Sun Tzu date from 500BC, so it should also follow that leadership principles have been defined if not proven over the past two thousand years. There are also the writings of Julius Caesar, Hannibal, Alexander the Great and in more recent times the works of modern military leaders such as the Duke of Wellington, George Washington, General Gordon, General Sir Thomas Blamey, Field Marshal Montgomery, to name but a few. The principles of these leaders reflects their success, but more importantly, their place in history as leaders of stature, courage and competence.

The Handbook of Leadership, published in 1973, identifies nine principles that I believe have withstood the test of time. They are:

1. appreciate your own strengths and weaknesses and pursue self improvement,
2. seek and accept responsibility,
3. lead by example,
4. make sure that the task is understood, supervised and accomplished,
5. know your personnel and look after their welfare,
6. develop the leadership potential of your personnel,
7. make sound and timely decisions,
8. train your personnel as a team and employ them up to their capabilities,
9. keep your personnel informed of the mission, the changing situation and the overall picture.

Of importance from this list is that the first three refer to self, not to subordinates. Yet, as already stated, the only current assessment of leadership ability in the OER is “Control of Subordinates”. This restates the importance of self awareness and its importance in leadership competency. Also worth noting is the entire lack of a principle dictating that you will be a good leader if you have good troops! The remaining six principles are sound, except that I would caution against placing artificial barriers on an individuals capabilities in dealing with Principle 8. It is important that everyone is given the opportunity to surpass their capabilities given adequate guidance and support and in so doing are assisted to define their own capabilities limit. The results of such action may surprise even the most sceptical.

These Principles should be individually assessed under the heading of Leadership Competency as a mandatory requirement for all ADF officers, Warrant Officers and Senior NCO’s. Personnel who are deemed to be struggling can therefore receive adequate guidance and counselling. Those who are achieving need to be identified and, in accordance with Principle 8, employed to their capabilities. Leadership is far to important to waste.

Conclusion

In a changing environment, with a seemingly ever decreasing ADF population, now more than ever we need strong leaders and most importantly we need to know how to develop leadership ability across the broad spectrum of service personnel. It is no longer good enough to wait for the “internal low leadership light” to be illuminated. Officers with poor leadership skills should be identified, counselled and offered appropriate development and training. Moreover, they should not be placed in a situation that requires complex leadership ability beyond their assessed level of competence; to do so is unfair to the member and subordinates alike.

Leadership training, development and assessment require the same level of attention as that given to the development of any other skill. The training must be ongoing and assessed against valid criteria. Leadership competency involves more than just the control of subordinates and requires more than just an assessment of potential once a year. Those who believe that leadership starts and ends with who gets the “best troops” must be identified, counselled and corrected. They must not be permitted to continue in this belief and remain a serving officer in the Australian Defence Force. Leadership skills and competency are vital, misuse should not be tolerated.
Leadership in the ADF needs attention to detail; detail in application of skills, capability of the training programs and competency standards defined for individual assessment. Without this attention we are doomed to an uncertain future with a percentage of individuals incapable of carrying their share of the leadership load.

NOTES
1. Airmen, in the context of this article, is not gender specific and refers to both male and female Other Ranks of the RAAF.
2. Aircraftsmen and Leading Aircraftsmen, in the context of this article, is not gender specific and refers to both male and female members of that rank.
3. *Handbook on Leadership* 1973 Australian Army (Note: possibly no longer in print)
4. In conjunction with existing criteria.
5. *The 7 Habits of Highly Effective People* – Dr Stephen Covey, printed by The Business Library.
6. All too often the capacity of subordinates is capped at predetermined levels by superiors rather than on the basis of an individual’s skill and desire to achieve.

Anthony (Tony) Bannister-Tyrrell enlisted in the RAAF in 1979 as a CAT2B Trainee. He was commissioned in 1987 as an AERO and held various engineering, maintenance, logistics and staff positions, including Divisional Officer at ADFA. In August 1996 he transferred to the RAAFGR and in between 4J3 and Reserve Staff Group assignments he presents to a wider audience on leadership, team building and organisational change.
All’s Fair in Love and War: Dealing with the Media

By Major R.W. Eastgate, ARES

I was disappointed recently to hear a senior officer responsible for dealing with a contentious issue declare his annoyance with the news media. A man of considerable charm and intelligence, it may have surprised him to discover that his reputation and record of service are held in some esteem by that almost terminally cynical profession.

His antagonism towards the media was based on previous negative experiences, and he tended towards an adversarial approach. His preference was to avoid them or ignore them if at all possible.

For all our modern technological wizardry, some entrenched prejudices remain, none more so than the services’ traditional aversion to dealing with the media. Where on the one hand we now embrace modern methods and equipment with enthusiasm, our attitudes towards dealing with the media are at least half a century out of date.

The reasons for this situation are complex, no doubt exacerbated by the experience of Vietnam and subsequently, when the media intruded intimately into the conduct of the war at all levels; tactically, strategically and politically.

The media in its various guises is simply another form of communications and one which we as professionals should learn to master as if it were simply another weapon in our total armoury.

Like any weapon, if you handle it with care, understand its capabilities and roles, learn the drills and how to load, aim and fire it in the approved manner, it can be a powerful tool. Mishandled or misused, it can discharge unexpectedly with unintended and disastrous results.

Dealing with the media to ensure that your point of view is adequately represented is not difficult. You should approach the problem in the same way that you would any tactical problem. The Appreciation Process, properly applied, is as relevant to the media battle as it is to conventional warfare.

Following are some, but not all, of the considerations involved.

The media is not anti military

There is a perception in the Services that most media organisations and their reporters are anti military. Nothing is further from the truth.

Most have great sympathy and a lot of interest but sometimes lack understanding.

Reporters are naturally inquisitive; to be so is their business. With a little effort you can improve their understanding.

Preparatory fire helps soften the opposition

Your greatest need of “friendly” media is likely to be when a potentially negative story is breaking. Time and effort spent building a harmonious relationship with your local media will invariably pay dividends. Investing time and effort in the good times should help produce a sympathetic and understanding media when you need one.

Reporters are people too

Despite what may at times seem like a very public profile, most reporters are real people with the same phobias, anxieties and pressures as anyone else. They are under considerable pressure to perform in a profession which is highly competitive and very cut-throat.

They tend to specialise in a particular area, and are fiercely protective of their rounds. They pursue an amazing range of interests outside of their working environment. Get to meet some, socialise with them, discover their interests, their likes and their dislikes. Utilise that knowledge to your advantage.

Many have a background in the Regular or Reserve forces and some are still serving. Many have close relatives who are serving or who have served in the Defence Force.

Ignite their curiosity, stroke their egos and feed their insecurities.

How the media deals with an issue

There are two sides to every story. A good media organisation strives to achieve balance in a story.

A professional reporter will contact both sides and report each point of view, without comment. In any contentious issue, half of the story should antagonise at least one side.
How the media decide what is newsworthy?

This is a highly scientific process. The day’s stories are evaluated at a series of conferences at which the participants meld experience, gut feel, what the other outlets are running, managerial bias, parochial interests and editorial policy to decide what mixture of news will sell the most papers in the next addition or attract the most viewers/listeners to the next scheduled news.

Commercial consideration will almost always outweigh the national interest.

If an issue is considered newsworthy, it will get an airing

Major media outlets have little interest in the results of Regimental football matches, or the fact that Private Bloggs passed his advanced driver’s course.

They are interested in “big picture” issues and ones which have a major impact on local affairs or the local economy.

If Private Bloggs rescues a damsel in distress, that may be news, but the fact that Bloggs is a soldier may not be relevant to the story. Learn how to make it so.

The size of a newspaper is dictated by advertising not news

The number of news stories printed in any edition of a paper is dictated by the space allocated to news. The rest is for paid advertising and regular features.

Your story has to compete with other news on its merit.

Remember that television and radio news run to time. You can only fit so many stories into 30 minutes. Your story has to be considered newsworthy to get a run.

No victory is achieved without a few reverses

Except that occasionally you will be the target of criticism in the media. Not all stories are good, and the media judges a story on its news value, not necessarily for its effect on the subject, libel and defamation considerations aside.

Learn to accept the bad as well as the good. The media will be fascinated when a CO is discovered fondling the driver, even more so if the driver is of the same sex. Such are the breaks.

Remember, the media is not a paid propagandist for the Defence Force, and reporters are as entitled to have an opinion on an issue as anyone else. It will not always concide with your own. Some you win, some you lose.

Perceptions are reality

Even though the general community perception of events may be different from your understanding of them or from what you would like them to be, unfortunately they will be the reality. Do not fight those perceptions, change them. Be less sensitive about your shortcomings but remain positive about your strengths.

The best form of defence is attack

The best defence against an opinion with which you disagree is to offer a counter opinion. Reason rather than emotion will sell a point of view.

Correct errors of fact. A reporter who develops a reputation for getting facts wrong becomes a liability.

Reporters who allow their personal bias to colour their writing are vulnerable to criticism. Rather than attacking individuals, focus on the process. A reporter who is not pursuing both sides of an issue is being professionally negligent, and will usually be brought to task by the editor if this is pointed out.

Constructive criticisms which improve an individual’s knowledge of a subject will generally be welcomed and will always be better received if they have been preceded by praise where such is due. Do not hesitate to acknowledge those articles which are accurate, fair and which support your point of view.

Study the enemy

Spend a little time to understand media organisations, their methods, style and preferences. Do not just read a newspaper for its news value. Study its form as well as its content. Editors will use material which has value and which imitates their preferred style or styles.

Identify your target

Learn who covers what. It would be unwise to offer a story on the testing of defoliants to the environment reporter, whereas the motoring writer would probably kill for a ride in a new amoured vehicle.

The media has a legitimate role to play in war. It makes perfect sense to involve the media in your training in the sorts of roles you would expect them to play in war should that time arise. Both sides can only benefit from the experience.
Learn the terminology

We are all intimately familiar with military terminology and acronyms though others may not be. Do not confuse people with terms they do not understand. You might also be surprised to discover that the media world has its own terminology as well. People are friendlier and understand better if you use terms that they understand.

Anyone can write a story

Well, almost anyone can. Anyone who has mastered the art of service writing can, with a little effort, learn the intricacies of journalistic style.

If your story interests a news outlet, they will allocate a professional reporter to cover it. The more detail you put into a story, the less questions a reporter has to ask, lessening the risk that they will get it wrong.

Learn to write copy the way a newspaper prepares its stories.

A typical news item is 10-12 sentences (paragraphs/pars) long. Good copy is tightly written without any verbiage. It is structured so that it can be edited (cut) from the bottom without losing any sense.


The subs will always get it wrong

Every story is cut to fit the space available. This process is carried out by the sub-editors, “the subs.” It is every reporter’s experience that once a story is in the hands of the subs, the author loses control of it. The subs make corrections of spelling, grammar and style, and are not infallible. They also add the headline.

The subs are also not as intimately familiar with service terminology, structures and traditions as you are.

A good sub will check when in doubt. Always provide sufficient details for the subs to check back with you.

However, no reporter is immune from the subs or from the gremlins. What you submit may not be what you see.

Tell the world

The media can’t report a story it doesn’t know about. Keep the media informed of positive developments.

Conversely, keeping a negative story under wraps may result in a media storm when it is discovered. Bad news doesn’t improve from not telling. Tell it the way you would like it to be told as early as possible to minimise long term potential damage.

Pick the right time to offer a story

Sundays and holidays are generally good times to submit a story. There are also other identifiable slow days and periods, which may differ from locality to locality.

Learn when they are and offer good stories when the outlet may be scratching for a good yarn.

Colour news

The media like “colour” stories; ones with entertainment value. They can also be informative. Old soldiers, young soldiers, minorities in uniform, new equipment, unusual training, learn to identify what might make a good colour story, and offer it to the media.

A good photo can often make the difference between a mediocre story and a great colour story. Learn what makes a good photo opportunity.

Find the unusual slant

It is an established media truism that “Dog bites man” story is not news, whereas “Man gets HIV from dog bite” would almost certainly guarantee publication.

Learn to identify those issues which make seemingly routine events different and therefore newsworthy.

Be user friendly

Determine whether your local media outlet has technology compatible with your own. The Internet is an excellent medium for filing copy electronically.

The less work an outlet has to do on a story will always improve its chances of being used.

Don’t neglect your best asset

Any reporter worth his/her salt can sense a con a mile away. Reporters deal with assorted spivs and low life as a matter of course and are generally unimpressed with pomposity and circumstance, or with cant and hypocrisy. Rank carries no privilege.

Often the best person to tell a story is the person most intimately involved, who is not attempting to as taught at Staff College or during media training.
The most enduring images of the Black Hawk tragedy, and the ones which affected even the most hard bitten of professional reporters, were those of the surviving aircraft captain, in the immediate aftermath, reaffirming his unshaken faith in the comprehensiveness of his training, in the competence of the rest of his crew and in the quality of his aircraft.

**Conclusion**

In all our endeavours, we train now to fight later. The media battle is now. Approach it positively and with determination and you will achieve victories.

Never be disheartened or disillusioned by a few reverses or the odd defeat. It is a battle worth fighting.

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The history of Israeli intelligence is inextricably linked to the history of Israel. Since its inception in 1948 Israel has faced constant threats to its very existence. To deal with these threats there are three principal security agencies, coordinated by the Committee of the Heads of Services, generally known as Va’adat or Varash. These services reflect in their general structure a pattern common to most western intelligence organisations. They are Mossad, responsible for external security; Shin Bet, the Department of Internal Security, responsible for counter-intelligence, and the Bureau of Military Intelligence (A’man). In support of these there is the Research Division of the Foreign Ministry, which analyses information from open sources. One key difference between the Israeli agencies and most others is that there is no separate electronic information gathering agency. In this respect Israel is more like Germany in that the military intelligence system within the Israeli Defence Force (IDF) is primarily concerned with gathering electronic intelligence.

Israel’s intelligence services date from the period before the establishment of the Jewish state. In the period leading up to the declaration of the state of Israel, in the British Protectorate of Palestine, a highly developed and effective intelligence service known as Shai (Information Service) was established. Shai was the Haganah’s secret intelligence arm which also controlled the internal security unit Sherut Bitachon (Security Service), the forerunner of Shin Bet. A separate organisation, the Mossad L’Aliyah Bet, was the Jewish Agency’s intelligence network which assisted Jewish refugees in post-Holocaust Europe to reach Palestine by any means possible. The network of agents, smugglers, operatives and safe houses which the Mossad L’Aliyah Bet established in Europe remained intact following the declaration of Israeli independence.

Samuel Katz argues that the transition from a refugee smuggling organisation to a national intelligence agency was smooth and natural, although there were rivalries between Shai, Shin Bet and Mossad L’Aliyah Bet. Nigel West interprets the events of the time differently. He describes the conventional view of the Mossad developing out of the Haganah as a somewhat “romantic interpretation of events.” He argues that in 1948 the Israeli intelligence agencies were in a state of chaos and that the Shai actually consisted of five different components, all competing with each other and answering to different ministries. West describes the intelligence services as having no centralised organisation or coordinated command system with conflicts, and frequent inter-departmental squabbles.

It was not until 1951 that Israel’s Prime Minister and Defence Minister, David Ben-Gurion decided to unify and coordinate Israeli intelligence gathering capabilities. The result was the integration of most of the specific military intelligence units from Shai into an organisation controlled by the IDF. The Navy, Air Force and field intelligence units were amalgamated into what was to become the IDF Military Intelligence. Shai’s political intelligence unit was made independent from the Ministry of Foreign Affairs; Mossad was established and Shin Bet was tasked with counter-intelligence.

The central body in Israel’s intelligence community is the Varash, which has as its primary function the coordination of all intelligence and security activities at home and abroad. The Varash consists of the Directors of Mossad, Military Intelligence, Shin Bet, the Inspector General of Police, the Director General of the Ministry for Foreign Affairs, Director of the Research and Political Planning Centre of the Ministry of Foreign Affairs, and the political, military, intelligence and anti-terrorist advisers of the Prime Minister. The Director of Mossad chairs the Varash, although he is considered to be pre-eminent among equals, and is directly responsible to the Prime Minister. However,
the Director of Military Intelligence overshadows the Director of Mossad in power and importance, a result of the continuing Israeli reliance on military preparedness for national survival.

Mossad

Mossad, or Institution for Intelligence and Special Tasks, is probably the most well known of Israel’s intelligence organisations. It has a charter to achieve whatever the Government wants of it and is almost immune from prosecution. Article 29 of the basic law states: “The Government is authorised to carry out on behalf of the State, in accordance with any law, any act whose implementation is not lawfully entrusted to any other authority.” Thus, because there is no other Israeli law governing intelligence and security functions, the Government is entrusted with them. Mossad has a virtual monopoly on the collection of intelligence outside the state of Israel, with the exception of certain military targets, usually not far from the border, which are the concern of military intelligence. Mossad is basically a HUMINT organisation with the technical means of collecting information belonging to military intelligence.

In its formative years Mossad developed an enviable reputation for the successful conduct of operations. The first major success was the procurement of Soviet Premier Nikita Kruschev’s historic speech given to the Soviet Communist Party Congress on 25 February 1956 in which he denounced Stalin’s policies. Other successes were the kidnapping of Nazi Adolph Eichmann from Buenos Aires in 1960; the information provided by Eli Cohen, an Egyptian Jew, who was able to infiltrate the highest levels of the Syrian military and Government to provide accurate information on Syrian intentions and troop dispositions; and the successful operation in 1963 to convince an Iraqi MiG-21 pilot to defect to Israel with his aircraft. Later successes included the raid at Entebbe in July 1976 and Tunis in October 1985; the war against Black September; and the capture of Mordechai Vanunu to face charges relating to the leaking of nuclear secrets. Failures of Mossad include the hunt for the perpetrators of the Munich massacre, when a Mossad hit squad operating in the Norwegian resort of Lillehammer mistakenly gunned down a Moroccan waiter. In the aftermath several Mossad agents were arrested, tried and sentenced to prison terms.

Shin Bet

Shin Bet was initially an integral department of the Haganah’s Sherut Yediot or Information Service. It was responsible for counter-intelligence and internal security during the struggle for Israeli independence when not only Arabs were a threat, but also the British as well as other liberation movements such as Menachim Begin’s Irgun. After Independence it focussed its efforts on Arab and KGB counter-intelligence infiltration, as well as engaging for the first time in intelligence gathering of its own, primarily in the Balkans. Today Shin Bet can be best described as Israel’s equivalent of the FBI and MI5. Under government mandate it is responsible for counter-espionage, internal security and counter-terrorism. It is also responsible for the personal security of Israel’s President, Prime Minister, Foreign and Defence Ministers – a responsibility the world became aware of earlier in 1996 after the assassination of Yitzahk Rabin. The Protective Security and Non-Arab Affairs Sections are responsible for Shin Bet’s liaison with foreign counter-intelligence services and are responsible for the protection of Israeli embassies, consulates and offices, high ranking government personalities travelling abroad, and El Al and Zim (Israel’s national shipping line). Although Mossad is responsible for unilateral operations and liaison on intelligence matters, and Military Intelligence controls the attache system and military liaison, Shin Bet handles unilateral “protective security” and liaison with the local security services in order to safeguard Israeli personnel and installations.

The counter-terrorist role of Shin Bet is one of its key tasks. From 1965 until May 1987 there were 8,000 Palestinian terrorist attacks inside Israel. As a result of this violence 405 Israeli citizens were killed and 2,815 seriously wounded. The acquisition of the Golan Heights during the Six Day War, and the West Bank and the Gaza Strip served as a call to arms for dozens of highly political and revolutionary Palestinian Liberation groups. This led to greater terrorist actions both at home and abroad. In particular the occupied territories caused great problems, which resulted in the “Intifadah” which has only recently seen some form of resolution with Palestinian self rule in Gaza. Failures have also occurred during this period; including the deaths in custody of two Palestinian bus hijackers in 1984, and most notable the very new threat in Israel posed by ultra-right Jewish groups responsible for the assassination of Yitzahk Rabin.
Military Intelligence

Military Intelligence prepares the national intelligence estimates and evaluates all information dealing with the Arabs, reflecting the almost constant military state of alert since independence. It is also responsible for developing and protecting communication codes and ciphers for all the services and the Ministry of Foreign Affairs and for communications intelligence. It is charged with the collection, production and dissemination of military, geographic and economic intelligence and security in the Defence Forces and Administered Territories. The Director of Military Intelligence also directs Field Security Units, Territorial Command Combat Intelligence and Air Force and Navy Intelligence coordinated through their respective area commanders.

The Secret of Success

One of the key reasons for the success of the Israeli intelligence agencies was the quality and qualities of its founders. The Israeli intelligence services were founded and led for the first 20 years of independence by a collection of brilliant and daring men assembled from the very top levels of advanced societies throughout the world. However, not all early activities were successful and the organisations were not always smooth and harmonious. Although there was an abundance of daring and improvisation the early output was uneven and inter-service rivalry and infighting led to some disastrous ventures. It was not until the late 1950s that intelligence services began to mature and achieve a steady level of performance.6 Laquer argues that its achievement in this period can be explained by the fact that “it was able to attract recruits of a high calibre, that it used superior training methods, and that while applying the most up to date technological means of reconnaissance and surveillance within its financial reach, it never neglected the traditional approaches of HUMINT.”7

Another reason given for the Israeli successes has been the reference to “Jewish solidarity”; that is, the fact that Israel can count on the goodwill and active help of Jews in many parts of the world. However, this assumption has some flaws. Israel’s greatest concerns are with the events in the Middle East, a place where there are either no Jews, or where the Jews who live there are in no position to offer assistance. An area of importance for successful

A Matter of Survival

A strength of Israeli intelligence has been the large number of Israeli politicians who have served in either Mossad or one of the other intelligence components. Yitshak Shamir spent 10 years in Mossad. Experience in the intelligence services is akin to the tradition founded on the backgrounds of many of Israel’s first leaders who took an active part in the Second World War and the early Israeli Wars. An intelligence background has never been an obstacle for a subsequent diplomatic or political career and in this way Government and intelligence have been integrated to an extraordinary degree.8

Perhaps the most important reason for the successes of the Israeli intelligence services is that, apart from agreement with Egypt, Israel has never ceased being at war with, or threatened by her neighbours. The high priority given to intelligence is a matter of survival. There have been very few intelligence leaks in Israel, a factor which may seem surprising in a relatively small, intimate country. There is not so much press censorship as a widespread understanding that survival depends on a strong defence. Activities detrimental to national security are seen as a luxury that a small embattled country can ill afford. The relationship between intelligence and national security is nowhere more evident, on a daily basis, than in Israel.

The Blemish – Yom Kippur

One of the most notable failures of Israeli intelligence was the failure to predict the start of the Yom Kippur War. There have been many reasons offered for this, ranging from qualitative and organisational weakness to technical reliance on SIGINT as opposed to traditional agent operations. It has been argued that the Israeli SIGINT successes against the Arabs before 1973 were of such high order that they placed too much emphasis on this source. By 1973 Arab communication security had improved and the Israelis had not appreciated this. Also, by 1973 the production of most finished Israeli intelligence operations is their close link with US intelligence services. At the end of the Second World War the newly raised CIA saw the Soviet Union as its key threat. With Jewish emigration from the Soviet Union gradually increasing there was a wealth of intelligence obtained from the emigre screening programmes.
intelligence was being conducted by the military, rather than an independent service. One view is that this led to the armed services not being objective, due to their vested interests in military operations. However, there were broader reasons for the failure. Improvements in Egyptian technology and weaponry, and Israel’s lack of appreciation of this, played a key part. Egypt had tightened links with the Soviets and had benefited enormously from military systems the Soviets had made available. Mig 25s, Tu-16s, Il-38s and Be-12s, crewed by Soviets but with Egyptian markings were used extensively for photoreconnaissance from May 1971. This provided the Egyptian High Command with detailed information of Israeli units in the Sinai, although the Israelis did not consider this a major problem. According to the Aman assessment, known within the service as “the concept”, the Arabs would not initiate another war. They believed that the Arab states would not be able to launch a major offensive until 1975 or 1976. This assessment failed to take into account the quantity and quality of Soviet weaponry pouring into the Arab states. They were aware of new weapon systems such as air defence and anti-tank weapons, but did not relay this information to branch and corps command so that tactical responses could be formulated by field units. The prevailing Israeli attitude was summed up by one general when he said: “We (the IDF command) simply did not look on the Arabs as capable. We would say ‘pull all your paratroopers and Sagger on hill and I’ll wipe them out with my tanks.”

Apart from issues of assessment of capabilities, the Israelis also failed to act upon intelligence received. The presence of high powered water cannon close to the Egyptian front was not appreciated until they commenced to nullify the 20m sand walls guarding the Bar Lev Line. Also, bridging brought to the Syrian front, a key combat indicator in the Golan, aroused little suspicion. The final coup was the clever deception employed by the Arabs to cover their intentions in 1972 and 1973. Exercises conducted by the Egyptians during this period prompted the Israelis to increase their front line dispositions and mobilise their reserves. In 1972 there were 20 occasions on which Egypt “mobilised” for war. The Israelis began to believe that the intention was not to invade but to “sabre rattle” for the sake of Arab pride. Indeed in July 1972, when Anwar Sadat ordered the departure of 30,000 Soviet advisers from Egypt the Israelis took this as a further weakening of the Arab position. However, in May 1973 when war appeared most likely (and was in fact Sadat’s preferred time) and failed to materialise, the Israelis felt vindicated in their assessment and the intelligence services were accorded a very high standing. Unfortunately this was to change on 6 October 1973, the Jewish Holy Day of Yom Kippur, when the Arabs did attack.

After Yom Kippur

In November 1973 the Israeli Government established the Agranat Commission to investigate matters relating to the hostilities and the performance of the intelligence services. The commission proposed reactivating and strengthening the post of special adviser to the Prime Minister on intelligence and security matters. It also recommended changes in the intelligence and security forces through the establishment of a research and evaluation unit in Mossad and the elevation of the Research Division in the Ministry of Foreign Affairs. The object of this was to avoid relying exclusively on Military Intelligence for major estimates and assessments. The commission also emphasised the need for better operational coordination in the field of collection between the services, although it opposed the coordination of their finished intelligence judgements.

Another reason offered for the decline in Israeli intelligence performance demonstrated by Yom Kippur was that a change had occurred over time as the early generation of Israeli intelligence officers began to thin. The original intelligence cadre began to be replaced by students recruited directly from secondary school, or while they were serving their mandatory period of military service. However, the brightest recruits tended to shy away from the anonymity of intelligence work. Advancement began to be based on the acquisition of advanced degrees which led to a tendency to bureaucratisation, losing some of the inspired brilliance which characterised earlier assessments and operations. It is this bureaucratisation which is claimed to have led to the failure of 1973.

The reforms carried out in the wake of the Yom Kippur did not fundamentally change the structure of Israeli intelligence. Its failure in 1973 indicated an over confidence in the view that in light of Israeli military superiority an Arab attack would simply not make sense. This mistake rebounded on assessments made over the next decade or so, when the intelligence services failed to assess the “threat of peace” as a director of military intelligence put it. This led to a view, reflected in the 1976-77 intelligence assessment, which inclined to the view that Egypt would more than likely turn to war. Two months after that assessment Anwar Sadat was addressing the Knesset. Eliot Cohen identified this failure of analysis as “mirror imaging”. This is
where analysts draw conclusions from information based on their assessment of what they believe the other nation should do, rather than determining what another nation would do.

The Need for Continuing Success

Probably the best illustration of how Israeli intelligence helps to maintain the supremacy of Israel in the Middle East is that, after almost 50 years, the state of Israel still exists. Throughout this period Israel has been under constant threat. The intelligence services have provided information which has allowed Israel to achieve spectacular success with first strikes in 1956 and 1967. It has also been able to compile information on its enemies which has allowed it to develop tactics, doctrine and technology which have consistently outclassed its opposition. The technological edge which they have maintained has been in no small way due to the efforts of their intelligence services to gather information of strategic value.

Israel’s fundamental security needs have not changed since 1948. In the future Israel will need to maintain its intelligence edge over its enemies. On 19 September 1988 the first Israeli rocket was launched. This program has the aim of eliminating the need to rely on favours from nations like the USA. As former Mossad chief Meir Amit said: “If you are fed from the crumbs of others according to their whim, you will need to rely on favours from nations like the USA. As former Mossad chief Meir Amit said: “If you are fed from the crumbs of others according to their whim, this is very inconvenient and very difficult. If you have your own independent capability you climb one level higher.” However, in the past 15 years there have been intelligence failures. Examples are Mossad’s misjudgments in the Lebanon invasion in 1982, Shin Bet’s cover up of terrorists’ deaths, intercepting a Libyan executive jet in the mistaken belief it had Bet’s cover up of terrorists’ deaths, intercepting a Libyan executive jet in the mistaken belief it had Palestinian terrorists aboard, allowing nuclear secrets to get out and of course the tragic assassination of Yitzhak Rabin. As Ravi and Melman point out: “Israel should not expect its intelligence community to be more than it can be; an excellent example of what a small nation with meagre resources can do by using them to the utmost. The community has demonstrated both inescapable limitations and the maximum achievements of intelligence.”

In the final analysis it should be understood that while the Israeli intelligence services clearly have been instrumental in contributing to the security of Israel, the key element has been the Government’s confidence to accept and respond to the assessments provided. It is this unique integration of the intelligence services into the fabric of government which has allowed Israel to achieve supremacy in the Middle East and contributed to its survival. This lesson may have to be learned the hard way in Australia’s case.

NOTES

2. West p.171.
3. Ibid p.177.
5. Katz p.79.
7. Ibid p.221.
8. West p.179.
10. Ibid p.238.
12. Laquer p.222.
13. Loc cit
14. Cohen in Int Requirements for the 90s p.76.
15. Ravi and Melman p.422.

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Lieutenant Colonel Craig Orme entered the Royal Military College Duntroon in 1978 and was commissioned in the Royal Australian Armoured Corps in 1981. He served in 1st Armoured Regiment from 1982-84 as a Tank Troop Leader, a period which also included detachments to 3 RAR as a Rifle Platoon Commander in Malaysia in 1982 and as a Guided Weapons Troop Leader in the United Kingdom with 16/5 Queen’s Royal Lancers in 1984. From 1985 to 1988 he served in the Second Cavalry Regiment in various appointments in a Sabre Squadron and as the Regimental Operations Officer and Adjutant. In 1989 he served with the United Nations Iran Iraq Military Observer Group in Iran and returned to Australia as the Aide de Camp to the Chief of the General Staff. A tour as the Officer Commanding Long Tan Company at the Royal Military College, Duntroon was followed by attendance at the Australian Command and Staff College in 1992. In 1993-94 Lieutenant Colonel Orme was the Australian Exchange Tank Squadron Commander, serving as the Officer Commanding C. Squadron in the 4th Royal Tank Regiment in Osnabruck, Germany, followed by a tour as the Officer Commanding G Squadron in the 1st Royal Tank Regiment in Tidworth, UK. On return to Australia he was the Second in Command of the School of Armour and on promotion in mid 1995 became the Senior Career Adviser at the Directorate of Officer Career Management. Lieutenant Colonel Orme was appointed the Commanding Officer of 1st Armoured Regiment (Tank) in December 1996.
The Case for the Mercenary Army

By Sam Roggeveen, Deakin University

A ustralian diplomacy is prone to occasional fits of righteous indignation. French nuclear testing and the controversy over Papua New Guinea’s use of the mercenary army organisation Sandline International being two recent examples. It is notable that in both cases the reactions from Government, opposition and the press were almost visceral. In the case of Sandline, the idea that a mercenary army could be employed to end a civil war seems to have offended many people’s sense of common decency.

The opposition foreign affairs spokesman, Laurie Brereton, for example, demanded from the Government “an absolute guarantee that not one dollar of Australia’s bilateral aid to PNG is going, directly or indirectly, to the hiring of a crew of Rambo-like assassins,” an editorial in The Australian described PNG’s use of mercenaries as “wrongheaded, dangerous and bizarre,” while The Australian’s South Pacific correspondent, Mary-Louise O’Callaghan, called the hiring of Sandline International a “repugnant action by a democratic government.” The sweetest irony of the debate came from that newspaper’s editor, Paul Kelly, who objected to the fact that payment of Sandline was coming from PNG’s privatisation fund. It seemed that when it came to privatising war, The Australian was losing its enthusiasm for economic rationalism.

Mercenaries have not always figured so low in people’s estimations though. Before the French Revolution, it was considered a matter of common sense that the rather barbaric and vulgar business of war should be left to needy foreigners so that the citizens of rich states could get on with pursuing their fortunes. This is a tradition going back to the fourth century BC, and mercenaries have figured largely in some of the great military campaigns of history ever since. The Carthaginian armies were mercenary, as was that of Hannibal in his invasion of Italy. Alexander the Great employed some 50 000 mercenaries in 329, and the list goes on up to the use of Gurkhas and French Legionnaires during World War II to groups such as Executive Outcomes and Sandline International in the present day.

Despite these recent examples however, the use of mercenaries has not been looked kindly upon since the French Revolution, when military service came to be associated exclusively with nationalism. The modern state system had of course existed before 1789, but the French innovation was to endow the state with a particular ideology. Previously, the state had been little more than a geographical entity; the French gave it a moral force. It became the duty of the French conscript army to spread French ideology to the rest of Europe, and although Napoleonic France itself may have been turned back, the idea that soldiery (indeed war itself) was acceptable only if it was invested with a moral purpose has retained its currency. There is good reason to believe that this idea has led to the most destructive wars in history, and also good reason to argue that a relegitimisation of the mercenary army could mitigate this destructiveness and thus be of great benefit to the future of mankind.

The French Revolution and the Purpose of War

Aristocratic society was complete anathema to the democratic philosophes of the French Revolution, and the spreading of the creed of nationalism around Europe, which began with the French in 1789 and spread to Italy, Germany and Greece amongst others during the nineteenth century, marked the death of the international society of aristocrats and the international morality which had distinguished it. In its place emerged a system in which the state itself became the standard bearer of morality.

The morality of nationalism was one of undivided loyalty to the state. In this moral paradigm, no restraints governed the manner in which states conducted their foreign policies, as there was no higher arbiter of morality than the state itself (nationalism is thus a much stronger and more corrosive force than patriotism. The latter is a love of country which can still accommodate the existence of a universal moral order). And so a phenomenon emerged which Hans Morgenthau labelled “nationalistic universalism”, the effects of which were to cause such suffering during the twentieth century. A nation no longer fought its enemy within the bounds of a moral system accepted by all sides, where a position of power or the honour of a king was at stake; the contest would now be between moral systems, with each side believing that the true one was invested in its nation or people. As there can only
be one true universal “way of life”, there can be no room for compromise in a contest between them. The only alternative is to fight until one side capitulates.

It follows that if system A is the true way of life, then system B must not only be untrue but evil, inspiring much greater ferocity in the fight than would be likely if one were simply fighting for the limited aim of increasing a king’s power or prestige. Where previously soldiers had discriminated between combatants and non-combatants, spared the wounded and treated prisoners of war with dignity, these reflections of a common morality were now to be subordinated to the task of wiping evil off the face of the earth. Down this path lies area bombing, the holocaust, and ethnic cleansing.

**A Misplaced Moral Repugnance**

It can be readily appreciated that in such an environment the use of mercenaries is unthinkable, as this would deny the myth that the defence (or spread) of state ideology is the only thing worth taking up arms for. As I have argued, however, it is just such a motivation for taking up arms which makes war more destructive. Later, I will discuss why I believe war involving mercenary armies are less likely to be so destructive, and propose that the mercenary ought to be salvaged from society’s list of moral reprobates. First, however, I would like to further examine why the mercenary should be on that list at all.

There seems to be a genuine moral revulsion amongst Australian opinion leaders at the very idea of a mercenary soldier. For example, Professor Joan Beaumont wrote in *The Australian* that the defining characteristic of the mercenary is that he “will kill for personal gain, not for a good cause.” Two things can be said about this. The first is that any soldier, mercenary, conscript or volunteer, can kill and have killed for both good and bad causes. Young men from all countries involved in the two world wars stood in line for hours to enlist in their nation’s armed forces, and all believed in the justice of their cause. In both of those wars but especially the second, some of the most unspeakable crimes in history were committed in the name of those causes.

Second, if we accept the definition of a mercenary as someone who is prepared to kill for personal gain, then we must conclude that the Australian Defence Force (and for that matter most Western armed forces) is full of such people already. We would like to believe that those young men and women who enrol in our defence forces do so as much out of a sense of duty as for personal gain, but you will note that Defence Force recruitment campaigns concentrate *exclusively* on the career opportunities available in the armed forces. The notion of a sacrifice for the greater good or duty to country is non-existent in their advertising. It may be true that mercenaries kill exclusively for money, but just watch the Australian Defence Force’s recruiting numbers jump if the Government suddenly announces a 40 *per cent* pay increase!

Thus far I have argued that the volunteer soldier who chooses to fight for a private company ought to be regarded as the moral equivalent of the volunteer who chooses for his country. It is only through their actions in war that we can distinguish between them, and history shows us that the soldiers of nation-states are just as capable of committing war crimes as mercenaries. We might go further though, to argue that the moral position of the mercenary is a superior one, as, unlike his counterparts in national armies (whether they be volunteers or conscripts) the mercenary can freely choose which campaigns he/she becomes involved in.

Michael Walzer makes this case in his *Just and Unjust Wars*, although he notes that mercenaries who are recruited from amongst the poorest and most wretched are hardly practising free choice if their only alternative is starvation. However, this problem may have been solved by trends in modern warfare. It may be true that in the past mercenary armies were largely made up of such cannon fodder, but it is debatable whether in modern times, large armies made up of unfit, poorly trained and poorly motivated soldiers are terribly useful anyway. War is today less a matter of applying massive force across a wide front as it is of applying intelligent force at carefully selected points. Highly educated and skilled people (who are free to choose a military or comfortable civilian life) are required to fight such a war.

We ought not to become too attached to the free choice argument though. It is only through the existence of the state that any sort of freedom is possible – freedom did not exist before it and cannot survive without it – therefore the state could have a very good moral case for compelling its citizens to fight if its very survival was at stake. However, the majority of wars are fought for much lower stakes, and in such cases it seems a matter of common sense to employ professionals who choose their trade rather than disturb or even tear the fabric of society by forcing citizens to fight.

Still, a moral cloud hangs over the mercenary soldier, largely because of the argument that soldiers who kill for money might not stop at fighting other
The Utility of Mercenaries

Outside the moral argument, the case has been made that mercenaries are simply not useful any more or even that they are worse than useless and are in fact dangerous. These arguments gained renewed prominence in the PNG – Sandline International debate. For example, it has been said that the PNG Government has scarce resources which could better be used to reform the PNG Defence Forces, and this argument is legitimate as far as it goes. In the long term it may well be more useful to reform the PNG military rather than hire mercenaries, but the PNG Defence Forces have already been engaged in Bougainville for nine years with no resolution in sight, and the reforming of those forces to the extent that they would be able to achieve their aims in Bougainville will take many more years again. The PNG Government obviously does not want to wait that long, and I doubt that Australia does either.

The most problematic argument against the use of mercenaries was put by The Australian in its editorial of February 25, which stated that:

Employment of mercenaries sets a terrible precedent in a region that has been mercifully free of such activity. As has been demonstrated in the Caribbean – and indeed Fiji – the governments of micro-states are peculiarly vulnerable to armed seizure.

The editorial argues that the introduction of mercenaries to this region by PNG legitimises their use, and hence might encourage rebel groups in other parts of the South Pacific to do the same in order to overthrow their governments. This has certainly occurred in parts of Africa in the past. What if, for example, the tables were turned in PNG and the BRA had hired Sandline instead? There are no simple solutions to this problem, but it is not a good argument for condemning mercenary armies outright. One way for governments to at least minimise this threat is for them to apply the pressure of the market. They can make it clear to mercenary organisations that if they have in the past supported illegitimate or unpalatable causes they will not be hired by that government.

But the overthrow of existing governments or the fight for independence is not in every case illegitimate. One should not condone revolution lightly, but consider the case of a state so corrupt as to be beyond reform (Albania might serve as a topical example) where a group of citizens decide to take power into their own hands. We recently saw reports from Albania on our television screens of mobs ransacking army ammunition and small arms dumps, and people being held at gunpoint by these mobs on suspicion of spying for the Government. Order seemed to have broken down completely, and recent central European history does not lend itself to forecasts of a peaceful outcome. In such a scenario, hiring a disciplined mercenary army to overthrow the Government strikes me as the lesser evil to arming criminals, thugs and twelve-year-old boys.

Lastly on this subject it must be noted that mercenary armies can just as easily be used to prevent revolution or insurrection as to support it. This in fact occurred in Sierra Leone last year, where Executive Outcomes, who through their routing of the Revolutionary United Front had forced that group into negotiations with the Government, received word of a planned coup by disgruntled elements of the Republic of Sierra Leone Military Force. According to Jane’s Intelligence Review, “the conspirators were quietly advised by (Executive Outcomes) that they… would respond vigorously to any attempt to overthrow the Government to which they were contractually bound.” The plot quickly evaporated.

Having dealt with the argument that the mercenary army is inherently less useful than a national army, we might go further to argue that in fact mercenary armies are of greater utility than their national counterparts. It was noted earlier that the use of mercenaries can save states from the political upheaval caused by endangering their own citizens. It can also be argued that mercenary armies, by their very nature, conduct less bloody wars. If your interest in a war is solely financial you are far less likely to take dangerous risks (like inviting revenge by slaughtering enemy civilians) than a soldier animated by nationalism, ideology or religion. Mercenary commanders risk losing their working capital if they engage in needlessly bloody battle, and executing a
captured mercenary is short sighted if you can instead recruit him for your own exploitation.

Further, mercenary wars are less likely to be bloody as neither army would wish to decisively defeat the opponent which keeps them in business (although this could also be an argument for not hiring mercenaries in the first place). The frequent changing of sides by mercenaries (owing to the existence of an open labour market, in which mercenaries are constantly looking for better employment conditions) would also mean that those fighting against one another could very well have fought together in a past war. A kind of brotherhood of soldiery forms in which certain professional standards are upheld and extremes of violence or cruelty are avoided. If all of this sounds slightly utopian, note that Sir Charles Oman described just such an environment in his *A History of the Art of War in the Middle Ages*.

In the days before military service was associated with nationalism, mercenaries were seen at various times as belonging to a prestigious profession and at others as part of an underclass, but always they were felt to be necessary. I believe they ought to be seen as such again. The profession deserves to be legitimised, if only for the fact that as long as demand exists for their services, we are unlikely to see an end to companies such as Executive Outcomes (although as I have argued, there are good reasons to favour and even promote the existence of mercenary armies, not just to tolerate them), and we ought to have some means to regulate their activities.

One way of doing this might be to set up a kind of international register of mercenary armies, administered by the United Nations, which could thoroughly vet all potential members, and monitor the activities of existing members, expelling whole armies or individual soldiers if they have been implicated in war crimes or the overthrow of legitimate governments. Governments (or rebel groups hoping to become governments) which use mercenary armies not on the register will be subject to international economic and military sanctions.

In their own rather eccentric style, Alvin and Heidi Toffler propose a similar project in their *War and Anti-War*, although in their version the “Peace Corporations” would work exclusively for the UN. The Tofflers saw the perfect opportunity for the use of such corporations in the Balkans. Years of dithering (and, hence, avoidable slaughter) took place in Bosnia before Europe and the United States plucked up the courage to send their troops into the line of fire. Somalia and Rwanda are other examples of nations requiring long-term peacemaking and peacekeeping forces to rebuild shattered societies.

We cannot blame world leaders for removing their troops from danger when bodybags start piling up or even for refusing to commit troops to trouble spots in the first place. Since the Gulf War, we the public have developed extremely high expectations about the ability of modern armed forces to wage “clean” wars. The quick and (on the coalition side anyway) painless defeat of a poorly prepared enemy in an environment uniquely suited to the use of high technology weapons has come to imprison our minds. It is the public which today demands a “clean war”, and we will punish the politicians who cannot deliver it. In such an environment, it is puzzling that the use of highly trained, well disciplined and internationally regulated mercenary armies has not received wider acceptance.

Mercenaries are still a long way from achieving the levels of legitimacy which I have argued they deserve. Deep down, I believe we see the mercenary as more than just a capitalist soldier – I think we dislike him/her because we suspect that he/she may actually enjoy war. I am sure that many mercenaries do enjoy war, and this idea rightly repulses most civilised people. Then again, those who make civilisation possible (often soldiers), are not necessarily fit to live in it.
The Avro Lancaster Aircraft “bombing up”.
The utility of nuclear weapons during the late 1940s and early 1950s was viewed in the United States (US) as an extension of the strategic bombing policies evolved during World War II (WWII). It did, however, alter one of the strategic factors of warfare – the concentration of firepower. Air forces could now give, in what appeared to be a vindication of Douhet's theories, the political and military strategist the ability to achieve surprise with possibly decisive destructive explosive power. Just a few nuclear sorties were considered sufficient by Western nuclear strategists to be able to bring an opponent’s nation to its knees. Any spot on the earth’s surface was believed capable of being reached and able to be destroyed in an instant.¹

Once again offensive operations were believed superior to defensive capabilities and accordingly the gaining of surprise through the use of the initiative, or first strike, was becoming paramount to success. The later philosophy of “massive retaliation” and second strike capabilities were not yet considered and this placed the onus on both offensive action and the requirement for early warning of attack. Totalitarian states were thought by contemporary strategists to have the advantage in the initial delivery of nuclear weapons – presumably because the control of the organs of state were concentrated in fewer hands. This concept gave birth to the second strike mentality and fitted nicely into the missile/bomber combination of the late 1950s and early 1960s.²

Later the target lists for nuclear strikes were expanded to counter-force targets such as military

It was said that the next war would not be a continuation of the last and because of the destructive power of atomic/nuclear weapons and the bomber delivery capability, states could not rely on their industrial capacity to gradually win a war of attrition. The materiel that a country had on the first day of the war was that with which the war would be fought and therefore a viable capacity to deliver the method of winning the war was essential to have “in-being”.³

The cheapest and most effective way of achieving this was the bomber/nuclear weapon option and surprise attack. It stood to reason, however perverted, that no matter how effective defensive measures such as radar and fighter combinations, an offensive would still require mounting against the enemy and therefore a bomber fleet must have the heaviest blow possible by numbers and weight of weapons. Air power and its use in future wars was considered to be still pertinent but only in those that were waged under the nuclear umbrella – intercontinental nuclear war, dispersed global war and fringe atomic war. General Nathan Twining (Chief of Staff USAF, 1953-57 and Chairman JCS) saw the utility of strategic and tactical air forces but again the nuclear dimension prevailed as the thinking regarding the threat was conceived of in terms of war against the USSR and its proxies, however limited that war may be and therefore it must be underlined by nuclear weapons.⁴

However, the US’s means of delivering this “knock-out blow” were severely constrained. In 1948 for example the US Strategic Air Command (SAC) had only 30 long-range bombers modified for nuclear weapons and their targets were large urban and industrial areas – counter-value targets – depending on the importance to Soviet war production. Additionally, the B-29 aircraft, the predominant bomber of the day, had range limitations that required them to be forward based in Europe and the Pacific.⁵ By the end of the decade though, the B-36 intercontinental piston-engine bomber was available which could strike at targets deep inside the USSR. The B-52 subsequently arrived in 1955 and provided the first two-way intercontinental nuclear delivery capability.

Later the target lists for nuclear strikes were expanded to counter-force targets such as military
installations. U2 flights identified Soviet nuclear installations and these became particular targets. These flights in themselves were interesting as the air defences of the USSR at that stage were incapable of intercepting the U2. When in 1960 Gary Powers was shot down by a surface-to-air missile – after 13 attempts with similar missiles and being chased by interceptors, one of which was shot down by the Soviet defences – it signalled the end of the invincibility of the high-altitude incursions into enemy airspace for whatever purpose.6 Another, more disturbing facet of this incident was the US’s reliance on high quality intelligence for its national policy of pre-emption. Without the guarantee of information regarding the imminent attack on the US this policy became moribund until the success of the Discoverer and Samos reconnaissance satellites in 1961.

The U2 had by this stage, however, discovered the myth of the bomber gap which led to the cancellation of the B-70 Valkyrie super-sonic bomber by President Kennedy in 1961.7 After this event the focus necessarily shifted to low-level incursions by bombers supported by sophisticated ECM equipment and techniques to increase their chances of survival. The problems of long-range targeting remained, however, and consequently counter-value targeting remained in ascendancy as it was easier to destroy cities than heavily defended military targets.

As the nature of nuclear war was not well understood, much of the effort to build a strategic force was applied to this targeting problem. The Single Integrated Operational Plan (SIOP) was adopted in the early 1960s which was an approach that emphasised quantitative factors over most others. However, given that the threat was a long distance one in the USSR then the heavy emphasis on SAC may be seen in a different light – although in retrospect of course, not a favourable one.8

Sputnik changed most of the contemporary thinking and Inter-Continental Ballistic Missiles (ICBMs) became part of the nuclear weapons scenario. The Soviets only had 35 ICBMs by 1960 but the US thought they had 500 and went into a panic. All thoughts of finite deterrence were abandoned and full scale production of bombers – B52s – and siloed ICBMs went ahead. The Soviets actually concentrated on ICBMs while professing to narrow the bomber gap and in reality developed a nuclear capability against Western Europe, the Short-Range Ballistic Missiles and Medium-Range Ballistic Missiles, prior to building ICBMs which were able to reach the continental US.9

To make deterrence work the US had prepared with single-minded determination for a nuclear war. Through to the late 1960s the emphasis remained on the SAC to fight this war. Beyond the strategic mission the other missions of the various components of US air power seemed minor. Its continued stress on fighting a nuclear war led to an engineering and technological bias in its favour to the detriment of preparing for air war in other arenas and against other opponents.10

The lessons to be gained from WWII regarding the effective utilisation of strategic air power were thus somewhat disregarded when nuclear weapons became available. Questions regarding the validity of the interwar theorists and their ideas were swept aside in the rush and euphoria to embrace strategic nuclear bombing. It was believed that air power had now reached a level of effectiveness that was claimed by Douhet and others with the result that many thought tactical air power would not have much of a role in future warfare.11 Even though a considerable amount of experience had been amassed by the end of WWII the significant pull of nuclear weapons guaranteed the shunning of the tactical missions that had been significant in the war. General Hoyt S. Vandenburg, USAF, even argued that, in direct contradiction to WWII experience, that air superiority was not a prerequisite to conducting a strategic bombing campaign.12 This was, presumably, because the loss ratio would become an insignificant consideration.

### Delivery Capabilities

The US Air Force (USAF) initially held the monopoly on delivery capability until the end of the 1950s when the USN deployed its first Polaris missile submarine. The USAF’s strategic delivery capability was kept however, to expand the nuclear delivery options available and while it was admitted that more nuclear weapons might not be a deterrent it was certainly thought that a country could win a nuclear exchange if it had the most weapons.9

### The Cheaper Option

The period of the 1950s and 1960s was a great period of building up the SAC to meet the Soviet threat. Containment of the communist threat was the policy of both the Truman and Eisenhower
administrations and its instrument was massive retaliation by nuclear bombers. It was described as “more bang for the buck” by Eisenhower’s Defence Secretary, Charles Wilson, and it allowed the American public some comfort that it was defending the world cheaply as well as keeping the draft calls down.14

This was the crux of the strategic air power doctrine of the time. Large conventional forces, called for under a National Security Council (NSC) report commissioned by Truman, NSC-68, would be prohibitively expensive to maintain in enough numbers to deter the USSR in Europe. Eisenhower accordingly accepted John Foster Dulles’ nuclear strategy of “massive retaliation” and built the bombs and planes to enforce it. By the mid 1950s the USSR had also developed a long-range bomber capable of delivering a nuclear weapon to the mainland US. It was at this stage that the “massive retaliation” strategy began to give way to Mutually Assured Destruction, although not actually articulated until the 1960s.15

The result of such focusing on a particular form of warfare was the limiting and narrowing of capabilities and preparation to conduct other air power missions. This was apparent early in the strategic nuclear bombing story with the Korean War, 1950-53. Across the entire spectrum of aircraft, tactics, doctrine and preparations, US air power had to relearn the lessons of WWII.16 Also, the limited extent of the North Korean industrial complex provided only a restricted set of targets for strategic bombing. Consequently tactical uses such as interdiction of supplies, close air support (CAS) of ground troops and air-to-air combat were once again enjoined. Jeffrey Grey makes the comment that it was a fortunate war for the US as it was the time that Secretary of Defense, Louis Johnson was reducing the forces’ capabilities because they didn’t match those required in atomic warfare.17

Also, due to the focused thinking on strategic matters the air force available in Korea severely limited the attack capability of the UN forces. General Otto Weyland, then Commander Far East Air Forces, described the air forces as not being balanced to the concepts of an air campaign and therefore there was insufficient force to attack many marginal targets, such as the war-making potential instead of the war machine itself, although this may have been caused in some respects by the lack of unity of command and a joint force headquarters staff. This led to different systems of prioritising targets and a lack of coordination between commands coupled with only those targets that had a direct military effect being attacked due to the limited numbers of airframes. Nonetheless, Operation Strangle, which was the interdiction of supplies campaign behind enemy lines was successful as was the use of air power as long-range artillery and in the CAS role in the static land phases after 1951.18

Doctrinally, the war confirmed the hard won lessons of WWII. Air superiority was a prerequisite for the use of air power and the support of ground forces but the end of the war was, as pointed out above, the time when the “massive retaliation” policy and concentration on nuclear strike against the USSR were at their highest.19 The policy again became one of making the war fit the weapon and not the other way around.

The Predominance of Strategic Interests

It was appreciated by both East and West that overriding political considerations in small and limited wars would determine the extent and type of operations conducted by air forces. The possibility of a chain-reaction of events leading to global nuclear war were ever present with the commitment of air power in peripheral combat and it was increasingly difficult to separate these action from the strategic interests of the US and USSR.

In different circumstances the Malayan Emergency stands out. This was very much the precursor to Vietnam but the lessons were not appreciated by the US. Bombers used by the British et al relied on accurate intelligence, target identification and pinpoint accuracy to be effective. All this was, as Dennis M. Drew points out, problematical. Pinpoint targeting was therefore eschewed in favour of area attacks that, although they might not kill many or destroy much, provided an uplift to civilian morale while concurrently demoralising the insurgents. This point is contended by Armitage, Mason and General Clutterbuck who state that using 4,000 sorties and 35,000 tons of bombs and nearly 10 million rounds of cannon and machine-gun ammunition was a gross overkill for the half-a-dozen or so insurgents killed per year.20 However, other forms of air power were very effective such as air transport and supply and helicopter insertions.

Nonetheless, by the time of Vietnam many of the constraints that limited British air in Malaya were overcome by technology. Precision bombing could occur with improved navigational equipment,
communication and air-to-ground coordination techniques. Drew states that the US used CAS extensively and effectively and that it became vitally important for ground troops.21 However, Coulthard-Clark states that the USAF winged its way into Southeast Asia on a doctrine suitable for combating Nazi Germany. Like the other services it was not out fought but out thought.22 Some of this blame goes to the political level which is the reason that the Rolling Thunder campaign of operational bombing was retarded into ineffectuality, coupled with the fact that Vietnam was agrarian and not industrial. Also, what was becoming apparent was that the most effective use of air power was possibly best suited against industrialised or sophisticated infrastructures.

Once the political shackles were loosened and the strategic Linebacker series (I – April-October 1972 and II – December 1972) of operations occurred, the North Vietnamese were soon brought to the peace table. This effective use of strategic bombing and bombers was directed towards the enemy’s war-effort-at-the-source concept and demonstrated, relatively, the most efficient and cost-effective use of air power in the war.23

In summary, air power had during WWII been a devastating instrument of attrition but not one of decisive shock and destruction. The arrival of the atomic bomb heralded the thinking that pre-WWII theorists such as Douhet had been premature, not wrong. Although there might still be an air battle, a bomber with a bomb as destructive as the atomic/nuclear type could achieve the decisive “knock-out blow”. This legacy may have continued except for a combination of the NSC-68 document and the Korean War which awoke some to the prospect of air power usage in limited wars. Nonetheless, it wasn’t until technology had provided ways of overcoming limitations in navigation and developing precision in bombing via precision-guided munitions, coupled with experiences from the Malaya Campaign and Vietnam War that air power could be said to reach its full non-nuclear potential. Political limitations on the use of nuclear weapons have placed...
an onus on conventional forces to derive doctrine and tactics that are commensurate with the type of conflict in which they become involved. During the 1950s and 1960s this thinking took a back seat to the threat of exclusive nuclear deterrence and it wasn’t until the mid 1970s that a combination of the nuclear deterrent and effective conventional forces was understood to provide the essential capacity to provide adequate security.

NOTES


7. loc cit.


10. ibid., pp.90-93.


21. ibid., p.264.


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Lieutenant Commander Dennis Gribble joined the RAN in August 1976 and specialised as a Seaman Officer. He undertook Principle Warfare Officer training in the UK from 1984 to 1985, graduating as a PWO(D). Apart from operational posting at sea and ashore, Lieutenant Commander Gribble has graduated from the then, RAAF School of Languages in Indonesian prior to undertaking the Indonesian Navy Command and Staff School in 1991. He followed this with postings as CO HMAS Bunbury, to DIO as an analyst and is currently the Head of Operational Design Group, CDSC. Lieutenant Commander Gribble holds BA and M Def Studies degrees.
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One of the boom industries of the latter part of the 20th Century has been the writing of management and leadership books. Names such as Stephen Covey, Tom Peters and John Adair are bandied around in modern boardrooms with the same enthusiasm that we in the military discuss Clausewitz, Jomini and Mahan at staff college. Entering the fray is a new Australian publication called *So Now You’re A Leader: 10 Precepts of Practical Leadership*. Written by Peter Stokes and John James, the purpose of the book is not to objectively analyse leadership theories, but rather to provide a “how to guide” to leadership. Both Stokes and James are well qualified to write this book. Each enjoyed a successful military career, including active service in Vietnam, before building, challenging and rewarding civilian careers. They both bring to this book many years of accumulated leadership experience at the middle, senior and community levels.

*So Now You’re A Leader* is an easily read book, living up to the authors’ claim that it should take about five uninterrupted hours to read. It follows very much the contemporary publishing style of using a large point, with boxes to emphasise key concepts and numerous amusing illustrations. Aside from an introduction and epilogue each chapter deals with one precept of leadership in detail; with a very useful summary of the key concepts closing the chapter. The word *precept* has been deliberately chosen by the authors because of its notion of being a clear guide with no suggestion of coercion. A reader could freely choose to ignore any or all precepts and still be a successful leader. On reading the book, Patton was one who immediately sprang to mind as having ignored the odd precept or two! Precepts include: *Accept responsibility for all your actions and those of your followers; Provide a clear vision and direction; Maintain a genuine interest in your followers; Create organisational harmony and teamwork; and Know yourself!* While these precepts may seem obvious to a military reader, the detailed discussion of each often provides useful points for further consideration. To complement the discussion, personal and recorded anecdotes are used to illuminate ideas and many of these are drawn from the military background of the authors. What becomes evident is that the leadership traits which many of us in the military take for granted, are often a revelation for civilian managers. If nothing else, this book demonstrates clearly the distinction between leadership and management, and shows why many military leaders go on to successful civilian careers!

There are some who would argue that leadership cannot be learned from a book, and this is an argument which the authors address in the first chapter of *So Now You’re A Leader*. While agreeing with the basic premise that “leadership is an art not a science” and must therefore be forged through experience, Stokes and James believe strongly that an understanding of the precepts of leadership can help others develop their own leadership abilities. The thesis underpinning this book is that whether individuals are able to put the precepts into practice is what ultimately separates successful and unsuccessful leaders. To help “measure” the reader’s leadership a 50 question questionnaire is included at the end of the book. While the authors stress that this is not a test, by answering them truthfully it is suggested that you can gain “a helpful inventory of you and your workplace”. Perhaps the best measure would be to have a selection of your subordinates complete it, in line with other modern management techniques.

On the negative side, it must be said that a military reader looking for new and unique insights into military leadership theory will probably be disappointed. There is nothing really which has not been published or discussed before, particularly for students of the various service staff colleges. This book is not ground-breaking in the way that, for example, Edward De Bono’s *Six Thinking Caps* provides a new approach to thinking. However, as an easily read text which aims to reduce leadership to a set of teachable precepts, *So Now You’re A Leader* is still a worthwhile read. The fact that it is an Australian book is an added bonus.
We the peoples of the United Nations determined: To save succeeding generations from the scourge of war … To reaffirm faith in fundamental human rights … To establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and, to promote social progress and better standards of life in larger freedom … (United Nations Charter).

Some 51 years ago many countries of the world breathed a collective sigh of relief at the end of the most devastating war the world has ever witnessed. In an attempt to prevent a re-occurrence of the horror, delegates of 50 countries ratified the charter of the United Nations (UN) on 26 June 1945. Only 25 years earlier, the ill-fated League of Nations had sought a similar covenant after the repugnance of the Great War, its defects failing to prevent another world war.

The 50th anniversary of the UN is an opportune time to assess the success of the organisation: to reflect on its first half century and consider potential challenges during its second. During much of 1995 several conferences and seminars were convened for this very purpose.

One such conference was held at the University of Otago, Dunedin, New Zealand. Whilst also celebrating an anniversary of 30 years of existence, the Otago Foreign Policy School hosted an impressive array of regional and international participants. The United Nations at Fifty: Retrospect and Prospect is a summary of the proceedings of this conference. Edited by Dr Ramesh Thakur the paperback book is a thorough and comprehensive analysis of many of the challenges that have faced the UN in its 50 year history.

Within his introduction, Thakur provides a sound groundwork for later presentations. He astutely categorises evaluators of the UN as either romantics or cynics providing examples of each. In a succinct summary of courses available to the UN to avert conflict, Thakur describes one such course as:

When faced with a threat to peace, the UN can choose to do nothing. Cynics might say that indeed the organisation is very skilled and experienced in this particular course of action, that the UN exists so that nations who are unable to do anything individually can get together and to decide that nothing can be done collectively.

Ramesh Thakur, “Introduction: Past Imperfect, Future Uncertain” p.3

Malcolm Templeton balances this cynical view with an excellent discussion of some of the UN’s more memorable achievements and a summary of possible reforms and future developments. Likewise, in his critical examination of UN peacekeeping operations, Reginald Austin asserts the UN must “…move rapidly to adjust from a well tried and tested pattern of peacekeeping to tasks of peace building and peacemaking …”

A significant portion of the book is dedicated to the debate between the contemporary issues of peacekeeping, peace enforcement and peace building. It is one of the central themes that should attract a wide military readership, particularly due to the undisputable qualifications of those delivering their thoughts. Lieutenant General John Sanderson, Commander of the successful United Nations Transitional Authority in Cambodia (UNTAC), describes the dilemma he confronted between the stated mission of peacekeeping, to allow democratic elections to take place in Cambodia, and external pressures to expand the mission to one of peace enforcement involving internal security operations. Embracing the tenets of Sun Tzu, General Sanderson emphasises the need to forge a peaceful alliance with the people in order to build the trust required to successfully complete the mission. If the mission becomes one of enforcement, General Sanderson asserts it is simply war in another context.

General Sir Michael Rose, Commander UN Forces Bosnia-Hertzegovina, in his description of his experiences in Bosnia, questions the ability of UN missions to be solely peacekeeping in nature:

We cannot simply walk away from problems such as Bosnia, let the fires burn out and natural regeneration take place – for we are not talking about trees in a national park, we are talking about human lives … When we criticise the United Nations for not doing something, we are of course criticising ourselves: for all of us are the United Nations … we need to understand the difference between goals of peacekeeping which are subscribed to and those of war-fighting which are not.


Relating his experiences in Angola during the United Nations Angola Verification Mission
(UNAVEM), Colonel Tom O’Reilly draws some important lessons in the planning and execution of UN missions, particularly within the areas of command and control together with resource and financial management. Thoughts that are echoed by both Generals Sanderson and Rose who are especially critical at the lack of a sense of unity of command (or purpose) and the unresponsive command structure at UN Headquarters at the strategic, operational and tactical levels. General Sanderson presents a detailed model of a command and control system that should be read by all members of the Security Council and the decision-makers in the Secretariat in New York, a view supported by Reginald Austin who also highlights the serious strategic disconnect and resulting “serious credibility gap between the awesome authority of the Security Council to make binding decisions and the will of its officers and member states to carry them out or provide resources to do so … “possibly due to the remoteness of the Security Council and Secretariat from the realities of the situation they are dealing with”.

Strong emphasis is placed throughout the book on the requirement for proactive preventive diplomacy and mediation by the UN. Gareth Evans and Dr Jacob Bercovitch present powerful arguments for the establishment of central and regional UN preventive diplomacy functions, while Takahiro Shinyo and S.K. Singh offer Japanese and Asian perspectives respectively on the functioning of the UN system. In a summary of his recent book Cooperating for Peace, Evans cites a number of examples of regional organisations that may provide such a foundation and, in what may be seen as tacit disapproval of how the Secretary-General performs his duties, describes how the UN should develop mechanisms for solving disputes well before they degenerate into violence. Likewise, Bercovitch asserts the role of mediation should be relocated to regional institutions to prevent member nations from “dumping” disputes onto the UN when they were too difficult to resolve.

A recurring theme of the book is one of reform. Keith Suter and Malcolm Templeton were among many presenters to point out the shortcomings of the UN and advocate radical reform. They also highlight the difficulties of reforming an organisation that many member states prefer to keep in mediocrity. Reform within the UN is considered essential to accommodate trends toward globalisation and decentralisation, or as Professor John Groom terms it, global governance. The influence upon the UN of wide variety of new actors on the world stage, including new nations, non-government organisations (NGOs) and transnational organisations is acknowledged by most contributors, although Olara Otunnu expresses reservations and concern at the degree of formal status that is conferred on many such organisations.

In the final analysis The United Nations at Fifty: Retrospect and Prospect concludes the future of the UN is inextricably linked to the outcomes of peacekeeping, peacemaking and peace enforcement operations. For the UN to perform unsuccessfully in the peacekeeping arena could mean a loss of moral authority and “spell doom for the organisation” according to Lieutenant General Sanderson. Whilst contemporary peacekeeping issues are adequately addressed, the book only touches the surface of issues in retrospect and prospect.

The United Nations at Fifty: Retrospect and Prospect does not address the success or failure of a myriad of other UN related activities, such as the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the United Nations Development Program (UNDP), or the United Nations Children’s Fund (UNICEF). The book only briefly touches upon many of the dynamic emerging issues referred to in the Charter. Many such issues such as the environment, women’s issues, human rights, social justice and over-population are given cursory attention, although the necessity for the UN to strike a balance between social justice and political realism in proposed future reforms of the organisation is sufficiently discussed.

Many readers would agree the greatest attribute of the UN is its potential for universal appeal. As Ramesh Thakur concludes it is the only forum for international cooperation and “without the United Nations, in the first 50 years the world would have been a more, not less, dangerous place.” Yet, without UN reform, the world is unlikely to remain a “free, healthy, prosperous and peaceful place” in the future. This book provides a worthwhile contribution to the continuing debate over the direction the United Nations should take during its next 50 years.
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