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Welcome to Australian Defence Force Journal Issue No. 179.

This issue covers a range of topics addressing both contemporary and historical matters. The contemporary include Flight Lieutenant Dale Hooper’s useful analysis of the legal perspectives confronting the employment of uninhabited weapons platforms, as well as Lance Corporal Susan Hutchinson’s argument that the ADF needs to give more attention to ‘human security’. The historical include Professor Clive Williams’ narration of efforts to locate the remains of two Australian soldiers left un-retrieved after a contact in Vietnam.

We are keen to focus at least one issue each year on a particular theme. We had contemplated theming the next issue around the Defence White Paper. This, however, seems to have been reasonably well covered both in the media and by other publications. We have therefore decided to theme the first issue for 2010 on the subject of ‘joint professional military education’ and I encourage readers to submit relevant articles by early January. In the meantime, we would encourage further analysis of the Defence White Paper and its implications through individual articles or letters to the Editor.

We have had a number of changes to the Board of Management and editorial staff in recent months. Lieutenant Colonel David Schmidtchen has retired from the Board after a number of years of much appreciated service as the Australian Army representative. I am pleased to announce his successor is Professor Jeffrey Grey, Adjunct Fellow at the Land Warfare Studies Centre and a distinguished military historian. On the editorial side, Ms Irene Coombes has retired from the Public Service after a long career including many years working on the Journal. I know that readers and authors alike would join me in thanking Irene for her outstanding contribution to the production of more than 100 issues. Finally, I am pleased to advise that the new Editor is Dr Bob Ormston, a former Army officer with experience also in strategic intelligence, defence industry and strategic policy.

I hope you enjoy this issue of the Journal.

James Goldrick
Rear Admiral, RAN
Commander, Joint Education, Training and Warfare Command
Chairman of the Australian Defence Force Journal Board
Letters to the Editor

Dear Editor

The HMAS Melbourne Association is contemplating a reunion in 2010. It will most probably be held at Nowra NSW during a weekend in September or October. We are looking for expressions of interest from anyone who served on or had an association with any HMAS Melbourne.

If you—or anyone you know—may be interested in attending, please contact me by email at sicambre@optusnet.com.au or by surface mail at:

Dean Gedling  
HMAS Melbourne Association  
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Yours

Dean Gedling  
Vice President  
HMAS Melbourne Association

Note from the Editor

Readers are encouraged to submit letters to the Editor on any articles published in the Journal or about any defence or security-related matter likely to be of interest to other readers.

The intention is to encourage and stimulate lively debate within the Defence community on topical issues as a means of contributing to the ongoing development of the ‘profession of arms’ within Australia.

Letters should be addressed to the Editor and forwarded by email to publications@defence.adc.edu.au
Soft Power and the Role of the ADF in Shaping the Australian Security Environment

Wing Commander Mark Hinchcliffe, RAAF

The 2007 Joint Operations for the 21st Century, or Future Joint Operating Concept (FJOC) as it is also referred to, is the Chief of Defence Force’s (CDF’s) vision for future ADF operations. The short document describes how the ADF might ‘best utilise the capabilities of the force to respond to the challenges, the opportunities and the uncertainties of the future in order to keep our country secure’. Within its pages, FJOC quite predictably outlines Defence’s view on Australia’s future strategic environment, its preferred future joint operating concept and a perspective on the key attributes of Australia’s future fighting force.

Perhaps a little less predictably, in a short passage on ‘Expanding Our Role’, FJOC ascribes the ADF a role in shaping Australia’s security environment:

In particular the ADF must develop and maintain the ability to shape the choices of, and deter, potential adversaries seeking to directly attack Australia or its interests. But the Australian Government relies on the ADF to perform a broader role than conventional warfighting in defence of Australia’s national interests. In addition to this fundamental role, the aspiration for the ADF is to be able to contribute to the security of the region.

This role of shaping is by no means a new idea for military forces in general or the ADF in particular. It is, however, an idea worth examining in a little detail in light of the less-than-conventional approach it infers for the ADF, particularly if it also implies an expanded role for Australia’s military forces at a time when they are already under some strain as a result, inter alia, of continued high operational tempo. If the ADF is to contribute to the security of the region through a mechanism of shaping, what exactly might that look like in the current security context? Furthermore, how might a regular force such as the ADF go about applying what is ostensibly a form of ‘soft power’ to achieve these objectives?

This article discusses the ADF’s role in shaping Australia’s security environment through a particular framework of soft power—that of normative consensus building. While clearly not a conventional role for military forces, this article contends that by leveraging off the ADF’s international reputation as a legal, professional and discriminate force, it can make a significant contribution to building and maintaining a regional normative consensus. By contributing to a normative consensus against terrorism, for example, the ADF can meet at least one of its objectives and substantially contribute to the security of our region.

This article further maintains that this shaping role is consistent with and complementary to the ADF’s warfighting roles. That is to say, that shaping through normative consensus building is not an onerous or distractive task that would turn our soldiers, sailors and airmen into bureaucrats or diminish their combat skills. Rather, it is part and parcel of a professional military force projecting its influence in a determined and positive fashion to shape its environment to its desired ends.
The future joint operating concept

As CDF’s vision for future operations, FJOC describes the conceptual framework in which the ADF has chosen to operate in order to meet the challenges and opportunities posed by Australia’s ‘complex and uncertain’ security environment. It lays out the basic principles of how the ADF will operate in terms of three key concepts. First, it will function within a national effects-based approach which incorporates the military as just one component of a holistic national approach to security. Second, it will adopt a network-centric warfare model which envisages useful networks enhancing ADF operations. Third, it will employ a concept of multi-dimensional manoeuvre which seeks to ‘negate the adversary’s strategy through the intelligent and creative application of an effects-based approach’.4

Underpinning these operating principles, however, FJOC proposes a broader proposition—that the ADF needs to perform a larger and more inclusive role than conventional warfighting alone.5 For the ADF to be able to fight and win the nation’s wars, FJOC asserts, it must first cultivate the capacity to appreciate and respond effectively to uncertainty. It goes on to describe how, for the ADF to achieve this, it must first understand the role it can play in shaping the security environment in a fashion consistent with Australian national interests and national military strategy. ‘Shaping’, therefore, is presented as one of the ADF’s specific roles within the overall future joint operating concept.

However, FJOC does not explicitly define what it means by shaping and, in fact, says very little directly about it in the ‘Expanding Our Role’ passage noted above. It does, though, hint at how the ADF might achieve this in a following paragraph which gives some substance to Defence’s role by noting:

... in addition to this fundamental role, the aspiration for the ADF is to be able to contribute to the security of the region. We will achieve this through our leadership role in the Southwest Pacific and our close working partnerships with the nations of Southeast Asia. Finally we will make tangible and consequential contributions to the security of the international environment more broadly.6

Shaping in this context, it would appear, is meant to refer to the influence the ADF might bring to bear on our regional security environment through the conscious transmission of our values, beliefs and culture. The ADF will achieve this primarily, FJOC suggests, by leadership and engagement in close working relationships with the nations that share Australia’s security environment. This influence will extend, ultimately, beyond our immediate region to contribute to the broader international security context also—presumably through the same means.

Subordinate to FJOC are a series of single service future operating concepts, the Future Maritime Operating Concept (FMOC), the Future Land Operating Concept (FLOC) and the Future Air and Space Operating Concept (FASOC).7 Together, they provide some limited further substance to the shaping role ascribed in the capstone joint document. For example, the FMOC depicts Navy operating in a mission space that includes—in addition to a combat mission—assistance and diplomatic, law enforcement and security operations, in which presumably non-forceful employment of Navy capability intended to shape circumstances is envisaged. Again, however, a precise picture of what that shaping might entail or how it might be achieved is not—and not unreasonably so—presented in these ‘aspirational’ documents.8
Shaping

But by what means exactly could the ADF shape its environment? How does a military transmit its values, beliefs and culture in a sustainable and quantifiable manner through leadership and engagement? As noted already, shaping is not a new or particularly novel idea for military forces. Short of combat operations and physical violence, shaping the political environment through intimidation is a well recognised function of militaries.

Armies, navies and, perhaps to a lesser extent, air forces have always shaped their environment by simple virtue of their presence if nothing else. The presence of a naval carrier group off one’s shore, for example, can certainly be a powerful shaping influence. The (mostly) 19th century practice of ‘gunboat diplomacy’ was also a clear example of the conspicuous demonstration of military forces to shape an environment.9

Shaping the environment, therefore, is to some degree an inherent capacity of military forces and this fact has been well exploited over the centuries with varying degrees of success.10 Indeed, it might be fair to say that traditionally, military shaping is seen in a largely negative context, that is, negative in the sense that forces shape their environment by the unmediated fact of their existence. The very existence of the force causes a reaction in others that is largely beyond the control of the shaping force. It will be perceived as good or bad, defensive or offensive, aggressive or benign and so forth, simply because it exists. This is not to suggest the influence is unintended or accidental but that it is to some degree uncontrolled or at least not completely controllable.

This negative sense of shaping is distinguishable from a positive connotation of the term in which the force deliberately sets about projecting an image and exerting influence for some particular purpose beyond mere intimidation. Providing credible leadership or demonstrating professionalism and ethical discrimination are examples of a military force positively shaping its environment. This positive deliberate form of shaping—which FJOC appears to infer—can be interpreted as assigning the ADF a constructive and positive role in influencing the security environment.11

Such an understanding of shaping is a more nuanced and potentially more useful application of influence than mere intimidation and is akin to Joseph Nye’s notion of ‘soft power’.12 Indeed, the concept of soft power may prove useful in this context as a framework for how the ADF could perform the discrete role of positively shaping its environment. By briefly recapping the concept of soft power and how it might apply to the ADF, therefore, we may ‘flesh out’ the means by which the ADF can fulfil the shaping responsibilities FJOC ascribes to it and provide some basis for understanding how the ADF might transmit its values, beliefs and culture.

Soft power

Since he first coined the phrase in 1990, Joseph Nye’s formulation of soft power has been a useful description of the ability of states to exert influence in the international arena through non-traditional (especially non-military) means.13 In contrast to ‘hard power’, which is generally
conceived as the traditional use of military force by political entities to achieve their ends, soft power enables a state to ‘obtain the outcomes it wants in world politics because other countries want to follow it, admiring its values, emulating its example [and] aspiring to its level of prosperity and openness’.14

Soft power, as a means of influencing other political bodies, is derived in large part from a country’s values, beliefs and institutions and, as Nye and others argue, can be as effective and motivating a force as traditional forms of hard power, albeit generally a more subtle one. Almost by definition, soft power is the purview of state organs other than the military, although recent attempts by states to pursue soft power options through their military apparatus have become apparent.15

Of particular note are attempts by the Pentagon to emphasise its use of soft power in a range of circumstances, such as humanitarian and low-end conflict-type missions in which the application of force is not necessarily appropriate or required. In large part, this follows from a recognition by the US Government of the considerable capacity of its military forces to influence and shape the international environment without recourse to force.16 Modern capable forces, such as the US military and, on a much smaller scale, the ADF, have the capacity to do far more than just apply lethal force. In terms of sheer logistics capacity alone, for example, such forces can constitute the most able and effective capability available in any given region—the ADF is a very good example of this in the Asia-Pacific region.

This is one of the reasons that militaries are so often called upon by their governments to provide emergency assistance in time of natural disaster. They simply have the best equipment, training and overall capability. Additionally, of course, the resources of the states which provide their military forces far outweigh those available to non-government organisations (NGOs) or other sub-national agencies who might lend assistance. Generally, militaries are also able to respond most quickly due to their extant readiness states.

This provision of humanitarian or disaster relief assistance, while a common example of the use of military forces to create soft power-like effects, contributes only tangentially to any significant extent to the security of a region. Thus the provision of emergency humanitarian assistance is not the only or necessarily the most effective form of shaping the ADF can carry out to contribute to regional security.17 But, again, what might effective shaping look like for the ADF?

As useful and, of course, as morally commendable as humanitarian support to disaster is, it is a reactive and largely ad hoc response to crisis. This sort of shaping is not the systematic and proactive approach to shaping the security environment that FJOC infers. Something wholly more purposive is required. FJOC suggests ‘leadership’ and ‘engagement within close relationships’ as examples of viable means of shaping that the ADF can undertake. And, again, as useful and effective as these means may be, without a quantifiable structure in which to locate this shaping, it runs the risk of failing to achieve any tangible outcomes because no concrete outcomes were ever stipulated in the first place.

Although this sort of shaping fits within the broader framework of general engagement between friendly military forces—such as defence counterpart discussions and visits—to be a useful
component of overall military strategy and joint and single service future concepts of operation, it should conform to specific strategic objectives through a specific strategy of shaping.

It is significant to note, however, that while FJOC is less than definitive with regards to specific shaping activities, the single service capstone doctrine documents do, as previously noted, give at least some context to how their capabilities and actions can achieve influence within their security circumstance. What is proposed below can quite reasonably be conceived as compatible and consistent with existing single service doctrine and seeks to provide structure and direction to doctrinal generality.

One strategy which potentially offers a quantifiable framework in which to apply this sort of soft power is Boyle’s proposition of a normative consensus against terrorism. In a recent International Affairs article titled ‘The war on terror in American grand strategy’, Michael Boyle proposes that American interests would be best served in its war on terrorism by returning to the central goals of the 2002 and 2006 National Security Strategy (NSS)—‘to establish a lasting normative prohibition on both states and non-state actors against engaging in or supporting terrorist activities’.

Boyle arrived at this position through a critical examination of US grand strategy and the US Administration’s conception and prosecution of the war against terrorism. From his examination, Boyle concluded that American policy on this war is fundamentally misdirected because of three key missteps. First, America’s conception of the conflict is based on a false analogy between terrorism and fascism or communism as a result of a misreading of history. Second, America has lost its way in its struggle against terrorism by moving away from a normative goal, as proposed in the NSS, to a military one. Third, America has confused and conflated the war against terrorism with other ambitious policy objectives, such as achieving a democratic revolution in the Middle East.

Boyle’s thesis can be expressed succinctly, if somewhat less elegantly, as the war on terrorism would be best prosecuted not through conventional military use of force but through a coordinated interagency soft-power approach that promotes, establishes and maintains an international normative consensus against the use of terror. This consensus would effectively achieve a prohibition on terrorist activity and the use of terror by state or non-state actors primarily through soft power means.

By definition, a normative consensus presumes participants are willing supporters of the normative proposition, in this case, that terror is not an acceptable form of force in any context for any cause. Thus, Boyle suggested that with the consistent backing of a powerful advocate, such as the US, this consensus if properly constructed could be an enduring and widely supported one. An effective normative consensus would not only further American interests in opposing terrorism but would increase the perceived legitimacy of US foreign policy objectives and also bolster US international prestige.

Boyle went on to present further advantages that a consensus against terrorism would provide, including building a stable institutional regime for states to cooperate in, providing states with mechanisms for offsetting the domestic costs of dealing with terrorist activity within their borders, making it more costly for states that resist calls for anti-terrorism cooperation
and providing a clear yardstick by which to measure success in the effort against terrorism.\textsuperscript{22} A normative consensus against terrorism as Boyle proposed, therefore, potentially offers an effective and enduring means of dealing with terrorism on a global scale.

The context within which Boyle’s discussion regarding the establishment of a normative consensus takes place is quite appropriately that of the grand strategy of the world’s greatest power. It would apparently follow, therefore, that the establishment and maintenance of a normative consensus on a global scale requires the enormous soft power resources of a major power. How then can the notion of consensus building apply to a middle power like Australia—let alone its relatively small military force? Furthermore, consensus building of the sort proposed by Boyle, while not exclusively the purview of states, is certainly normally the responsibility, where it exists, of the foreign policy arm of government. Suggesting a role in consensus building for the ADF, therefore, would appear to be doubly inappropriate.

As noted, the global scale of Boyle’s proposal clearly implies the intervention of a major power to champion such a cause but this should not discount the possibility of a smaller power, especially one with Australia’s history of advocating causes in the international forum, from adopting such a cause in at least a regional context. Australia has, over the years, been respectably successful in promoting normative consensus across a range of issues. It is a vocal advocate for the prohibition of commercial whaling, for example, and is signatory to a range of conventions, protocols and agreements, such as that opposing the use of anti-personnel mines (Ottawa convention), mining in the Antarctic regions and so forth, which are themselves products of normative consensus in the first instance.\textsuperscript{23} An active role in contributing to building a consensus against terrorism could accordingly fit quite comfortably within Australia’s interests and capabilities.

Smaller powers can contribute effectively to consensus building to the extent that their soft power—that is the attraction of their beliefs, values and culture—is perceived as credible and desirable by other states. In the Australian circumstance, the work of consensus building would reasonably be seen as the purview of the Department of Foreign Affairs and Trade. But, within a coordinated whole-of-government approach, Defence could make a meaningful contribution to this effort in no small measure because it enjoys a degree of cachet, particularly within the regional military context. This cachet roughly equates to a measure of soft power, whereby the ADF is able to exert influence upon its neighbours by virtue of its reputation and relationship with friendly regional militaries.

If we accept that building a normative consensus against terrorism, as Boyle proposed, is ultimately an effective means of combating the use of terror as an expedient tactic in the pursuit of violent objectives by multifarious organisations, then any efforts that Australia could make to progressing such a consensus in its region would positively contribute to increasing stability and security.

The role for the ADF in this consensus building becomes more apparent if we consider how soft power operates between states to transmit values, beliefs and culture. This transmission pathway, incidentally, operates between national military forces, as well as between states, and the ability of militaries to shape and give useful example to other forces is the basis of many international military engagement strategies. Such strategy, of course, must be tempered with
genuine humility and an appreciation that cultural insensitivity or perceived hubris can quickly negate any positive influence.

Perhaps one of the ADF’s greatest assets within the Asia-Pacific region, as a military force, is its credible international reputation as a professional, capable and trustworthy institution. Although on occasion the ADF’s participation in international military action, notably East Timor and Iraq, has drawn negative regional criticism, the conduct of the ADF within those operations has, even if grudgingly, been well regarded. The ADF consequently maintains very amicable and sound high-level working relations with all of the regional military forces with which it has chosen to engage. These good relations can form the basis for a structured and deliberate soft power engagement strategy through the mechanism of consensus building against the use of terror.

Again, deferring to Boyle, he described several ways a normative consensus against terrorism could be created by the US and, with little modification, the ways these could apply to Australia’s efforts as well. The first way is to create a regime of interlinked multilateral and bilateral agreements between states that facilitate cooperation against terrorism. The price of entry to these agreements would be a range of criteria such as transparency in financial transactions, intelligence sharing, military-to-military engagement, humane treatment of detainees and so forth, while the benefits of membership might include intelligence and law enforcement cooperation and military exercises, training and cooperation.

On a global scale, America’s attraction to countries who wish to be more closely engaged with it would provide powerful incentive to join such agreements. In Australia’s case, this could operate regionally whereby more favourable trading relations, access to educational opportunities or favourable seasonal guest worker arrangements, for example, provide incentive for Asia-Pacific countries to be engaged. Many of these agreements already exist within the framework of bilateral and multilateral relationships, regional organisations and various cooperative forums. Since the late 1980s, successive Australian Governments have promoted regional engagement through the means of ‘security regionalism’, that is, various schemes for developing cooperative security relations within the Asia-Pacific region, contributing to the development of numerous regional organisations.

The Asia Pacific Economic Cooperation forum (APEC), the Pacific Islands Forum, the Council for Security Cooperation in the Asia Pacific (CSCAP), the Association of South East Asian Nations (ASEAN) and the ASEAN Regional Forum (ARF) are examples of organisations which already include a security dimension within their program and might serve as suitable venues through which the ADF could contribute to the pursuit of a normative consensus against terrorism. APEC and ARF, in particular, are forums which were built upon a shared normative foundation and so potentially lend themselves to further focused engagement against terrorism. Indeed, since 11 September 2001, Australia has been at the forefront of efforts to ensure ARF makes a practical contribution to regional anti-terrorism efforts and an expanded role for the ADF in this context would be a positive move in shaping Australia’s security environment.

The second avenue that Boyle described involves establishing direct high-level international links between counter-terrorist agencies and counter-terrorism centres. Creating a network of these centres and organisations would act to develop a coherent and binding legal regime
that facilitates information sharing and law enforcement cooperation. These networks would eventually develop into a dense matrix of mutual obligation and cooperation in which a normative prohibition against the use of terror would form the common ground. Cooperation within CSCAP and the ASEAN Institutes of Strategic International Studies (ASEAN ISIS), for example, provides avenues for the further development of this sort of normative network.

Contributing to the establishment of this regime in the first instance would be the larger work of the Australian Government. Ongoing engagement, cooperation and development within the regime, however, would be a role in which the ADF could play a major part. The ADF’s role would fit broadly into two streams.

First is the appeal of its military culture as a legal, restrained, professional, capable, accountable and responsible force. These qualities distinguish the ADF within the Asia-Pacific region and are attractive to states in the region as hallmarks of a politico-military relationship in balance. The ADF’s culture can and does open doors to cooperative engagement activities with regional national militaries who feel they can trust the ADF on a professional level.

This trust is the basis for useful bilateral and multilateral agreements which, when focused around anti-terrorism cooperation, can begin to form the interlinked network of like-minded states opposed to the use of terror in any form. As an example, joint exercises with the military forces of member states of the ARF, under the auspices of anti-terrorism cooperation, is one practical approach the ADF can take to fostering productive regional security interaction.

The second avenue is the appeal of the ADF’s values and beliefs. These values, based on democratic principles, a transparent system of meritorious advancement within the Defence Force and a tradition of upholding human rights, are attractive to regional forces and states because they represent institutional dependability, openness and trustworthiness. States which see these values as desirable are likely to be drawn to engagement with the ADF as a means of furthering these qualities within their own forces. Again, upon this basis, a network of bilateral and multilateral agreements can be built which further bolster the whole-of-government approach to developing a normative consensus.

There is also scope for the ADF to act as a regional focal point for counter-terrorism education, training and exercising. Its strong links with the US military and its operational experience in Iraq and Afghanistan lend credibility to its military capability and provide an indirect avenue to the US for states which do not enjoy strong direct links with America.

Second-track (non-official) ASEAN institutions, such as CSCAP and ASEAN ISIS, are possible forums for security specialists from the ADF to contribute to the progression of a regime of anti-terrorism cooperation. Similarly, so are military engagement programs, such as the Asia Pacific Program for Senior Military Officers, as well as conferences and seminars, such as the RAN Sea Power conferences, Army’s Land Warfare and Chief of Army conferences and RAAF Air Power conferences and regional workshops.

There is scope for the ADF to significantly shape its security environment within the context of developing a normative consensus against terrorism through the already established
regional cooperative organisations. The challenge that faces ADF leadership is to cultivate this consensus through focused engagement with the states and military forces for which the ADF’s example is an attractive and positive one and to promote cooperative relations with those other states which are not so favourably disposed toward it.

Developing the capability and expertise to shape the security environment through a normative consensus-building mechanism, as this paper suggests, begs the considerable question of what might be the broad force structure and capability development implications for the ADF of such an approach. While it is considered beyond the scope of this paper to explore these implications in any depth, it is the author’s contention that what is required first and foremost are not significant changes to current warfighting capability requirements in material terms but a subtle, cognitive shift within Defence thinking to value normative consensus building as a viable additional means of promoting security.

When the utility of force is most strained, as it is in dealing with circumstances of non-state and non-traditional security threats, such as that posed by terrorism, more creative, sustainable and ultimately effective measures are required. It has been the contention of this paper that in such circumstances the ability to judiciously and effectively apply soft power is a capability and skill that the ADF, as part of a coordinated national effort, ought to possess.

Conclusion

FJOC ascribes the ADF a role in shaping Australia’s security environment. While that document does not explicitly describe how the ADF would accomplish this, it does infer that soft power-like engagement through leadership and close relationships is an appropriate approach. This article has suggested that a particular framework of soft power—that of normative consensus building—is a useful and achievable approach the ADF can contribute to in shaping and conditioning Australia’s security environment. As a subtle and indirect mechanism, soft power works through the power of its attraction to other states. The ADF demonstrates desirable qualities and capabilities to regional militaries and can effectively use this soft power attraction to its purposes and the collective purposes of regional security.

There are, however, real limits to what a defence force can and should be involved in. This article does not propose a new role or tasking for the ADF. Rather, it suggests a useful framework within which to implement an already existing role—that of shaping. If the ADF is to perform the role of shaping as FJOC describes, then it should do so within a transparent and unambiguous framework directed to concrete objectives. Shaping as a form of soft power, in this context, should be seen as part of the existing arsenal available to the ADF to advance Australia’s interests and provide for her security.

The ADF can meaningfully contribute to a whole-of-government effort to build a normative consensus against the use of terror by broadening and strengthening the relationships that would constitute the dense network of interconnected agreements and institutional collaboration within a context of a normative consensus. The ADF’s appeal to regional forces and its already solid relations with some neighbouring militaries is a good foundation upon
which to build a focused and strategically-aligned shaping program. Among the regional
organisations that already exist in the Asia-Pacific region, APEC and ARF in particular offer
very useful and practical forums through which the ADF can contribute to shaping its security
environment by building a regional normative consensus against terrorism.

Wing Commander Mark Hinchcliffe is the Chief of Air Force Fellow at the University of NSW at
ADFA. He is an Air Combat Officer (Nav) with C130H, B707 and HS748 operational and training
experience. He holds a 1st class Honours Degree in Politics, a Masters Degree and a PhD in
International Relations.
NOTES


2. Ibid, p. i.


8. As forward-looking aspirational accounts of future force capabilities, the Future Operating Concept series presents broad strategic guidance for the development of future capability and could not reasonably be expected to detail specific strategies or courses of action. Nonetheless, the Future Operating Concept series leaves one with the impression that the notion of 'shaping the security environment' is a concept rich in promise but poor in concrete development.

9. The 1911 Agadir incident in which SMS *Panther* anchored in the Port of Agadir, Morocco, is a fine example of 'gunboat diplomacy' in which foreign policy objectives were pursued with the aid of conspicuous displays of military power—implying or constituting a direct threat.

10. Further examples of military forces shaping their environment through gun boat diplomacy include, to name but a few of the more famous, the Second Barbary War of 1815, the Great White Fleet's posturing in 1907 and successive Taiwan Straits' crises from the 1950 through to 1996.

11. Current ADF single service doctrine, including LWD 1, AMD and AAP1000, reflects the role that the three environmental services perform in shaping the security environment. For example, AAP1000 notes that the Air Force's contribution to shaping is based primarily on the activities it undertakes to engage other nations, while LWD 1 notes that the Army contributes to the security of allies and friends by providing training and materiel assistance, as well as participating in exercises, exchange programs and cooperative research, all of which contribute to the promotion of democratic institutions and general stability in engaged countries.


13. Joseph Nye, *Bound to Lead: The Changing Nature of American Power*, New York: Basic Books, 1990. Of particular note in Nye's original conception of soft power is the notion of the attractive power of desirable states. Soft power in this form is not merely non-military power nor is it simply diplomatic influence. It is the power to produce a desire to emulate what an attractive state possesses that gives substance and force to this form of influence. This implies to some extent that soft power is not entirely controllable or necessarily deliberately applied but rather a by-product of a state's desirable condition in the eyes of others.

Pat Paterson, ‘SOUTHCOM turns to soft power’, *US Naval Institute Proceedings*, July 2008, pp. 56-60. Also Stew Magnuson, ‘Soft power’, *National Defense*, February 2008, pp. 42-46. This again suggests not only a deliberate role for the US in using its non-traditional coercive power to influence others, such as in providing morally virtuous support to humanitarian relief efforts, but in Nye’s original conception of soft power as an attractive force by virtue of others wanting to be like you or to emulate your success or prosperity.

It would be an overstatement to suggest the US was not previously aware of this capacity as clearly it has used its forces to project influence throughout its history. What perhaps is more novel is the explicit use of the term ‘soft power’ to describe this and the apparently greater willingness of administrations, since President Clinton, to use US military forces in such roles.

This is not, however, to dismiss the role that engendering such international goodwill can play in establishing cordial relations between states and perhaps indirectly contributing to a peaceful environment. But there are more direct and influential means of military forces applying soft power.

See note 11 with reference to AMD, LWD 1 and AAP 1000. All single service doctrine is framed within the context of the overarching Australian national military strategy and, consequently, gives at least some mention of how their force capabilities and actions contribute to achieving the shaping dimension of national strategy.


Ibid, p. 192.


Ibid, p. 204.


Boyle, p. 203.


Ibid, p. 83.

The possibility of substantive cooperation within ASEAN and ARF is often contested on the grounds that efforts toward substantive action quickly run up against the ASEAN norm of non-intervention in the affairs of other member states. While this norm is still more or less operative within ASEAN, recent moves to facilitate more productive cooperative efforts have been undertaken which give some hope of more fruitful joint effort. Indeed, within the ASEAN and ARF contexts, the development of a consensus against the use of terror should present a relatively easy first step toward operationalising greater security cooperation between member states.


Ibid.


The Statute of Westminster and the murder in HMAS Australia, 1942

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On the evening of 12 March 1942, the heavy cruiser HMAS Australia—flagship of the Australian Squadron—was steaming in tropical waters near the Louisiade Islands, off the eastern tip of Papua. At various points around the darkened upper deck, numbers of off-duty personnel from below decks were enjoying the cool air when, at about 7.50pm, a series of short screams were heard coming from the port side of the forecastle deck, underneath the bridge. Many crew members initially thought the noise came from sailors skylarking—indeed, someone on watch on the bridge yelled out ‘Stop that noise down there!’—before it was realised the cries came from a man in real pain. Those who then rushed to the scene found Stoker John Riley covered in blood and writhing in agony from fourteen stab wounds to his chest, abdomen, back and forearms.¹

Already with Riley were two other stokers, Albert Gordon and Edward Elias, who claimed to have been merely first on the scene, having heard Riley’s cries as they were going on watch. More than a dozen of the ship’s company had converged on the spot before someone thought to call for medical assistance and word was passed to the sick bay. Some ten minutes after the stabbing, an attendant arrived with a stretcher and Riley was placed on it and taken down below for attention. In the confused aftermath of the incident, the ship’s Principal Control Officer began making inquiries about what had happened.

It did not take long to emerge that Gordon and Elias were the prime suspects. Not only were they both covered with blood on their clothing and legs but no other person had been seen leaving the area by those coming to Riley’s assistance. Also, witnesses in positions to view this part of the deck claimed to have seen two figures scuffling in the dark with a third man. More damning was news from the sick bay that Riley, shortly before lapsing into unconsciousness, had named Gordon as his attacker to the ship’s surgeon who was treating him. At 10pm, Gordon and Elias were accordingly placed under close arrest.

At 9.55pm the following day—unfortunately, Friday 13th—Stoker Riley died of peritonitis resulting from his wounds, though not before he rallied sufficiently to repeat his claims to investigating officers that Gordon and Elias were his assailants. These two, he said, had attacked him after he threatened to expose their homosexual activities. Riley was buried at sea at 5pm the next day after a post mortem and a court of inquiry to obtain medical evidence regarding the injuries that led to his death.

Little has been heard of this affair for many years despite it being much talked about at the time. Not until a young serving naval officer, James Goldrick (now a rear admiral and Commander of the Australian Defence College in Canberra), made it the subject of a master’s thesis, submitted to the University of New England in 1984, did it come in for any degree of scholarly analysis.² Some years later, Goldrick gave a much briefer account of it in a book on RAN history to
which he contributed in 1991, the same year in which I devoted considerably more space in a biography on the Australian-born RN officer who was then commanding the Australian Squadron (and whose flagship *Australia* was), Rear Admiral Jack Crace. Since then, there have also been a couple of newspaper articles. But overall, recognition of the significance of the episode is not high or widespread.

It was Goldrick who first appreciated that the murder in the *Australia* was an ‘event unimportant in war but important in other ways’, because it gave rise to ‘a court martial and a complex series of legal and political events’ that took nine years to settle. This assessment does not overplay the issue one bit because, in reality, the incident was one that held extraordinary implications for the formal relationship between Britain and Australia, both during the important period of the Second World War and since.

A month after the stabbing, *Australia* was steaming towards New Caledonia to get underway the court martial of the two stokers accused of Riley’s murder. The need for such proceedings was initially resisted by Admiral Crace who told the Naval Board on 15 March that it was far preferable for the case to be transferred to a civil court. This was impracticable, he recognised, since it could effectively immobilise the *Australia* in view of the 30 personnel who might be required as witnesses. Whatever course was followed, he had urged that because of the operational movements in store for the squadron, the accused should be brought to trial with least delay.

The trial began on 15 April while the flagship was anchored in Noumea harbour. As was customary, the ship’s captain was required to act as prosecuting officer, this duty falling to Captain Harold Farncomb. A figure with a fairly ferocious reputation as a disciplinarian, Farncomb was the first graduate of the RAN’s naval college to reach four-bar rank. As defence counsel—referred to in naval parlance as ‘the accused’s friend’—Navy Office in Melbourne provided a naval reservist, Paymaster Lieutenant Trevor Rapke, who in civilian life was a successful criminal lawyer in Victoria but was then serving in Darwin.

On the first day of the trial, Rapke made objections to two of *Australia*’s officers sitting as members of the court’s tribunal on the grounds of possible bias. As finally constituted, the five-man panel included just two officers from the RAN flagship. The other three were all RN officers from the New Zealand light cruiser *Leander*, including that ship’s commanding officer, Captain Robert Bevan, who was appointed president of the court, and its executive officer, Commander Stephen Roskill, later to achieve prominence as the author of four volumes of the British official history of the Second World War. Incidentally, Roskill (who had been with *Leander* since 1941) also had something of a reputation as a stern disciplinarian, being known irreverently on the mess decks as ‘the Black Mamba’.

An interesting feature of the trial was that no evidence was presented in court regarding the motive for the murder, even though it seemed that everyone in the *Australia* knew perfectly well what lay behind it. According to Goldrick’s later enquiries, most of the crew believed that Gordon and Elias were ‘involved in their own secret homosexual triangle’ with Riley and that it was a realignment of relationships in which Riley was excluded that prompted his threat to expose the others.
One reason why so little was heard about this aspect was that they were not the only homosexual men on board the flagship. Admiral Crace recorded in his diary that the investigation into the stabbing launched by the ship’s executive officer, Commander John Armstrong, subsequently brought to light that others on board, apart from the accused, were implicated in homosexual activity. As Goldrick notes, this was a serious situation indeed, because if wider administrative action had to be mounted it could very well have crippled a major combat unit of the RAN at a crucial time. What really mattered, however, from this reticence of the naval authorities to let the spotlight play on the issue of motive, was that it allowed Rapke to use the apparent absence of one as part of his defence of the stokers, both at this time and during later proceedings.

After three days, the members of the tribunal retired at 11.10am on 18 April to consider their verdict. They returned at about 3.30pm with a finding that the accused stokers were guilty as charged and sentenced to death, a procedure which—according to the British naval tradition that the RAN followed in most other respects—would normally be carried out by hanging from the yardarm ‘on board such one of His Majesty’s Australian Ships and at such time as the Board of Administration for the Naval Forces shall direct’. Considering that the battle of the Coral Sea was by now less than three weeks away and both Australia and Leander had been held in harbour for the duration of the trial, this whole matter might potentially have had serious operational consequences had it been prolonged much longer.

While Admiral Crace confided to his diary his private belief that it was ‘almost certain that the men will not be executed’, almost immediately some of the many extraordinary—indeed, ground-breaking—dimensions of the case began to emerge. The first hint of what was to come concerned the defence counsel, Rapke, who remained convinced that legally the stokers should not have been found guilty and now wrote to Crace to formally detail the matters he considered were insupportable at law and had contributed to a miscarriage of justice. Most important was the action of Captain Farncomb, as prosecutor, in making known to the court his own firm personal conviction that the stokers were guilty.

Rapke and Farncomb had, by all accounts, provided the court proceedings with plenty of dramatic fire. It has been claimed that as prosecutor, Farncomb was very aggressive towards Rapke, so much so that Rapke sought to leave afterwards without speaking to Farncomb. On being ordered to see the Captain by the Commander, Rapke was stunned to be offered the position of Captain’s Secretary. Rapke accepted and started what became a firm friendship with Farncomb. He later rose to be a judge.

What probably induced Rapke’s change of heart, or reassessment of Farncomb, was the latter’s own extraordinary action straight after the trial’s conclusion. Having put his best effort into securing the stoker’s conviction, on 20 April he turned around and wrote a strong appeal to Crace on their behalf, in his capacity as their commanding officer, asking that this be forwarded with the court martial documents.

Pointing out the extremely difficult wartime conditions under which ratings on the lower deck had been performing for more than two years, he stressed ‘the abnormality of the present times’ and drew attention to the ‘probability that this abnormality is likely to produce a warped state of mind in certain men, who in more happy times would be ordinary, decent, well-balanced
individuals’.17 If nothing else, this action by Farncomb put the lie to an apparently widespread belief in the flagship that he was itching to take Australia to sea to have the executions carried out and had to be prevented by Crace from doing so.18

Fortunately, as Crace himself had foreseen, the flagship was ultimately spared the spectacle of on-board hangings. This was the first time that a crime as serious as murder had been committed in a RAN ship on operations and, within three days of Australia’s berthing in Sydney on 22 April, the Naval Board of Administration acted to put the matter in the hands of the Commonwealth Attorney-General. An action in the High Court of Australia followed on 27 April, in which the lawyers for the convicted stokers sought a writ of habeas corpus or, alternatively, a writ of prohibition to prevent the death sentence on the men being carried out—the first time such an application had been made in the history of the High Court.

The lawyers also contended that, under Section 98 of the Commonwealth’s Defence Act 1903-41, a court martial had no power to sentence an Australian serviceman to death except for mutiny, treason or desertion. A further line of argument was offered that challenged the jurisdiction of the court martial on the basis that it was understood there had been a secret transfer of control of RAN vessels and personnel to the British Admiralty early in the war.

This actually referred to the Order-in-Council issued by the Governor-General of Australia on 7 November 1939, during the time of the government led by Robert Menzies, under Section 42 of the Naval Defence Act 1910-34. Because of this situation, the defence claimed, the Governor-General of Australia was probably not entitled to sign the warrant authorising Crace to summon the naval court. Crace’s right to convene a court martial on RAN personnel was also questioned on the grounds of uncertainty whether he did so under the authority of the Australian Naval Board or his RN warrant.

All these separate strands of argument were rejected by the High Court on 8 July, when the High Court ruled unanimously that although the Naval Discipline Act 1866 (Imperial) applied in this case, not the Commonwealth’s own defence legislation, the court had been properly constituted and possessed all the authority necessary to convict and sentence the stokers. Furthermore, leave for a further appeal to the Privy Council was refused on the grounds that courts martial were not subject to control or revision by civil courts.

By now the Labor ministry led by John Curtin, which was in power in Australia, had begun receiving representations from supporters of Gordon and Elias, and the case duly came in for discussion in the War Cabinet. Among the appeals made for the stokers’ lives to be spared was one from the Speaker of the NSW Legislative Assembly on behalf of the Darling Harbour branch of the Australian Labor Party. Another came from solicitors acting for Elias’s widowed mother, who voiced objections through a member of the federal parliament that RAN men had been tried under the rules of the British navy.

It quickly emerged that there was no special eagerness within the Government to see the men hanged and the majority view of Cabinet was in favour of commuting the death sentences to some lesser penalty. Despite the fact that the High Court judgment confirmed that the law which applied to these men was a piece of British legislation, the ministers assumed the King
would be advised in cases which concerned RAN personnel by themselves, not his ministers at Westminster, but in this they were wrong. Only at this stage was it realised that Australian authorities were actually quite powerless to intervene in the matter at all. Canberra could have commuted the sentences had the men involved been members of the Australian Army or RAAF but whether executions of RAN personnel were carried out was entirely a question to be decided by authorities in London.

Ever since the Morant-Handcock affair during the Boer War, the idea of Australian servicemen being subject to British military law had been a source of great political sensitivity within Australia. During the First World War, this had ensured that no Australians were among the 300 members of British Empire forces executed by their own services, although this claim ignores the case of Corporal Verney Asser, an AIF soldier hanged on 5 March 1918 for murder in an army camp near Salisbury, England, after being tried by a civil instead of a military court.19

Of all the Australian services, the Navy suffered an image problem in its relations with government. Right up into the 1930s, the RAN had enjoyed—indeed consciously fostered—an image of itself as an adjunct of the Royal Navy. While such a close identification of the off-shoot with its parent had advantages, in wartime Australia and under a more nationalist Labor government, there was actually little public sympathy with the forms and tenets of naval justice.

So, while the Naval Board probably saw little reason to bother itself further with two convicted murderers, the Curtin ministry set about trying to regain the powers over its naval servicemen which had been handed over by its conservative predecessors in 1939. Approaches to the Secretary of State for Dominion Affairs in London were drafted by Dr Herbert Evatt, the former High Court judge who was both Attorney-General and Minister for External Affairs. Evatt initially sought to have the powers and functions of remissions restored to the Governor-General and for these to be made exercisable in the case of the stokers. The reply received pointed out, however, that there were difficulties in achieving this and that a quicker course would be for the Australian Government to apply to King George VI for the sentences to be commuted under the Naval Discipline Act 1866.

Curtin and his ministers were incensed at having to use this path to deal with a matter involving Australian servicemen. But the Cabinet apparently believed, probably at Evatt’s urging, that this was a situation essentially of its own making and that of previous Australian governments over the preceding decade. As was contended by Evatt in a cable to London on 31 July, the whole issue had only arisen because the Australian Parliament had yet to adopt the Statute of Westminster. This was another piece of British legislation, enacted in 1931, which gave effect to a recommendation accepted at an imperial conference five years earlier.

Under the Statute, Britain and its Dominions were defined as ‘autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any respect of their domestic or external affairs, though united by a common allegiance to the Crown and freely associated as members of the British Commonwealth of Nations’.20 Under this arrangement, the Dominions were finally sovereign governments in their own right, able to amend or repeal British legislation applying to them as they saw fit, while the British Parliament was prevented from legislating on their behalf unless specifically requested to do so.
All that was necessary to effect this change was for the national parliament of each Dominion to pass a measure formally adopting the Statute. This Australia had failed to do, unlike Canada, South Africa and Eire (the Irish Free State), which all quickly took up the enhanced national status on offer. Under conservative governments which followed the expulsion from office of the last Labor ministry led by James Scullin in 1932, Australia (with New Zealand) had preferred to hang back and cling to the safety net of the past. There had, in fact, been an adoption Bill twice introduced into Parliament in 1937, while Menzies was Attorney-General, but it received so little priority that it was allowed to lapse for want of time on each occasion.21

The Curtin ministry assured London that it would set about rectifying the situation it had inherited but in the meantime it took the only course on offer. An appeal for clemency was made to the King, pointing to the features of the case which justified commutation and declaring that, if the matter had remained in the hands of the Governor-General, then Australian ministers would have actually recommended such a course. As a result, advice was received from London on 10 August that the King had agreed to commute the death sentences on the stokers to life imprisonment.

True to its word, on 1 October the Curtin Government introduced a Bill for the adoption of the Statute of Westminster into Parliament. Not all Members of the House of Representatives were satisfied that the course embodied in the Bill was actually necessary, arguing that it weakened the ‘silken threads that have bound us to the Mother Country’ at a time when ‘dissension in our ranks is most undesirable’.22

As the Bill’s sponsor, Evatt was curtly dismissive of such responses. In attempting to explain the real significance of the Bill, the Attorney-General referred to the need to resolve difficulties which had arisen with regard to the National Security Act and the regulations made under it for effective legal control of shipping in Australian ports. As an additional ‘illustration’ of why the Bill was needed, he cited the case of the murder in HMAS Australia and the special problem of appealing sentences which it had presented.23

Evatt was plainly being somewhat disingenuous in his representation of what had spurred the bringing of the Bill to ratify the Statute of Westminster. Although Goldrick has accused him of using it as a pretext, there is in fact no evidence that the Curtin Government had been preparing to move in this direction before this time. Goldrick appears to apply his description because there was an alternative course available that no-one in the Government bothered to exercise, which was simply to issue another order-in-council modifying the original transfer of the RAN to Admiralty control—something which was clearly provided for in the wording of the first order.24 To this extent, Evatt’s contention that the root cause of all the difficulty lay in the failure to ratify the Statute of Westminster was, indeed, a ‘red herring’.

Evatt presumably had seized on the case as a means of furthering his Australianist agenda and was happy to run with it for that reason. It is not at all clear that he ever actually knew that Australia would be claiming its national sovereignty effectively because of a homosexual murder. However, but for the spur provided by the Gordon-Elias case, Australia probably would have happily followed suit with New Zealand, which did not finally bother to claim its national sovereignty until November 1947.25 As it happened, the Statute of Westminster was ratified by
the Australian Parliament on 9 October 1942, with adoption of the Statute backdated to have effect from the start of the war with Germany on 3 September 1939.

Having explained so much of the story, it seems hardly fair to leave it at this point without recounting subsequent events, which continued for a long period of time. Even with the stokers’ sentences reduced, agitation on their behalf persisted. Solicitors acting for Elias’ mother, in particular, kept pressing for a government inquiry to be set up, as a means of ‘clearing up the unsatisfactory features of the matter... [inter alia] the sufficiency of the evidence on which the two men were convicted’.26

It should be said that attempts to overturn the original conviction hinged, not on any real doubts that Gordon and Elias were guilty as charged, but simply on the fact that Riley’s identification of them as his attackers, and their motive, was inadmissible as evidence in court. This arose because the medical and investigating officers who heard his deathbed allegations had failed to advise him that he was in fact dying which meant that his unsworn statements could not be treated as anything other than hearsay.

Although the Naval Board had little further interest in the whole affair, Evatt seems to have remained responsive to what amounted to a concerted attempt to undermine the basis of the RAN’s legal system. In December 1943, he wrote to the Minister for the Navy, Norman Makin, informing him that because he (Evatt) was continually receiving representations for a further reduction or remission of the sentences of Gordon and Elias, he was going to appoint a judge of a superior court to conduct an in camera inquiry under the National Security (Inquiries) Regulations into the circumstances of the trial and any alleged miscarriage of justice. The judge obtained for the purpose was Justice Allan Maxwell of the NSW Supreme Court.

Hearings on the case were held during February 1944. Although the Navy was still not keen to discuss the circumstances of Riley’s death, and Maxwell did not try to examine the relevant evidence (which he could have done since his inquiry was not bound by legal rules), it turns out that he got to hear about the homosexual connection after all when he encountered the Australia’s surgeon at a social function in Sydney.27

Thus, in the report of his findings, the commissioner was unequivocal that the decision of the court martial had been perfectly correct. ‘I have no doubt at all that the prisoners were guilty as charged’,28 Maxwell wrote and, agreeing with the description of their crime as a ‘brutal and sadistic murder’, he could find no reason to recommend that the whole of the sentences be remitted. He did, however, accept that Farncomb’s comments to the court regarding his personal certainty of the men’s guilt had been a ‘substantial defect’ in the conduct of the trial, which he considered provided grounds for remitting part of their sentences especially when taken with all the factors which Farncomb himself had identified as mitigating circumstances in his statement after the trial.

Although Maxwell did not nominate the extent of the remission he thought appropriate, with a little coaxing from Evatt he subsequently gave an opinion that a reduction of the stokers’ sentences to 12 years would be justified. Although the Naval Board was not particularly happy to see two convicted murderers thus favoured, especially after these men had already been
spared the hangman’s noose which it was widely believed they richly deserved, the Board felt that it had little alternative but to accept the outcome of the Maxwell inquiry. For many of those involved, there appears to have been an emerging desire to put the matter behind them.

Once Maxwell’s recommendations were actually available, Evatt’s interest in the case seems to have taken an 18-month holiday—hardly a convincing demonstration that he genuinely had the welfare of Gordon and Elias at heart. It took until the end of 1945 for the Attorney-General to make a decision and formally reduce the stokers’ sentences to 12 years. Even with this gain, supporters of the prisoners sought still further concessions. In January 1946, Elias’s mother raised the possibility of her son receiving the six-month reduction of sentence which all prisoners had been granted in commemoration of the Allied victory in the war. The Naval Board tried to argue that neither man was entitled to the benefit of this remission but by April the Board was prevailed upon to bend on that too.

Not content with this new win, lobbying pressure continued to be applied, initially for a re-trial until it was clearly pointed out that this was legally impossible since a valid court martial had already taken place. Instead, the stokers’ supporters turned in 1948 to pressing for the men to receive the full benefit of remissions available to prisoners in the NSW gaol system for good behaviour. Again, the Naval Board resisted, arguing that the 12 years recommended by Maxwell was intended as an irreducible minimum. That is, until Justice Alfred Rainbow, a judge of the District Court and president of the Prisoners’ Aid Association of NSW, thought to consult Maxwell directly in early 1949 as to whether this was truly the case.

Once Maxwell responded to Rainbow’s approach by saying he ‘had no recollection of making any such recommendation and would not normally have done so’, the Naval Board was obliged to acknowledge that the commissioner had been misinterpreted and that the two former stokers (who by now had been dismissed from the service) were probably entitled to any remissions which normally applied. By September 1950, Gordon and Elias were free men again, having spent a little more than eight years in gaol.

There is much that can be made about this whole episode, particularly in regard to the light it sheds on the state of the Anglo-Australian relationship during the Second World War. The mechanics of handling such an important RAN case in 1942 particularly make the point. As Goldrick pointed out, not only the Flag Officer who ordered the court to assemble was from the Royal Navy but so too was the First Naval Member of the Naval Board, who concurred in that course, and three of the five members of the tribunal which heard the case. And the law which applied to the accused stokers was British not Australian.

But by the time the point came to consider releasing the men, much else had happened that showed the ‘emancipating’ effects of the war. Not least was the Naval Board’s calm assertion in November 1949 that although the stokers were at the disposal of the Admiralty at the time of the murder, they nonetheless remained members of the RAN and the Naval Board was the appropriate authority. In that one statement alone there was clearly a gulf of detachment from the former mother service.
Unfortunately, there is much that can only be surmised about the equivocal role of Evatt. Given the long periods in which the Attorney-General did nothing on behalf of the convicted stokers, it can hardly be maintained—as one of his biographers later claimed—that he was fighting a ‘splendid battle’ for Gordon and Elias. Rather, it seems he simply found the case a ‘useful rallying cry’ for taking on the RAN, not least because he saw in its adherence to the peculiar British style of naval methods something which he disliked as out of place in an Australian context. In this, he was evidently not alone, Goldrick suggests, as by the 1930s there was a large segment of the Australian public who were ‘out of sympathy with the Navy and saw little or no use in it as an organisation’.

Regardless of what weight is accorded that factor, the part which the episode played in prompting our politicians to get moving on ratifying the Statute of Westminster seems clear. If adoption of the Statute truly amounted to Australia finally claiming its national sovereignty 40 years after receiving the limited form of nationhood granted in 1901 and, on this, there is admittedly some debate among constitutional lawyers, then it seems inescapable that this happened primarily at least in the matter of timing on account of a murder in the flagship of the RAN in 1942.

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NOTES

1. For details of Riley’s murder, see National Archives of Australia (NAA) (Victoria branch), B6121 (MP 1587), item 123V.


6. Frame et al., p. 196.

7. Goldrick, p. i.

8. As Goldrick notes (thesis, p. 25), the practice was probably more common a century earlier but Crace made clear that he saw it as Farncomb’s plain duty.


12. G. Howard, The Navy in New Zealand: an illustrated history, Wellington: Reed, 1981, p. 68. Although wounded in one leg and almost blown overboard in the battle of Kolombangara on 13 July 1942, when Leander was put out of action for more than a year, Roskill remained with the ship to become acting-captain from November 1943 to March 1944: see S.D. Waters, The Royal New Zealand Navy, Wellington: Department of Internal Affairs, 1956, p. 303. He was awarded the DSC in 1944.


16. Frame et al., p. 196. It might be added that Rapke also served as Judge Advocate-General, Australian Naval Forces, 1964-78.

17. Statement Farncomb to Crace 20 April 1942, see NAA (Vic), B6121 (MP1587), Item 123V.


19. For details of this case, see Peter Burness, ‘Murder at Sutton Veny’, Wartime (official magazine of the Australian War Memorial), Issue 21, January 2003, pp. 60-2.


24. Goldrick, pp. iii and 40.


28. Commissioner Maxwell’s report, 1 March 1944, NAA (Vic), B6121, Item 123V.


32. Ibid, pp. 3-4.
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NAA (Vic), Imprisonment of Stokers Gordon & Elias in relation to murder aboard HMAS Australia, 13 March 1942, MT 1214, item 445/201/230.

Metaphors for Decision Superiority

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Introduction

We all make decisions, big or small, many times every day. While we know that making decisions is fundamentally a mental act, we seldom think about our thinking. This paper seeks to improve decision making by outlining some high level tools for this purpose. The aim is to provide a practical tool for decision making based on a framework of metaphors.1

The catalyst for this work was reported anomalies with the Australian military doctrinal decision-making process, which has parallels in US and UK militaries. Because effective decision making is essential to success in military operations, western militaries spend considerable time and resources developing and teaching decision-making methods. ADF doctrine provides structured processes for decision making at the tactical and operational levels of command, termed the military appreciation process (MAP). In its simplest form, MAP might be summarised as a sequential or iterative progression of mission analysis, course of action (COA) development, COA analysis and decision, and execution.2

The MAP has evolved over many years to adapt to changing conditions and requirements. Its longevity is testament to its perceived usefulness and value. Yet a number of issues and questions arise. While allowing for the commander’s experience-based guidance in decision making (referred to as ‘operational art’), the MAP fundamentally seeks to follow a methodical, analytical process which can theoretically provide the best option or course of action in any situation. However, the MAP has not been used extensively outside of the military or mandated at the strategic level of military decision making.

Further, questions arise concerning whether its underlying premises are valid in practice. Some researchers regard the classical model of military decision making as not only not useful but rarely used in real situations. Three related factors which affect this finding include time stress, predictability from process and complexity (or messiness) of the environment.3 These factors provide convenient ways to deconstruct the field as shown in Figure 1, which provides a framework for developing the model based around two groups of characteristics, namely the degree of ambiguity, uncertainty and ‘messiness’, and the time available and need to justify decisions.4
For simplicity, the two groups of factors can be classified as either low or high, providing four decision quadrants characterised as procedural, analytical, intuitive and sense-making approaches. By turning this four-quadrant model on one corner, parallels can be made with the traditional tactical, operational and strategic levels of military command, with some overlap. ‘Tactical’ decision making is largely constrained by procedure. ‘Operational’ command is a delicate balance of intuitive commander’s guidance and more analytical staff work. ‘Strategic’ command is a more messy process of defining appropriate ‘end-states’ for subsequent operational planning and tactical implementation.

The remainder of the paper explores in more detail each of the quadrants of Figure 1.

**Procedural decision making**

As we grow into adulthood, we develop automatic responses to a vast array of cues. Decisions involving relatively low uncertainty or ambiguity in relatively little time can be regarded as learned responses. In psychology, there is substantial consensus concerning human cognitive architecture in relation to the concepts of working memory, schemas and learned automated responses.

**Working memory.** Working memory is the seat of consciousness. Its attributes are commonly described as extremely limited capacity and extremely limited duration to work with new information that needs to be processed in a novel way. A major consequence of the limitations of working memory is that we cannot adequately process complex new material; we simply fail to understand it if it is sufficiently complex.
Long-term memory. Long-term memory is generally hidden from our consciousness; we are conscious of the contents of long-term memory only when they are brought into working memory. Knowledge is stored in long-term memory in schematic form. In this paper, the academic term ‘schemata’ will generally be replaced by the more vivid term, ‘mental maps’, which allow elements of information to be categorised according to the manner in which they will be used.

Most researchers accept that complex problem-solving expertise in any area demands the acquisition of tens of thousands of domain-specific mental maps. Mental maps permit complex material to be processed in working memory by permitting working memory to treat the many interacting elements as a single element—in effect, the interacting elements are buried within the mental map, so a working memory ‘chunk’ can incorporate a massive amount of information.

Importantly, these mental maps also provide context to our perceptual focus, effectively channelling our attention resources towards certain kinds of cues. A mental map then indicates which information to pay attention to, which to ignore and how the significant information relates to each other. In this sense, mental maps can also be regarded as the expectations we develop as a result of our experiences (Nonaka 1994).

Our cognitive architecture (especially working memory) is such as to ensure that variations to our mental maps are small and relatively slow. So acquiring and developing our mental maps is a two-edged sword. On one hand, mental maps allow us to solve problems that would be otherwise unsolvable. However, these mental maps also organise dissimilar problems with similar surface features in inappropriate ways.

Automation. Everything learned can become automated with practice, allowing specific categories of information to be processed with decreasing conscious effort. Learning to read letters and words, for example, initially requires mental maps that must be processed consciously in working memory. With practice, however, reading individual letters and words becomes an unconscious activity that does not require working memory capacity. Automated processing provides enormous benefits to problem-solving skill. Accordingly, automation provides a similar function as mental maps of reducing working memory load.

Cognitive psychology thus predicts that ‘procedural’ approaches to decision making, automating learned responses and the like are not only the preferred approaches people use but are necessarily so, given the limitations of working memory. It also explains why following established standard operating procedures (SOPs) in high stress, time-critical situations is advantageous, since it prevents our limited working memory from being overloaded.

Accordingly, the metaphor of a procedural checklist, as shown at Figure 2, is offered for decision situations which are characterised by a clear picture of the issue and little time. These characteristics cover a wide range of situations, from the habits of dealing with the mundane to the SOPs used in high stress, time-critical, emergency situations.
Figure 2: Integrative, contingency-based framework of metaphors.

**Analytical decision making**

While the human mind has limited capacity to handle novel, complex problems, tools can enhance our abilities. For example, consider multiplying two three-digit numbers together. This would be extremely difficult for most people to perform in their heads but extremely easy with the use of a calculator. Similarly, while our working memory limitations may prevent us from using more complex decision strategies without aids, this does not imply that such approaches should not be fostered with the use of appropriate tools.

Normative decision making is essentially a reductionist approach. By splitting the problem into parts and focusing on each part separately, a better understanding of the problem might be gained than from taking a holistic view. Most normative approaches to decision making structure decisions in an approach similar to the following broad outline, based on multi-attribute utility theory:
• **Identify values and options.** Identify values (or criteria or factors) relevant to the particular purpose and identify the full range of options. List each in tabular form. When identifying the values relevant, they may initially be vague and need to be broken down into more specific attributes. These values should be mutually exclusive and collectively exhaustive. The values should also be sufficiently specific to allow some way of measuring their degree of achievement.

• **Rate, weight and aggregate.** Assess or judge how well each option meets identified values and assess how well each value contributes to the intended purpose. This is sometimes called ‘rating and weighting’. These weighted ratings are then aggregated to identify a tentative choice. This is usually achieved through simply summing the weighted ratings for each option and choosing the highest scoring option.

• **Assess sensitivity of judgments.** Though not strictly part of a normative approach, practicality dictates that a sensitivity analysis should be performed to assess the robustness of the tentative choice. This is achieved by changing the value weightings and/or any subjective ratings of options against values within the bounds of what is considered a reasonable tolerance or margin of error. Based on this review, a final choice is made.

**Risk and scenario approaches.** These ideas of normative theory can be extended to cover other situations including those of risk and uncertainty. This is handled conceptually by adding a third dimension to our table representing possible events. In a similar procedure to that previously discussed, a rating, weighting and aggregating process is performed but the resulting score is then further weighted by the probability of each event occurring and aggregated.

This approach reduces risk to a single probability average, obscuring qualitative differences such as information gaps, conflict and unreliable assumptions. It also implies that it is possible to predict the future with some certainty. Scenario approaches, on the other hand, implicitly accept that managers are not able to make valid assessments of the likelihood of future events but assume that the best practicable approach is to identify critical uncertainties and plan for a range of futures that could plausibly unfold.

Scenarios can then be used to test the viability of options against the plausible futures and then choosing robust options, or adapting options into something more robust. Scenario approaches also seek to reduce the tendency for us to see the future as a simple linear extension of the immediate past and help counter ‘group think’ (Janis 1982).

**Rubik’s cube metaphor.** Considering a decision situation as a Rubik’s cube may be a useful approach. Each of the three dimensions represents values, options and scenarios respectively. While these are initially jumbled into a complex interacting puzzle, by separating values, options and scenarios the decision situation becomes much clearer, perhaps to the point where further quantitative analysis is not warranted. To paraphrase Dewey, a problem well stated is half solved (Dewey 1938). Further, the process of unscrambling interacting elements can also facilitate creativity—such as generating additional options and incorporating new insights.
Intuitive decision making

Intuitive models of decision making attempt to understand how people knowledgeable in their problem domain make decisions in complex real-world settings and how to support those processes. While many normative-based studies find that expertise provides few advantages, intuitive models regard expertise as a critical factor in complex real-world decisions. Advocates of intuitive decision making (also called naturalistic decision making) may not completely discount normative-based strategies but would argue that they are more likely to be used when context is limited or unfamiliar and expertise is low.

Individuals go through a number of stages on their way to expertise. Initially, decision making involves learning a set of procedural rules. These rule sets become increasingly comprehensive and abstract as mental maps are developed until ever-more-complex rules are replaced by a qualitatively different mechanism. Experts do not follow rules but see and act on patterns. Accordingly, intuitive models regard that people do not typically decide between options but simply recognise patterns and retrieve the appropriate response for that ‘typical’ pattern. To acquire the body of knowledge requires considerable experience in that domain but may be facilitated through exposure to war games, simulations, exercises, historical studies and case studies (Bergstrand 1998).

A key finding of intuitive decision-making theory is that rather than generating and evaluating several alternatives to determine the best choice, people generate single ‘options’ and, using a ‘satisficing’ criteria (Simon 1955), either accept, modify or reject it and look for another single option. Intuitive decision making also tends to be incremental—people think a little, act a little, evaluate outcomes and think and act some more. While no unifying intuitive decision-making theory has yet been proposed, key common ideas that surface include that a situation assessment phase takes place where a mental picture or representation of the situation is constructed, the decision-making process is dynamic and that people use mental imagery.

In the military context, Klein’s ‘recognition primed decision-making’ (RPD) model has been researched mainly with the US Marine Corps (Schmitt and Klein 1999). RPD has been claimed to result in bolder plans and allow increased planning tempo by about 20 per cent (Ross, Klein et al 2004). RPD consists of two main stages:

- **Situation recognition.** A situation is recognised by identifying critical cues and causal factors, and coming to an explanation or story of what is happening and what is going to happen. Stories combine ideas, concepts, objects and relationships into a more easily understood way of conveying lessons learned from experiencing an event.

- **Serial option evaluation through mental simulation.** While typical situations lead to typical actions, in novel situations single options are evaluated one at a time through mental simulation (ie acting out the action in one’s imagination) until a satisfactory one is found. Mental simulation is used to evaluate a course of action for errors, to predict the outcome and for rehearsal.

Following Klein’s RPD research, the analogy of overlapping recognition and mental simulation circles is offered at Figure 2 for decision situations which are characterised by little time and uncertainty, ambiguity and messiness. The military appreciation process acknowledges the role that intuition plays in military decision making by allowing for and being guided by ‘commander’s guidance’.
Sense making

One might define a problem as existing when the following elements are present in the mind of the problem solver: a perceived present or initial state and a perceived desired goal or end state, with perceived obstacles that prevent the gap between them being bridged. Rather than issues involving obstacles, many erroneous problems are the result of errors in the assessment of an initial state or an ill-defined or incompletely articulated goal state or both. Problems are not considered in a vacuum and often the nature of the problem changes as the context changes (Rubinstein 1986). Indeed, Boyd considered that ‘orientation’ is the most important part of the generalized OODA loop ‘since it gives shape to the way we observe, the way we decide [and] the way we act’ (Boyd 1987).

With the inter-relatedness of many modern issues, we may often move too quickly to a problem-solving mode when we should spend more time on ‘problem finding’ through, in part, considering the frame of reference or context more holistically. This can mitigate against ‘frame blindness’—setting out to solve the wrong problem. Indeed, the approaches and methods used to achieve outcomes may be as important as the existing knowledge and skills (Eden 2001).

While decision making about end states is often termed ‘strategic’, a term that may be more descriptive of the meaning used here is ‘sense making’ (Weick 1995). Sense-making issues typically defy order and have ambiguity or confusion, rather than problems that can be solved through more information. Accordingly, Weick regards traditional, information-driven military command systems as the ‘canary in the coalmine’ of sense making, alerting people to potential problems but not being particularly useful thereafter.

Alberts points out that errors made in military decision making have generally not been the result of a lack of information but an inability to make sense out of it.9 Further, Simon regards that while intuitive approaches may be appropriate and necessary when information is scarce and time is short, it is increasingly difficult and ineffective to use intuitive approaches in ‘messy’ situations (Simon 1969).

Typically, sense-making situations also require collaboration and group consensus. Group dynamics is thus an important issue in sense making.10 Accordingly, traditional tools are giving way to ‘soft’ methods and metaphors to support people as they think about desirable futures and ways to support them (Pidd 2004).

Much of the descriptive research in this field draws from the work of Weick (Weick 1979, 1995). Weick regards that the decision maker defines the decision context through his/her perception. Accordingly, the viewpoints from which the decision maker ‘frames’ the problem is critical. Flexibility in employing frames of reference is crucial if we wish to enrich the ways we perceive, represent situations, think and solve problems—Maslow said that if the only tool you have is a hammer, you tend to treat everything as if it were a nail.

The key elements of group collaboration and reframing have been encapsulated in a metaphor of strategic decision making as a pair of binoculars. Key characteristics of the binoculars are opposing lenses and variable focus adjustment and, similarly, a variable zoom adjustment. Each is discussed below.
SAGE focus. The required separation and alternation between creative (divergent) and judgmental (convergent) thinking and the distinction between analytic and descriptive schools in the sense-making process can be represented by a control dial allowing decision participants to focus on particular aspects. The settings of the sense-making control dial form the acronym SAGE:

- **Sense and analyse.** ‘Sense’ suggests that experience and ‘gut feel’ are important elements of strategic decision making. It also is intended to allow for ‘softer’ approaches to sense making, so as to consider aspects such as vision, culture, learning, ethics and motivation. ‘Analyse’ allows for the ‘harder’ analytic aspects to rise. The term also suggests that quantitative approaches and normative methods may also be appropriate.

- **Generate ideas and explore.** ‘Explore’ suggests openness—putting aside personal judgments while seeking broad situational awareness and alternative viewpoints. ‘Generate ideas’ suggests that creativity is an important element of sense making (Einstein said that imagination is more important than knowledge) and that brainstorming and other creativity techniques are best performed as a stand-alone activity free of analysis, judgment and other convergent processes.

The focus adjustment should be regarded as being adjusted as the situation dictates but is also a reminder that all four quadrants offer potential benefits to the decision process. Thus, the SAGE focus dial captures the ‘requisite variety’ needed for strategic decision making by directing attention across convergent intuitive to analytical approaches and also across divergent openness to creative approaches.

Contrary to analytical or intuitive decision-making approaches, sense making allows emotional responses to play a significant role (Howard 1999). Accordingly, emotional responses should be expected in strategic decision-making contexts where participants have significantly different mental maps, values and goals. Because effective strategic ‘sense making’ decision processes should be dynamic, it may be useful to phrase and paraphrase views as working hypotheses.

EARN zoom. Continuing the analogy of a dial and with similar considerations, a four quadrant ‘zoom’ control dial is proposed with the acronym EARN. The ‘zoom’ control labels are ordered from broadest to narrowest. This is to suggest that many strategic problems can be looked at from broader or narrower perspectives.

The term ‘envision’ suggests that our own and organisational ideals should play a key role in our strategic decisions. Establishing a vision requires a focal point or intent upon which efforts can converge over time. Creating ‘stretch’ or a misfit between resources and aspirations may be the single most important task senior management faces and can be likened to the difference between leadership and management (Prahalad and Hamel 1993).

‘Envisioning’ also provides for cultural and spiritual considerations concerning human motivation which perhaps transcend more worldly, material factors. In contrast, ‘adapt’ frames decisions in the context of our inability to change major forces in our environment and so considers how we might survive and prosper through an evolutionary change process. ‘Respond’ invokes concepts of strategy as a competition and taking actions to gain competitive advantage. ‘Influence’ takes the narrowest view of strategy, looking at strategy as ways that individuals gain and retain power.
Dichotomous frames and dialectic lenses. The final key component of the proposed sense-making aide concerns the precautionary advice regarding our predilection for seeking only evidence that confirms our views or beliefs. Significant progress can be made to address this through actively engaging in dialectics, that is, using a ‘devil’s advocate’ or ‘war-gaming’ scenarios to challenge assumptions and put forward competing viewpoints.

Hegel’s dialectic approach is founded upon the idea that a process that actively weighs and synthesises pros and cons of a given option can yield better decisions than a process that only seeks consensus. The devil’s advocate approach is to treat all sense-making decisions as hypotheses or best guesses to be continually tested rather than as ‘truths’ to be defended. Closely associated with this is to actively look for disconfirming data (Hogarth 1987). A simple analogy is to seek to balance our own ‘one-eyed’ view with that of a devil’s advocate.

Thus, our metaphor of sense making is complete as a pair of binoculars, shown at Figure 2, consisting of:

- a decision process ‘focus’ control dial allowing decision makers to sense, analyse and reason, generate ideas and explore (SAGE)
- a decision level ‘zoom’ control dial allowing consideration of the decision situation in terms of envision, adapt, respond and influence (EARN), and
- ‘cognitive lenses’ which promote consideration of a devil’s advocate view and an active search for disconfirming evidence.

Conclusion

Our cognitive architecture provides an inertia for all of us to spend time and effort trying to simplify our lives by making non-programmed decisions programmed. Techniques such as the MAP have been developed for military decision making but may not have evolved to cope with the increased tempo and complexity expected in future operations.

Nevertheless, many features of the MAP are evident in the metaphors identified. The intention of placing the MAP in this broader context is not to disparage it but to suggest directions for future development of military decision-making doctrine. In particular, making sense and decision making in a messy, strategic context requires a degree of reflective thinking as well as information gathering and emerges only through new ideas, new perspectives, new conversations and new experiments.

Gary Hamel suggests we are largely unprepared for this as we career into the information age. Amongst a series of questions he posed in reinventing management practice was ‘given a world of discontinuous change, where organisations seldom miss the future not because it is unknowable but because experience blinds them to new opportunities, how does one ensure authority doesn’t rest only on experience but on the capacity to learn and adapt ... [and] to breed managers with the capacity to escape the conventions of the past?’ (Hamel 1996). Figure 2 provides a modest step towards answering this question.
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NOTES

1. People use metaphors to effectively make sense of large, unstructured content. The framework described in this paper should not be regarded as a decision-making methodology as such but rather is intended to provide a broader context to guide decision-making choices.

2. Several variants of this process exist. For example, a cut-down down process, termed the ‘immediate method’ is advocated when time constraints preclude the ‘deliberate method’. The immediate method relies more upon the commander’s intuitive judgment and situational awareness to produce a quick, workable plan by dealing with fewer COAs. However, at a fundamental level, the process advocated is the same.

3. For example, see bibliography (such as Batschelet 2003; Chipman and Bailey 1999; Deal and Carter 2001; Falleson 1993; Hall 2000; Paparone 2001; and Passmore 2000-2001).

4. In all cases, an underlying assumption is that the decision is important ie the stakes involved are not trivial.

5. This is an example of a broader area of heuristics and biases. For example, see bibliography (such as Gigerenzer and Todd 1999; Simon 1957; and Tversky and Kahneman 1974).

6. The term ‘values’ is preferred in this paper in line with the ideas of Keeney (Keeney 1992).

7. If the environment is completely uncertain, no likelihood can reasonably be assigned to a possible event. Typically, in such cases a robust option is found that provides good scores for all possible events without attempting to optimise further. Alternatively, a ‘maxi-min’ rule can be applied, where the worst possible outcomes for each option are identified and then the option providing the best of these worst outcomes is chosen. This ‘least-worst’ rule is inherently pessimistic in assuming the worst is bound to happen. Nevertheless, the risk aversion inherent in using the maxi-min decision criteria may be appropriate for decisions involving public safety or irreversible damage.

8. While some may regard intuitive decision making as being captured by the immediate (MAP) method, there are distinct differences. In intuitive approaches, no attempt is made to perform mission analysis, develop even a single alternative course of action concurrently or, therefore, to compare and choose between them. Moreover, no attempt is made to seek the best solution. Further, intuitive approaches as described are not regarded as a last resort which can potentially degrade plans and which should not be used if more time became available (Ross and Klein, 2004). While recognising the importance of ‘operational art’, ADF doctrine does not recognise pure intuition as a legitimate decision-making approach.

9. Hence, Alberts proposes that rather than ‘command, control and communications’, strategic C3 might also stand for developing a command intent through ‘consultation, collaboration and convergence’.

10. For example, see bibliography (such as Arrow 1951; Hammond, Stewart et al 1975; Linstone and Turoff 1975; Orasanu and Salas 1993; Stoner 1968).
11. The principle of 'requisite variety' is that efficiency in solving problems is maximised by creating the same degree of internal diversity as the diversity of the problem space (Ashby 1956). This suggests the complexity of a problem that an individual can solve is limited by the diversity and complexity of mental maps that the individual has acquired.

12. For other organisational self-checking advice, see bibliography (particularly Argyris 1998; Kleiner and Roth 1998).

**BIBLIOGRAPHY**


A Long Time Coming - Home at Last

Professor Clive Williams MG, Macquarie University

8 November 1965 started off like any other day in Vietnam for my platoon, 3 Platoon, A Company, First Battalion, the Royal Australian Regiment—better known as 1 RAR and, at the time, part of the US 173rd Airborne Brigade. We stood-to before dawn, sent out clearing patrols at first light and established listening posts before eating our American combat rations, shaving, cleaning weapons and boots, and getting ready for the day’s activities.

We were on a sweep operation, Operation Hump, in Dong Nai province along with 1/503 battalion, one of the other two battalions in the brigade. 2/503 had remained behind to provide security at Bien Hoa air base.

The mission for the day was to continue on a westerly bearing looking for enemy activity and engaging with the enemy as opportunities presented. Intelligence had warned of large enemy concentrations in the area, so we were to move as a company, with one platoon forward, followed by company headquarters and the other two platoons following behind. Normal practice was to rotate the lead section and the lead platoon because advancing to contact was hazardous and debilitating for the forward scouts.

During the morning, my platoon had two contacts resulting in two dead Viet Cong (VC) and no casualties to us. The VC had been trying to establish where we were, as we moved parallel to a heavily-used track that was part of the Ho Chi Minh Trail.

Unknown to us, but as I learned many years later, the sounds of the contacts were providing the local VC commander, Lieutenant Bao, with a good indication of the steady approach of A Company towards a company-size ambush position that his troops had prepared on an unmarked ridge approximately 1400 metres northeast-by-east of a feature known as Hill 82. Our westerly bearing was to take us by mid-afternoon to the centre of his position.

Much of that day, the company was moving in single file because we were making our own path through primary and secondary jungle. By mid-afternoon, 1 Platoon was the lead platoon as we approached Hill 82. As the lead section mounted the slope leading to the enemy position, it came under intense machine-gun fire, decimating the lead section of six men. Lance Corporal Richard (Tiny) Parker was killed and most of the others wounded.

Mine was the second platoon in the line of march. I was called forward to an ‘O’ (orders) group with the Company Commander, Major John Healy. ‘Pud’, as he was known behind his back, was a well-liked and experienced officer who had already served in the Malayan Emergency and with the Australian Army Training Team Vietnam (AATTV). To me, as a 20-year old, he seemed old but he was probably only 30. Major Healy ordered me to mount an immediate left-flanking attack to relieve the pressure on 1 Platoon.
I took my platoon of about 20 soldiers (our platoons in the field were well short of the establishment of 34) and headed around to the left flank. Officer Cadet School Portsea had taught us to do a reconnaissance and appreciation before mounting an attack-and then not to attack unless we had a 3:1 superiority!

We formed into an extended line and moved forward towards the enemy position. Because it was very thick vegetation, we were only about five metres apart in order to maintain visual contact. On previous occasions, the enemy had always withdrawn as we swept through. This time was different. Machine guns opened up along our whole 100 metre front. They had more firepower than we did. They all probably had automatic AK-47s, whereas we had a mix of rifles, sub-machine guns and three general-purpose machine guns.

Private Peter (Gilly) Gillson was one of the machine gunners. He was crossing the buttress roots of a large tree when he was hit by enemy fire and fell forward where he was in full view of an enemy weapon pit. My Sergeant, Col Fawcett, bravely tried to pull Gilly back over the tree roots but came under heavy fire himself. He was able to establish though that Gilly had been hit multiple times and had no pulse. The remainder of the platoon engaged the enemy with fire and movement until we started to run out of ammunition. By this stage it was getting dark and the VC were starting to outflank us and pour fire into our position from behind. We were told to try to extricate ourselves and withdraw back to the company position. Artillery was brought in to within 25 metres of our position to help us break contact.

A Company consolidated its position during the night and received an ammunition resupply by helicopter, delivered personally by the Operations Officer, Major Essex-Clark, popularly known as the ‘Big E’. Since we could not see the deliveries coming through the jungle canopy, it was a dangerous but necessary activity.

The VC continued to probe for us until it started to rain heavily around midnight. The next morning, A Company was able to find an area where we could winch out the wounded through the jungle canopy. Fortunately, all our wounded had survived through the night.

1 RAR’s intent had been to give priority to evacuating the wounded and resuming the operation the following day to retrieve Parker’s and Gillson’s bodies. That did not happen because the US Brigade Commander terminated the operation. While we were engaged, 1/503 had suffered 49 killed and over 100 wounded ie close to 40 per cent casualties. They had been operating just over the Dong Nai River from us and had adopted their usual tactic of advancing along existing tracks to attract a VC reaction and then destroy them with firepower. The VC countered by letting the 1/503 troopers get very close and then ambushed them, making the use of close artillery and air strikes more difficult.

1 RAR was never given an opportunity to return to the area. And, in 1966, Australian forces were deployed away from Bien Hoa to Phuoc Tuy province. Parker and Gillson thus became two of our six Vietnam missing-in-action (MIAs).

Fast forward now to 2002 and the formation of Operation Aussies Home (OAH). The non-recovery of the bodies of Parker and Gillson had rankled with all 1 RAR members. By 2002,
there had already been several unofficial attempts by 1 RAR veterans to visit the area to see whether a recovery operation was feasible. By this time, the Hill 82 area was under cultivation and no longer primary jungle.

The driving force for OAH was Jim Bourke. Jim had been my senior cadet ‘father’ at Portsea in 1964. When we deployed to Vietnam, Jim was a fellow platoon commander but in D Company. Jim was shot in the face in January 1966 and evacuated back to Australia. My platoon was near his when he was shot and my medic, Private Chris Clark, was killed while trying to assist wounded members of Jim’s platoon.

In early 2002, Jim gathered around him a group of Vietnam veterans concerned about our Vietnam MIAs. OAH was started and a website established to help collect and disseminate information. Facts and recollections were gathered from numerous sources, including the US ‘Joint Task Force for Full Accounting’ (JTF-FA), and reports were compiled for Army Headquarters.

Jim received little official support at first. Understandably, officialdom was concerned about supporting a private project with no track record. Slowly, after intensive lobbying of government ministers and one notable visit to Vietnam in November 2005, Jim and OAH gained credibility with Australian and Vietnamese officials. It had become clear to the Australian Government that OAH was a serious activity and that Jim Bourke was not a man to take no for an answer.

In November 2005, an OAH team, including Gordon Peterson and Trevor Hagan, who had been members of 1 Platoon in November 1965, visited Vietnam. JTF-FA had released the contact details of a Vietnamese witness who put Jim in contact with Mr Bao, the commander of the force that had opposed A Company some 40 years previously.

Mr Bao recalled the action precisely. He told us the VC had withdrawn from the Hill 82 area fearing air attacks and indicated that the two Australians had been buried in a weapon pit on the day after they were killed. However, he believed the action had taken place some 1400 metres south of the location recalled by Hagan and Peterson.

A government grant of $37,500 was provided in 2006, after a sizeable donation of $40,000 had been made by Paul Darrouzet, a private businessman from Queensland. Disappointingly, there was little support throughout from the RSL, except occasionally at local club level when their own club members participated in OAH. However, even with the funds provided, OAH was always a low budget operation—members sharing rooms in a cheap hotel at Bien Hoa and deploying daily to the search area. OAH members subsidised their travel costs to ensure the bulk of funds available were spent on the search operation. Many suffered physically from working daily in the 30 plus degree heat and 90 per cent plus humidity.

By early 2006, OAH’s main concern was to pin down the exact location of the A Company action. Jim asked me to return to Vietnam and help with that aspect. Back on the ground in May 2006, we retraced A Company’s approach to Hill 82 from the night harbour location and it soon became clear where the main action had occurred, being some 400 metres east of the Australian official location and 1400 metres from the location suggested by Mr Bao.
OAH intended to use military metal detectors in 2006 to work out the location of our and the enemy’s positions from recovered cartridges. Deployment of the detectors to the field was delayed by the Vietnamese bureaucratic process for several days. But a Vietnamese man working nearby with a home-made detector told us that the area had been well scoured by scrap collectors already. He and his son made A$5 a day from the dangerous task of collecting military scrap and considered that a good income. Unfortunately, even with the assistance of engineers from the Vietnamese People’s Army, no cartridge cases could be found on the feature.

We had, however, gridded the feature and marked all likely depressions for future excavation. Over time, loose soil compacts and former weapon pits show as slight depressions. Even so, depressions were less evident by 2006 because the area had been levelled for cultivation after being cleared of primary jungle.

A decision was made to return in 2007 with ground penetrating radar (GPR) to try to better pin down possible burial locations. Vietnamese labourers were hired and the tiring and protracted work of preparing the site for the GPR began. In due course, a mechanical excavator was hired, since digging the areas of interest was not an option because of the hardness of the ground and the time available. Unfortunately, the GPR had difficulty in locating the old weapon pits due the rocky nature of the terrain and the highly lateritic nature of the soil. It was like looking for a needle in a haystack because the weapon pit could have been anywhere within an 80 x 300 metre area.

It was towards the end of several weeks of activity that in one of the areas of interest identified in May 2006, which was inaccessible to the GPR, artefacts and human remains were uncovered, then a map of the area—the same as had been used by 1 RAR on the operation in November 1965. The map had been covered with clear contact film and was remarkably well preserved. It presumably had not been of interest to the VC. Mr Bao had earlier told us his troops could not map-read and relied on hand-drawn maps and local guides.

The detailed forensic excavation task was then passed to the Australian Government. A recovery team swung into action and within ten days had deployed to Vietnam, completed the excavation and confirmed that the remains of Parker and Gillson had been found. I was working in the UK when Jim gave me the amazing news that their remains had finally been found. Jim invited me to be part of the four-member OAH repatriation group because of my role as Gilly’s Platoon Commander. The others were to be Jim himself, Gordon Peterson (Tiny’s acting Platoon Commander) and Trevor Hagan (Tiny’s acting Platoon Sergeant).

On Sunday 3 June, we flew to Hanoi on a VIP Boeing 737 with Minister Bruce Billson who, since taking on the Veterans Affairs portfolio, has been a strong supporter of OAH’s efforts, along with Major General Mark Kelly (Land Commander and formerly 1 RAR), Gillson family members and a small media contingent. We arrived in Hanoi on Sunday night. The following day there was a formal handover ceremony at Hanoi airport organised by Ambassador Bill Tweddell and the Defence Attaché, both of whom had supported OAH’s efforts. 1 RAR provided the bearer party. Senior Vietnamese officials were present. One told me he had joined the Vietnamese army in 1944 and fought both the French and the Americans over almost 30 years.
Our OAH party and Second Lieutenant Robert Gillson (Gilly’s son whom he had never seen) returned to Australia later that night in a C-130 Hercules with the coffins. At Darwin, the Parker and Gillson family members had the opportunity to spend time with their long-lost loved ones. The next leg of the C-130 journey was to Richmond. I sat next to the two flag-draped coffins with Robert, for whom the whole recovery process must have been an emotional roller coaster ride. He was three months old when his father was killed.

The homecoming ceremony at Richmond on Wednesday was an emotional one for all concerned, particularly the families and 1 RAR veterans. Finalisation came the next week when Lance Corporal Richard Parker was laid to rest in Canberra on the Tuesday and Private Peter Gillson in Melbourne on the Friday. Home at last.

Postscript

This article was originally written in October 2007. Since then, there have been significant developments relating to the remaining MIAs. As noted in my article, there were a total of six Australian MIAs in Vietnam. Four were Australian Army personnel and two were from the RAAF. All were presumed KIA. They were Private Peter Gillson, Lance Corporal Richard Parker, Private David Fisher, Lance Corporal John Gillespie, Pilot Officer Robert Carver and Flying Officer Michael Herbert. All were aged in their early 20s.

The following information is dated 31 July 2009.

Private David Fisher, 23, was a national serviceman serving with 3 Squadron SAS. On 27 September 1969, his SAS patrol had contact with VC in Cam My district, about 35 kilometres northeast of the 1st ATF base at Nui Dat. During a hot extraction by RAAF helicopter, Private Fisher fell about 30 metres into dense jungle from a rope attached to the helicopter. He was believed to have been killed but extensive searches failed to recover his body. In August 2008, the ADF reported that the possible location of Private David Fisher had been identified. On 11 September 2008, it advised that human remains had been positively identified as those of Private Fisher. He was returned to Australia with full military honours. It was subsequently confirmed that Private Fisher had died as a result of the fall and that his body had been buried by enemy soldiers.

Lance Corporal John Francis Gillespie, 24, was a helicopter medic with the 8th Field Ambulance. On 17 April 1971, during a ‘dust-off’ operation in the Long Hai hills of Phuoc Tuy province, his RAAF Iroquois was hit by enemy ground fire and crashed. Gillespie was pinned under the burning wreckage and his body could not be recovered. Three other soldiers also died in the crash. Lance Corporal Gillespie’s remains were located in February 2004, positively identified in December 2007 and repatriated to Australia on 22 December 2007.

Pilot Officer Robert Carver, 24, and Flying Officer Michael Herbert, 24, of No 2 Squadron RAAF were both career air force officers based at Phan Rang air base. On 3 November 1970, their Canberra bomber disappeared during a night bombing mission in the northern 1st Corps Tactical Zone region of South Vietnam. An extensive aerial search of the area failed to find...
any trace of the aircraft or crew and it was called off after three days. On 21 April 2009, the ADF reported that RAAF Canberra bomber wreckage had been located in thick jungle in an extremely rugged, remote and sparsely-populated area of Quang Nam province near the Laotian border. An Australian recovery team located their remains in July 2009, with positive identification formally announced by the Federal Government on 30 July.

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The Rise of the Machines: Discrimination and Feasible Precautions in the Uninhabited Battlefield

Flight Lieutenant Dale Hooper, RAAF

Introduction

In recent times there has been a discernible shift in the focus of international humanitarian law away from state responsibility towards individual rights and responsibilities. Evidence of this can be found in the establishment of the International Criminal Court (ICC), as well as recent ad hoc war crimes tribunals. The world community has recognised that it is individuals—by their actions, omissions and decisions—who commit breaches of international humanitarian law, not amorphous bodies politic.

This humanising effect has, however, arrived just in time to see the real and practical use of uninhabited weapons platforms on the battlefield. This may strike some as a cruel or perverse irony and lead them to question whether international humanitarian law in its current form can adequately deal with the array of emerging uninhabited weapons platforms. Along with ground and sea platforms, uninhabited combat aerial vehicles (UCAVs) are currently being developed with the capability to autonomously identify targets, select weapons release options and dispense supersonic air-to-ground missiles.

This paper examines the nature of UCAVs as a method or means of combat. It then establishes the law regulating the requirement to avoid methods or means of combat that are indiscriminate, or incapable of discrimination, and the requirement to take feasible precautions, particularly with respect to aerial bombardment—or to use its modern term—targeting. It then reconciles that law against the current state of UCAV technology before concluding that the current body of international humanitarian law relating to targeting is sufficiently mature, comprehensive and flexible to regulate the application of force by autonomous combat machines, so long as they are ultimately controlled by humans.

UCAVs: history and context

History. As early as the 1940s, belligerents were planning and executing attacks using assets in an uninhabited capacity. After being shelved for some time, the concept was again given significant research and development funding after the success of the unarmed intelligence surveillance and reconnaissance (ISR) drones in Kosovo, Iraq and Afghanistan. At the same time as aerial uninhabited assets were being developed, so too were land-traversing combat robots and uninhabited surface and sub-surface marine vehicles.
**Taxonomy.** UCAVs are vehicles designed to carry and release munitions in a manner no different to a conventional aircraft, other than the fact that the pilot is dislocated from the craft. Yet it is more than simply a vehicle. In contrast, some argue that a UCAV is more like an extension of the cruise missile; that is, a re-useable weapon or munition. However, such simple conceptualisations of the UCAV can belie the complex nature of this novel species of war machine. With its ability to communicate and cooperate with not only other UCAVs but also other weapons systems, and with the ever-increasing level of autonomy being built into the target identification and weapons release software, UCAVs are not easily categorised.

**Current context.** The US, UK and Israel have UCAVs capable of carrying a number of supersonic, laser-guided, air-to-ground missiles with great speed and stealth. The next generation of UCAVs being developed in the US will have the ability to autonomously detect, avoid and/or attack ‘pop-up’ threats.

The future of UCAVs seems assured, with the US Department of Defense stating that ‘approximately 45 per cent of the future long-range strike force will be unmanned’. It is not difficult to imagine why the US and other nations are keen to develop such platforms. They are relatively cheap and portable, they can be operated from anywhere in or outside the battlespace, the risk of death or capture of air crew is eliminated and, with an aerial refuelling capacity, they can remain airborne for days on end.

The extent to which the use of UCAVs may risk transgressing international humanitarian law has a direct negative correlation to the level of human control. As with any aircraft, the human operator can lose control of a UCAV due to either operator error or aircraft malfunction. With an unarmed, uninhabited aerial vehicle, this is not such a concern. But with an aircraft laden with up to four air-to-ground missiles and controlled by an operator who may be another continent away, the risks are obvious. This risk is recognised by the ADF in AAP1003: Operations Law for RAAF Commanders (2nd Edition) which, inter alia, recommends that a commander obtains legal advice to determine the legality of removing a human operator from the targeting decision process and the status of a civilian operator of a UCAV.

However, even such risk pales in comparison to the potential controversy of a UCAV so advanced in its autonomy that it autonomously identifies targets as military, calculates the likelihood of civilian casualties or damage and then self-selects weapons release options. It is fair to say that the emerging reality of machines capable of great destruction being granted autonomy to make targeting decisions that were once made by human combatants is a situation not envisaged by the drafters of any of the major international humanitarian law conventions.

**The law of targeting in the context of discrimination and precaution**

Targeting is the process of recommending to a commander the targets that support the commander’s objectives and the best weapons, which can include lethal or non-lethal means, to achieve a desired level of damage or effects on those targets.
At its most fundamental level, international humanitarian law is concerned with reducing the suffering of the vulnerable and the uninvolved. The requirement to protect the vulnerable could be said to be the fundamental condition of the collective social contract between nations on the issue of regulating means and methods of warfare: that is, as a society of nations we accept that certain individuals may lawfully do violence upon one another so long as each of those individuals applies international humanitarian law. In the context of targeting, this means that those individuals who participate in the targeting process are required to use their judgment, knowledge of the law and sense of humanity in carrying out their function in the targeting process.8

International armed conflict

It is clear that as long ago as the late 1800s, bombardment was a means of warfare that created concern for many nations.9 Specific limits on bombardment appeared in the 1899 Hague Convention II ‘Respecting the Laws and Customs of War on Land’,10 while the 1907 Hague Convention IX ‘Concerning Bombardment by Naval Forces in Time of War’ applied at sea. There is, however, no air warfare equivalent to these early conventions.11 Despite the devastating potential of aerial bombardment (or perhaps because of it), the same enthusiasm to regulate bombardment in the land and naval context did not extend to aerial warfare.12

By the time of the 1949 Geneva Diplomatic Conference, all those present must have been well aware of the potential for aerial bombardment to cause suffering to the general civilian population on a scale never imagined before World War 2. Yet those present saw no reason to specifically address the issue.13 Perhaps this is because they saw the rules relating to bombardment contained in the Hague Conventions as customary international law and sufficient to address the hazards involved. In any event, it was not until the adoption of the 1977 Geneva Protocol I ‘Additional to the Geneva Conventions of 1949 and Relating to the Protection of Victims of International Armed Conflict (Additional Protocol I)’ that specific rules were established to explain the concept of ‘distinction’, explicitly describe the nature of the protection of civilians and their objects from attack, and set out the precautions required prior to attacks.14

The fact that the Hague law regulating bombardment had not been updated since the beginning of the 20th century—when aerial bombardment did not exist in any practical and substantial form—has been described by Jean Pictet as a tragic absurdity.15 Part IV of Additional Protocol I, and in particular Section I, seeks to address this by way of a set of rules that inter alia define civilians (as opposed to combatants) and military objectives,16 and require parties to distinguish between civilians and their objects and combatants and military objectives, and direct their operations only against military objectives.17 The rules also provide general protection to civilians by prohibiting certain types of attacks, such as those directed at civilians and those that are indiscriminate,18 and set out the precautions required by those planning and executing attacks.19

Part IV of Additional Protocol I provides the clearest expression to date of two of the so-called ‘basic principles’ of international humanitarian law, being distinction (sometimes referred to as discrimination) and proportionality.20 It is submitted that the rules contained in Part IV can be viewed as a more modern and explicit restatement of earlier norms found in the St Petersburg Declaration of 186821 and the Hague Conventions of 1899 and 1907.22
Further, the obligations to distinguish civilians from military objects, to only attack military objects and to refrain from using weapons that are incapable of distinguishing civilians and military targets form part of a single principle that the International Court of Justice (ICJ) described in the *Legality of the Threat or Use of Nuclear Weapons (Advisory Opinion)* as one of the ‘cardinal principles contained in the texts constituting the fabric of international humanitarian law’.23

In this statement, the ICJ is referring to a principle of prohibition against indiscriminate attacks that is contained in three separate limbs of Articles 50(4)(a), (b) and (c) of Additional Protocol I. The difference between the limbs is important, because while Article 50(4)(a) is concerned with the nature of an attack and how weapons are used, Article 50(4)(b) is concerned with the use of unlawfully indiscriminate weapons and/or the nature of an attack.24 The second limb recognises that due to their indiscriminate nature, certain weapons cannot be employed lawfully regardless of how the attack is planned and executed.

That the ICJ regards the protection of civilians and the requirement to use weapons that are capable of distinction between military and civilian as fundamental and intransgressible principles of customary international law25 is especially pertinent to the issue of regulating the use of UCAVs. This is because two of the recent users of UCAVs have been the US and Israel, neither of which are parties to Additional Protocol I.26 These nations are not, of course, free from international humanitarian law regulation in this area. For example, few would argue that the rules set out by the International Committee of the Red Cross (ICRC) in its 2005 study27 relating to indiscriminate attacks are anything but an accurate description of the customary international humanitarian law applicable to all nations.28

Moreover, the US Air Force states in its operations law guide that ‘[a]ttackers are required to only use those means and methods of attack that are discriminate in effect and can be controlled, as well as take precautions to minimize collateral injury to civilians and protected objects or locations’.29 Statements such as this, combined with its previous practice in recent conflicts, indicate that the US’s interpretation of its legal obligations with respect to targeting in international armed conflicts aligns closely with Section I of Part IV of Additional Protocol I.30

For parties bound by Additional Protocol I, there are further obligations contained in Article 57 that write full meaning into the framework of standards set in Article 51. Article 57 provides general requirements to take care during military operations to spare civilians and their objects31 as well as specific restrictions and guidance relating to the level of intelligence gathering and risk assessment required in the planning and execution of attacks in order to minimise harm to civilians.32

Whether the specific requirements set out in Article 57, and in particular 57(2), are applicable to non Additional Protocol I nations as customary international humanitarian law is less certain than is the case for Article 51. The ICRC argues that the requirements of Article 57 are customary international humanitarian law.33

It is the ICRC’s contention that the basic rule of feasible precautions (rule 15) attains the status of customary international law by virtue of a number of sources; firstly, state practice relating
to the specific rules on precautions (rules 16-21) are proof of the existence of this general rule as a norm; secondly, they cite the longstanding nature of the norm which was reduced to treaty at least as early as the 1907 Hague Convention (IX) and the fact that, in its latest form (Article 57), no reservations have been made; finally, they point to the prevalence of the rule in military manuals.34

Non-international armed conflict

Recent use of UCAVs by the US and Israel has included use in conflicts which many international humanitarian law commentators do not regard as international armed conflicts compatible with the description in paragraph 1 of Article 2 common to the Geneva Conventions of 1949, due to the adversaries being non-state actors.35 This then leads one to consider whether the requirements to discriminate in attack and to take feasible precautions are equally applicable in such non-international armed conflicts.36

It is submitted that the customary international humanitarian law requirement to discriminate in the methods or means of attack and to take feasible precautions is substantially the same in non-international armed conflicts as it is in international armed conflicts. Certainly, the ICJ made no qualification based on the character of the conflict when it stated that discrimination was a cardinal and intransgressible principle of the law. Further, the US Air Force in its operational law guide makes no distinction as to its obligations in this regard in either international or non-international armed conflicts.37

Is the law sufficient to address the potential actions of UCAVs?

At this stage, it is unknown how much autonomy we will see built in to UCAVs and consequently the extent to which the international community will accept the human decision-maker being removed from the targeting process. There can be no doubt that if a human operator exercises sufficient control or intervention over a UCAV carrying conventional air-to-ground missiles, then a UCAV attack is not an unlawful method or means of combat per se.

As the technology develops, however, and the UCAVs acquire more advanced autonomous capabilities—capabilities once exercised by human judgment—the risk of the principle of discrimination being violated must surely grow. As with cluster munitions, the rate of malfunction would be critical to global acceptance, as malfunctioning or, worse still, inadequate UCAV targeting software poses as grave a danger to civilians. If this danger is realised, international humanitarian lawyers should begin to question whether it is possible to use UCAVs in an armed conflict in a manner that is consistent with the discrimination and feasible precaution principles of international humanitarian law.
Discrimination

If we accept that Article 51 of Additional Protocol I is an accurate statement of customary international law, then an interesting question arises as to the meaning of the negative ‘cannot’ in sub-paragraph 4(b) and (c) as it is applied to emerging military technology. Article 51 renders indiscriminate, and therefore unlawful, ‘(b) those ... [attacks] which employ a method or means of combat which cannot be directed at a specific military objective’ and ‘(c) those ... [attacks] which employ a method or means of combat the effects of which cannot be limited as required by this Protocol’.

Whether a method or means of combat can or cannot achieve the requisite level of discrimination appears to be a question of degree. For example, a UCAV that flies a sample set of 100 sorties in an operation and successfully and legally engages 99 military objectives autonomously, clearly can be directed at a specific military object. This literal argument holds even if the one malfunction in the sample set resulted in the UCAV’s software processing a field ambulance as a troop carrier.

A polar opposite example is that of the Katyusha rockets used by Hezbollah against Israel in the 2006 conflict. These rockets cannot be guided with any degree of precision. Leaving aside, Hezbollah’s status or the applicable legal regime, it is submitted that an attack using Katyusha rockets will almost always violate Article 51(4) if used in a battlespace that contains civilians, or other protected people and objects, because they cannot be directed. These two examples lean toward the extremities of conceivable methods and means of combat.

There are, of course, multifarious examples of methods or means of combat which occupy the more contentious middle ground. If over some time it is found that the UCAV’s autonomous targeting software results in attacks on civilians or protected persons with any discernable regularity and that such malfunctions are inherent to the UCAV (and not an incorrect intelligence assessment for example), then it is submitted that use of the UCAV as a method or means of combat must have passed the threshold from one which can discriminate to one which cannot.

Feasible precautions

There is no statistical or probability-based formula with which to test the reliability or accuracy of a weapons system in achieving the discrimination test required by Article 51(4): it is a question of degree. Instead, what is required of those who choose to use a new weapon system is a diligent and ongoing regime of testing, monitoring and comparing its performance against other alternative methods or means of combat. Only then can a belligerent know the limitations of all its alternative methods or means of combat and then, in accordance with Articles 57(2)(a) and 57(3) of Additional Protocol I, choose the one least likely to endanger civilians.

Those developing UCAVs claim that, at this stage of its development, the testing has demonstrated that it is accurate and reliable when controlled by an experienced operator. The real test will come when the operator starts handing over the target identification and evaluation decisions to the machine. Already tests are being carried out to see the extent to which ‘swarms’ of UCAVs can operate autonomously and the optimum ratio of UCAV to human operator/supervisor.
**The human/machine relationship**

An examination of the development and current use of UCAVs through the lens of international humanitarian law reveals an almost inescapable conclusion: that is, without at least some level of human control, compliance with the norms of discrimination and feasible precaution is a matter of chance and hope. Software designers cannot possibly account for every contingency and subtlety in the battlespace.

This is especially the case in today’s climate of asymmetric warfare where military objectives and combatants seemingly melt into the general population and, when they do appear, they often do not take on the appearance of traditional military objectives or combatants. Therefore, although UCAVs have the ability to process and recall staggeringly large amounts of information quickly, only a human can truly apply the Additional Protocol I Articles 51 and 57 requirements to any given situation. The goal then for UCAV developers is firstly finding the right balance between autonomy and control, and then ensuring the machine cannot act and react at a speed beyond human intervention.

As computer processing power grows, the ability of the UCAV to complete all facets of the targeting process seems inevitable. The best opportunity for retaining an acceptable level of human control then would be at the stage where the machine is created and the software is written. It is at this point that critical aspects of human intervention can be set. It is not inconceivable that the day will come when international humanitarian lawyers may be called upon to work with software writers in order to ensure that the targeting processes written into the UCAV are legally justifiable.

The issue of speed of processing and reaction time by the UCAV is just as important as autonomy. Not only must a human be able to observe and override a UCAV in order to ensure adherence to international humanitarian law principles but also the human must have the time to do so. The reliance by commanders on electronic warfare and direct-energy weapons (such as electro-magnetic and particle-beam devices) will increase as these systems mature. These ‘speed-of-light engagements’ will elicit equally sophisticated and virtually instantaneous counter-measures, all of which will occur at speeds far in excess of human reaction times.

It may be that the future of warfare will see the human as the slowest and most vulnerable component of a largely autonomous weapons system. Notwithstanding the human cognitive and physical shortcomings, there remains the inevitable (almost paradoxical) conclusion that the weakest link in the chain is also the only link that must never be done away with. The rules and nature of the relationship between the human and the machine will ultimately determine whether a platform such as a UCAV can comply with international humanitarian law.

The UCAV human operator, like their strike pilot counterpart, must have a working knowledge of their state’s legal requirements and be given the ability and time to make targeting decisions such as whether or not a target is a military objective, whether civilian damage will occur and, if so, whether it is proportionate, how best to deliver the weapon to reduce civilian suffering and how to cancel the attack should conditions change.
Conclusion

The emerging suite of uninhabited and autonomous military platforms such as UCAVs offers significant advantages to belligerents. Before great military power is unleashed, however, the law requires constant and diligent care in the planning and execution process to minimise human suffering, a process which is after all nothing more than a series of human cognitive activities calling on knowledge, judgment and compassion.

Care must be exercised in the development and use of UCAVs due to the potential for civilian suffering in armed conflict if the UCAV’s targeting software malfunctions or is inherently flawed. Systemic failures or an inability for human operators to control targeting may render the system incapable of discrimination and therefore an unlawful method or means of combat.

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NOTES

1. I say method or means because one cannot easily categorise the nature of the UCAV as either a weapon (means) or a way of using a weapon (method). On the differing meanings of ‘means’ and ‘method’ see International Committee of the Red Cross (ICRC), _Commentary on the Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949, 1987_, p. 621.

2. During World War 2, the US Air Force planned and carried out an ultimately unsuccessful attack on German positions using B-17 bombers filled with explosives and then set on a course for the target by its crew who later bailed out over the UK. See Anthony J. Lazarski, ‘Legal implications of the uninhabited combat aerial vehicle’, _Aerospace Power Journal_, 2002, No. 2, p. 2.


8. For an ADF perspective on the humanitarian law principles as they relate to targeting, see Air Power Development Centre, _Operations Law for RAAF Commanders_, Chapters 6 and 8.

See Articles 25-7. These articles also appeared in substantially the same form in the 1907 Hague Convention IV.

Although, an attempt was made in the 1923 Hague Convention ‘Draft Rules of Aerial Warfare’ which were never adopted and must now be considered to have little relevance following grave departures from their requirements in World War 2. See A. Roberts and R. Guelff, Documents on the Laws of War, New York: Oxford University Press, 2001, pp. 139-41.


Although, Part II of the 1949 Geneva Convention IV ‘Relative to the Protection of Civilian Persons in Time of War’ provides some protection to the general populations against certain consequences of war.

See particularly Part IV of Additional Protocol I and, to a lesser extent, Part IV of Additional Protocol II.

ICRC, p. 583.

Additional Protocol I Articles 50 and 52 respectively.

Ibid, Article 48.

Ibid, Article 51.

Ibid, Article 57.

How generally accepted the so-called ‘basic principles’ are remains unclear. According to ADF doctrine, the principle of distinction is not a basic principle but rather is said to be a ‘related principle’ (see ADDP 06.4: Law of Armed Conflict, 2006, pp. 2-7). Whereas the US Air Force lists military necessity, humanity, discrimination, proportionality and chivalry as the basic principles: see JAG, p. 26.

Second paragraph of the preamble.

In particular, Chapter 1 of Section II.

International Court of Justice (ICJ), Legality of the Threat or Use of Nuclear Weapons (Advisory Opinion), Report No. 226, 1996, p. 257.

ICRC, p. 621.

ICJ, p. 257.

Although not a party to Additional Protocol I, the US is a signatory and, therefore, under Article 18 of the Vienna Convention on the Law of Treaties, it must refrain from acts which would defeat the object and purpose of the treaty.


Although this may not be the case for the rules set out in Part IV relating specifically to weapons. These rules have been criticised for finding customary international law all too easily, given that the regulation of weapons has traditionally been the domain of treaty law. See, for example, David Turns, ‘Weapons in the ICRC study on customary international humanitarian law’, Journal of Conflict and Security Law, Issue 11, 2006, pp. 201-03.

30. Except Articles 55 and 56 which the US specifically objects to. Although, see Judith G. Gardam, Non-Combatant Immunity as a Norm of International Humanitarian Law, Nijhoff, Dordrecht, 1993, p. 152 (written before the Second Gulf War and the current conflicts in Afghanistan) where, speaking of Article 51, she argues that US practice in the [first] Gulf War indicated that the US considered its legal obligations only to ‘prohibit two types of attacks: first those that intentionally target civilians and, secondly, those that involve negligent behaviour in ascertaining the nature of a target or the conduct of the attack itself, so as to amount to the direct targeting of civilians’.

31. Articles 57(1) and 57(4).

32. Articles 57(2) and 57(3).


34. Ibid.

35. Although, the Israel conflict with Hezbollah in 2006 is difficult to classify due the complex relationship between Hezbollah and the State of Lebanon (see Human Rights Watch, ‘Why they died: civilian casualties in Lebanon during the 2006 war’, Human Rights Watch, 2007, Issue 19, 2006: see <http://hrw.org/reports.htm> accessed 4 April 2008. The NATO-led coalition against al Qaeda is also not of an international character, although global in scope, or as one prominent commentator describes it ‘a globalized “non-international” armed conflict with components (such as armed conflict against the Taliban) that fall squarely within the laws of international armed conflict…’: Dinah PoKempner, ‘The “new” non-state actors in international humanitarian law’, George Washington International Law Review, 2006.

36. Non-international armed conflict’ in this sense is not intended to refer to the restricted type of internal armed conflicts covered by Additional Protocol II to the Geneva Conventions of 12 August 1949 ‘Relating to the Protection of Victims of Non-International Armed Conflict’.

37. JAG, pp. 23-49.


39. DARPA, p. 4.


41. For example, it has been argued that a US Army shoot-down of a British and US fighter aircraft in the recent conflict in Iraq could have been avoided if the Patriot missile system was designed as ‘management-by-consent’ requiring human consent to fire the missile, rather than the virtually autonomous ‘management-by-exception’ system that only allows 10-15 seconds to override. See M.L. Cummings, ‘Creating moral buffers in weapon control interface design’, Technology and Society Magazine, Issue 23, 2004, pp. 28-41.

42. See generally Thomas K. Adams, ‘Future warfare and the decline of human decision-making’, Parameters (US Army War College Quarterly), 2001-02, pp. 57-71
Human Security in the ADF

Lance Corporal Susan Hutchinson, Army Reserve

Introduction

To achieve peace and stability in today’s interdependent world, preventing and mitigating the impact of internal violent conflicts are not sufficient. Also important are upholding human rights, pursuing inclusive and equitable development and respecting human dignity and diversity.

Sadako Ogata, former UN High Commissioner for Refugees.¹

In 2007, Prime Minister Kevin Rudd signed the APEC declaration, resolving inter alia to enhance ‘human security’. This paper argues there has been insufficient consideration of ‘human security’ by the ADF to effectively address the tactical, operational and strategic-level implications of the concept.

The paper endeavours to address that situation through analytical debate on the relevance of human security to the ADF and identifying what would be required to address human security issues. It is argued that the inclusion of human security concepts requires an increased understanding of the development-security nexus, training commanders to address the complexities of the subject, the development of appropriate policy, greater coordination in interagency operations and further development of the existing civil-military cooperation (CIMIC) capability.

Defining the terms

‘Human security’ and traditional concepts of security are mutually reinforcing and protecting states is now seen to be connected to the protection of their people. Traditional concepts of security focus on ‘protecting the state—its boundaries, people, institutions and values—from external attacks’.² However, human security takes a more holistic approach and involves many non-military actors, including police, and humanitarian and non-government organisations (NGOs).

Human security in its broadest sense embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and health care and ensuring that each individual has opportunities and choices to fulfil his or her own potential. Every step in this direction is also a step towards reducing poverty, achieving economic growth and preventing conflict.³
It makes sense

Why is human security of concern to the ADF? There is a connection between the security of a state and the security of its people and that connection is increasingly recognised, regionally and internationally. As a result, human security has increasing significance in ADF planning and operations. This section of the paper will discuss the operational and strategic reasons for the ADF to incorporate concepts of human security.

The mission of the ADF is to defend Australia and its national interests. This includes contributing to the security of Australia’s immediate neighbourhood and supporting wider interests by contributing to international coalitions in response to crises beyond Australia’s immediate neighbourhood. It is of primary importance that our defence forces are trained and capable in the defence of Australia. However, ADF policy, doctrine and capabilities obviously also need to reflect the broader and more realistic range of tasks relating to regional and international security.

Since the end of the Cold War, conflicts have overwhelmingly been fought within states. This shift away from interstate warfare has seen Australian soldiers deployed in capacities outside that of traditional warfighting. The Chief of Army, Lieutenant General Ken Gillespie, recently commented that the Army must be prepared to ‘deploy at short notice with our joint and interagency partners to undertake a range of missions anywhere in the world our Government requires’. This ‘range of missions’ has seen increased ADF exposure to operations requiring a different approach to traditional warfare.

Many current ADF operations occur in complex emergencies, generally consisting of three components: humanitarian crisis, violent conflict and political instability. As such, the response to these security challenges needs to address not only violent conflict but also political instability and humanitarian crisis. While political and humanitarian tasks should not, for the most part, be conducted by the military, there is an inherent need for understanding and acknowledgement of the inter-relationship of these roles for the ADF to be able to achieve its mission.

The concept of human security can be seen as an existing interpretive framework to understand various types of security challenges. General Anthony Zinni (retired), a former US Marine Corps and CENTCOM commander, poignantly articulated that ‘understanding the type of war you are fighting is the first step to winning’. Incorporating human security into doctrine and training would allow ADF commanders and personnel to better understand related operations, such as disaster relief, peace support, low intensity conflict, urban warfare and counter insurgency.

Human security has increasing regional significance. Recent history has shown that security in Australia’s immediate neighbourhood has been affected by fragile states, grievous breaches of human rights and natural disasters. As evidence of the importance of framing these security challenges within the concept of human security, the final document of the 2007 APEC summit reminded member states of ‘our region’s vulnerability to natural disasters and the devastating human and economic costs arising from threats to human security’.
The recognition and absorption of human security issues is particularly important if Australia aspires to a seat on the UN Security Council. Article 1.1 of the UN Charter articulates that one of the purposes of the organisation is to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to the peace. Increasingly, lack of development and human rights are seen as threats to the peace. Furthermore, human security is a significant strategic priority to many member states that would be in a position to support any bid by Australia for a seat on the Security Council.

Many organs of the UN officially recognise the importance of human security and its connection to international peace and security. The UN’s Human Security Unit (HSU) was established to integrate human security into all UN activities. The HSU sits within the Secretariat of the Office for the Coordination of Humanitarian Affairs (OCHA) and concentrates on several inter-related areas of human security. Those of direct concern to the ADF are conflict and poverty, protecting people during violent conflict and in post-conflict situations, and defending people who are forced to move. These are all issues that commanders and soldiers have had direct experiences of in East Timor, Solomon Islands, Iraq and Afghanistan, further emphasising the need for the ADF to incorporate human security concerns.

**The development-security nexus**

Essential components of the development—security nexus are civil military relations and the role that human rights, gender and development have in conflict, conflict prevention and conflict resolution. Discussion here will focus on protection and the relationship between peace and security, human rights, development and good governance.

While development and security concerns increasingly overlap, it is of fundamental importance that development and security organisations are clearly identified and their respective roles known to the public. The increasingly-close connection between development and security has led many combatants, particularly insurgents, to perceive or accuse humanitarian and development NGOs of taking sides in military operations. This has proven to greatly impinge on the safety and independence of NGOs and can impact adversely on their international reputation and standing.

The aim of development is the empowerment of the poor to peacefully make changes that will increase their quality of life and that of the broader community, while reducing inequality. This includes ensuring access to the opportunities that individuals need to reach their full potential, such as education and health care. According to Oxfam International, ‘empowerment is demonstrated by the quality of people’s participation in the decisions and processes affecting their lives’.7

While participation and good governance contribute to more equitable distribution of resources, development work that reduces inequality and increases quality of life simultaneously increases security by reducing the causes of frustration that lead to conflict. The Human Security Project reported that in 2005, 90 per cent of armed conflicts took place in low and lower-middle income countries and recent research has shown that, as incomes rise, the risk of armed conflict dramatically falls.8 While in many cases, development goals are unachievable without security, in the overwhelming number of modern conflicts, security is unachievable without development.
Human rights are the means of identifying and protecting the economic, social, cultural, political and civil expectations that ensure basic standards and equality that would otherwise be the cause of civil grievances or conflict. Furthermore, preventing wars and associated human rights violations ‘and rebuilding societies in their aftermath, requires an approach that incorporates the perspectives of both human rights advocates and conflict resolution practitioners’. Given this, ADF members should be given training and guidance to ensure they better understand, and appropriately and effectively support, human rights and development principles and practices.

Sustainable peace and development is dependent on effectively engaging both the male and female elements of the population in a manner that is culturally appropriate. ADF personnel should ensure that an appropriate gender perspective is applied to planning and operations, noting that UN Security Council Resolution 1325 requires that gender must be included in peace operations at all levels.

It is axiomatic that men and women experience conflict differently. They also have different perspectives on reconstruction and development. Particularly on reconstruction and stabilisation operations, ‘women should always be consulted directly and encouraged to make their own proposals for support.’ Even in societies that appear to be dominated by males, in the overwhelming majority of cases, females still have a strong influence and are not neutral figures in society. If they are not actively engaged in conflict, women are still ‘actors in supporting or opposing violence and in trying to survive the effects of conflict’.

Women may also participate in conflict situations ‘through inciting men to commit violent acts or ... through the socialisation of children to militaristic ideologies’. Conversely, if their needs and grievances are heard and addressed, women can have a positive influence on community matters, discourage acts of violence and encourage peaceful inclusive behaviours. Even when women are not publicly involved in political structures and decision-making processes, they often exert influence through discussions of community matters, either with their husbands, female community leaders or simply each other.

Protection

The primary goals of human security have been identified by the UN Commission on Human Security as protection and empowerment. ‘Protection’ in this context refers to any activity that aims to create an environment conducive to respect for human beings, thereby preventing or alleviating the immediate effects of a specific pattern of abuse. Just prior to his retirement, Lieutenant General Peter Leahy stated that the future will involve ‘... a battlefield which is much more about the population .... where we protect and support and persuade’. This section of the paper will discuss the necessary protection of civilians from physical violence.

The Asia Pacific Centre for the Responsibility to Protect has expressed that civilian protection ‘should be understood broadly as the full range of activities that countries, agencies and individuals can pursue to advance the legal and physical protection of civilians’. The Centre advocates that protection activities should be seen ‘on a continuum whereby not all actors are engaged in the conduct of all tasks but may still require an extensive understanding of protection in order to perform unconventional roles’.
While the risk to the safety of civilians is clearly increased during conflict, increasing the safety of civilians can contribute to the reduction in conflict. Reducing the sense of insecurity of civilians reduces their need to possess and use weapons in self protection or resort to violence in addressing their grievances at a lack of security. It also removes their need to flee their homes, a process which often leaves people particularly vulnerable.

Civilian protection is a task typically undertaken by many different organisations, including humanitarian groups, NGOs and local state actors such as the police and judiciary. The development of individual and collective protective mechanisms includes the development of the rule of law, security sector reform and building peaceful community norms for addressing grievances and resolving disputes.\(^{18}\)

At present, these ‘bigger picture’ protection tasks are rarely military tasks but they may fall into the realm of the Australian Federal Police’s (AFP) International Deployment Group (IDG). However, protection is also the responsibility of the ADF due to obligations under the Geneva Conventions and because it is inextricably linked to security. As such, these tasks must be understood by ADF commanders and be reflected at an operational and tactical level. While recent operational experience has developed the relationship between the ADF and the IDG, relationships need to be further developed between the ADF and other organisations responsible for protection.

The Fourth Geneva Convention outlines the responsibilities for protecting the civilian population in wartime. It states that civilians are to be protected from violence to life and person, from being taken as hostages, from outrages upon their personal dignity and the passing of extra-judiciary sentences.\(^{19}\) While its inclusion in the Geneva Conventions ensures protection is an implied military task, a lack of explicit tasking—in missions such as the UN’s Assistance Mission for Rwanda (UNAMIR)—has meant that violent atrocities have at times occurred before the very eyes of military forces deployed to keep the peace.

There have been seven UN operations since 1999 where the protection of civilians is an explicitly-mandated task.\(^{20}\) However, where it exists, ADF doctrine and training on protection still lacks clarity, cohesion and fusion. In related ADF doctrine that refers to the significance of the local population, there is a tendency to consider them as only relevant to public affairs, information, psychological operations and rules of engagement.\(^{21}\) One of the five lines of operation in *Adaptive Campaigning*,\(^{22}\) the capstone doctrine on Army strategy, is population protection. However, the civilian protection component of *Adaptive Campaigning* arguably needs further work to address the definitions of what constitutes ‘protection’. Population protection also needs to be included in Army-wide training and developed to involve protection as a continuum of activities.

**Coordination**

[The response to a threat to human security] ... cannot be effective if it comes fragmented from those dealing with rights, those with security, those with humanitarian concerns and those with development. With human security the objective, there must be a stronger and more integrated response from communities and states around the globe.\(^{23}\)
Sinclair Dinnen and Abby McLeod have identified one of the key challenges for the Regional Assistance Mission to the Solomon Islands (RAMSI) as coordination among the large number of Australian agencies involved. Furthermore, in reflecting on interagency operations in Iraq and the Solomon Islands, Lieutenant Colonel James Bryant has described the ad hoc nature of strategic and interagency coordination bodies and the inability of the ADF to integrate civil military cooperation into both the planning and command processes. This was, to some degree, the experience in the recent ADF deployment in relief of the Victorian bushfires, where a greater civil-military trained contingent could have been of benefit to the taskforce.

Relevant members of civil society organisations have expressed the need for robust relationships between actors in complex emergencies. These relationships would need to be maintained both while in theatre and at home, necessitating—at the very least—knowledge of key actors and respective points of contact.

The opening of the new Asia Pacific Civil Military Centre of Excellence, under the aegis of the Department of Defence, partially addresses this need for a holistic approach to security. Its mission ‘is to support the development of national civil-military capabilities to prevent, prepare for and respond more effectively to conflicts and disasters overseas’. This is to be achieved through research, capturing lessons learned, developing doctrine and facilitating training. The Centre will function as an advisory body, working with relevant government and UN agencies, as well as tertiary and international peacekeeping institutions, NGOs and the commercial sector. It is to be lauded that the new Centre has already been asked by the African Union to host a symposium on the protection of civilians.

**Addressing complexity**

Human security is inherently complex. Tools that can be used to effectively address this complexity include training, increased awareness of the significance of non-military actors in peace and security, and investment in the civil-military capability of the ADF.

ADF doctrine and debate has shifted in recent years to better articulate the complexity of the modern area of operations. However, there has been some discrepancy between high-level debate and practice at the tactical and operational level. Training at the tactical level is often focused on the challenges posed by such complexity, rather than how to interact with components of that complexity. There is a need for both tactical and operational commanders to effectively address that complexity and understand the importance of non-military actors, in order to achieve the mission and attain peace and security.

ADF capabilities, doctrine and training must cover not only the complexity of the modern area of operations but address the roles and significance of NGOs, as well as practitioners of development and good governance. This necessitates strategic-level engagement of experienced humanitarian actors from other government and non-government organisations. This engagement must include their involvement in planning for the humanitarian and non-warlike components of major training exercises.
A positive example of successful implementation of a holistic interpretation of security is the most recent counter-insurgency publication in the Land Warfare doctrine series. It alludes to issues of human security by stressing the importance of genuine political, social, civic and economic activity. The US Army has similarly revised its doctrine, with a recent publication stipulating that, during the preparatory phase of an operation, commanders and planners ‘must consider civil areas, structures, capabilities, organizations, people and events’.27

Many of the current ADF operations resemble the ‘three block war’ as outlined by General Krulak, former Commandant of the US Marine Corps. In a three block war, forces provide assistance to the civil population, carry out peacekeeping tasks and combat operations concurrently. This is reflective of ADF descriptions of the modern area of operations. However, the diversity of these tasks can pose challenges to the soldier on the ground and has legal and practical consequences for other actors in an area of operation.

In 1994, the Department of Defence produced a public relations poster depicting an armed Australian soldier leading a small Rwandan child by the hand. The caption read ‘Ambassador, Teacher, Soldier, Peacekeeper’. The example reflects the accuracy of the human security framework in describing the ADF’s modern area of operation. However, this constant duality between combat and non-combat roles, juggling the peacekeeping, relief and combat roles is not necessarily something that comes easily. As such, strategic guidance on human security is required so it can be reflected in doctrine, and training can be developed to include non-military actors in a more comprehensive, realistic manner.

Human security is not sufficiently raised in the training of junior leaders in the Army at either the officer or soldier levels. In 2008, Colonel Bob Breen and Lieutenant Colonel Greg McCauley explored the significance of ‘strategic corporals’ deploying on operations where they make tactical decisions that ‘may have a strategic significance that reaches far beyond their individual actions’.28 In 2008, the Australian Command and Staff College’s core curriculum did not include human security per se. While the concept is covered in the ‘global security’ elective, articulation of the human security concept in ADF training is still embryonic.

Accordingly, it is understandable that commanders and soldiers on the ground often view their role simply as enforcers of traditionally-defined security. ADF training and doctrine must include tools for addressing the complexity of the area of operations, the significance of other actors in achieving peace and security and the means for implementing the lines of operation outlined in Adaptive Campaigning.

Explicit training regarding human security, the responsibilities to the civilian population and the right of humanitarian organisations to operate in an area of operation would allow soldiers, non-commissioned officers and officers a better understanding of the need to interact, protect and support those responsible for the aspects of human security that fall outside the role of the military.
Capability

In the Australian Army, civil-military cooperation is the responsibility of CIMIC. CIMIC is still a developing capability and is doctrinally defined as

The coordination and cooperation, in support of the mission, between the commander and civil actors, including the national population and local authorities as well as international, national and non-government organisations and agencies.29

CIMIC operators and specialists are currently deployed on all major ADF operations. There are only two CIMIC units in the ADF. One is based in Brisbane as part of Headquarters 1 Division and there is also an Army Reserve squadron in 21 Construction Regiment in Sydney, still awaiting official establishment.

Figuratively speaking, CIMIC is the grease between the cogs in the complex modern area of operation. CIMIC effects should allow the ADF, other government departments (OGD), the host nation and NGOs to work with unity of effort. The capability is vital to achieving both a successful military mission and successful civil outcomes. As such, the development of the CIMIC capability is of fundamental importance in addressing human security concerns.

It is important that there is an increased awareness of the importance of CIMIC in disaster relief, urban operations, counter-insurgency and peacekeeping missions. In his first speech as Chief of Army, Lieutenant General Ken Gillespie explained the need for the ADF to work among the people, requiring extensive employment of civil-military cooperation.30 However, this necessitates an official unit establishment for the existing CIMIC units, without which there are still significant restrictions on the development of the capability. Furthermore, the ADF must improve its ability to include CIMIC in the planning and command processes of operations and major exercises. CIMIC cells and positions should also be established more broadly throughout the ADF.

Conclusion

There is increasing recognition of the validity of human security in describing modern conflict. Regardless of whether the Australian Government, or the ADF specifically, sufficiently acknowledges the human security framework, the characteristics of modern conflicts that it describes are self-evident in the conflicts around the world today and the areas of operation to which the ADF is deployed.

As such, the ADF must work towards the development of human security-related doctrine, the inclusion in the training of commanders across the ADF the subjects of human security, civilian protection, human rights, gender and the connection between development and security, and the development in defence planning and operations of CIMIC and other coordination mechanisms. In the words of Major General Michael Smith (retired):
In the future, human security should form an important pillar of Australian government white papers on foreign policy, defence and overseas aid. In this way, the Australian nation will be better able to plan for and respond to regional and global crisis, and to enhance prospects for sustainable peace and development.31

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NOTES

2. Ibid.
12. Ibid, p. 16.
13. The primary goals of human security have been identified by the UN Commission on Human Security as protection and empowerment.
17. Ibid.
18. These peaceful community norms must be able to outlast a peacekeeping mission, a government or a particular political party.


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The Australian Defence Environment

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We need to look at history to get some idea of the environment in which successive Australian governments have sought to ensure Australia’s national security. This is the environment in which defence industry does business and it is important that all players are aware of the experiences that have shaped the Australian approaches to defence.

From the first settlement in 1788 to the fall of Singapore in 1942, Australia’s security was based on its membership of the British Empire. By way of signifying that membership, Australian forces were engaged in military operations wherever the interests of the Empire were threatened. Even prior to Federation in 1901, some colonies sent contingents to the Sudan, the Maori Wars in New Zealand, the Boxer Rebellion in China and the Boer War in South Africa.

Following Federation, the new nation identified itself as part of the British Empire with the strong belief that membership of that international community carried with it reciprocal obligations and rights. That notion of reciprocal rights and obligations was not, as latter day politicians would have us believe, an automatic consequence of consanguinity but rather came about because of the exploitation by British politicians and their military of Australia’s fear of Japan in the years immediately prior to World War 1. The natural response in Australia was an early version of ‘defence of Australia’ (DOA).

The British, already preparing for the conflict with Germany, overtly advised Australia to make substantial military preparations for its own territorial defence but covertly manipulated the situation to ensure the Australian military build-up would be made available to the European war in exchange for support in time of need—an early version of ‘great and powerful friends’ aka ‘forward defence’. This example of Empire double-dealing is described in John Mordike’s We should do this thing quietly—Japan and the great deception in Australian defence policy 1911-1914, published by the Air Power Development Centre in 2002.

The obligations were to help defend the Empire and its members from any threat, wherever it occurred—the rights included support from members if Australia was threatened. Australia honoured its obligations with substantial involvement in World Wars 1 and 2, and governments and the people expected that we had the right to call on the Empire when threatened by Japan in 1942. However, Winston Churchill, England’s wartime Prime Minister, had other concerns more pressing and immediate in Europe than the defence of mainland Australia.

Faced with this reality, our wartime Prime Minister, John Curtin, looked elsewhere to the US to defend the mainland. At the time, President Roosevelt and General Douglas Macarthur might not have seen the situation in terms of ‘UK out, US in’. But Prime Minister Curtin and those Australians north of the ‘Brisbane line’ were certain it was a case of ‘unless the US comes to Australia’s aid, we go down’.
After the war, when Prime Minister Menzies coined the phrase ‘great and powerful friends’, he used ‘friends’ in the plural to indicate that he thought not only of the US as a potential co-defendant but also of the European powers which had interests in Australia’s region (Edwards 2005). However, as decolonisation progressively saw the European powers depart from Southeast Asia and, with Britain withdrawing from east of Suez in 1968, by the late 1960s the US was the only ‘friend’ left with a stake in our region. Although excluded from ANZUS, and notwithstanding sporting rivalries, New Zealand is a ‘friend’ but does not have the military capacity to significantly alter the balance of power in alliance with Australian forces against an aggressor.

And so it transpired that after World War 2, the US became principal underwriter of Australia’s national security, formalised—at least in the eyes of some Australian leaders—in the ANZUS Treaty, which was signed on 1 September 1951 and came into effect the following April. Wrigley in his *The Defence Force and the Community* (1990) applied the term ‘expeditionary forces’ to the practice of sending forces which operated as adjuncts to larger military formations.

This practice commenced before Federation and continued through the two World Wars, the Korean War, the Malaysian Emergency and the Vietnam War. In that era, force structure was essentially a legacy of World War 2—military capabilities were conflated with equipment, mainly platforms, and acquisitions were apparently driven by the ‘replacement syndrome’ or ‘I want what they have got’. At a deeper level, force structure development was driven by a combination of military judgment, which is the military term for experience-based intuition, and concern for the fundamentals of any military force, namely people, firepower, mobility, situational awareness, communications, resupply and training.

When the security blanket of the British Empire was torn away in 1942, with the defeat of Empire forces at Singapore, and confronted with the reality of an immediate threat of invasion, a few basic, tenacious beliefs took hold in the minds of the Australian public:

- **Our population is too small to defend a landmass the size of Australia against a force intent on and resourced for invasion (and that belief continues to the present day).**

- **Australia can assure its security by entering into alliances and mutual defence treaties which have as their foundation the principle that attack on one member is deemed to be an attack on all members. Such an attack would be resisted by the combined strength of all members, applied as close to the originating country as possible.**

This came to be called the strategy of forward defence but always, it was understood, in alliance with ‘great and powerful friend(s)’. A third belief, a tenet of Australia’s stance in the world, is that we have no ambitions to expand our territory. In that era of immediate threat of invasion, the Government was shaken by its exclusion from participation in decisions that had significant effects on Australia’s security interests. Consequently, successive governments have persevered in their efforts to obtain representation at the highest policy councils when Australia’s security is at issue. The annual AUSMIN (Australia-US Ministerial) meetings conducted under the ANZUS Treaty are an indication of the success of these efforts.
However, against this pragmatic strategy of forward defence, another view was emerging. This was retrospectively described by Minister of Defence Beazley in his address to the Royal United Services Institute’s Bicentennial Seminar in Canberra on 13 May 1988:

It has taken a long time for Australian defence thinking to come to terms with the changing perceptions of the threats which are credible and that we may have to deal with at relatively short notice. Pivotal was the realisation, first suggested in the 1959 Strategic Basis Paper, that Australia could be faced with threats on a scale which did not have such serious consequences for our allies. It contended that as our forces could be reshaped only over a long period of years, they should be designed primarily with the ability to act independently of allies. Forces shaped solely to act in concert with major allies would not necessarily be capable of an independent role.1

The key issue alluded to by Beazley is that there could be occasions on the international stage where the interests of our alliance partners diverged from Australia’s. One such issue had arisen over Indonesia’s claim for sovereignty over West New Guinea, a claim Australia disagreed with but one which the US supported. Another was the 1956 Suez crisis, in which Australia supported the invasion of Egypt by the UK and France in the face of strong condemnation by the US.

While the authors of the 1959 Strategic Basis Paper had been influenced by the evidence of the fragility of mutual defence treaties, the government-of-the-day choose to dismiss the possibility that Australia might have to stand alone in its defence—even though there was already sufficient evidence this could arise, particularly when the issue at stake was not of sufficient magnitude to escalate the conflict to involve the superpowers, of which there were only two, the US and the USSR.

Things changed with the Guam Doctrine of US President Richard Nixon, delivered in a speech at Guam on 25 July 1969, as part of the preliminary positioning prior to the withdrawal from Vietnam. It was clarified several months later, when Nixon said:

... in cases involving other types of aggression, we shall furnish military and economic assistance when requested in accordance with our treaty commitments. But we shall look to the nation directly threatened to assume the primary responsibility of providing the manpower for its defense.

President Richard Nixon, Address to the Nation, 3 November 1969.

Notwithstanding the ANZUS Treaty and the possibility (or probability) in hindsight that it could be the nations of Southeast Asia that Nixon was addressing, Australian governments reacted as if put on notice by the US to be prepared to look to our own resources. Self-reliance was officially on the agenda. The strategy known as forward defence was replaced by DOA. But it took almost 20 years, until the Dibb Report in 1986, to spell out the implications of a defence policy based primarily on self-reliant defence of Australia’s area of direct military interest.

During the years of debate following the Guam doctrine, the previous experience of the military—their tacit knowledge—was effectively invalidated, while at the same time they strove to maintain the force-in-being. Successive governments also struggled with the formulation
of a credible mix of Defence and Foreign Affairs and Trade policies that made sense in this strange new world of:

- Taking full responsibility for our own national security,
- The entry of the UK into the European Common Market, and
- The rise of ‘the Asian tiger’ economies.

Additionally, during the period between Guam and Dibb, the problem of ‘block obsolescence’ emerged, which severely constrained the ability of the military to introduce new capabilities appropriate to the DOA policy. As if the military did not have enough of a problem dealing with the change in fundamental requirements placed on them by the Government, between 1973 and 1976 the five separate departments of the Defence group were reorganised into one mega-department under Secretary Sir Arthur Tange.

Central to that new organisation was the formation of a set of committees which had the objective of introducing intellectual rigour into the processes by which the Defence forces were developed. The committees were:

- Defence Force Development Committee (DFDC),
- Defence Force Structure Committee (DFSC), and
- Defence Source Definition Committee (DSDC).

Important drivers were:

- The recognition that self-reliant DOA required the three Services to be capable of joint operations.
- The idea that acquisition decisions would be more valid and traceable if subjected to a scientific methodology.
- The move away from threat-based force development, a change which was logical given the intelligence assessment that there was no foreseeable threat for the next 15 years and the Government’s laudable wish not to initiate an arms’ race in the region.
- The development of a capability-based methodology for force structure development and equipment acquisitions.

The institution of the committee structure and the shift in emphasis to joint operations effectively disempowered the Service Chiefs of Materiel, while the adoption of the civilian-inspired scientific methodology further negated experience-based military judgments in the
decision-making processes on force structure and equipment acquisitions. The three Services responded differently to the new paradigm and each developed strategies for working the system to their advantage with differing degrees of success.

Tange may have intended to draw the teeth of the powerful Service chiefs and he may have believed, along with John Stuart-Mill, that men of goodwill and intelligence will resolve their differences if each is allowed to argue his case. Instead he got the ‘warring tribes’ era.\(^2\) The military was already trying to adjust to the paradigm shift from forward defence to DOA and was ill-equipped to further adjust to the new force development paradigm which replaced service-based tacit knowledge with centralised scientific analysis under the control of a set of committees.

The scientific method, described by Professor Thomas-Durell Young of the US Army War College in *Capabilities-based Defense Planning: The Australian Experience* (1995),\(^3\) establishes a chain connecting the intelligence assessments and the requirements of the ADF. It defines a series of transforms from the strategic basis to strategic concepts, including tasks-to-capability options to specific capability proposals, including major capability submissions. In his paper, written after the collapse of the USSR while other countries were still operating under a threat-based paradigm, Young states:

> Although this is not widely understood in NATO, Australia has not designed its force structure on the basis of an identifiable and quantifiable threat since the late 1960s.\(^4\)

I am not sure that the capabilities-based methodology predates the Tange reorganisation. However, we know that by 1991, the methodology was codified in *Defence Instructions (General), ADMIN 05-1, ‘The Force Development Process*. In effect, if the strategic basis papers describe what is going on in the world beyond our shores, then strategic concepts describe a set of tasks and their timing that the ADF may need to be prepared to undertake. That is the first transform. The second transform is to develop a set of capability options against those tasks, without necessarily nominating the service responsible for the conduct of specific tasks, while the third transform follows the nomination of the responsible service and moves the process to specification of a single solution for the conduct of the task.

Concurrent with the evolution of the capabilities-based methodology, the Department underwent several organisational changes which demonstrate partial responses to a series of reviews, each constrained by their terms of reference rather than any coherent strategy to match the overall organisation to the requirements of government. Out of that churn, the creation of the Development Division in 1989 seems to mark the formation of a workable structure which over time had morphed into the Capabilities Development Division.

This capabilities-based methodology has been preserved through several iterations and is to be found essentially unchanged in the current Defence capability development processes described in the 2003 *Defence Procurement Review*, chaired by Malcolm Kinnaird. More importantly, given the fate of many previous reviews of parts of Defence, the Kinnaird recommendations were translated into the *Defence Capability Development Manual (2006)* which:
• Details the stages of the sequential methodology, namely needs, requirements and options for military capabilities.

• Broadens the concept of military capabilities as comprising fundamental inputs to capabilities, including personnel and training, and shifts the focus of attention away from equipments and platforms.

• Defines responsibilities for capability managers in each of the functional areas.

• Describes the interfaces to government for approval and reporting.

• Describes the interfaces between Capability Development Division, the capability managers and the Defence Materiel Organisation (DMO).

• Accepts that the mainstream process will be applied with flexibility according to needs of the moment.

The subsequent Mortimer review, *Going to the Next Level* (2008), leaves the essential Kinnaird reforms in place, serving to describe some of the later developments, particularly that not all projects need the full treatment of the two-pass system and clarifying that tenders are called between first and second pass approvals. Mortimer accepted the new decoupled status of DMO and recommended further decoupling in a recommendation, not accepted by Government, that DMO should become an ‘executive agency’ under the *Public Service Act 1999* and retain its ‘prescribed agency’ status under the *Financial Management and Accountability Act 1997*.

Mortimer urged a more commercial approach to DMO’s operations. But his recommendations and discussions did nothing to resolve the uncertainty whether DMO is *de facto*, the prime contractor, or *de jure*, the acquisition agent for Defence materiel, or both, which is a big ask. In another move to improve the provision of support by DSTO, the position of Chief Systems Integration Officer was established in early 2009.

The diagram above represents a model of the processes of the defence capability life cycle. As with all models, it is an approximation and from an awareness of the significance of tacit knowledge in making any process work, we would suspect that up to 80 per cent of what needs to be done is unwritten. The way around this apparent impasse is to have a number of models each of which illuminates some aspect of an enterprise or operation.

Below is another model that shows the wider context in which defence capability is developed and applied. Importantly, it reminds us that the objective of military capabilities is to exert influence on the ‘rest of the world’, an influence that is favourable to Australia. Essentially, this is to gain and retain respect for our national sovereignty and for our interests abroad, including those of our neighbours and allies. It needs to be stressed that unless the effect of that feedback loop between military capabilities and the ‘rest of the world’ is visible and in our favour, there are grounds to question the underlying processes.

Not that the underlying processes are trivial. The diagram includes the major parties and shows operational connections between them. It cannot show the actual wealth of network connections without which the process would achieve that unenviable condition known as ‘paralysis by analysis’. But it does show that there are two major outputs of the system. The first is ‘actual military capabilities’, made up of the fundamental inputs to capability, of which the most visible and contentious inputs are the equipments and systems acquired through the agency of the DMO.
The second output of the system is ‘government approval’. In a broad sense, government approval is often tested as major projects fail to meet their cost, schedule and performance objectives. In regard to these failures, it is well to remember there is an element of risk in any acquisition that aims to deliver equipment with technology-enabled performance that is current as it comes into service. The alternative is no/low risk acquisitions which are approaching obsolescence or already are obsolescent as they enter service.

Another output, not shown, is support from the population. This went missing in the aftermath of the Vietnam War. The successful intervention in East Timor seems to mark the return of popular support for overseas deployments and de facto reinstatement of the strategy of forward defence (aka expeditionary forces or coalition operations). With the high operational tempo throughout 2007 to the present, involving 12 overseas operational areas, but none of them in direct defence of Australia, support from the population is essential.

As well, we should note that at least since the collapse of the USSR, the ‘rest of the world’ has become highly unpredictable, testing the talents of any country to develop and maintain appropriate military capability. Instead of the promised new world order, in which the US was the dominant military power, we now see:

- Significant disputes between nation states,
- Failed and failing states,
- Terrorist and criminal organisations with transnational reach,
- A shift in the economic and military balance of power between US and China, and
- Growing numbers of displaced persons/refugees.

Figure 2: Composite view of systems involved in defence capability (Lawson, 2007).
Not listed, but nevertheless as much a driver of military capability as any of the above, is the requirement to provide for DOA. In terms of risk management, the probability of a serious attempt to invade mainland Australia is assessed as very low. However, the consequences of failure to self-reliantly repel an invasion are unacceptably high. Military capabilities specific to the self-reliant DOA may be necessary even though such capabilities are expensive, the gestation period is measured in decades and the probability of their being needed is low.

In parallel, a second stream of capability development is required, one that can respond quickly to emerging calls for deployment of the military instrument of power anywhere. It is clear that these represent two distinct capabilities and that the notion that elements of a force designed for self-reliant DOA could be deployed as part of an expeditionary force (forward defence) may be invalid.

I can summarise the previous discussion:

- For 180 years from 1788 (white settlement) to 1969 (Guam doctrine), Australia relied on a strategy of forward defence. The implicit phase ended in 1942 with the fall of Singapore; the explicit phase ended with the Guam doctrine in 1969.

- There followed a period of debate within Australia which in 1987 brought in an explicit policy of DOA as the sole determinant of military capability. Overseas deployments in the style of expeditionary forces were not proscribed. However, the assumptions were that capabilities specific to DOA would be satisfactory in an expeditionary force context but that the inverse, capabilities designed for expeditionary forces, would not be satisfactory for DOA.

- Popular support for overseas deployments collapsed after the Vietnam War but revived in the early 1990s and with it the spirit of forward defence. We see evidence of that in the East Timor intervention, the mission to stabilise the Solomon Islands, the deployments to Iraq and Afghanistan, and disaster relief throughout the region.

- Since the end of the Vietnam War, the ANZUS Treaty has matured and while it was invoked in response to the Al Qaeda attack on the World Trade Center and the Pentagon on 11 September 2001, it has moved from its initial focus on mutual defence to the annual AUSMIN Conference, shared intelligence, access to US science and technology, and joint exercises.

It remains for a government to articulate the reality that forward defence is one element of DOA. It is possible to identify a spectrum of events that require a military response in order to secure or advance Australia’s interests. This spectrum encompasses:

- Overseas deployment in coalition

- Overseas deployment on our own

- Defence of mainland Australia in coalition

- Defence of mainland Australia on our own.
The question to which there is no certain answer is ‘If we do the first two well does the probability of the fourth become vanishingly small?’ Whatever path Australia chooses in developing its military instrument of power, it would seem that it and the diplomatic and trade instruments of power must be well integrated if Australia’s intentions are not to be misunderstood on the international stage. It is 12 years since the last review of Foreign Affairs and Trade and it must be about time for another such review.

The Defence White Paper 2009 gave an unequivocal answer to the four possible defence strategies listed above. Its main underlying argument is as follows:

- At some time during the Asia Pacific century, nations in our region will develop the economic and military capability to threaten Australian sovereignty.
- The lesson of history is that once a nation develops a capability the probability of it using that capability is high. It will never be vanishingly small.
- Australia must be prepared to deter or repel a major attack at some time this century.

The next issue dealt with is the choice between defence in coalition and defence on our own. Again, the answer is definite, reversing the drift during the Howard years towards dependence on the US or, worse, acquiring the label of regional ‘deputy sheriff’. The magnitude of the proposed defence build-up leaves no room for doubt that the Rudd Government is moving away from reliance on a ‘great and powerful friend’ for defence against invasion towards an independent capability. The White Paper makes that point without implying that the US is a declining power and that Australia is seeking an alternate for the position of ‘great and powerful friend’. The ANZUS Treaty is confirmed as an important component of Australia’s defence system.

Overseas deployments, on our own or in coalition, are recognised as an ongoing component of defence engagement with the world and investment is foreshadowed in the military capabilities needed to undertake tasks such as those encountered in Afghanistan. The Army is the prime target for this investment under a program aimed at enhancing and modernising the Army, which as a consequence will be able to play a role in both forward defence and DOA.

The Defence White Paper 2009 breaks the (supposed) nexus between participation in coalition operations with the US as the price of protection under the ANZUS Treaty. And that may be the message to the government of China—essentially if the US and China come to blows over some issue, that Australia will not automatically become involved on the side of the US in order to maintain the ANZUS Treaty and the guarantee of protection that goes with the words of the document.

The authors of the White Paper were put to considerable pains to reconcile our defence posture with the importance of China as a major trading partner rather than the putative enemy of a few years ago. Clausewitz may have said that war is an extension of diplomacy but it is also true to say that trade drives diplomacy. It will take continuous effort to construct and sustain a balance between our defence posture, with the US as an important element, and trade and its handmaiden investment.
If the Lowy Institute’s Blue Ribbon Panel Report of March 2009 is anything to go by, there has been severe underinvestment in our diplomatic capabilities, far less than our investment in military capabilities and it will take more than a Mandarin-speaking Prime Minister to balance the two major capabilities through which our nation influences the rest of the world.

The White Paper 2009 covers a lot of ground and one important message is to the Department of Defence to the effect that it is expected to find $20 billion of savings as its contribution towards the investment program described. The Department appears to have taken this seriously and, in very short time, the diarchy of Secretary Warner and CDF Houston has released The Strategic Reform Program 2009: Delivering Force 2030, which outlines where and how the savings are to be harvested.

It is to be hoped that at last after decades of the pendulum swinging on an either/or basis between forward defence and DOA, we now have a defence policy and strategy that rest on a recognition that both are valid and that each needs an appropriate set of military capabilities. Dual-use capabilities there may be but these are different from the earlier hopeful view that capabilities developed for the defence of Australia will suffice in the forward defence role.

Dr Errol Lawson gained his PhD in 2006 at UniSA after a career in defence science and technology, defence industry and academia. The major portion of his career was spent at WRE designing electronic, electro-mechanical and electro-optic systems. He played a key role in the development of the LADS hydrographic system. In 1987, he joined the SA Government to maximise the work share of local industry from defence projects. He later worked with DSTO as systems and industry adviser on the JP129 project. More recently, he has lectured at UniSA to MODPE (UK) trainees in Australia and the DMO masters degree in Project Management and Defence Industry. This article reflects over 10 years of presentations to those classes and owes much to their willing discussions.

NOTES

1. S. Frühling (ed.), A History of Australian Strategic Policy since 1945, Canberra: Department of Defence, 2009, p. 17, writes as follows on the Government’s response to the 1959 Strategic Basis Paper: Reversing the judgment made in, for example, the 1946 appreciation, … [the 1959 Strategic Basis] also remarked that forces able to act independently could also be used in conjunction with allies but that the opposite was not necessarily true. However, in March 1959, Cabinet simply ‘noted the submission’ and gave particular attention to the conclusion that the Australian forces should be designed primarily with the ability to act independently of allies. It found difficulty in accepting this conclusion. Cabinet decided to discuss the matter again in the presence of the Chiefs of Staff, in order to include in its consideration the changes to the force structure that would flow from the proposed new policy tenets. The background note to the decision made clear that Cabinet saw the situations in which Australia might have to operate independently as remote and that the Strategic Basis paper ‘was thought to look too much towards the defence of the mainland’ and that ‘it did not appear clear to the Cabinet why it should now be contemplated that Australia should have no allies’.
2. While Tange may have set the stage for the ‘warring tribes’, it may be that a subsequent Secretary, Tony Ayers, wrote the script with his often-repeated statement that when it comes to a choice between competing interests, self-interest can be guaranteed to prevail—a strange belief to apply to the profession of arms that has self-sacrifice as one of its foundation principles.


**BIBLIOGRAPHY**


A Tale of Two Countries: Counter-insurgency and Capacity Building in the Pacific

Dr Russell Glenn, US security analyst

It is sometimes said that ‘small is beautiful’. That does not imply that small is simple or easy. Two ongoing Pacific region contingencies—one in the Solomon Islands, the other in the Southern Philippines and neither with over 500 military personnel on a typical day—provide many lessons for those conducting, planning or studying counter-insurgency (COIN) and capacity-building undertakings regardless of size.1 Those lessons validate many drawn from historical events. Others reflect challenges more characteristic of insurgency in its evolving 21st century form.

Although the soldiers, sailors, marines, airmen and civilians of nations participating in the two operations have seen considerable progress, those individuals share a common realisation that success during such operations is never a given. The outsider contemplating previous triumphs is ever reminded that any thoughts of success apply only to actions ‘so far’. This unwillingness to presume seems another trait shared with predecessors of ages past. Success, it seems, is a description that only historians should feel comfortable applying to a counter-insurgency.

Recent histories

After years of unrest, militia violence and corruption, the Solomon Islands government called for outside assistance in 2003. The Australian-led, ten-nation regional assistance mission to Solomon Islands (RAMSI) was the result.2 Landing on 24 July 2003, RAMSI was unusual in being led at the operational and strategic levels by Australia’s Department of Foreign Affairs and Trade (DFAT), while police were in charge at the tactical level, despite soldiers comprising 1700-1800 of the 2000 or so personnel initially deployed. Nevertheless, command relationships worked well.

Effective interagency operations extinguished what may well have been a budding insurgency. Militias were disarmed, corruption addressed and stability returned within several months. Cooperation and unity of both message and effort have consistently characterised operations throughout the undertaking and the effective synchronisation of political, diplomatic, aid, law enforcement and military capabilities continues.

The situation in the Southern Philippines, thousands of miles to the north, is much different. Arriving in the near aftermath of 11 September 2001, US aid and military representatives struck Filipino insurgents a swift and effective blow on the island of Basilan. The combination of civic assistance and military advisors subsequently continued to prove beneficial when Abu Sayyaf and Jemaah Islamiyah continued insurgent activities on Mindanao, Tawi Tawi and elsewhere—particularly on the island of Jolo.
Armed Forces of the Philippines (AFP) personnel demonstrated great flexibility in evolving from a force reliant on sometimes indiscriminate indirect fire and aerial bombardment to one so disciplined in its use that civilians, who once dreaded the presence of the AFP, returned to their abandoned homes, began providing information on insurgent activities and, at times, volunteered to fight alongside Philippine soldiers and marines.3

Insights from operations in the Solomon Islands and Southern Philippines

These two contingencies offer lessons regardless of a deployment’s size. Many reinforce observations from previous or other ongoing commitments. Twenty-one such lessons appear under the following headings, each discussed in turn:

- Deciding to go or not to go, to stay or not to stay: confronting the glass ceiling.
- Causing social change is unavoidable: the way we were is not the way we will be.
- All actions and decisions potentially influence end-state accomplishment: everything is shaping.
- Maintain constructive contact with the population: gain traction.
- Counter-insurgency, stabilisation and capacity building require special talents: one size leader doesn’t fit all.
- The past will influence present operations: history has a say.
- It is not intelligence as usual.
- Counter-insurgency and capacity building take a team effort.
- Do not be unduly constrained by traditional structures: hurdle boundaries, the foe will.
- Conducting counter-insurgency or capacity building without a campaign plan is like an orchestra without a conductor.
- Choosing appropriate metrics: it is difficult to measure art.
- Continue to adapt: you are going to get it wrong at first.
- The people don’t want to take sides.
- Counter-insurgency is always about the people.
- Force and restraint are the yin and yang of counter-insurgency.
• The people may not understand the concept of national government.

• Know the population, know yourself.

• Be patient; progress is often slow.

• Police in counter-insurgency and capacity building: recognise the new guy on the block.

• Plan for failure.

• Constantly view the campaign from all relevant perspectives.

Deciding to go or not to go, to stay or not to stay: confronting the glass ceiling

Some problems are insoluble. Ultimate success in other cases incurs so much expense as to be foolish to pursue. It behoves a government to contemplate whether a commitment holds reasonable promise of achieving the sought-after ends. If deploying assets is the choice, it is necessary to periodically reaffirm that the ends remain feasible.

Overcoming an insurgency ultimately requires the support of the population and the existence of a reasonably effective indigenous government. The former is rarely completely out of reach, unless the latter is so distant that the underlying causes will continue long into the future. Nation state leadership that is endemically corrupt or uncaring of its society presents a virtually impenetrable glass ceiling.

Some progress toward purging a society of an insurgency’s underlying causes might be possible but that will be the limit of success. Local or national politicians and their militias, social norms that perpetuate violence and disruptive external influences that promote divisiveness are all possible plates in the ceiling. At times, an individual steps forth and shatters the barrier. The Philippine’s Ramon Magsaysay was such a leader—his dynamism and imagination were crucial to the defeat of the Communist Huks after World War 2.

More often, progress is a slow process of scratching away at one or more plates, perhaps finally achieving a breakthrough only after years of patient toiling. Yet there are times when the glass is tougher than the tools at hand or too thick to pierce in the time available. If the desired change is attainable only at extraordinary cost, it behoves responsible leaders never to commit their resources or, if they are already committed, to end a hopeless pursuit rather than perpetuate losses.

Causing social change is unavoidable: the way we were is not the way we will be

There is a reluctance on the part of many to bring about change. Justifications include the ethical (‘we have no right to impose our way of life on others’) or practical (‘we are here to
defeat an insurgency; otherwise, we seek to live and let live’). There is merit in both approaches but, in the extreme, the two are collectively unethical and impractical.

Attempting to avoid influencing a people is itself a judgment—inaction constitutes tolerance. Decisions regarding the extent to which a coalition should seek to change an indigenous society are often difficult. They are inevitably politically sensitive. Perhaps that is why specific guidance is so rarely forthcoming when a coalition deploys into a foreign environment. Leaders who choose to provide none simply leave the difficult choices to subordinates. The result is inconsistency over both space and time that undermines the objective.

Addressing some societal norms is inappropriate for a counter-insurgent force. Religious missionary work is an example. Other social practices seem to demand interceding: child molestation and honour killings are such candidates, excessive corruption is another. Unaddressed, rampant corruption may very well deny the accomplishment of a coalition’s mission yet retaining security once the coalition departs is likely to be impossible, for example, if indigenous leaders steal so much of their subordinates’ pay that creating a viable police or military force is unattainable.

Other changes are no less essential. For example, improving the educational level of government bureaucrats and instilling a sense of professionalism in security forces are foundation stones to long-term improvement. Coalition leaders are obligated to determine what changes their organisations will inescapably bring about and those that they should seek to produce. Choosing not to do so is itself a choice.

**All actions and decisions potentially influence end state accomplishment: everything is shaping**

Just as influencing social change is inevitable, virtually every action taken and decision made by a coalition representative impacts popular perceptions. Positive interactions with a population are therefore essential to success during counter-insurgencies and efforts to build social and governmental capacity.

The aforementioned Ramon Magsaysay ordered military patrols to carry extra food during their operations in Huk-controlled territories. The policy was a two-fold success. Not only did AFP members stop requisitioning food from citizens, they gave provisions to those suffering deprivation due to Huk taxation. The turnaround has a more modern counterpart. Soldiers who ‘taxed’ citizens travelling through their checkpoints in the Southern Philippines as recently as 2005 have ceased the practice and are now viewed as providers of wells, schools and other public facilities. In contrast, the insurgent terrorist group Abu Sayyaf coerces money from travellers along roads on the Southern Philippine island of Sulu, sometimes in conjunction with threats of kidnapping.
Maintain constructive contact with the population: gain traction

Positive friction—traction—is born of good coalition-population relations. Achieving it allows a force to gain the support of a people while denying it to adversaries. One of the most ill-advised early decisions made in Iraq was to consolidate units in large forward operating bases, an action taken in part to avoid the negative friction caused when soldiers and marines overreacted during contacts with civilians at vehicle checkpoints, were overly aggressive during home searches or caused ill will in other situations.

Avoidance is the incorrect response. The intelligence essential to the counter-insurgent is not forthcoming when its potentially most effective ambassadors are denied access to the people. The appropriate way of avoiding negative friction is to ensure a force has good leadership, individual discipline and a willingness to live amongst the population, as is done by those serving RAMSI, in the Southern Philippines and—fortunately—in many Iraqi communities during later years.

Counter-insurgency, stabilisation and capacity building require special talents: one size leader doesn’t fit all

George Patton was a great combat leader. He had less success when governing after World War 2. Different operations demand various leadership and management skills. The man or woman who seems to view every mission from the perspective of looking over the sights of a rifle is not what a counter-insurgency calls for. The skills essential to leading soldiers in combat do not guarantee success when dealing with a city mayor or tribal leader.

Assigning the right leader to the job is no less important during a counter-insurgency or capacity building effort. Arguably the range of talents demanded of the counter-insurgent and capacity builder is far greater. Progress in the Solomon Islands and Southern Philippines is in considerable part attributable to the posting of exceptional personnel in key positions. Given the interagency and interpersonal demands of these undertakings, picking the right person for the job demands more than relying on evaluation systems anchored in warfighting standards.

The past will influence present operations: history has a say

The past is never an empty canvas. Those assisting during counter-insurgency and capacity building engagements must understand how the past influences current or contemplated operations. Australians were never a colonial power in the Solomon Islands but they realised that their past ties with Great Britain, which granted the country independence in 1978, could influence perceptions of them. Their insistence on working within the construct of the standing government structure and recognition of how valuable representatives from other island countries would be, demonstrated the requisite level of understanding.
It is not intelligence as usual

Operations in both the Southern Philippines and Solomon Islands are notable for the extent to which participants share intelligence. The successes in this regard did not come naturally. Police and military intelligence sections in RAMSI’s headquarters initially set up in separate locations. Their respective leaders brought them together and worked with DFAT representatives to meld the very different approaches to information collection and analysis practised by member organisations.

Further, all recognised that intelligence focused on the foe alone is woefully inadequate. Knowing who the local civilian power nodes are and how they are interconnected may prove more important in defeating an insurgency than detailed knowledge of the enemy. Understanding how best to influence the population underlies effectively selecting civic action projects, designing psychological operations initiatives and separating civilians from insurgents. Military intelligence alone may prove insufficient; police, civilian organisations and a system set up to facilitate exchanges between them without undue delays will likely prove invaluable.

Counter-insurgency and capacity building take a team effort

The same orchestration of capabilities key to intelligence operations enhances chances of success in other areas. Synchronising aid organisation initiatives with actions related to law enforcement, military operations and diplomatic enterprises are characteristic of RAMSI and JSOTF-P daily activities. Finding ways to plan, communicate and maintain unity of effort become challenges when organisations come from different agencies, nations and professional arenas.

Agendas will differ and often conflict. Frustrations are inevitable. Leaders from top to bottom will need to compromise and break down barriers between their own and other organisations. Team building and maintenance will demand stamina and patience, two additional characteristics demanded of the counter-insurgency leader and capacity builder.

Do not be unduly constrained by traditional structures: hurdle boundaries, the foe will

Intelligence boundaries are but one obstacle that leader and led have to overcome. Counter-insurgency is the realm of imagination, initiative and innovation. Old norms can prove to be harmful obstacles if not challenged. At times, the issue will literally involve boundaries. Some US military units assisting Californian authorities during the 1992 Los Angeles riots initially established unit boundaries along easily-identifiable terrain features just as taught in staff colleges. The result was a need to coordinate with large numbers of police, fire and other officials; a far wiser choice would have made sure that areas of operation coincided with precinct and district bounds, thereby easing liaison requirements.
Reflecting that many lessons learned are those relearned, the exact same problem hindered operations in Baghdad for a period. In other instances, the need to ‘think outside the box’ is less literal. A US commander in Afghanistan expressed displeasure that leaders from another country’s military were negotiating with what were regarded as ‘tier 2’ Taliban, that is, enemy less fanatical and more willing to cooperate with allied forces. Australian Federal Police leader Ben McDevitt’s negotiations with militia leader Harold Keke, backed by the firm resolve of the mission’s strategic lead, Nick Warner, were key to RAMSI’s early success. History’s counter-insurgencies are rife with examples in which such willingness to discuss issues paid dividends.

**Conducting counter-insurgency or capacity building without a campaign plan is like an orchestra without a conductor**

The interagency nature of counter-insurgency and capacity building complicates planning. Police, foreign affairs personnel, aid providers and men and women in the military seldom have identical planning processes. The ways decisions are made likewise differ. Whether due to these variations or other reasons, it is rare to find a reasonable semblance of a comprehensive interagency campaign plan. None exists in the Solomon Islands at the time of this writing.

Similarly, campaign plans in US combatant commands are military documents with at best some modicum of other agency input. The causes for this shortfall are many. There is no interagency doctrine to guide planning. Political masters seldom provide well-articulated strategic guidance and funding is rarely consolidated. None of these problems is insurmountable. Relatively minor adjustments, such as increasing the number of individuals on exchanges with other organisations and training programs, would be a helpful first step.

**Control funding to retain influence**

Allocating funding by operation rather than organisation can prove an effective way of granting some organisations authority they otherwise would not have. This could also apply to a comprehensive approach encompassing not only the components of national governments but non-governmental and international governmental organisations (NGOs and IGOs), commercial enterprises and host nation representatives. Given the positive influence such entities can have in a theatre, federal funding that permits them to assume tasks could prove effective and efficient.

**Choosing appropriate metrics: it is difficult to measure art**

War is both art and science. The same is true of counter-insurgency and developing a country’s capacity to sustain itself. That progress during the latter is less amenable to measurement supports an argument that there is in fact a greater proportion of art to science than is the case with war. There is no COIN equivalent to measuring battle damage assessment, degradation of enemy unit strength or the foe’s ability to supply itself.
Not only are an adversary’s resources difficult to gauge, often their status is far less important than that of the non-combatant community. Hard measures of coalition progress or lack thereof will often have to give way to subjective metrics much less comforting to those who must make decisions based on the information. Whether or not a pro-government flyer remains on a community bulletin board might be a reflection of insurgent influence. Whether or not a neighbour reports someone firing his weapon during a celebration can provide insight on whether a weapons turn-in program is popular or otherwise.

Metrics will obviously at times be different than those for conventional conflicts. However, just as with those more quantifiable, they will suffer degradation over time. Re-measurement will be necessary just as is checking on the status of a foe that may have undergone reinforcement. The need for measurement is no less but tolerance of ambiguity will be in considerably greater demand.

**Continue to adapt: you are going to get it wrong at first**

One of the required readings for students entering the US Army Command and General Staff College in the mid 1980s was *America’s First Battles*. Its authors asserted that virtually every initial battle in the country’s wars was a loss and often a catastrophic one at that. The real lesson was that military forces and their governments take time to adjust to new conflicts. Mistakes are likely, even commonplace. The same will be true of counter-insurgencies. Just as *America’s First Battles* spurred efforts to avoid losses in war, today’s leaders must seek to minimise mistakes and correct them as quickly as possible.

**The people don’t want to take sides**

There is much written about ‘winning hearts and minds’. However, the number who care about being won over is often few; most desire that they and their families be left out of the struggle. Self-preservation is of greatest importance. Insurgents will do what they can to coerce backing and deny it to the counter-insurgent. Forced requisitions, threats and death are frequent tactics. Counter-insurgency forces, at least those of interest to us here, tend to avoid such approaches.

Nonetheless, some senior leaders have of late spoken of requiring the population to make a choice. ‘Winning hearts and minds’, after all, inherently assumes victory in a competition. Ambivalence may be all that is truly needed. Seldom has a counter-insurgency force been able to provide the security necessary to protect those that overtly make the commitment to its side. The counter-insurgent should not attempt to compel support unless it can assure security.

**Counter-insurgency is always about the people**

The AFP’s coming to rely less on artillery and air-delivery munitions that endangered the local population coincided with notably greater success in obtaining intelligence on Abu Sayyaf and Jemaah Islamiyah. RAMSI’s close working relationships with citizens gained it rapid support for anti-gun and other initiatives. The people are the key to overcoming an insurgency. Wise is
the leader who realises that the population is a heterogeneous group consisting of individuals who sometimes favour one party, other times another.

As mentioned, insightful leaders realise that even the enemy camp contains those willing to negotiate and perhaps change sides. Removing the insurgent does not exorcise the cause. The root cause is generally in the soil on which the people depend; the insurgent is merely the most visible component of the resulting plant. The soil will continue to sprout weeds until it is properly treated. Often elimination is beyond the capacity of the military alone and thus the need for an effectively-orchestrated interagency team effort.

**Force and restraint are the yin and yang of counter-insurgency**

Restraint in using force so as not to needlessly cause harm to non-combatants does not imply an absence of violence. The counter-insurgent seeks to suppress the insurgency so that it no longer presents a substantial threat. Addressing the cause of disgruntlement requires both treating the soil and eradicating the weeds. The former will diminish insurgent ranks through surrenders and diminished recruiting. It is almost certain there will remain weeds that only force can eliminate.

Pre-deployment training goes a long way toward establishing mindsets. Education at combat training centres, special operations facilities and elsewhere that prepares units for Iraq, Afghanistan or other locations by heavily emphasising the combat aspects of pending missions is imprudent. Even units being assigned direct action missions have to be aware of the influence their activities have on overarching objectives. Special operators doing back-to-back deployments to Afghanistan and the Philippines, for example, confront dramatically varied tactical, operational and strategic objectives. Breaks between such tours are essential for proper preparation if units are to successfully meet the demands of the next assignment.

**The people may not understand the concept of national government**

Local and national governments can separately or together comprise a glass ceiling that forms a barrier between the counter-insurgent and eventual termination of an insurgency. Yet bolstering legitimate political processes and the authorities they bring to power is a fundamental element in the counter-insurgent’s strategy, for his successful departure can come only in the aftermath of a viable government’s establishment.

There can be difficulty when a coalition imposes the notion of nationality on a people little familiar and even less concerned with an entity that minimally influences their lives or does so only in a negative manner. Counter-insurgency must therefore enter the realm of public education. Government officials have to know how to provide the services obligatory in their position. So too must the citizen understand what to expect from the government those officials represent. Concepts such as national government and democracy may have to exist alongside those of familial, tribal, clan or other social commitments.
**Know the population, know yourself**

Finding solutions to challenges implies knowledge of the population. Both the Solomon Islands and Southern Philippines have tribal systems involving obligations to traditional leaders and groups. Democracy in the sense of that understood in developed nations is therefore foreign. Elections can seem an odd and unnecessary event; voting for the social group leader is a given, as is his or her right to possess and distribute funds or other resources.

Unfortunately, the coincidence of voting and assumption of public office by those elected can result in the perversion of traditional responsibilities. Whereas a tribal leader may have a duty to share his private wealth in times of hardship, the elected official can pervert this obligation by using public assets for personal gain. The counter-insurgent must understand the nuances of the society as well as the limitations of what he or she offers. Inherent is avoidance of viewing situations only through the lens of the developed world.

**Be patient; progress is often slow**

Scraping away the barriers in a glass ceiling takes time. Success during counter-insurgencies and capacity building efforts is the dominion of patience and long-term commitment. The Australian Government has consistently stated that RAMSI is at a minimum a five-year responsibility. It funded the operation for that period even while stating that it expected to remain longer. US support for the AFP has similarly been unfailing. Both leaders in the two theatres and their masters at home assure and reassure that they will see the missions through. The time needed to educate governors and governed alike, build and bolster flagging economies and excise the causes of insurgency are sure to test such commitments.

**Police in counter-insurgency and capacity building: recognise the new guy on the block**

Security and stability cannot be considered sustainable states until conditions are such that the military is able to surrender its primacy for domestic security to the policeman. The current, often largely ad hoc nature of deploying and developing police expertise in troubled regions is therefore somewhat surprising. Australia and RAMSI benefit from the existence of a federal police force. The emergence of competent policing in Northern Ireland after a false start was fundamental to the eventual restoration of relative normalcy. The US lacks a federal law enforcement agency of similar orientation.

Barring creation of an American national police force that could take on the mission, there is value in considering the FBI’s assuming responsibility for contingencies in which the US chooses to assist in creating police forces overseas. This capability would likely be a combination of deployable FBI representatives and those hired on a case-by-case basis to work under their supervision, both chosen after careful evaluation of specific theatre needs.
That the FBI itself would be responsible for the selection, screening, training and support of these individuals is elemental to development of a successful international police training capability. Initiatives that rely on contractor-selected personnel to fill these roles in Iraq have been widely condemned. The individuals selected were often poor fits for the tasks at hand, while their age, physical condition and expertise were often unsuitable.

The UN has no consistent procedures or programs for addressing law enforcement training. Development of standards and creation of an organisation capable of providing quality law enforcement and greater judicial system assistance—to include training—would be a major step toward enhancing UN capacity-building capabilities.

Plan for failure

The aforementioned likelihood that a coalition will ‘get it wrong at first’ argues for plans that account for failure. Proper plans and training provide a log to throw under the wheels of an operation as it begins to slip backward, thereby limiting the progress lost. Plans that incorporate the capabilities of all participants and that have been rehearsed, war-gamed and tailored to address evolving situations will speed mobilisation of the resources necessary to regain the momentum. Lack of an overarching campaign plan guarantees a suboptimal and perhaps even harmful response to the inevitable yet unpredictable backsliding that ever threatens success.

Constantly view the campaign from all relevant perspectives

Such a campaign plan—one that truly represents full-spectrum interagency participation and the likelihood of occasional failures—demands that an extraordinary number of viewpoints be taken into account. In the two-sided war game of old, the intelligence officer represented the enemy while others played the role of the friendly force. That approach is inadequate for COIN. A proper analysis requires representation of a far greater number of perspectives. Consider RAMSI—an examination of the campaign or any major component thereof should include the following among the parties represented (and this is only a representative sample):

- The national governments of all participants
- Military, police, aid and other functional representatives from each nation providing such assets, as well as Solomon Islands participants from these organisations
- The perspectives of various indigenous interest and political groups
- Ethnic, tribal and individual island representatives as appropriate
- Local and international commercial interests
- Potential international investors
- Various adversaries or potential adversaries not included in the above.
Representation need not mean someone actually comes from each organisation or group, although that will probably be the preferred option. Regardless, the extent of expertise necessary to fully evaluate and perfect a plan is daunting whether taking that or another approach.

Concluding thought

Small does not preclude complex, difficult or deadly. The extent of challenges during a counter-insurgency is not reduced simply because the number of personnel is fewer. Insights from the Solomon Islands and Southern Philippines are not directly transferable to Iraq, Afghanistan or other future efforts. Lessons from these Pacific contingencies are square pegs; professionals must shape them to fit the round holes of operations yet to come. That moulding will take study, thought and patience.

’It’s a poor sort of memory that only works backwards’, the White Queen told Alice after the young girl had crossed to the other side of the mirror. Understanding insurgencies past and present is essential for those responsible for overcoming the challenges of such contingencies yet to come.

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NOTES


3. Two interviews with US military personnel provide the basis for the material in this and the previous paragraph. The speakers remain anonymous, in keeping with US Special Operations Command (Pacific) policy.

4. This can be a problem when other outside groups not formally associated with the coalition operate in the same area. Members of the indigenous population may not distinguish between outsiders, meaning any such group can be perceived as representing coalition initiatives.


In the military, the term command and control (C2) is a process that commanders use to plan, direct, coordinate and control their own and friendly forces and assets to ensure mission accomplishment. With a long historical evolution of military C2, higher demands began to be set on the promptness, effectiveness and flexibility of armed forces. In particular, three key challenges have been identified in the design of military C2 systems (Bonaceto and Burns, 2004):

- the demand for **smaller** organisations while maintaining optimal performance with fewer people,

- the demand for **better** coordination that results in effective human-system interaction, and

- the demand for **faster** execution that allows good decisions to be made in less time.

The task of C2 research today is to identify the general patterns that could serve as a sound basis for effective military planning and execution. Understanding the functions performed by various units in any particular organisation can be complex and challenging. Modelling C2 certainly requires representing its organisational structure, which encompasses both functional entities and their logical relationships. Viewing a military organisation as an information-processing mechanism through specific causal links related to information and communication represents only the control aspect of C2. Modelling the command part of C2 clearly requires some models of command decision making and social interaction.

Perry et al (2000) asserted that a human-centred approach to systems engineering is the only way to deal with the increased complexities of the future in C2, due to the huge amount of data available, reduced manpower and cost goals. A variety of human factors techniques has been proposed in the literature to model command decision making and human behaviour, allowing deeper insight into C2 research.

*Modelling Command and Control* features contributions from a selection of well-established researchers affiliated with the UK’s Defence Technology Centre for Human Factors Integration (DTC HFI). The book reviews the current modelling trends and covers the range and scope of relevant approaches to modelling C2 of any complex activity, which correctly situates the book in the existing literature. The authors summarise the use of models into four broad modelling typologies (cybernetic, network, agent and socio-technical).

C2 scenarios are complex and can be viewed from multiple perspectives. It is unlikely that one single method can capture all the required information. The book proposes the ‘event analysis of systemic teamwork’ (EAST) methodology as a new framework for modelling C2. Using a combination of human factors methods, EAST is an interdisciplinary approach to the design and evaluation of complex socio-technical systems intended to support human performance for C2.
According to this methodology, once a scenario under analysis is clearly defined, a ‘hierarchical task analysis’ (HTA) should be conducted to describe the scenario using a hierarchy of goals, sub-goals, operations and plans. If the scenario is dispersed over a number of different locations, an observation plan should be in place to define what data to collect and who and where to observe.

After the scenario under analysis is completed, each key member involved should be subjected to a ‘critical decision method’ (CDM) interview. Using cognitive probes, this semi-structured interview is used to elicit information critical for decision making for each key incident phase of the scenario. Next, an event transcript should be constructed to describe the scenario over a timeline, including descriptions of activity, the agents involved, any communications made and the technology used. The scenario transcript should be compared to the initial HTA to identify and resolve any discrepancies.

The ‘coordination demands analysis’ (CDA) should then be applied to extract teamwork tasks from the HTA and rate the coordination between agents involved in the scenario against each teamwork behaviour on a scale of 1 (low) to 3 (high). Using the scenario transcript, a ‘communications usage diagram’ (CUD) represents communication between the agents involved and identifies the communications technology utilised. The ‘social network analysis’ (SNA) is then used to analyse the relationships between the agents involved in the scenario, allowing the identification of the key agents and classification of the network structure.

The activity observed is then represented in an ‘operation sequence diagram’ (OSD) to describe team interaction and communication related to the scenario under analysis, including the tasks performed and the interaction between operators over time. Finally, propositional networks for each scenario phase are constructed to identify the knowledge objects for situational awareness required for effective task performance.

Hence, the EAST methodology offers an exhaustive analysis of C2 activity using a number of different approaches. Each method offers a different representation of the activity observed and provides its own insight into important aspects of system design and description. The output provides an integrated representation of multiple perspectives using task, social and propositional networks. It offers a way to describe emergent properties that arise from the complex interactions of system components, both human and technical. Since a large portion of the output is descriptive, great onus is placed upon the analysts to interpret the results accordingly.

To showcase the applications of the EAST methodology, the book includes three case studies in military scenarios—sea, air and land. These chapters serve the book well in bringing together the theories, models and methods presented earlier. The case studies are valuable because they are real-world examples that shed insight into the challenges and benefits of applying the EAST methodology.

Emergency services, civilian services and armed services are three pre-eminent domains of C2. The final chapter purports to describe a generic process model of C2, despite the differences in these domains.

Many of the C2 challenges share interesting similarities—the presence of a central control room, reliance on the transmission of verbal messages, planning activities and a mixture of proactive command and reactive control. The authors present a taxonomy of C2 activities where most of the tasks can be allocated to one of seven categories—receive, plan, rehearse, communicate, request, monitor and review. A generic process model is then developed to provide a common platform for reviewing C2 activities in disparate domains.
This book clearly demonstrates that a huge amount of intriguing new methods exists, allowing deeper insight into C2 research. The strength of the book lies in the diversity of related human factors methods consolidated within the EAST framework, offering complementary theoretical perspectives on the C2 scenario in question. The EAST methodology is generic, allowing it to be applied in any domain where C2 activity takes place.

Of particular relevance to the ADF is the C2 challenge of better coordination between people and automation. The EAST methodology considers humans and technical systems together as one system, where human cognition is amplified and augmented through automation. EAST is a useful method in defining the entire problem space and identifying information for human operators to achieve accurate situational awareness.

However, the question arises whether the directions taken in EAST are all that new or in what respects they may be considered new? The book fails to demonstrate the usefulness of the EAST output in identifying emergent issues in the C2 activity in question. The use of propositional networks offers a novel way of modelling knowledge and reveals a systems view of situational awareness in any C2 scenario.

The authors argue that by animating propositional networks in terms of active and non-active knowledge objects, it is possible to represent the temporal aspects of situational awareness. While many propositional networks are constructed for each scenario of the case studies, the book fails to detect the emergent properties and therefore suggest intervention strategies required for improved task performance.

The book is a well-written and thorough presentation of the new modelling approach to C2 research. The authors present a methodology for analysing complex command environments and explain its elements in an organised and concise manner. Although the book is biased towards military examples, there are ample new ideas that may be applied in other circumstances—for example, readers would have benefited from broader coverage of C2 scenarios in emergency or civilian services.

The book should be invaluable to researchers and system designers involved in diverse applications of C2 and to all those interested in the analysis of C2 in emergency services, civilian services and the armed services. The overwhelming impression about this book is that it would have benefited from more rigorous editing. The book's typographical errors are frequent and can be quite distracting. The poor editing also affects some of the figure references, which are unfortunately inconsistent with the text.

REFERENCES


MANAGING CIVIL-MILITARY COOPERATION:
A 24/7 Joint Effort for Stability

S.J.H. Rietjens and Myriame T.I.B. Bollen (eds.)
Ashgate, Aldershot (UK), 2008
ISBN: 978-07546-7281-4

Reviewed by Dr Dominic Katter

Civil-military cooperation (CIMIC) is important to the modern defence force. Managing Civil-Military Cooperation is a comprehensive, accurate compilation of separate but related chapters from senior academics and practitioners, such as military officers and humanitarian personnel. This helpful monograph is edited by Sebastiaan Rietjens and Myriame Bollen, both of the Netherlands Defence Academy.

Understandably, the book is written from a predominantly European perspective. However, the 17 different contributors add to the diversity of the text. The book is divided into four parts: introduction and external orientation; civil-military cooperation during humanitarian missions; civil-military cooperation during stabilisation and reconstruction missions; and performance measurement of civil-military cooperation.

The research in this hardback draws widely on recent examples, such as the tsunami response in Sri Lanka, the situation in Kosovo, refugees in Albania and the Pakistani earthquake. There is a focus throughout on cooperation between the military and civilians during humanitarian missions.

The chapters in Managing Civil-Military Cooperation not only refer to the challenges that exist when military personnel come into proximity with civilians but comprehensively evaluate and recommend methods to achieve better outcomes in these circumstances. There is, therefore, a balance between practical and analytical approaches throughout the text.

The key concepts of this book are summarised effectively in the last chapter, where the editors critically and realistically evaluate the effectiveness of the military and civil interaction. They argue that for military-civil relations to benefit both parties, there must be future research on both humanitarian and stabilisation/reconstruction missions.

The examination of different national and organisation/coalition approaches to CIMIC will potentially assist with the identification of preferred methods and the prevention of errors. The analysis undertaken in this book improves information in that regard. It is valuable as to the now historical actions to which it refers and the comparisons that can be made to the current Australian context.
The following quote well illustrates the broad issue under discussion:

The US missions to Bosnia and Kosovo and the current operation in Iraq make it clear that winning wars accomplishes little if we cannot also win the peace. The strategic goals for which the wars are fought can only be achieved if the follow-on mission leaves an occupied territory more stable and democratic than before.


**FROM FREEDOM FIGHTERS TO TERRORISTS: Women and Political Violence**

Paige Whaley Eager
Ashgate, Aldershot (UK), 2008
ISBN: 978-0-7546-7225-8

Reviewed by Dr Hank Prunckun, Slezak Associates, South Australia

In many western liberal democracies, the age-old debate about women’s role in military combat operations goes on. Cultural and religious influences play a large part in why society feels uncomfortable about placing women in harm’s way—at its simplest, the notion of women as warriors and mothers is a difficult paradigm to reconcile.

However, Eager in her book *From Freedom Fighters to Terrorists: Women and Political Violence* challenges this construct by arguing that women’s role in combat, albeit in conflicts other than wars, has been an accepted proposition for centuries.

Eager says a predominant view held by society, of women who engage in political violence, has been that these women only become involved in fighting because of the men who are significant in their lives or because of emotional reasons. However, her research does not support either of these premises.

In exploring the issue of women as fighters, Eager carried out a number of case studies in five settings—left-and right-wing political violence, national liberations, ethnic political violence and suicide bombings. She used a dual-method approach consisting of collective action modelling combined with insights provided by several feminist theories (eg liberal feminism, difference feminism, Marxist feminism and post-modern feminism) to analyse the data. The analysis was done on three levels—the socio-cultural and political level, the ideological level and the individual level.

The result is a rich description of women’s involvement—as fighters—in political violence. It is not only an analysis of the ideology of the organisations engaged in conflicts other than war but provides an interesting perspective into the personal factors as to how and why these women became involved.
The book concludes that the view that political violence is largely the role of men cannot be supported. The popular percept that women who perpetrate political violence are psychopaths is equally implausible. Women who engage in political violence, according to Eager, are no different to their male counterparts. By way of example, she cites the analogy of women who have gone head-to-head in the tense negotiations with rogue states—Secretaries of State Madeline Albright, Condoleezza Rice and Hillary Clinton.

Clearly, these are three women who would never take the life of another in a terrorist attack. But Eager says they are nevertheless women who illustrate a key theme brought out in the book—women are capable and motivated by nothing more than self-confidence and personal capability. Above all, they get involved in fighting out of personal choice.

*From Freedom Fighter to Terrorist* is an astute contribution to the literature. It is well researched and articulate, and is a text that will appeal to counter-terrorism scholars and practitioners alike.

No doubt the debate about women as warriors and mothers will continue. However, through her analysis, Eager has dispelled one misconception—that women can be, and are, both life-givers and life-takers in conflicts other than war.

**BENEATH THE DARDANELLES:**
The Australian Submarine at Gallipoli

Vecihi and Hatice Hurmuz Basarin
ISBN: 978-1-7417-5595-4

Reviewed by Jim Truscott

Few combat commanders ever get the mission to simply run amok with the psychological objective of causing fear and panic. Such were the orders given just prior to the Gallipoli landing to Captain Stoker and the Australian submarine AE2, which had been tasked to penetrate the heavily defended and fortified Dardanelles Straits at the boundary between Europe and Asia. This passage has been crossed by armies for centuries and so it was again for five fateful days by these men on a veritable suicide mission.

This account by two Turkish authors describes the separate actions of Captain Stoker and the Turkish gunboat that eventually accepted his surrender after the submarine was scuttled. There are some notable differences in the two stories, perhaps the result of battle stress—for there was plenty of it. The book also describes the background to this strategic naval engagement, including the short history of submarines at that time and the close military relationship between Turkey and UK immediately prior to the war.

The book explains the historical context because Turkey actually defeated a massive British naval attack in March 1915, leading to a navy request for army support. It is interesting that Churchill claims this decision had a bigger impact on World War 1 than the Western Front.
Prior to AE2 successfully penetrating the Dardanelles, there had been three failed attempts by two British and one French submarine, in December 1914 and in January and April 1915. One can imagine what AE2’s crew thought of their chances of success and it was a little disappointing to me that the story was only told through command perspectives, ignoring the sailors. There is only brief mention of what sailors do on long sentry duty in relation to thoughts of grog and sex.

Once AE2 made it through to the Sea of Mamara and the Turkish sea supply line feeding their army on the peninsula, a further two British submarines were successful in penetrating the Dardanelles, although two British and two French submarines were unsuccessful. A German boat then sunk two British ships before there were another 26 successful passages by allied submarines. With all of this activity, one question remains unanswered to my mind—if it was a conscious strategy by High Command to interdict the short Turkish sea supply lines, forcing them to replenish by lengthy land routes, why were not even more submarines used in order to reduce the terrible loss of life on land?

The passage of AE2 and its subsequent running amok is quite mind-boggling. Indeed, Captain Stoker’s story of penetrating the minefield, attacking a destroyer, staying submerged at one point for 16 hours, getting grounded and surfacing many times, and getting shot at by coastal artillery is surely deserving of a Hollywood movie.

Interestingly, after five days AE2 met E14, another allied submarine, but it is given little significance which I found to be a deficiency in the story. Much is made of the culminating point, with the success signal sent by the submarine some 24 hours after the Gallipoli landing, causing the British commander to abandon all thoughts of withdrawal and to dig in. The submarine was finally holed by gunfire causing it to be abandoned.

While now a war relic, AE2 is perhaps the only tangible reminder of the conflict, albeit hidden on the seabed. This book helps to put the significance of its running amok into perspective. That said, it is actually a misnomer for it to be called an Australian submarine, with many of the crew and its Captain from the Royal Navy.

Nonetheless, there is plenty of interest in naval history at present with the finding of HMAS Sydney and, indeed, the account of the diving expedition called ‘Silent Anzac’ in 2007 to help the Turkish and Australian Governments decide what should be done with the relic. It has since been determined that it should remain on the bottom forever. I would recommend this book to anyone with an interest in submarine and psychological warfare.
The ADF is inexorably connected with non-military contractors. These connections are so pervasive and so complete that the modern ADF member barely pauses to think that much of our base security, medical services, catering, clothing, equipping, information technology, security, transportation, recruiting, maintenance and human resource support are supplied by non-military contractors.

Curiously, we ADF members accept non-military contractors as requirements in our total force, freeing up ADF personnel for our core business of warfighting until, inevitably, some anonymous ‘contractor’ fails to deliver a service. Underpinning this contractor dissatisfaction is the inference that an ADF-delivered service would be somehow superior to the contracted solution.

Stephen Armstrong, in a wide-ranging, well-researched and provocative book, examines the fundamental friction that exists when governments, in many forms, choose between military and contracted solutions. Specifically, Armstrong examines the logical extension of non-military contractors to private security companies (PSC) or private military companies (PMC).

Written from a British perspective, Armstrong’s easy-to-read manuscript is a timely and useful contribution to the debate and thinking about the employment of PSC/PMC in war and peace.

This book chronicles PSC/PMC activities post-World War 2 in the Middle East, Africa in the 1960s to 1990s, the Balkans in the 1990s, Papua New Guinea in the late 1990s and the Middle East, particularly Iraq and Afghanistan, in the 21st century. Armstrong describes the history, leaders, operational methods, risks, insurance issues, employment conditions and future opportunities for a multitude of PSC/PMC, all of which employ exotic and euphemistic names such as Watchguard International, Executive Outcomes, Control Risks Group, Lifeguard, GardaWorld, Instinctive Shooting International and Total Intelligence Solutions.

The author attempts to distinguish PSC/PMC from mercenaries, whose history dates back to the Persian, Greek and Roman empires. Importantly, the book notes that anti-mercenary laws world-wide are uniformly weak and almost unenforceable, which in part allows PSC/PMC to flourish.
In addition, the key issue of the legal status of PSC/PMC is discussed, including Ambassador Bremer’s order in June 2004 giving all staff associated with the Iraq Coalition Provisional Authority and the American Government immunity from Iraqi law. Such orders, and other areas of legal uncertainty, have contributed to confusion regarding tragic events such as the alleged unlawful killing by five Blackwater Worldwide guards in 2007 of 17 unarmed Iraqis. This incident is currently being considered by courts in the US. Of note, there is no similar order for PSC/PMC in Afghanistan.

War PLC could be enhanced with the addition of an index to key themes, a chronology of PSC/PMC and maps of key PSC/PMC areas of operation. In addition, the acronym rich text could be supported by a simple glossary of terms used to support this complex and influential business.

NOTES

1. The Pentagon’s 2006 Quadrennial Review defined the US Department of Defence’s Total Force as ‘its active and reserve military components, its civil servants and its contractors—constituting its war fighting capability and capacity’.

2. As a rule, Europeans run ‘private security companies’ (PSCs) while Americans refer to ‘private military companies’ (PMCs).