

2023 Sir Hermann Black Lecture: the year in review

A presentation to the Institute in Sydney on 28 November 2023 by

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Mr Patrick comments on several issues which have had an impact on the global strategic outlook in 2023, including the wars in Ukraine and the Middle East, social division in the United States, and the need for facts to underpin strategic assessments as illustrated by the David McBride Afghan Files affair in Australia. He concludes that 2023 shows us that trade does not guarantee peace; nations always need to be prepared for war; and socially divided nations, like the United States, are more likely to suffer decline. That said, another way to look at 2023 is that it was a turning point for the West, to a time of ascension.

Key words: Afghan Files; Gaza; Israel; David McBride; Russia; Donald Trump; Ukraine; United States.

Thank you for giving me the honour to present the 2023 Sir Hermann Black Lecture², the Year in Review.

The year 2023 was the year of the rabbit, which is meant to signify peace, prosperity and longevity. Instead, we got war and economic turmoil.

There was, however, a lot of longevity, but was not particularly constructive. We saw the oldest American president in history, Joe Biden, determined to seek another term, against a likely opponent, Donald Trump, less than four years younger, and who was indicted on multiple civil and criminal offences in multiple jurisdictions, raising the prospect that the next United States president might be a convicted felon, serving his sentence.

In Russia, the man who has been president or prime minister for 23 years pursued a war that may eventually destroy him. In Israel, the prime minister did not foresee a war which, when it concludes, is likely to end his career.

War in Ukraine

I want to begin, though, with the war in Ukraine, and my plan to help the Ukrainians win. In February 2023, I did some research and learned that an Australian plan to sell up to 46 of their FA-18 fighter bombers to a United States training company had fallen through. Given the Ukrainian air force had fewer than 100 MiG-29s and SU-27s at the start of the war, I argued we

could provide the Ukrainians the equivalent of a mid-sized air force. And defence minister Richard Marles and foreign affairs minister Penny Wong could make themselves significant international players in the war.

The idea got some attention around the world after the prime minister's office indicated it was open to the idea. Unfortunately, it was not very popular in Kyiv, where there was more interest in an equivalent aircraft, the F-16, which is being retired in larger numbers. The Danes and Dutch stepped in, got the glory, and what was probably my only chance in life to influence a war was lost. Such is the life of a journalist.

Like many others, I watched the Ukrainian Spring offensive with high hopes and a Twitter account. Never before had so much information about combat become available to the public so quickly. A new glorious phase of conflict analysis bloomed, unlike the battalions that smashed into defences the Russians had built while the Ukrainians were being trained by us and other members of the Western alliance.

It took about a month for the world to realise that there was going to be no breakthrough. Even a mutiny in June by the most effective Russian force, the Wagner Group, and a march on Moscow, had little impact on the lines. For all their faults, the Russians had the resources and will to defend.

On 25 June, I interviewed Kyle Wilson, one of Australia's top experts on Russia – he ran the Russia desk at the Office of National Assessments for many years – and he said: "History suggests that Mr Prigozhin's days are numbered". I thought it was a good quote, but I thought a bit dramatic, which is why I did not use it in the headline.

America and Donald Trump

It would have been fascinating to see how former United States president, Donald Trump, would have handled the war in Ukraine if he had been president at the time. We may still get to see that happen.

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²The lecture commemorates Sir Hermann David Black, an expert in current affairs and its communication to the Australian public. Sir Hermann was a lecturer in economics at the University of Sydney from 1933 – 1969 who, following his retirement, became chancellor of the University in 1970. That year he inaugurated a series of annual reviews of the global strategic outlook for the Institute titled "The Year in Review" and then presented them to the Institute for nearly two decades. He died in 1990.

In March, Trump was indicted in New York over payments to a former pornographic actress. This was followed by another indictment in Georgia and federally for allegedly trying to overturn the 2020 election, and allegedly taking confidential documents from the White House. Three trials have been scheduled for 2024.

In October, I went to America for holidays: to California and Texas. America is in a strange place. I rarely feel unsafe, but walking through downtown Los Angeles was nerve wracking at times. There was a sense of social decay. Middle-class Americans I spoke to cited personal safety as a serious concern. This was less so in Austin, Texas, where I was told the reason there is so little road rage is a high level of gun ownership in the state.

Israel-Gaza War

On 7 October, hundreds, perhaps thousands, of Hamas fighters carrying assault weapons crossed the Gazan border into Israel and killed some 1200 people, most of them civilians. In the entirely predictable retaliation that followed, what was remarkable, to my eyes, was how so many people in the West did not accept Israel's legal and moral right to self-defence.

I chose not to watch the 41-minute video Israel created of its citizens being killed. But I did see one video that surprised me, of doctors in Gaza holding up the body of a dead infant at a press conference.

We all feel terrible for the deaths of the Palestinian people. But I think it is worth stating the obvious: Israel does not kill children because it wants them dead. Those children die because they are, obviously through no fault of their own, in the presence of or close to people Israel considers military targets. Do those students ripping down posters of Israeli hostages not consider that Hamas has a moral responsibility for the war?

An example of the information war was an exposition at the Al-Ahli hospital in Gaza on 17 October. Based on allegations by Hamas, media outlets around the world initially reported that an attack on the hospital by Israel had killed 500 people.

In Canberra, a 26-year-old civilian analyst at the Australian Strategic Policy Institute named Nathan Ruser was able, within 24 hours, to pretty much prove that the death toll must have been wildly exaggerated. He said it was unlikely to be caused by an Israeli bomb or missile either.

One of the facts that he used was the damage done to the courtyard where the people died. Roof tiles within 20 metres were undamaged. So were nearby trees. Given the size of the area, it was improbable that more 500 than people were present at that time of night. Ruser was among a number of open-source analysts who helped convince the world that it was not a war crime by the Israeli Defence Forces – rather, it was a case of the Palestinians killing their own. As abuse poured in, he said on X, the new name for Twitter: “Now it seems that the facts don’t really matter”. It look

Human Rights Watch a month to reach the same conclusion that a misfired Palestinian rocket had caused the casualties.

Facts Matter

Hence, facts do matter, even inconvenient ones, and those interested in international affairs are now fortunate to have access to analysis that was previously only available to decision-makers, even only a few years ago. This makes it harder for governments to lie to us, although they continue to do so.

In London, I once met the now-deceased Australian journalist Phillip Knightly, who in 1975 published a book called *The First Casualty* (Knightly 1975), which describes how war journalism manipulates and is manipulated. Knightly told me that his initial concern when writing the book was that he would be short of material. It turned out he need not have worried. There was a lot with which to work.

The McBride Affair and the Afghan Files

As another example, at home, former Army lawyer, David McBride, pleaded guilty to stealing federal government documents and giving them to journalists. The hundreds of documents he gave to ABC journalists Dan Oakes and Sam Clark became known as the Afghan Files.

McBride was the subject of a campaign to convince attorney-general Mark Dreyfus to use his powers to halt the prosecution. Among those putting pressure on Dreyfus were Human Rights Watch, Transparency International, The Media Entertainment and Arts Alliance, the Australian Centre for International Justice, the Community and Public Sector Union, Peter Grete and Kerry O'Brien.

All complained that a whistle-blower was being prosecuted for exposing war crimes. Dreyfus declined, saying he did not want to set a precedent of political interference in the criminal justice system.

I spoke to one of McBride's lawyers, Mark Davis, a former television reporter. He confirmed what I had read but was not sure whether to believe: McBride said he was not exposing war crimes – he was exposing the unfair prosecution or investigation of Australian soldiers who had legally killed Afghans.

McBride described in his memoir, *The Nature of Honour* (McBride 2023), one such incident. In 2013, the Special Air Service (SAS) had captured three men on a mission with Afghan National Army forces. They had to be flown back to base for interrogation. As part of the process of putting them on a helicopter, their plastic handcuffs had to be transferred from front to back.

This was meant to be a two-man job. An SAS corporal called ‘Beachy’ decided to do this in a small cowshed on his own. After he cut off the cuffs, the Afghan grabbed his gun. They wrestled with it for 10 seconds before Beachy managed to shoot him three times while his interpreter watched, according to his account.

For reasons that are unclear, the death was not immediately reported. McBride describes in the book how he had to break the news to the trooper that the “generals in Canberra” had decided he would be investigated for murder. McBride makes it clear he disagreed with the decision.

What he did not mention in the book, but was reported in the Afghan Files, was that the SAS commander refused to hand over the gun to the investigators when they arrived, based on legal advice that the warrant was invalid, advice which presumably came from McBride. Investigators then threatened to take the weapon by force.

The SAS soldier was not charged. In fact, no Australian soldier has been charged with committing war crimes in Afghanistan after investigations that have gone on seven years.

On the eve of his trial, McBride implied on *The Project* television show that the army wanted to investigate or prosecute innocent men when it realised it had promoted, in a public relations sense, a dubious soldier or soldiers.

He said: “We became so enamoured with the media idea [that] if someone was good-looking and a good talker, even if there was evidence to say they had murdered someone, we were talking them up; Then we realised we might have backed the wrong people. Then we said: ‘Shit, we need to get some non-entities. Make scapegoats of them.’”

I thought about what he meant. I concluded he was referring Corporal Ben Roberts-Smith, the winner of the Victoria Cross, who may or may not be a war criminal, and Major-General Paul Brereton’s report, which found credible evidence the special forces had killed 39 people they should not have killed.

McBride seems to be arguing that innocent soldiers were investigated because the army was embarrassed about Roberts-Smith. Brereton began his work in 2016. McBride leaked his documents in 2017, and was charged the following year.

The Afghan Files included information that was very interesting, but perhaps not what an objective observer might define as whistle-blower-type information. Among the incidents was a drunken party in Afghanistan of Australian Secret Intelligence Service (ASIS) officers and their SAS security team. Apparently, one of the soldiers was holding a pistol in his hand, because he did not have a holster.

When a female ASIS officer left the room, he followed her and waived the gun in her direction. He then stood close to her and held the gun to her jaw. She returned to the party, shaken. Apparently, she did not think he was going to shoot her, but was worried the gun might discharge accidentally. She said he was romantically interested in her. Other soldiers said she was flirtatious. They were both sent home three days later.

As a journalist, this is a great story. But I can understand why the Australian Capital Territory

Supreme Court did not accept McBride’s argument that the Nuremberg Trials demonstrated that he had an obligation to share confidential information in the national interest.

Conclusion

So what have we learnt about 2023? We have seen that:

- trade does not guarantee peace;
- nations always need to be prepared for war; and
- socially divided nations, like the United States, are more likely to suffer decline.

That is all true, but there is another way to look at 2023. It was a turning point for the West, to a time of ascension. Look at the war in Ukraine. According to eminent military strategist, Sir Lawrence Freedman, not one element of Putin’s strategy has worked: not the energy crunch that was supposed to persuade European governments to abandon Ukraine; not the attacks on Ukrainian infrastructure that were supposed to make it collapse; not the numerous offensives that have left the Russian army a shadow of its former self. After the first weeks of war, Russia had a presence in more than a quarter of Ukraine’s territory. By August 2023, this was down to 18 per cent. Look at the Middle East. Israel has decided to eliminate Hamas. Its victory will redefine the Arab-Israeli conflict. It could even be a step towards peace.

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