

# Charging of Australian soldiers for Afghan crimes provokes frenzied reaction

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An unprecedented controversy has erupted in Australia over the charging of three special forces' commandos on September 29 for the killing of five children in Afghanistan in early 2009. Just weeks after an election, in which the conflict barely rated a mention, blanket justifications for the Afghan war, and civilian deaths at the hands of Australian troops, have been thrust to the centre of political life.

The three soldiers are being prosecuted after an almost year-long investigation by the Director of Military Prosecutions (DMP), a legal arm of the armed forces that is formally independent of the government of the day. The details of the case have further fuelled the popular opposition to a war that is repeatedly being exposed as a murderous and brutal neo-colonial occupation.

On Tuesday, conservative opposition leader Tony Abbott lashed out and publicly labelled the charges as "soldiers being stabbed in the back by their own government". In statements deeply prejudicial to the conduct of a military court martial that has not yet begun—and which have been promoted throughout the mass media—Abbott declared that the soldiers had been doing "the right thing by Australians" and were being "thrown to the wolves" by the Labor Party-led minority government of Prime Minister Julia Gillard.

While Abbott's statements on the case were unexpected and somewhat unhinged, they were made as the entire political establishment is pre-occupied with demonstrating its commitment to the US-led war in Afghanistan.

Gillard's first overseas trip as prime minister was to Afghanistan on October 3. Abbott made his own visit on October 10. Both were briefed by US and Australian commanders to the effect that while the 1,550 Australian troops currently deployed were adequate, the efforts to crush the Taliban-led insurgency were at a critical stage and more might be needed.

Full detail is yet to emerge, but there are ample indications that dissatisfaction in Washington with Australia's Afghanistan policy was one of the factors in the conspiratorial and anti-democratic political coup that removed Kevin Rudd as prime minister on June 23-24. Under Rudd, Labor had ruled out sending more Australian troops and, on the same day as the coup began, had announced

they would be withdrawn within two to four years.

Since Rudd's ousting, Gillard has gone out of her way to stress her government's unconditional support for both the US alliance and the Afghan war. The Labor government now faces the task of disregarding public sentiment and escalating Australian involvement if called upon to do so by Washington.

Abbott has elevated the case of the three commandos to intensify pressure on the government. He has placed himself at the forefront of a campaign to mobilise a right-wing constituency that will vocally defend the war and seek to intimidate and drown out opposition.

Abbott made his remarks on the DMP prosecution on the Sydney-based 2GB radio program of Alan Jones, one of the most provocative right-wing commentators, or "shock jocks," in the Australian media.

Jones, infamous for such outrages as helping to whip up the anti-Muslim sentiment that led to the December 2005 riot in the Sydney suburb of Cronulla, has made the case of the three soldiers his latest hobby-horse. His broadcasts and a 2GB bulletin board have been turned into a vehicle for vitriolic denunciations of DMP head Brigadier Lyn McDade, as well as the Labor government and Gillard.

A typical entry, posted yesterday, reads: "Leave our brave soldiers alone you SCUM... This scum who wants to prosecute our elite men and women should first have to serve on the front line for a few months and see how well they go. Gillard is GUTLESS SCUM. Her response was a disgrace. Either support our brave soldiers, or pull them out, don't hang them out to dry!"

A petition, initiated by a former military officer who declared his outrage at soldiers having to fight with "one hand tied behind their back" and promoted by 2GB, has been signed by some 21,000 people. The petition calls on the governor-general—the constitutional commander of the Australian armed forces—to intervene and cancel the prosecution over the head of the DMP and the government.

Among those who have supposedly written to 2GB or signed the

petition are hundreds of active military personnel, in contravention of military discipline. Many might well have been emboldened by the lack of action against a special forces officer who appeared on national television on September 30 to denounce the charges and declare that soldiers, especially those who had served in Afghanistan, were “dismayed” and “angry”.

The chief of the army, General Ken Gillespie, who has himself reportedly voiced opposition to the charges internally, was forced to send out an army-wide email following Abbott’s statements. In it, Gillespie warned that soldiers commenting on the case could face charges of contempt of court or other penalties under the Defence Force Discipline Act.

The rage in the military over the charges stems from the fact that the incident in which the five children were killed was a typical operation for the Australian special forces in Afghanistan. In the brutal campaign to crush opposition among the Afghan people to the US occupation, the task of the special services is to hunt down and assassinate or capture alleged guerrilla fighters. Missions often involve raiding villages and smashing into civilian homes in the dead of night. If non-combatants, women and children are killed in the process, the deaths are generally blamed on the alleged insurgents themselves—for “sheltering” among civilians—or dismissed as unavoidable “collateral damage”.

The three men charged on September 29 are the first Australian soldiers ever to be prosecuted for war crimes, not only in Afghanistan, but in Iraq and Vietnam as well. The only reason the incident was not buried was because journalists from the government-owned Australian television station SBS independently gathered and widely broadcast witness statements that called into question the military’s account of what had taken place.

It appears that the DMP only proceeded with the charges in order to pre-empt a possible indictment from the International Criminal Court (ICC) in The Hague, which was carrying out its own investigations into the killings. As a result, the soldiers will only ever appear before an Australian military court, which can carefully vet what evidence is introduced.

Regardless of the DMP’s motives, however, the case inevitably calls into question the propaganda, used since 2001, to justify the war in Afghanistan as a “good war” being fought against terrorism and for the benefit of the Afghan people. It sheds light on the criminal and neo-colonial nature of the operation, in which soldiers have been trained to view the lives and well-being of the Afghan population with indifference and contempt.

At the same time, real responsibility for the atrocities that have been committed by Australian troops in Afghanistan lies with those political leaders who sent them there.

The extraordinary frenzy whipped up over the charges coincides with preparations for a debate on the Afghan war in the lower

house of parliament next Tuesday, October 19. Both Gillard and Abbott will deliver speeches, outlining their standpoint on Australia’s ongoing and deeply unpopular involvement in the nine-year long, US-led occupation of the country.

Holding such a debate was one of the terms for the Green Party member Adam Bandt and Tasmanian independent Andrew Wilkie supporting the return of Labor to power, following the hung parliament that resulted from the August 21 federal election. The formal electoral position of the Greens is that Australian troops should be withdrawn so they are available for military operations in the Pacific. Wilkie, a former army officer and intelligence official who supported the invasion of Afghanistan in 2001, has also called for a troop withdrawal on the grounds that the war has become unwinnable.

It is clear, however, that the debate will not centre on these criticisms of the war.

Gillard has already spelt out the Labor government’s position. Following her return from a visit to Afghanistan on October 3, she declared that Australian troops would be deployed in a combat, training or “over-watch” capacity for an indefinite timeframe, to prevent Afghanistan becoming a haven for “terrorists”. She stressed that the number of Australian forces in the country was “not a cap”. While it was “about right,” she stated, troop levels would be determined by what military commanders told her was “required”.

Up until now, the Liberal-National opposition has maintained bipartisan agreement with the Labor Party on the conduct of the war, as well as on the indefinite commitment of troops. No-one in the opposition, however, has distanced themselves from Abbott’s inflammatory comments, or from the hysteria being promoted in the military over the DMP charges.

Opposition defence spokesman Senator David Johnston told journalists today that he had been told by military sources that the legal defence provided to the three soldiers had been inadequate and had contributed to the charges being laid. He has demanded the release of all defence submissions to the DMP.

The central purpose of the campaign now being carried out by Abbott, the entire Liberal-National opposition and figures like Alan Jones, is to create a climate where any questioning of the conduct of the war, or any suggestion that, under international law, genuine war crimes have been committed, is regarded as tantamount to treason.



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