

## **Submission on the Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2020**

### **History**

From the time of Federation in January 2001, the nation of Australia has been involved in many overseas wars at the behest of a foreign power.

This involvement began in 1885, when a New South Wales Contingent was deployed in the Sudan. It then continued through

- the Boer War -1899-1902
- the Boxer rebellion in China -1900-1901,
- the First World War - 1914-18,
- the Second World War -1939-1945,
- the Korean War, 1950-1953
- post 9/11 Afghanistan
- the Malayan Emergency
- the Indonesian Confrontation 1963-1966
- the Vietnam War 1962-1975
- the Gulf War and Iraq 1990-1992 and
- the Iraq War, 2003-2009
- Afghanistan 11 October 2001 to present 43
- Iraq 16 July 2003 to 14 December 2013

These conflicts have had the inevitable consequence of trauma and grief for Australians. The numbers of those killed and wounded have been horrific as have been the long -term effects of PTSD, depression and anxiety of the survivors.

Only in relatively recent times have official efforts been made to counsel and support those other victim of war- the returned and damaged soldiers and their families.

The First World war was the costliest for Australia in terms of deaths and casualties. From a population of fewer than five million, 416,809 men enlisted, of whom more than 60,000 were killed and 156,000 wounded, gassed, or taken prisoner<sup>1</sup> and long-term effects were inflicted upon the fledgling Australian society.

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<sup>1</sup> The Australian War Memorial Website- First World war 1914-1918.  
<https://www.awm.gov.au/articles/atwar/first-world-war>

34,000 Australians died in World War II with the total battle casualties being 72,814. More than Over 31,000 Australians became prisoners-of-war, and one third of those in Japanese camps died in the horrific conditions they endured.<sup>2</sup>

### **Increasing militarization of Australia**

In January 2018 the Australian federal government launched the Defence Export Strategy. In his speech the then Minister for the Defence Industry, Christopher Pyne, said that the aim of the strategy was “to make Australia one of the top ten global defence exporters within the next decade.”<sup>3</sup>

Couple this aim with the latest AUKUS deal to contract nuclear submarines from the USA, the proposed increase in US soldiers to be based on Australian soil, the investigation into the acquisition of a ground-based Space Electronic Warfare capability<sup>5</sup> and the increasingly aggressive stance taken against China and one can only conclude that the likelihood of Australia being drawn into another foreign war is high.

### **The need for a War Powers Bill**

The decision to commit Australian troops to war can be made by the Prime Minister or Executive alone, with no need for consultation with, or debate in, Parliament. Successive Australian governments have made much of our history of democracy but what is democracy if the people have no chance to voice their will? Successive Australian governments have also committed Australians to war with no Parliamentary debate and thus no opportunity for the will of the people to be taken into account.

Under our system of government, Representative Parliamentary Democracy, the voice of the people is heard through their duly elected representatives. Denial of the opportunity for Parliamentary debate veils such decisions in secrecy and is a betrayal of the term democracy.

The committing of troops to war is surely one of the most momentous and important decisions ever to be faced by a government and must warrant transparency and debate, not ad hoc decisions taken with little consultation and no procedural transparency.

Our closest ally, the United States of America follows this democratic path, yet in Australia it is ignored. The US War Powers Bill came into action in 1973 with the express intention of curbing the President’s power to commit the US to war without the approval of Congress.

No such curb exists in Australia. It is time to both ask why this is and to expect better.

### **Conclusion**

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<sup>2</sup> Australian Bureau of Statistics- contributed by the Australian War Memorial.  
<https://www.abs.gov.au/ausstats/abs@.nsf/featurearticlesbytitle/00753BC276CCB154CA2570FF000075A8?OpenDocument>

<sup>3</sup> <https://www.minister.defence.gov.au/minister/christopher-pyne/media-releases/launch-job-creating-defence-export-strategy>

<sup>4</sup> <https://www.afr.com/politics/federal/dutton-flags-more-us-troops-in-australia-20210610-p5800r>

<sup>5</sup> <https://www.minister.defence.gov.au/minister/peter-dutton/media-releases/defence-explores-options-space-electronic-warfare>

In November 2020 a Roy Morgan poll showed that 83.3% of surveyed Australians wanted Parliament to be consulted before any decision is made to commit troops to overseas wars. <sup>6</sup> Yet, no legislation has ever been passed to compel this. Parliament and the people have no voice. Australian troops can still be sacrificed with no transparent, open Parliamentary debate. Diplomatic options are not explored as military response is decided by the few rather than the many.

A war powers bill is needed now, if faith is to be restored in our system of government and the will of the people allowed to prevail.

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<sup>6</sup> <https://warpowersreform.org.au/overwhelming-support-for-war-powers-reform-roy-morgan-poll/>