

CHAPTER 2

THE DEBATE ON HMAS SYDNEY

G Hermon Gill

2.1 Much of the controversy that has arisen over the fate of HMAS *Sydney* derives from perceived inadequacies in the treatment of the encounter in G Hermon Gill's *Royal Australian Navy 1939-1942*,¹ the first part of his two volume study of the RAN in the official series, 'Australia in the War of 1939-1945', edited by Gavin Long. Gill's account of the encounter with *Kormoran* has been attacked, Gill himself has been attacked, and the description 'official history' has been interpreted by many in a way that has never been intended by the authors of *any* volumes in *any* of the official history series that have dealt with the First and Second World Wars, the Korean War, and Australian involvement in Southeast Asian conflicts 1948-1975. Together these criticisms have done much to fuel the charge that from the very beginning there has been an official cover-up.

2.2 British by birth, Gill served in the British Merchant Marine in the First World War, and migrated to Australia in the 1920s, where he began a long career as a journalist and writer on naval and maritime matters. He joined the Royal Australian Naval Reserve and on the outbreak of war in 1939 was mobilised, spending most of the war years in the Naval Intelligence Division, where he was Publicity Censorship Liaison Officer. He was well placed to write the official naval history, not least in terms of his understanding of the interaction between high policy, intelligence and operational matters.

2.3 Gill's work in the Naval Intelligence Division has led to speculation that his account in the official history was biased in favour of the RAN, and that he went out of his way to protect that RAN and its senior officers from criticism. On the contrary, when approached by the official historian, Gavin Long,² to participate in the official history project, Gill insisted, as has every other author in the various official histories, that he be given unrestricted access to relevant records and that, except for comments that might compromise the intelligence-gathering process, he be free from any government censorship or restriction. Each volume in the Gavin Long series contains the statement that 'The writers of these volumes have been given full access to official documents but they and the general editor are alone responsible for the statements and opinions which the volumes contain'. Long's personal papers in the Australian War Memorial contain copious evidence of his determination to protect the integrity of his series, and his fierce resistance to any attempt to interfere with his and his authors' independence of judgement. Criticism of various drafts of individual volumes came from other governments, notably the British, who did not extend the same freedom to their own 'official' authors, and from prominent wartime individuals –

1 Canberra: Australian War Memorial, 1957.

2 The title 'Official Historian' is bestowed on the general editor of each series (C E W Bean for the First World War, Gavin Long for the Second World War, and Peter Edwards for Southeast Asian conflicts 1948-1975) or on the sole author of a whole series (R J O'Neill for the Korean War). Authors of individual volumes are not technically 'Official Historians' but authors of volumes in the 'official history'.

civilians and military – whose evaluation of their own performance did not accord with that offered in the official history. In every case, attempts to have critical comments deleted were rebuffed, and there is no evidence to support claims, such as those by Mr James Eagles,³ that Long interfered in Gill's writing. In the long history of 'official history' in Australia, there is only one documented case of an individual author having his judgement overridden: in the official history of Australian participation in the First World War, C E W Bean, bowing to pressure from the Naval Board which wanted a heavy-handed measure of censorship applied to the volume, undertook the final revisions himself, but retained most of Arthur Jose's sharp criticisms of lack of naval preparedness in the pre-war years.⁴

2.4 The term 'official history' is misleading, and its use has caused many critics in the *Sydney* controversy to attribute motives and outcomes to the authors of individual volumes – and to those who commissioned the volumes in the first place. The term 'official' does not mean the *authorised* (in the sense of *approved*) version. It simply means that at a time when official records are closed to members of the public under various archival restrictions⁵ (originally the '50 year rule', changed in the 1960s to the '30 year rule') a designated historian or group of historians has been given access to all records in order to write as full an account of a particular period as they are able. That privileged access at the time of writing may have given the official histories a special standing at the time of publication, but now that almost all the records relating to the Second World War are open to any researcher, the volumes must stand – or fall – on their own merits.

2.5 Gill's account of the *Sydney-Kormoran* encounter, including some background material, runs to only 14 pages, in a volume of 686 pages covering the first two years of the war. Many of the issues that submissions to the inquiry have canvassed are not raised in Gill's account, or rate only the barest of mentions. It is, therefore, extremely succinct – not unreasonably so given the overall range of the volume – but in its brevity it makes a number of points that have been central to the continuing controversy. Gill states that the reasons for Captain Burnett acting as he did can never be known with certainty: why did he bring *Sydney* so close to *Kormoran* as to negate his own ship's superiority of speed and fire power; why did he not use his aircraft to check more thoroughly on the *Kormoran* from a comparatively safe distance; and why did he not send a signal to Navy Office requesting confirmation of the presence in the area of the Dutch merchant ship *Straat Malakka*, which *Kormoran* claimed to be?⁶

2.6 While emphasising that it was not possible to answer these questions – there being no survivors from *Sydney* to provide information, let alone (obviously) any testimony from Captain Burnett – Gill does offer some possible clues to Captain Burnett's actions. He

3 Eagles, Submission, p. 3868.

4 See Ellis, S, 'The Censorship of the Official Naval History of Australia in the Great War', *Historical Studies* 20: 80 (April 1983), pp. 367-382. The fate of Arthur Jose, author of *The History of the RAN in World War I*, was better than that of his British counterpart, Julian Corbett, whose official history of the Royal Navy in the First World War was formally disowned in the front of the book by the Lords of the Admiralty. (Corbett was spared this humiliation by dying shortly before the book was published, but his death was attributed to causes related to the stress under which the whole episode had placed him.) This controversy was over a major difference of views on the naval conduct of the war between the leading British naval and maritime strategic thinker and the naval establishment, rather than over disputes on matters of individual fact.

5 See Chapter 3 on archives legislation in Australia.

6 See Chapter 4 for a more detailed discussion of these and other matters.

suggests that Captain Burnett may have been sensitive to the criticism that Captain Farncomb's expenditure of ammunition in his March 1941 clash between HMAS *Canberra* and the German ships *Coburg* and *Ketty Brövig* attracted in Navy Office, and to the comment by the Commander-in-Chief, East Indies, Admiral Leatham, that Captain Farncomb's caution in approaching no closer than 19,000 yards was excessive, and resulted in a waste of ammunition. Gill further speculates that Captain Burnett, 'influenced by the near approach of darkness ... was moved to determine the question quickly; and was thus swayed to over confidence'. Even had *Sydney* triumphed against *Kormoran*, Gill writes: 'it is improbable that it would have been without damage and casualties, and Captain Burnett would have been unable to explain the risks he ran'.⁷

2.7 Gill's short account was notable for its criticism of the manner in which the news of *Sydney's* loss was made public. The Navy Board and the Government were 'equally culpable' in failing to observe established censorship procedures, so that when the official announcement of the loss was made five days after the issuing of a censorship notice, rumours about *Sydney* had already started which 'threw suspicion' on the Government's announcement. This caused 'deep distress' to next of kin, whose 'pain and distress' continued to be fuelled by stories, 'either malicious or mischievous', of *Sydney* survivors being held in Japan.⁸ Thus did Gill lay much of the blame for the continuing speculation over the circumstances surrounding the loss of *Sydney*, speculation which many submissions to this inquiry have suggested still cause pain and distress to the families of the *Sydney* crew, at the feet of the political and naval authorities. Gill, however, did not attribute the actions of either the Government or the Naval Board to a desire to hide the truth, once that truth had been established with reasonable certainty, let alone to a wish to protect the collective reputation of the Navy, as several submissions have claimed, but to simple ineptitude. Their actions, according to Gill, were (to paraphrase him), incompetent but not malicious.

2.8 Gill's account – and the account by every other writer on the *Sydney-Kormoran* encounter – necessarily relied on the information that could be obtained from interrogating survivors from *Kormoran*. Gill described these interrogations as 'exhaustive', and said of the description of *Sydney's* demise derived from them that 'no room was left for doubt as to its accuracy'.⁹ Criticism of the absolute certainty of that judgement has been one of the constant themes in many of the submissions to the inquiry, but it must be said that Gill has his supporters. When Gill's volume was reprinted in 1985, it was introduced by Associate Professor John Robertson, a West Australian and himself the author of a distinguished study of Australia in the Second World War. Robertson wrote of the 'mystery' surrounding the loss of *Sydney*, especially the loss of its entire complement of officers and men compared with a high rate of survival on *Kormoran*, adding that the mystery 'has attracted the attention of amateur historians, resulting in a misleading version of *Sydney's* loss'. Robertson concludes: 'The best, most polished, account we have of its encounter with *Kormoran* is still Gill's gripping story'.¹⁰

7 Gill, G H, *Royal Australian Navy 1939-1942* (Canberra: Australian War Memorial, 1957), p. 458.

8 *ibid.*, p. 459.

9 *ibid.*, p. 453.

10 Robertson, J, 'Introduction to 1985 Reprint', in G H Gill, *Royal Australian Navy 1939-1945* (Sydney: Collins, in association with the Australian War Memorial, 1985), p. xx.

Michael Montgomery

2.9 Following the publication of Gill's first volume in 1957, nothing of any note about the *Sydney* appeared until Michael Montgomery, whose father, a Royal Navy officer, had been lost with *Sydney*, published *Who Sank the Sydney?* in 1981.¹¹ In contrast to Gill's sober and succinct narrative, Montgomery's account was wildly speculative and sensational. Despite his claim that it was not his purpose 'to stir up recriminations among parties to an episode now so far removed in time ...', he concluded his book with the hope that he had brought comfort to the bereaved families of *Sydney* who had been deceived 'all these years by the conspiracy of concealment', and that he had demonstrated to the wider public that the responsibility for the loss of *Sydney* should no longer be allowed to rest on '... the lonely, and conveniently silent, figure of Captain Joseph Burnett'.¹²

2.10 Montgomery was at pains to discredit Gill's description of the *Sydney-Kormoran* encounter, claiming that it was based almost entirely on an account written by the Medical Officer on board *Kormoran*, Dr S Habben, who was repatriated to Germany in 1943. According to Montgomery, an abbreviated version of Habben's account was published in the Nazi Party newspaper *Völkische Beobachter* in August 1944, and reproduced in the Australian press on 2 September 1945. In its original form, Montgomery states, it became the basis of Gill's account.¹³

2.11 The inadequacies of Gill's account are, in Montgomery's view, largely derived from the blatant and unresolved contradictions in Habben's account, which itself failed to reconcile conflicting versions given by various rescued members of the *Kormoran* crew before they had the opportunity to co-ordinate their stories. Among the conflicting details provided by various crew members, Montgomery notes the disagreement over whether the *Kormoran* was flying the Dutch or Norwegian flag at the point of interception by *Sydney*; whether *Sydney* had lowered its boat to approach *Kormoran* before the engagement took place; whether *Sydney* was hit by a torpedo from *Kormoran* before the latter opened fire with her guns; whether *Sydney* blew up shortly after the engagement rather than drifted away into the darkness; and whether *Kormoran* was abandoned hastily rather than scuttled in an orderly, unrushed manner.¹⁴

2.12 Montgomery rejected Gill's suggestion that Captain Farncomb's encounter with *Coburg* and *Ketty Brövig* might have influenced Captain Burnett's approach to *Kormoran*, making him more inclined to take risks:

It cannot be seriously entertained that he [Burnett] would have felt compelled to close to a distance of well under a mile in order to save himself from criticism applied to one of almost eleven miles.¹⁵

Montgomery took considerable care to establish at some length Captain Burnett's competence and reputation for caution and coolness, and concluded:

11 Montgomery, M, *Who Sank the Sydney?* (London: Leo Cooper, Secker and Warburg, 1983). Unless otherwise specified, references are to the 1983 edition.

12 *ibid.*, pp. 213-216.

13 *ibid.*, p. 30.

14 *ibid.*, p. 31.

15 *ibid.*, p. 97.

Yet we are asked to believe that this same man [‘a most capable and rigorously efficient officer with a thorough grasp of all aspects of naval procedure’] was guilty of ignoring the most elementary precautions and of flouting the most elementary rules of warfare ... Fortunately, there are other grounds for believing that this was not in fact the case.¹⁶

2.13 Those grounds are, in Montgomery's account, largely centred on the character and behaviour of the captain of *Kormoran*, Theodor Anton Detmers. Montgomery paints Captain Detmers as a politically committed captain who even in captivity maintained tight Nazi discipline over his fellow prisoners, and who while at sea was prepared to use ruthless, not to say illegal, tactics against his opponents. He was, says Montgomery:

... a man totally committed to his country's pursuit of victory and its prevailing ethos, who would follow without question the instruction of his Commander-in-Chief [Hitler] that ‘if decisive successes are expected from any measure considered a war necessity, it must be carried through even if not in accordance with International Law’.¹⁷

The reader is invited to believe that the latter sentiments (which are Hitler's words), were absolutely shared by Captain Detmers, although no evidence is produced to sustain this assertion, which is critical to Montgomery's thesis.

2.14 The central thrust of Montgomery's argument is that Captain Detmers did indeed engage in acts that were contrary to international law, by flying the flag of a neutral country (i.e. the Norwegian flag), by sending out a false distress signal – thereby luring *Sydney* in close, and by launching a surprise, illegal attack. Montgomery quotes a Government statement of 5 December 1941 to the effect that were those charges to be found to be true, the crew of the *Kormoran* would be treated not as prisoners of war but as pirates, liable to summary execution.¹⁸

2.15 Montgomery accuses Captain Detmers of further crimes against international law. He cites as proof of Captain Detmers' willingness to use illegal tactics – in this case his ploy of pretending to surrender and having his crew take to lifeboats that were to be rowed towards *Sydney* in order to provide cover for a torpedo launch – an account by Petty Officer H Kitsche, whose florid description concludes:

In the darkness a great ship split apart and disappeared, her brave crew with her. There remained only the monsoon, which roared an eternal requiem to the dead, and the memorial to Nazi treachery.¹⁹

2.16 According to Montgomery, Captain Detmers then compounded his criminality by having his crew use machine guns against those members of *Sydney* who had abandoned ship, for Montgomery argues that the carley float²⁰ that was subsequently recovered from

16 *ibid.*, pp. 53-57; quotation at p. 57.

17 *ibid.*, pp. 89-90.

18 *ibid.*, p. 107. The statement was published in the *Sydney Morning Herald*. Montgomery, *op. cit.*, p. 218.

19 Montgomery, M, *op. cit.*, 1981 edition, p. 151. Montgomery has italicised ‘treachery’ in his reproduction of this extract. For a telling refutation of Kitsche's account, see Frame, *op. cit.*, pp. 136-137.

20 See Chapter 7 for a detailed discussion of the carley float.

Sydney had a large number of machine gun perforations which to Montgomery indicates it was fired on *after* it had been launched into the water. This, Montgomery suggests, was entirely in keeping with Captain Detmers' previous actions, when – it is alleged – he had fired on lifeboats from the tanker *British Union* (18 January 1941) and the *Eurylochus* (29 January 1941).²¹ In order to conceal these illegal acts, Captain Detmers deliberately concocted the story of a cinefilm having been taken of the *Sydney-Kormoran* action, a film which had subsequently been lost but which would – conveniently – have proven the legality of *Kormoran's* actions as Captain Detmers subsequently described them.²²

2.17 The most striking of Montgomery's claims was that of Japanese involvement, specifically of a Japanese submarine which, according to Montgomery, took part in, or may even have been 'wholly responsible for', the 'disposal of the *Sydney's* survivors in the water'. No evidence is produced to support this assertion of Japanese involvement, apart from the disparity of survival rates between the crews of *Sydney* and *Kormoran*, and the suggestion that since the *Kormoran* survivors showed few signs of stress or exposure when picked up by *Aquitania*, they must have been assisted by a Japanese submarine.²³

2.18 In his final chapter ('The Navy's Cover-Up') Montgomery accuses the Royal Australian Navy of deliberately fabricating evidence to cover its own inadequacies by doing everything it could to underpin the German account, and by shifting whatever blame could be apportioned to those who from the very beginning could no longer respond, i.e. the dead. He concludes:

Small wonder, then, that they [the RAN] have sought to 'evade the subject', both in 1943 and ever since.²⁴

Whatever might be said of the evidentiary basis for these claims, they constituted a powerful, and for some readers, a compelling indictment, and the most sustained, if erratic, attack on Gill's version of events in the official history.

Barbara Winter

2.19 Three years after the appearance of Montgomery's book, Barbara Winter (Mrs Barbara Poniewierski) published *HMAS Sydney: Fact, Fantasy and Fraud*.²⁵ In the preface she explained her motives:

The spur was sheer disgust that hurt and insult continue to be caused by repetition, whether ignorant or malicious, of unfounded rumours – rumours which are generally based on pub gossip, self-important romancing, tasteless hoax, and at least one malicious forgery. It is

21 Montgomery, op. cit., 1983 edition, pp. 142-147.

22 *ibid.*, p. 147. Montgomery asserts that far from the film being lost by accident, it was thrown overboard on Detmers' own orders (p. 89).

23 *ibid.*, pp. 178-179.

24 Montgomery, 1981 edition, p. 213.

25 Winter, B, *HMAS Sydney: Fact, Fantasy and Fraud* (Brisbane: Boolarong Publications, 1984, reprinted with additions, 1990). Barbara Winter is actually Barbara Poniewierski, and it is under the latter name that she has made a number of submissions to the inquiry. For ease of reference, in the body of the report Winter has been used throughout; the footnotes indicate whether it is the book (Winter) or the submission or transcript (Poniewierski) being quoted.

time these were stopped by a bit of common sense and some genuine information.²⁶

2.20 Much more than either Gill or Montgomery, Winter's focus was on *Kormoran*, because, Winter writes, 'she was engaged in more action' and because certain details of 'her construction, her armaments, her orders and her early activities' were important factors in 'evaluating subsequent capabilities and actions'.²⁷ More than Gill or Montgomery (although in the former case, following the general pattern of the official histories to that time, there was no indication of sources used), Winter used a wide variety of sources, including German archival records and captured German records in American archives. This, together with the fact that she gave much greater credence to the accounts of the German survivors than Montgomery had been prepared to do, subsequently gave rise to charges that she was little more than an apologist for the allegedly fabricated German version.

2.21 The essence of Winter's account, indeed the central focus of all the *Sydney-Kormoran* accounts, is her reconstruction of the encounter. She based it on:

- (i) recollections of *Kormoran* survivors of actions they witnessed;
- (ii) usual procedures, either reported by former members of *Sydney* or recorded in log books;
- (iii) archival records of procedures, instructions and signals; and
- (iv) what was known of the character and personalities of officers involved in the action.

'The possibility of error is acknowledged', she added, 'but the account is a reasonable reconstruction'.²⁸

2.22 According to Winter, when *Kormoran* was sighted by *Sydney*, Captain Detmers had to play for time, hoping that he could lure the cruiser in close enough to negate through surprise its advantages of speed and firepower. Disguised as the *Straat Malakka*, *Kormoran* fumbled or delayed its response to signals from *Sydney* requesting identification, and Captain Detmers kept his crew out of sight. The picture thus presented to Captain Burnett was by no means clear: was this a merchant ship as it claimed to be, was it a disguised raider, or an enemy ship possibly carrying allied prisoners? Could it be captured and taken as a prize, perhaps with valuable documents on board, before its crew had time to scuttle it? As long as Captain Burnett had no real answers to these questions, caution cut two ways: the closer *Sydney* came to *Kormoran* in order to make a convincing identification, the greater the danger; the less sure the identification by keeping a safe distance, the greater the chance Captain Burnett had of making a serious mistake or losing a possible prize. When impatience to resolve the dilemma caused Captain Burnett to make the demand to which Captain Detmers had no answer except to fight – 'Give your secret call sign' – Captain Detmers gave the order to decamouflage. Within six seconds No. 1 starboard gun had fired, and 'within 20 seconds of the order to decamouflage *Kormoran*'s big guns scored their first hits'. *Sydney* returned fire, and within five minutes 'both ships were doomed'. As darkness fell *Sydney*

26 *ibid.*, p. i.

27 *ibid.*

28 *ibid.*, p. 127.

drifted over the horizon. 'Lifeboats had been blown to pieces; rafts or floats had been holed or blown overboard'. Some five hours or more later, some of the *Kormoran* survivors saw a 'sudden, silent flare' far in the distance: *Sydney* had exploded.²⁹

2.23 In its essential details, Winter's version of the *Sydney-Kormoran* encounter was remarkably similar to Gill's. In contrast to Gill's bald assertion that his account left no room for doubt, Winter devoted considerable time in her book to refuting many of the charges of inadequacy that had been levelled against Gill and which had found their most vocal proponent in Montgomery and his alternative explanation. Chapter 17, 'Aftermath', is a point-by-point refutation of the main charges, each of which Winter shows to be demonstrably untrue. Some of those charges were:

- that *Kormoran* was disguised as a Norwegian, not a Dutch, vessel;
- that *Kormoran* illegally opened fire under a neutral flag;
- that *Kormoran* pretended to surrender in order to lure *Sydney* within range of her torpedo tubes;
- that *Kormoran* must have machine-gunned *Sydney* survivors because splinters entered a carley float 'from above';
- that *Kormoran* might have machine-gunned *Sydney* survivors because of her previous actions against lifeboats from *British Union* and *Eurylochus*; and
- it was a Japanese submarine which finally sank the *Sydney*.

2.24 John Robertson's restrained comment in his introduction to the 1985 reprint of Gill's first volume was that 'Many of the questionable assertions in [Montgomery's book] are convincingly refuted in the more thorough [book by Winter]'.³⁰ What Winter had shown was that many of the 'questions' that were raised over the *Sydney-Kormoran* encounter were open to answer by careful reasoning and methodical analysis, and that those answers were, more often than not, straightforward and unequivocal. Her book gave little comfort to those convinced of a German conspiracy or an Australian Government and naval cover-up; indeed, she became the *bête noire* of those who sought, and continue to seek, darker explanations of the *Sydney* tragedy. Their continued attacks, in turn, have made her more determined to refute their claims, hence the number of her submissions to the inquiry.³¹

29 *ibid.*, pp. 125-139.

30 Robertson, 'Introduction to 1985 Reprint', *op. cit.*, p. xxi.

31 See Appendix 1 for details of submissions.

Tom Frame

2.25 The most detailed and analytical study of the *Sydney* story is that by Dr Tom Frame, *HMAS Sydney: Loss & Controversy*, first published in 1993.³² Frame stated in his introduction that his academic background – he holds a PhD in history – enabled him to move beyond the account of Gill (whom he claimed, without any elaboration, 'was naturally constrained by the inherent editorial limits of his task in what he could say about *Sydney*')³³ and of the 'more populist works of Montgomery and Winter'.³⁴ His own book, Frame asserted, 'has essentially superseded and by-passed the work of both Montgomery and Winter'.³⁵ While acknowledging Winter's achievement in 'painstakingly' identifying and discrediting various 'fantasies and frauds', Frame declined to pursue theories which he said either did not deserve the measure of credibility that a close examination would invariably bestow upon them, or which were essentially irrelevant to the main issue of why *Sydney* was sunk.³⁶

2.26 The structure of Frame's book is designed to draw out the 'evidence' surrounding the *Sydney-Kormoran* encounter, to analyse that evidence as it has been used by previous accounts, and then to pose a considered reconstruction of the event on the basis of what evidence stands up to scrutiny and what evidence has had to be discarded (and with it those earlier theories based upon it). Thus he asserts 'Montgomery's investigative method and literary style were better described as tabloid journalism than serious history'.³⁷ Winter's book is acknowledged as a 'reasonable and persuasive account', but is criticised as being too ready to accept the various German versions, despite their demonstrable variance, and to attribute the end result to the incompetence and professional deficiency of Captain Burnett.³⁸

2.27 Frame's criticism of Winter's alleged readiness to accept the overall veracity of the German accounts is important in underpinning his own reconstruction of what happened, which is based on a willingness to impute bad motives to Captain Detmers (he 'was just as disposed to commit a war crime as any other professional German naval officer').³⁹ Frame's reconstruction suggests that perhaps under cover of surrender, Captain Detmers unleashed a devastating attack on *Sydney*. Thus Captain Burnett's caution combined with Captain Detmers' treachery to produce a situation in which *Sydney* was doomed. Thereafter comments by Captain Detmers about the possibility of him being tried for war crimes is construed by Frame as evidence, or at least a strong suggestion, that Captain Detmers had good reason to think that his own past behaviour might render him so liable.⁴⁰

32 Frame, F, op. cit.

33 *ibid.*, p. x.

34 *ibid.*, p. xii.

35 *ibid.*

36 *ibid.*, p. xiii.

37 *ibid.*, p. 139.

38 *ibid.*, p. 141. Frame's example from Winter is not convincing. He quotes Winter's comment on Captain Burnett's lack of command experience (which is indisputable) and concludes: 'She thus infers that Burnett was incompetent'. This is, to say the least, a curious reading of Winter, who was making the point that Captain Burnett was inexperienced, not that he was incompetent.

39 *ibid.*, p. 218.

40 *ibid.*, pp. 218-219.

2.28 More than his analysis of the constituent parts of the controversy, it was Frame's conclusion that made him, and continues to make him, part of the controversy. His book ends with the words:

In the case of *Sydney*, we will never know *how it really was*. Those with an interest in the loss of this proud Australian ship must learn to live with the unknown, and the unknowable.⁴¹

These are unremarkable comments for an historian to make. They state what is surely obvious, namely that the evidence, such as exists, may not be able to advance an explanation beyond a certain point; that there are some questions to which there can be no answers; that speculation, however well founded, remains just that because it lacks a comprehensive evidentiary base. There are some things we cannot know. Many of those who have read Frame's book may have refused to accept that conclusion; indeed, they have been offended by it.

The *Sydney* Forums

2.29 In 1991 the Western Australian Maritime Museum convened 'The HMAS *Sydney* Forum', which brought together a number of historical researchers (Michael Montgomery, Barbara Winter and Tom Frame) and some of those interested in the question of how to locate the wreck of the *Sydney*. Over three days of presentations and discussions, the main elements of the emerging controversy were delineated, and the technical problems of locating the *Sydney* outlined in some detail. However, rather than producing any consensus among the historical researchers, the Forum served to accentuate the differences between them, and to entrench in some quarters the view that there was a cover-up at the highest levels, a cover-up in which some historians had become unwitting partners.⁴²

2.30 Another Forum was held in 1997, convened by the 'End Secrecy on *Sydney*' group,⁴³ but so marked was the antagonism between those who held differing views on a range of aspects of the *Sydney-Kormoran* encounter that the meeting degenerated into a partisan verbal melee and no record of the proceedings was produced. Both at the 1997 Forum and subsequently, the statement of differing views has become a dialogue of the deaf rather than a fruitful exchange within the norms of historical discourse.

41 *ibid.*, p. 231. Frame's use of the words 'how it really was' are a conscious reflection of the claim of the 19th century German historian, Leopold von Ranke (1795-1886), who stated in his preface to *History of the Latin and Teutonic Peoples*: 'History has had assigned to it the task of judging the past, of instructing the present for the benefit of the ages to come. To such lofty functions this work does not aspire. *Its aim is merely to show how things really were*' ('*wie es eigentlich gewesen*'). See Walsh, G, *History & Historians* (Canberra: School of History, ADFA, 1996), p. 162.

42 No formal publication emerged from the 1991 Forum, but the papers and transcript of the discussion were collated and made available on a limited distribution basis.

43 End Secrecy on *Sydney*, Submission, p. 3482.