

Abuse of Power and Institutional Violence in the ADF: a culture transformed?

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Introduction

It is vaguely ironic that the two social institutions with the highest reliance on authority are prisons and the military. Both use a uniquely punitive form of authority to enforce conformity to desired norms of behaviour but for starkly different reasons. In a prison, the need for strict discipline reflects a fear that prisoners are dangerous and need to be closely controlled at all times.¹ The fact they are being ‘punished’ also forms part of the rationale for how they are treated.

By contrast, military discipline is part of an indoctrination process that instils adherence to a new way of life and military code of behaviour; a process that reflects the unique extremes of the profession of arms, namely the requirement to face life-threatening danger and to apply violence in the service of the state.

Military training is expected to be physically and emotionally challenging to prepare trainees for the crucible of combat. Given the need to ensure all members will adhere to an order that might result in their own death, it was—and probably still is—believed that new recruits need to be more afraid of not adhering to the order than following it. Hence, military discipline is swift, reinforces personal responsibility (that is, to make the miscreant feel ashamed of failing and letting down the team) and is certainly punitive. This approach to military training and discipline continues to exist for one reason—it works.

From enlistment, new recruits learn their place in a military hierarchy where those with rank have authority over the minutiae of their lives. As volunteers, most enlistees cooperatively relinquish their personal freedoms during the process of training, suggesting they trust and acknowledge the centrality of military authority to the institution they have joined. While a few new joiners rebel against or even reject outright their lowly place in the military hierarchy, they either learn to ‘toe the line’ and conform or eventually they leave—but only after every attempt to instil conformity has failed.

In an institution as reliant on the exercise of authority as the military, it is not surprising for those lower down the rank chain to interpret this power as abusive. The difficulty is determining whether the use of authority is legitimate or represents an abuse. In the ADF, this issue is moot because official complaints against the abuse of power in the ‘here and now’, as opposed to the past, are relatively rare.² Partly, this reflects a culture where complaint can be construed as weakness or, worse, disloyalty. But more recently, it may be a sign that cultural tolerance for institutional violence and abuse of power has shifted in the modern ADF.

Abuse of power and institutional violence are not synonymous. Abuse of power in a legal sense is the ‘improper use of authority by someone who has that authority because he or she holds a public [e.g., legitimate authority] office’.³ In the ADF, this definition would refer to anyone who has a rank above Private (or its equivalent in the Navy or Air Force).⁴

Such behaviour does not always—or even often—have to include violence. Indeed, abuse of power is most likely to involve non-violent unfairness to demonstrate the relative powerlessness of a person more junior in rank. However, in more extreme cases, authority is used to intimidate by emotionally, physically or sexually abusing someone who lacks the power or status to defend him- or herself. By contrast, while institutional violence can involve abuse of power, it also relates to a pattern of ‘systemic’ violence inflicted by an individual or group towards one or more individuals of the same rank.⁵

While the ADF has avoided the catastrophic public relations disasters that have followed atrocities committed by deployed foreign troops against civilian or enemy forces in recent times, institutional violence and the abuse of power within the ADF itself has become an increasingly-sensitive issue for the Australian public. As a consequence of a series of highly-publicised ‘scandals’, human rights investigations and formal inquiries, the Australian public has developed an intolerance to unfairness within the ADF, especially where this results in harm to members and a lack of accountability by command.

The first tangible sign of this shift was in 1996, after a multiple Blackhawk helicopter crash resulted in the deaths of 18 service personnel. When the then Chief of Army publicly stated that the fault for the accident ultimately lay with the commander on the ground (in this case a Major), the backlash against the Chief of Army was sudden, extreme and almost certainly unexpected. Despite touting a line well used within his organisation, the Chief of Army quickly found himself under intense public criticism. No longer could senior ADF commanders avoid public opinion or confine an issue within the institution. An expectation now existed, both within the military and in the community, that senior leaders would assume accountability for whatever occurred under their watch.

This pressure for greater accountability in the ADF became even more insistent when the victims of abuse or mistreatment were women. By the late 1980s and early 90s, women’s rights had become a clarion call in the broader Australian society. So when the mistreatment of women by senior cadets at ADFA became a national scandal in the late 1990s, the general public was quick to respond. The Government commissioned an independent inquiry and, when it was found that among other things women were being pressured for sex by male cadets with authority over them, the reaction of the public was severe. The response to the Grey Review resulted in a root-and-branch overhaul of ADFA, including the permanent loss of the cadet hierarchy.⁶ This remains a peculiar feature of ADFA as an officer training institution to this day.

The perception that people of any rank could abuse their power in this way created a troubling challenge for the ADF, and certainly the ‘new’ generation of accountable senior leaders. Attempts were made to promote better behaviour and make changes but, as the scandals continued, public outrage grew louder and more damaging to the reputation of the ADF. When the scandal involving HMAS *Success* in 2009—which again involved the abuse of women—was followed by the ‘Skype’ sex scandal at ADFA in 2011, public opinion reached a crescendo.⁷ The Skype scandal touched a nerve among serving and previous-serving ADF members, both male and female, who appeared to identify with the story. Suddenly an unprecedented number of allegations about historical abuse were sent to the then Defence Minister, who realised there was a need to do something about institutional violence and abuse of power in the ADF.

The ADF as a whole may not have lost its moral compass but pockets within the institution appeared to be resistant to change. This was further demonstrated by the ‘Jedi Council’ scandal involving over 100 male Army officers and non-commissioned officers, who used social media and Defence’s email system to share private sexual images of female friends and colleagues without consent. The then Chief of Army showed unconcealed wrath in his now famous ‘Change or Get Out’ speech.⁸

Prior to the speech, the Chief of Army had met female victims of abuse in the Army and the experience brought home the impact this abuse had on those who suffered it. This speech, more than any previous comment from an ADF leader, indicated senior leaders in the ADF were as outraged by abuse perpetrated by those under their command as the Australian public. There is no question the vehement and well-publicised reaction of the Chief of Army circumvented further negative public opinion and a possible erosion in confidence of the ADF.

In 2012, the Defence Minister commissioned an investigation by legal firm DLA Piper to review the scope of initial complaints of abuse in the ADF. As a result of this investigation, the Defence Abuse Response Taskforce (DART) was commissioned to investigate historical incidents of abuse in the ADF.⁹ These

investigations resulted in the ADF being forced to address literally thousands of cases of abuse from serving and ex-serving ADF personnel (both as victims and perpetrators) dating back 60 years. The genie of institutional violence and abuse of power was now well and truly out of the bottle and this time it was not just women who were the victims, and not just men who were the only perpetrators.

The results of DART revealed a previously-hidden truth about this long and shameful history of violence. Young men (many just boys) were frequent victims of institutional violence at the hands of their male peers and men in authority over them. There was also a significant number of women who had been victimised by women during their training. The suffering of these young men and women was ignored by every layer of command; they were disbelieved, scape-goated and ultimately forced to watch in silence as perpetrators were rewarded with positions of authority and power in the system. Most of those who revealed their stories to DART, both male and female, had continued to suffer post-traumatic like symptoms for many years following the abuse.

Before the DART team published their results, the then Chief of the Defence Force sponsored two major cultural change documents, 'Beyond Compliance' and 'Pathway to Change', an ambitious five-year plan to evolve the culture of the ADF towards a more inclusive and accountable organisation.¹⁰ In a similar vein, the Navy had already commenced its own 'New Generation Navy' program, which also focused on addressing cultural change, as did the Air Force's 'New Horizon' program.¹¹ All three programs are impressive in their ideals and scope, and all seem to have had a more than grudging acceptance among service personnel.

While 'Pathway to Change', 'New Generation Navy' and 'New Horizon' suffered the inevitable problem of tarring everyone in uniform, particularly men, with the same brush, the publication of the DART report and two companion reports into institutional violence at HMAS *Leeuwin* and ADFA seemed to silence the most vocal critics. The shocking stories of sexual assault, physical violence, bullying, bastardisation and victimisation of so many young male and female members of the ADF simply defied belief. For those who have read the DART reports, the results are extremely sobering.

What are the root causes of institutional violence and abuse of power in the ADF?

Anyone reading these reports would have to ask themselves how and why such behaviour evolved and remained undetected for so long. For such widespread abuse to continue, leaders had to be complicit in the behaviour to varying degrees, whether by turning a blind eye or giving tacit approval. Indeed, it is doubtful much of this behaviour was even identified as 'wrong' at the time. The attitude most frequently reported in the early 1980s was that those targeted somehow deserved what they got because of perceived weakness or unsuitability.¹²

Jokes were regularly made about 'blanket-bashing' (wrapping a person in a blanket and beating them) and 'scrubbing' (scrubbing a person who purportedly did not wash with a hard brush). However, the implication seemed to be that there was nothing particularly harmful about the behaviour and, despite the fairly ubiquitous nature of this kind of discussion, rarely if ever did someone in authority openly state that the behaviour was unacceptable. Indeed, more senior people seemed to be 'in' on the joke.

In the absence of any clear, unequivocal statement about the 'wrongness' of institutional violence and abuse of power, it is easy to envisage how such behaviour could become 'normative'. While it has long been argued that human beings are programmed for obedience to authority and conformity, it is no longer accepted that people blindly follow orders they disagree with.¹³ Indeed, the evidence seems quite to the contrary; people obey orders, even orders that result in 'evil' outcomes, because they believe in what they are doing.

To emphasise this point, when Stanley Milgram first ran his obedience experiments in the 1960s, the reason most frequently given for continuing to follow orders by participants themselves—and to give what appeared to be life-threatening shocks to suffering people—was a belief the experiment was legitimate and that it advanced the cause of science.¹⁴ In other words, their decision to continue was not driven by pressure to conform to authority but reflected that they were cooperating because they agreed with the process.

Piero Bocchiaro and Philip Zimbardo reached a similar conclusion when they conducted a modern version of the Milgram obedience study in 2010.¹⁵ In contrast to Milgram, Bocchiaro and Zimbardo found that 70 per cent of the participants (all naïve to the original Milgram study) did not conform to the request to continue with an experimental procedure that appeared to harm another person. The most common reasons given for ending the experiment was they believed that stopping it was what most people would do and that it felt like ‘the right thing to do’. Bocchiaro and Zimbardo concluded that individuals do not blindly conform to authority but actually consider the rightness and wrongness of their actions and broader social norms.

The sad truth is that while the victims of violence and abuse in the ADF before the mid 1980s were predominantly male trainees, recognition that anything was ‘wrong’ simply eluded most people. Victims were categorised as slackers, odd-balls, no-hopers or similar, resulting in such effective depersonalisation that their mistreatment could be seen as consistent with the overarching intent of military training.

Of course, a victim did not have to be a particularly poor recruit, they just had to be singled out by an instructor or a peer as ‘a poor performer’ or ‘different’, which could be the green light for abuse and mistreatment. The use of communal punishments, where a group was punished for the poor performance of an individual, only fuelled this flame. The very fact that one was a ‘victim’ made one personally responsible for what was happening. Consequently, identifying oneself as a victim by complaining to the chain of command only cemented one’s status as deserving of abuse. As acknowledged by then Chief of Navy in 2014:

What happened at *Leeuwin* came about largely because of a culture that excluded rather than included. Where diversity was not tolerated, those that did not ‘fit in’ paid the price.¹⁶

The justification most commonly used to explain institutional violence during military training is the perception that survival may one day depend on the person serving beside you. As this is a scenario traditionally reserved for men, it is fair to argue that such men had a right to feel confident about the men who became soldiers, sailors and airmen. This is precisely why leaders may have turned a blind eye to unacceptable behaviour. If a man was not accepted by his peers then he was a threat to the survival of the group. It was the group who graduated from military training, not individuals. It was group cohesion, not individual identity, that drove success in combat. This mindset would have made it difficult to come out in strong support of victims, while at the same time enforcing standards within the group. In this scenario, the escalation of abuse was almost inevitable.

Of course, this story, like all smokescreens, seems so plausible it could even today be used to justify the ongoing mistreatment of trainees. Its plausibility acted most effectively on the very group of people who may have been able to stop the abuse, or at least investigate it; people with good intentions who believed in the values of the ADF and upheld those values throughout their careers—in other words, the vast majority of ADF personnel. While most people who joined the ADF were neither victims of abuse nor perpetrators of this behaviour, all would have heard the stories about institutional violence and many might have believed incidents of abuse were even normal or appropriate within the military.

To explain this point, Michel Larivière—reporting on research investigating the attitudes of correctional officers—noted that contrary to the stereotype, most correctional officers reported a personal concern about the rehabilitation and welfare of the prisoners under their watch.¹⁷ However, when asked to report on the attitudes of correctional officers generally, correctional officers themselves over-estimated the cynicism and punitiveness of their colleagues.

In this scenario, empathic correctional officers were more likely to overlook the punitive behaviour of their peers, while punitive officers felt their behaviour was normative within the group. Accordingly, it is not hard to envisage how a stereotype of punitive and abusive recruit instructors could create the impression that all military instructors were punitive and abusive, even though just a few adopted this type of behaviour. Nevertheless, instructors with a tendency to abuse trainees were unlikely to be identified as aberrant because their behaviour matched an accepted stereotype.

However, more than anything else, it is the nature of the abuse reported to DART that gives away the lie about the role played by institutional violence in the ADF. While 50 per cent of people responding to the DART reported instances of physical violence in the ADF that may seem consistent with a rough form of

barracks-room discipline (for example, 'bed-bashings', 'contact counselling', 'scrubbing' and similar), 38 per cent (834 out of 2224 cases) of the allegations reported to DART related to sadistic, homo-erotic, sexual abuse that had nothing to do with military life or training.¹⁸

'Woofing' (using a vacuum cleaner on a young man's penis), 'turkey slapping' (holding someone down and repeatedly slapping them with a penis), 'nuggeting' (smearing a young man's testicles with boot polish or toothpaste), anal penetration of young boys in their sleep with a wooden dildo, male pack rape, female rape and sexual abuse, and any number of other sexually-deviant behaviours, are not normal in any institution—and they are not consistent with military ideals, training or bonding.

The particular consistency of some of the behaviours aimed at young men remained unchanged over generations of trainees, suggesting they were systematically passed down by perpetrators from one group to the next. They were never reported by the men who suffered them, because they implied weakness, homosexuality or both. Being involved in homosexual behaviour, even as a completely-unwilling victim, was unmentionable in the ADF and broader Australian society at the time. These men literally had nowhere to go to complain and they held on to the shame of these secrets all their lives.

Violence and abuse of power as cultural artefacts

While the abusive treatment of women in the ADF provided the initial catalyst for cultural change, the one-sided nature of this argument has dramatically missed the point about institutional violence and abuse of power. Every time violence against women is identified as wrong, the subtle subtext appears to be that violence against men is 'not wrong', and that where sexual violence towards men is concerned, it does not happen. The results of DART provide unequivocal evidence that men have been frequent victims of institutional violence, including sexual violence, in the ADF for generations.

Other than the one investigation into bastardisation at the Royal Military College in 1969, during all this time there was no outpouring of outrage from the Australian public or from the Defence leadership of the day.¹⁹ Even now, men comprise 75 per cent of all victims of non-sexual violence in Australian society, and are arguably still likely to be the victims of abuse of power and violence in the ADF. Yet this has never raised significant comment. Men cannot be blamed for cynicism each time society and their leaders pour scorn on the perpetrators of abuse against women, when abuse against men is tacitly condoned by silence.

While bystanders can be roped into institutional violence, the majority of men in the ADF, or anywhere else, do not behave this way and it would be an insult to men to imply the behaviour is, in fact, normative. However, in the absence of an unequivocal leadership statement about the treatment of men in the ADF (or anywhere in Australian society), there has been a grey area, where the sexual mistreatment and physical abuse of men has remained invisible.

There is no evidence available anywhere in the world showing that victims or perpetrators of abuse and violence are 'improved' in any way by the experience, and yet this seems to be a hard fact for military members at all levels to accept. The belief that aggressive or violent people make the best warriors or that to be a 'good soldier one doesn't have to be a good human being' are perceptions that seem hard to shift among some elements of the military. That some of these 'hard' people were/are sexual predators of men as well as women has not been part of the discussion at all.

The way ahead

Herein rests the challenge for the ADF and, indeed, society at large in identifying and eradicating institutional violence and the abuse of power against men, as well as women. This issue gets to the murky core of precisely what constitutes an abuse of power towards men in an environment where aggression and combat-related violence are rewarded and highly valued.

In the past, perpetrators of abuse have been mistakenly cast as better warriors because they showed a willingness to use violence against other men. However, the evidence is now clear that this attitude gave a sub-class of these men an opportunity to physically and sexually abuse generations of young men and boys without any fear of exposure, due to a culture that failed to identify that such abuse against men was

wrong. Not only did the abusers maintain their place in the ADF but the culture of silence made cowards of those who stood by and accepted their tyranny and did nothing. In this scenario, the ADF had no heroes.

More than at any time in our past our defence forces have become an exemplar of our society. The ADF is not just called upon to fight but also to protect and serve our society. Humanitarian aid, rescue, disaster relief, protective and peacekeeping support are now commonplace roles for ADF personnel. Australians view such activities as reflective of a good and moral society and our nation is projected through these actions, consequently, it is increasingly incumbent upon ADF members to act appropriately. Even junior ADF members are being called on to assume leadership in a way that would have seemed a heresy in the old ADF, and they are rising to this challenge. The Australian public has also acknowledged and rewarded this new ADF by rating the military as the most trusted public institution in Australia for the past decade.²⁰

Criticisms of the 'old order' of the ADF are not intended to imply the institution was 'rotten' or 'morally corrupt', because it was not. However, outmoded and destructive training practices and mistreatment have no place in the modern military and must now be firmly, and forever, relegated to our past.

Anne Goynes and the contributing authors are from the Centre for Defence Leadership and Ethics (CDLE), which was established at the Australian Defence College's Weston Creek campus in January 2002. Its mission is to provide corporate-level military leadership and ethics research and doctrine development in order to shape expertise in these areas across Defence. CDLE's vision is to be the centre of expertise for the development of command, management, leadership and military ethics in Defence: <<http://www.defence.gov.au/ADC/CDSS/CDLE.asp>>

Notes

- ¹ Michel Larivière, 'Antecedents and Outcomes of Correctional Officers' Attitudes towards Federal Inmates: an exploration of person-organizational fit', doctoral thesis, Carlton University: Ottawa, 2001, available at <http://www.csc-scc.gc.ca/research/forum/e141/141e_e.pdf> accessed 6 October 2015.
- ² L. Roberts-Smith, *Report on Abuse in Defence*, Defence Abuse Response Taskforce (DART) Report, Commonwealth of Australia: Canberra, 2014. The DART report noted there was significant under-reporting of abuse by serving members within the ADF. There was a perception that the abuse was tacitly or directly condoned by command and therefore unlikely to be taken seriously or investigated.
- ³ *West's Encyclopedia of American Law*, Vol. 2, Gale Group: Farmington Hills, 2008.
- ⁴ This does not include 'technical authority' which can apply to members without rank.
- ⁵ By 'systemic', the authors are referring to a pattern of violence rather than a random act of aggression. Systemic violence as practised in the military has a particular identity; it usually has a name (for example, 'scrubbing'); it follows a similar pattern; and it can be committed by different groups over generations.

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- 6 Bronwyn Grey, *Australian Defence Force: report of the review into policies and practices to deal with sexual harassment and sexual offences at the Australian Defence Force Academy*, Director Publishing and Visual Communications: Canberra, 1998.
- 7 In early 2012, a young female Officer Cadet from ADFA went to the media after she became aware that two of her 1st year colleagues had filmed her in consensual sex act without her knowledge and streamed the footage to a group of young men in her year group in an adjacent room. The young woman did not believe the ACT police were intending to charge the two men who set up the camera, so she decided to demand action be taken on national television, thus prompting a nation/international scandal.
- 8 See, for example, ABC News, 'Chief of Army David Morrison tells troops to respect women or "get out"', *ABC News* [website], 14 June 2013, available at <<http://www.abc.net.au/news/2013-06-14/chief-of-army-fires-broadside-at-army-over-email-allegations/4753208>> accessed 6 October 2015.
- 9 Roberts-Smith, *Report on Abuse in Defence*; L. Roberts-Smith, *Report on abuse at the Australian Defence Academy*, Defence Abuse Response Taskforce (DART) Report, Commonwealth of Australia: Canberra, 2014; and L. Roberts-Smith, *Report of abuse at HMAS Leeuwin*, DART Report, Commonwealth of Australia: Canberra, 2014.
- 10 C.W. Orme, *Beyond Compliance: professionalism, trust and capability in the Australian profession of arms*, Commonwealth of Australia: Canberra, 2011; and Department of Defence, *Pathway to Change: evolving Defence culture*, Commonwealth of Australia: Canberra, 2012.
- 11 See, 'Next Generation Navy', *Navy* [website], available at <<https://www.navy.gov.au/navy-today/new-generation-navy>> accessed 6 October 2015; and 'Air Force Values', *Royal Australian Air Force* [website], available at <<http://www.airforce.gov.au/About-us/About-the-RAAF/Air-Force-Values/?RAAF-P1m6QSkD2B/teTTYHuezoElikbosHGEX>> accessed 6 October 2015.
- 12 These reports are not formally documented but reflect informal, casual conversations between Service personnel and the authors.
- 13 S. Haslam and S.D. Reicher, 'Contesting the "Nature" of conformity: what Milgram and Zimbardo's studies really show'. *PLOS Biology* [website], 20 November 2012, available at <<http://journals.plos.org/plosbiology/article?id=10.1371/journal.pbio.1001426>> accessed 6 October 2015; P. Bocciaro and P.G. Zimbardo, 'Defying Unjust Authority: an explanatory study', *Current Psychology*, Issue 29, No. 2, 2 May 2010, pp. 155-70, abstract available at <<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2866362/>> accessed 6 October 2015.
- 14 S. Milgram, 'Behavioral Study of Obedience', *Journal of Abnormal and Social Psychology*, Issue 67, No. 4, 1963, pp. 371-8. In a now famous series of experiments, Milgram found that up to 65 per cent of participants in an obedience study would give 'fatal' electric shocks to a confederate completing a learning task, because they were told to keep going by an experimenter in a white coat. As a result of their apparent 'obedience' to authority, Milgram concluded that almost anyone could be induced to conform to an authority figure asking them to do evil things, leading to the now much-disputed 'banality of evil' hypothesis.
- 15 Bocciaro and Zimbardo, 'Defying Unjust Authority'.
- 16 Official response to the DART report into HMAS *Leeuwin*.
- 17 Larivière, 'Antecedents and Outcomes of Correctional Officers' Attitudes towards Federal Inmates'.
- 18 Roberts-Smith, *Report on Abuse in Defence*, p. 94.
- 19 Gerald Walsh, an academic at the Royal Military College Duntroon in the 1960s, reported on the issue of hazing at the College to the Commandant, setting off a public scandal about bastardisation.
- 20 A 2004 study found that 91 per cent of Australians surveyed reported a high level of confidence in the ADF: C. Bean, 'Is there a crisis of trust in Australia?', in Shaun Wilson *et al* (eds.), *Australian Social Attitudes: the first report*, University of NSW Press: Sydney, 2005, pp. 122-40, available at <<http://eprints.qut.edu.au/5624/1/5624.pdf>> accessed 6 October 2015.