

# Australian anti-war whistleblower David McBride passes one hundred days behind bars

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29 August 2024

The courageous whistleblower David McBride last week passed one hundred days in prison, having been convicted of “national security” offences and then sentenced to five years and eight months incarceration in May. The minimum term of imprisonment is two years and three months.

McBride is the first and so far the only person to have been jailed over documented Australian war crimes that were perpetrated in Afghanistan more than a decade ago. The individual who is being punished did not commit the atrocities, including the brutal murder of prisoners and civilians, but helped to expose them.

This travesty and McBride’s plight are now scarcely mentioned in the official media. The major publications waged no campaign against the whistleblower’s prosecution. Since he was convicted, they have said little to nothing about the enormous threat that his imprisonment poses to freedom of the press and freedom of speech.

That is entirely in line with the role of the press as an adjunct of the state, particularly the eruption of militarism. While they remain silent on McBride, the major papers and television outlets continually promote the aggressive US-Australian military build-up against China. At the same time, they have sought to delegitimise mass opposition to the Israeli genocide in Gaza, constantly conflating opposition to the Zionist war crimes with antisemitism.

McBride, despite not being convicted of any violent offence, is being held in draconian conditions.

The official X/Twitter account of his supporters posted on August 22, “Today marks 100 days since Dave was sent to jail. He has seen one daughter once. Visits are restricted. He’s been moved five times due to death threats.” It appealed for donations to help fund his appeal.

An earlier update by McBride’s lawyer, Eddie Lloyd, published on August 3, provided more details. Lloyd explained that McBride “was initially placed in a wing with lifers until another detainee threatened his life. He was then moved into a maximum security cell block where a further

threat was made to his life—it is not known whether this threat came from a detainee or not.”

McBride was then placed in segregation for eight days, which Lloyd noted is the “punishment wing of the jail.” There he was “locked in his cell for 23 hours a day and given 1 hour a day to go to a small bitumen yard surrounded by barbwire to exercise.”

After this ordeal, McBride was moved to another maximum-security wing, and instructed that he needed to undertake a program for drug or alcohol rehabilitation, despite having no current addiction issues.

His access to emails from his daughters was cut off and his visits were restricted to only one hour per week. Lloyd wrote: “He no longer has access to the gym. He has a cell mate who has a serious mental illness and is withdrawing from methamphetamine and screaming throughout the night. He has no access to natural light.”

McBride, who was an army lawyer and saw combat theaters over many years, suffers from post-traumatic stress disorder. Even within the framework of the generally brutal prison system, his treatment smacks of an attempt to inflict the maximum psychological and physical toll on the whistleblower.

The treatment recalls the brutal state persecution of WikiLeaks publisher Julian Assange, detained for over fourteen years, including more than five in Britain’s Belmarsh Prison, for his exposure of US war crimes in Iraq and Afghanistan. The assault on the Australian citizen, deemed “psychological torture” by United Nations and medical experts, was facilitated and aided by successive Australian governments, Labor and Liberal-National alike.

In the case of McBride, the federal Labor government is directly responsible, holding the keys to his prison cell.

Labor’s Attorney-General Mark Dreyfus rejected calls for him to use his powers to terminate the prosecution, ensuring that it proceeded. Prosecution lawyers, working with the government, successfully barred McBride’s main line of

defence. McBride had intended to argue that he was legally obligated to disobey orders aimed at suppressing the war crimes, because they were in violation of international law.

Instead, the court adopted the prosecution line that subordinates had no responsibility but to obey command, compelling McBride to plead guilty to three “national security” charges.

That authoritarian line was reinforced in the sentencing remarks of Supreme Court Justice David Mossop. The judge said he could have handed down a more lenient sentence, but stringent penalties were required “to deter others from such conduct. They must know that breaching their legal obligations... will be met by significant punishment.”

The prosecution of McBride was a continuation of a years-long cover-up of the war crimes in Afghanistan. He had approached Australian Broadcasting Corporation (ABC) journalists with evidence of the atrocities, only after his attempts to raise the issue within internal military channels were rebuffed. The resulting 2017 ABC stories, adding to earlier exposures, showed that Australian Special Forces had likely murdered Afghan civilians, including children.

In an attempt to limit the damage, an official investigation was convened. Dubbed the Brereton Inquiry, it reported in 2020 that there was “credible evidence” that Australian Special Forces soldiers murdered at least 39 Afghan civilians and prisoners between 2009 and 2013.

That finding fully vindicated McBride. But the moves to prosecute the whistleblower continued seamlessly. Meanwhile none of those who perpetrated the war crimes has been held to account. And above all, the military command and government figures responsible for Australia’s neo-colonial occupation have faced no consequences. The primary purpose of the Brereton Report was to advance the claim, which is entirely unbelievable, that command and government were ignorant of the war crimes as they were occurring.

Labor government ministers, many of whom were in office when the war crimes were perpetrated, have insisted it is necessary to “move on,” lest the “morale” of the military be adversely affected, as they have proceeded with their persecution of McBride.

Undoubtedly, there are fears that more will be revealed. That likelihood was underscored by a report in the *Saturday Paper*, reporting new allegations of atrocities, as barbaric as any that were previously known.

Revealing a hitherto unreported incident that allegedly occurred in 2007, the *Paper* stated: “Villagers say foreign forces took the men from their homes, mistaking their involvement with the Taliban, before immolating them. They say their hands were tied before they were put in the car and allegedly set alight.” The villagers state that

Australian military personnel were among the perpetrators of this horrific crime.

Afghan-based human rights organisations have consistently indicated that the true toll of the murderous Australian military operations in that country is many times higher than was indicated in the Brereton Report.

The imprisonment of McBride is not only aimed at covering up past crimes. It is a preparation for new and even greater horrors.

McBride’s prosecution proceeded as the Labor government, elected in May, 2022, moved to complete Australia’s transformation into a frontline state for a US-led war against China. The north and west of the country are being dotted with what are effectively joint US-Australian military bases, while American strike capabilities, including those that can carry nuclear weapons, are being deployed to the continent.

Labor is presiding over the largest build-up of the Australian military since World War II, centred on the acquisition of missile capabilities and other offensive weaponry across every domain. The Labor-commissioned Defence Strategic Review, which recommended this program last year, insisted that the war drive must be a “whole-of-nation” effort. It explicitly warned that popular opposition could hinder the preparations for a catastrophic conflict.

It is to attack and menace that opposition that McBride is behind bars. That underscores the need for workers and young people to defend the courageous whistleblower, including by demanding his immediate and unconditional freedom. This defence of democratic rights, which can only take the form of a political fight against the Labor government, is a critical component of the fight to build an international anti-war movement directed against the source of authoritarianism and conflict, the capitalist system.



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