

The Killing Initiative: The Blackwater Sentences

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The world of private defence contractors, the modern version of the fabled Condottiere without the flags and the city-state veneration, received a blow with the handing down of stiff sentences on four former Blackwater operatives. Last year, the four in question, part of Blackwater's Support Team Raven 23, were convicted in the Washington, D.C. federal court for killing 17 Iraqis in Baghdad's Nisour square in 2007.

The sentences of Paul A. Slough, Dustin L. Heard, Nicholas A. Slatten, and Evans S. Liberty, damn a certain form of warfare, but they do not reverse it. The convictions have, instead, been taken as justification about a certain type of warfare, one waged in the US courtroom in the name of pleasing others and soothing consciences. "This verdict," argued US attorney Ronald C. Machen Jr., "is a resounding affirmation of the commitment of the American people to the rule of law, even in times of war." [1] In other words, killing must be executed with principle, and such a massacre was not meant for the good books.

The fractured, frittered state is a hungry behemoth. The Private Military Company (PMC) is its rather aggressive, and mostly vicious offspring. As Sean McFate posed in *The New Republic* last year, the US is faced with a set of strategic choices: "1) avoid all wars in the future; 2) institute a national draft; 3) use contractors. I doubt a presidential or congressional campaign would survive options 1 and 2." [2]

Wars are now being waged by corporations, and through corporations. Since the late 1980s, governments have been looking at moving various functions to the market, be they in the realm of actual combat, or those associated with logistics.

The code of engagement is less that of public international law than privateering in the oldest sense of the term, a plunderer's charter in the name of pay and fortune. "The picture that has emerged," as Rain Liivoja suggests in the *Leiden Journal of International Law* (Dec 2012), "is one of complete chaos and lawlessness: DynCorp employees trafficking and molesting girls in Bosnia, CACI staff members abusing prisoners at Abu Ghraib, and trigger-happy Blackwater and Aegis gunmen shooting at civilian vehicles in the streets of Baghdad."

In 2010, the US used 175,000 troops and 207,000 contractors in conflict zones. [3] This invariably means that contractors, while also doing more killing, are being killed. Fortune has a habit of stealing as well and granting.

Blackwater became the star studded monster in this endeavour, having risen to fame after the 1999 Columbine school massacre when it taught police how to "handle" such situations. Where there is death, there is Blackwater swooping in with advice and material. The

company proceeded to sell lethal services in the way one sells car products and travel accessories. It sold merchandise with logos and brand recognition. It provided boots on the ground for the US State Department, the Pentagon and the CIA. It became the most accommodating of killers.

The rationale of its founder, Erik Prince, says it all: the heavy-handed business sense that insists on over-delivering to your clients, being the standard bearer, not so much of a new form of war as an old system that rejects the primacy of citizen soldiers. Then, Prince sold his demon child. The field became crowded, with “too many firms competing for a shrinking pie.”[4]

The existence of such contractors assists in prolonging, rather than halting, conflict. Security vacuums transform into magnets for PMCs. The nexus between terror and instability is maintained, while building and reconstruction side of matters is left to wither. This has been seen in the case of Afghanistan and Iraq. But the global PMC market is marked by two trends, as noted by McFate. There is the globalisation model, the globe-trotting contractor personified by the antics of Blackwater. Then come the indigenous types – local warlords keen to staff their contracted entity with locals, keeping matters appropriately tribal.

The extent with which the nature of such companies has been normalised can be gathered by critics of the Blackwater verdicts. On the website of the Sean Hannity show, sibling of one of the convicts, Jessica Slatten, notes the former employees as “decorated veterans” who, instead of wearing “dress blues adorned with medals earned for honourable military service” will face “jumpsuits and shackles”.[5]

Then there was the evidence. Iraqi witnesses were singled out for inconsistencies. There was a conspicuous absence of precise ballistics linking the deaths directly to the gunmen. Here, the artificiality of law and war is revealed: the attempt by the legal eagle to claw its way into the working mind of the blood-rushed shooter. The obvious point is that Blackwater operatives should never have been there to begin with, the legacy of an illegal war that laid waste to a state and its institutions.

Did their status as combatants matter? No, according to Slatten. They “fought for freedom, only to sacrifice theirs because of defensive actions taken on foreign soil, in a war zone, under imminent threats to their safety.” How that computes with killing Iraqi civilians is not made out, but such apologies tend to find victims in those who pull triggers, rather than those who receive the bullets.

The fact that an entity like Blackwater can change its name first to Xe and then Academi says much about the shape changing nature of the industry, one of advertising, fiddling adjustments, and ultimately, instability. Punish its delinquent associates, by all means, but accept the existence of their employees and what they provide. These are, as P. W. Singer has suggested, the “corporate warriors”.[6] When there is crisis and scarcity of resources, external help will be sought, less from “a state or even an international organization but rather the global marketplace.” Even the United Nations is considering moving more of its operations to such service providers. What a crude form of legitimisation that would make.

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Notes:

[1] http://www.nytimes.com/2014/10/23/us/blackwater-verdict.html?_r=0

[2]

<http://www.newrepublic.com/article/119975/blackwater-convictions-dont-mean-end-mercenary-war>

[3]

<http://www.newrepublic.com/article/119975/blackwater-convictions-dont-mean-end-mercenary-war>

[4]

<http://www.economist.com/news/business/21590370-industry-reinvents-itself-after-demise-its-most-controversial-firm-beyond-blackwater>

[5]

<http://www.hannity.com/articles/news-476261/oped-massacre-of-justice-blackwaters-raven-13491783/>

[6] <http://www.cornellpress.cornell.edu/book/?GCOI=80140100946630>

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