Private Military Companies and Sacrifice: Reshaping State Sovereignty

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During the occupation of Iraq in 2008, contractors of the private military company (PMC) known formerly as Blackwater were found to have adopted the motto of 'What happens here today, stays here today' (Scahill, 2011: 10). Whilst this evokes certain notions regarding the elusive ethical nature of PMCs in conflict-zones, to what extent does such a statement concern how the combat deaths of privately-hired soldiers on the battlefield are to be remembered? This essay argues that the use of PMCs by states fundamentally alters a crucial tenant of sovereign power during war regarding national sacrifice. Through the adoption of a Foucauldian biopolitical framework (Foucault, 2008), it will become clear that the notion of sacrifice, as well as the connection between citizen-soldiers and the nation, serve as an important source of national cohesion for states, and a way of restraining its power by citizens.

With increasing shifts towards the state's emphasis on preserving and reproducing the lives of its population, the state has increasingly relied on the sacralisation of fallen combatants to justify the need for going to war. However, the incorporation of soldiers from private companies in war efforts causes the link between the nation and sacrifice to be transformed. By framing them as being outside the official remit of state violence, governments are able to effectively disavow any responsibility for, and recognition of the deaths of private combatants. As such, this limits the degree of public exposure to their plight to the extent that a 'shadow army' (Washington Post, 2020) is created; serving the interests of states whilst simultaneously operating outside of it.

Moreover, PMCs transform the connection between sacrifice and national identity from a citizens' perspective too. Perceived as being motivated by profit and self-interest, the causes of private contractors are undermined through the publics' lens in comparison to the noble and brave national soldiers who risk their lives for the protection of the community. Consequently, the deaths of private contractors on the field fail to garner public memorialisation in the same manner as citizen-soldiers. The severing of any emotional connection with these individuals thus dehumanises their bodies, to the extent that the loss of life is relegated to the realm of private mourning.

Within the existing literature, there has been relatively little attention paid to how PMCs affect state sovereignty in relation to sacrifice. Whilst Taussig-Robbo (2009) has exposed the legal issues for the US government surrounding private contractor casualties operating in US overseas missions, this does not capture the specific Foucauldian dilemmas around why privately-hired soldiers serve to create a new reconfiguration of sovereign dynamics.

National Sacrifice as a Source of Biopolitical Sovereignty

Foucault asserted that the modern sovereign state is characterised by an increasing commitment to biopolitics; that is, the preservation and fostering of individual life within the nation (Cooter & Stein, 2013: 187). Such practices involve not only improving the rates of human morality and vitality (Foucault, 2008: 317), but also delegitimising the state's ability to use arbitrary coercion against its citizens. Yet, despite this focus, Foucault never observed the problem that biopolitics posed for the state surrounding the practice of war, where a tension between aiming to protect life but also the necessary exposure of it to death comes to the foreground.

One of the most enduring components of sovereign power has historically been the ability to exclusively exercise violence and force within a given territory (Weber, 2004: 33). Prior to the Enlightenment period and the emergence of republican norms, this tenet of sovereignty was organised repressively. The sovereign commanded the obedience of his subjects and could use force against them based on a mutual relationship of protection – 'the sovereign protects me, and it is because of this that he has the right to force me to obey him' (Chamayou, 2015: 177-178). Nevertheless, sacrifice was an important aspect of this relationship in rallying the population to fight for the sovereign's conquests, since the very protection that the state was considered to offer to its citizens meant that they were duty-bound to offer protection for their sovereign in times of war. Dying during conflict was revered in the name of the survival of the sovereign and the security he provided for the community (Chamayou, 2015: 179).

With the erosion of authoritarian rule in the nineteenth century, sovereignty underwent a significant transformation. Whereas power was previously centred on the monarch and their authorisation of death, new notions of popular sovereignty entailed that the citizens of the state wielded power which tied the state to its will (Baggiarini, 2015: 132). At the same time, sacrifice as a concept also underwent normative changes as governments sought to find new emotive ways of persuading an increasingly sceptical population that conflict could be justified, particularly when conscription was phased out in favour of voluntary military service. Rather than framing wartime sacrifice as a duty-bound requirement to protect the state, sacrifice in the biopolitical era is a selfless act of protecting the lives of fellow *citizens* and the future reproduction of that life against danger (Dillon, 2001: 51). In this sense, the very preservation of life through the deaths of combatants is pushed to the forefront of the public's mindset as a way of discursively legitimising its necessity.

Public war memorials and ceremonies encapsulate the ways in which the sacralisation of dead soldiers strengthen national unity. Events such as National Armistice Day erode individual identities through acts of communal grief, where 'loyalty and devotion to the nation appears as a natural extension of the solidarity and love for friends and family' (Smith, 2001: 582). Excessive symbolism deployed during these situations in the form of flag-draping, national anthems and military parades equally reinforces in-group boundaries which solidify the territorial state model. Simultaneously, these visualisations stoke up patriotic fever which can transform the mourning of the sacralised dead into a retributive justification for violence against those who caused it (de Wit, 2016: 49).

However, it is important to note that the notion of sacrifice is also a source of power for citizens in restraining the decision of the sovereign to go to war. If citizens are not convinced that foreign intervention through military means is considered important enough for risking their lives or that of their compatriots, they are likely to place considerable strain on government war efforts (Finn, 2012: 22). This is particularly true for democracies, who must ultimately draw on the *voluntary* service of their citizens to conduct war.

Delegitimising Claims for Sacrificial Recognition: Nation-States and Accountability

Since sacrifice is the social legitimisation of a particular form of violence that would otherwise be seen as a crime in society (Smith, 2000: 19), the state's decision concerning who is considered eligible for public memorialisation, and for what acts of violence, remain an important asset for justifying governmental violence.

Often such designation rests on a dichotomy between a so-called 'public-private' distinction of the use of force, with the nation-state considered to be situated in the former category. This discourse stems from the nineteenth century, when the strengthening of the centralised state enabled the institution to frame itself as a distinctly 'public' domain. Its use of force came to be synonymous with the furthering of the nation's collective interests, and was carried out in a manner that was ethically superior to 'private' actors since it was constrained under the rubric of domestic and international law (Owens, 2008: 903). As a consequence of this rhetorical idea, however, the sovereign became increasingly held accountable for any violent actions, as the public's expectations of how certain wars were considered to be within their interests began to be questioned. In this sense, sacrificial honouring was a powerful emotive device in providing 'some kind of meaning to the deaths of its fallen [citizens]' (de Wit, 2016: 49).

Yet, the use of private contractors during war fundamentally disrupts this tradition; it unshackles the government from public scrutiny through the deliberate admonishment of responsibility for the actions of private combatants on the

field, and undermines their 'worthiness' for public memorialisation. PMCs are generally considered by sovereign states as 'private' enforcers of violence – lying outside the official remit of their domain of control. Much of the existing literature has formulated the relationship between these two spheres of violence as an inherently zero-sum game where PMCs threaten the state's monopoly on the use of force (Maogoto, 2006; Turcan & Ozpinar, 2009). However, this overlooks the ways in which private contractors complement governmental war efforts. In many Western countries, the state monopoly on violence refers to the *control* over the legitimate use of armed force, not its actual exercise (Krahmann, 2013: 65). Governments can therefore utilise PMCs but not hold responsibility for any on-field actions, which are designated to the company itself. Private combatant causalities thus form a crucial component of these outsourcing measures. Since the connection between sacrifice and fallen soldiers is intimately tied to the perception of the 'citizen-soldier', and how the state considers itself accountable for justifying the risk of citizens' lives in conflict, the deaths of private contractors on the battlefield falls outside any recognition of this. Indeed, the biopolitical commitments of preserving the life of the public which enable sacrifice to be deployed so effectively in a paradoxical state of war do not extend to the bodies of these soldiers.

Given the extent to which the majority of PMCs reside in the US, and its prevalent use of them in recent decades serving alongside the US Army (Kidwell, 2011: 67), the government has demonstrated a remarkable lack of honouring or even *acknowledging* fallen private contractors. The US's intervention in Afghanistan has been described as 'The Longest War' (O'Connell, 2017). Starting in 2001, the country has been locked in its longest historical conflict which has spanned eighteen years. Yet, its prolonged military presence has been increasingly met with scepticism by the public, where the lack of apparent long-term objectives and high US Army casualty figures have led to cross-party support for the withdrawal of US troops from the region (YouGov, 2018).

However, Afghanistan still remains an incredibly important strategic location for the US government in regards to its foreign policy. As Kemp (2014) notes, US presence is deemed essential by security agents in an 'unstable, nuclear-armed region', as well as due to moral justifications regarding fears over reversals in hard-fought human rights gained for Afghan women and minorities (Kemp, 2014: 153-154).

Nevertheless, this dilemma appears to have been solved by private military contractors; in February 2020 President Trump announced that the US had agreed to a total withdrawal of US troops from the region over the next year. Yet, this agreement was exclusively phrased in relation to national soldiers of the US Army, and stated nothing regarding the status of private contractors in Afghanistan (Washington Post, 2020). This is significant because recent studies have underscored how PMCs now make up, alongside other contractors, more than half of the total military personnel operating in the region (Washington Post, 2020).

Perhaps more importantly, not only have more private combatants died in the region than the total number of US troops deployed in recent years, but they are four times more likely to be killed than unformed personnel (Schooner & Swan, 2012: 26). Despite this clear reliance on PMCs and the degree to which they are significantly more likely to die in battle serving US foreign conflict objectives than national troops, the US government has delegitimised any claims of these individuals for public sacrificial honouring by refusing to recognise any attribution for their deaths. This is evidenced by the fact that the current responsibility for reporting private contractor casualties in the US still operates within a *corporate* manner; a contractor's death is only revealed once a family or employer files a claim for insurance compensation (Schooner & Swan, 2012: 28). Yet even this process devalues the bodies of military contractors, since around 68% of all insurance claims are not reported by PMC employers in a timely or efficient way (Schooner & Swan, 2012: 29). In this sense, private military combatants sever the vital link between national identity and sacrifice which has been a prominent tool of public accountability for the decision of governments to go to war. As Zenko (2016) highlights, this 'silent majority' that the US is deploying enables the state to limit public awareness to controversial conflicts that it seeks to continue whilst simultaneously bolstering popular support through a formal withdrawal of citizen-soldiers.

Citizens and the Dehumanisation of Private Military Deaths

The government's framing of what is considered an act of national sacrifice, and who is worthy of it also disseminates into the views of the wider citizenry. Considered as part of the state's legitimate use of force, the decision of fellow

countrymen to voluntarily join the national army is conceptualised by the public as an act of ultimate bravery that cannot be challenged. In particular, messages displayed on war memorials often emphasis the collective and selfless outlook that these individuals incorporate into their decision, with phrases such as 'they died that *we* might live' undercutting individual difference within society and uniting the country around the preservation of collective life (Ruston, 1990: 505). Yet the idolisation of citizens' bodies through sacrifice also has the effect of increasing resistance to certain conflicts where the biopolitical framing of preserving and enabling the reproduction of the national community is not clear to citizens. As Denton-Borhaug (2010) notes, committing to putting's one life at risk or that of one's relative 'only makes sense when one knows it's going to be 'worth it' and make a lasting positive impact' (Denton-Borhaug, 2010: 185). Thus the traditional connection between sacrifice and the nation provides legitimacy for states to fight wars.

However, private contractors do not fit neatly into this narrative, and as a result change the way in which citizens perceive war in relation to sacrifice. In contrast to the positive notions surrounding citizen-soldiers and their motivations for going to war, historically negative norms around mercenaries have re-emerged in the era of the private military corporation. Perceived as operating outside of the government's domain of violence, they are castigated as being self-interested and motived by greed rather than any commitments to protecting society, making their decision to join a conflict-zone morally corrupted in comparison to national soldiers (Percy, 2007: 371).

This undermines not only the motivations, but also the very *bodies* of private soldiers relative to that of citizen-soldiers, where their perceived lack of adherence to collective values means they are not seen as worthy of public memorialisation if they fall on the battlefield. Consequently, just as national governments are able to unshackle themselves from public scrutiny during wartime through PMCs, so too are citizens implicitly unhinging their *emotive* ties to the soldiers deployed, based on a belief that they lack any tie to family, community or nation.

The War and Occupation of Iraq, like Afghanistan, has been one of the US's longest and most controversial conflicts concerning public approval. Although viewed in a far more critical light retrospectively, the war was initially popular among the majority of Americans. President Bush seized upon the events of 9/11 to argue that the deaths of innocent civilians suffered at the World Trade Center could not be left in vain; any US soldier joining the fight in Iraq would be putting their lives on the line to protect American soil against perceived links between Saddam Hussein and the broader War on Terror (Gershkoff & Shana, 2005: 525). Yet at the same time, the US was also outsourcing military operations in Iraq to private military contractors such as Academi (formerly known as Blackwater); the presence of around 15,000-20,000 contractor civilians in 2005 alone highlighted the extent to which these corporations were becoming increasingly entangled into US overseas missions (Bjork & Jones, 2005: 784).

Nevertheless, the US public's treatment of both fallen soldiers and war veterans in Iraq differed significantly depending on whether they were either contracted soldiers or part of the national military. The PMC formerly known as Blackwater has conducted medal ceremonies designed to honour their fallen contractors in Iraq. Despite being couched in terms of their service for the US nation however, such events tend to be closed off to the public and media, and receive very little attention outside of the company (Taussig-Robbo, 2009: 93). Indeed, the dehumanisation of private combatants' bodies could be seen at a Floridian public ceremony in 2008 that was attended by Jeb Bush and other prominent relatives of the President to pay tribute to the deaths of servicemen. Whilst US troops who lost their lives were remembered at the event for "heroically serving [their] country", private contractors were officially excluded from recognition on the grounds that they were on the battlefield "by choice" and could return home whenever they so choose (Scahill, 2011: 277). Not only are the bodies of private soldiers thus seen as being symbolically less valuable than national troops, but the emotional ties to their loss are relegated to the private realm of family grief rather than legitimised in the public sphere as one of national or communal mourning.

Conclusion

Ultimately, the use of a biopolitical approach sheds light on how PMCs disrupt the highly important connection between national identity and sacrifice which played a central role in solving sovereign tensions concerning war. By committing itself to sustaining and reproducing the life of its citizens, contemporary states have relied heavily on the sacrificial idea that conflict, and the death involved in such endeavours, are necessary in order to protect the future

survival of the national community. Yet the perception that private contractors are not tied to the citizenry, nor the nation, has meant that governments are capable of neither acknowledging nor sacralising their involvement in war, despite the extent to which such individuals are deployed to fight for the state's interests. Denying military contractors any public memorialisation entails the admonishment of accountability for their deaths, creating an army that operates beneath the surface of public scrutiny.

Alongside changes to the state's sovereign power, citizens and their relationship to conflict also undergo major transformations with the incorporation of PMCs in warzones. The inclusion of family, friends or community members in national armies creates a strong emotional connection in relation to the decision of government to go to war. Sacrifice provided a way in which citizens were able to judge whether the risk to their compatriots lives through war was worthy of supporting, closely tied to perceptions of the preservation of beloved life. However, PMCs and their association with greed, self-interest and a lack of any concern for wider society has resulted in the belief that they are morally inferior to the citizen-soldier. Yet without the possibility of sacrifice, a war cannot be judged as either legitimate or illegitimate by the public in the traditional sense. And so, the moral struggles over the decision to go to war are becoming unhinged from the very notion of sovereignty as it is known.

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