Time-Machine Millionaire

Final Episode:

Ethics of Military-Contracts for War

In 1961, the United States military began a project termed Operation Ranch Hand. From the bellies of air force planes, soldiers sprayed millions of gallons of potent herbicides onto the forests of the Vietnamese landscape. The main chemical was Agent Orange (there was also an Agent Blue, White, Purple, etc, each with different toxins). The goal? First, to kill trees to locate guerrilla fighters. Second, to ruin all crops, forcing the Vietnamese soldiers out of hiding and the civilians off their land.

Alongside Agent Orange, the US military used a second deadly chemical invention. This was napalm, the petroleum jelly fire that stuck to skin and burned the victim alive. US leaders at the beginning may have justified their actions: they were attacked armed enemy communists. But the justifications got harder as the war went on. In Operation Phoenix, American soldiers killed 20,000 Vietnamese civilians, arguing that all of them were potential insurgents. In Mai Lai (1968), soldiers rounded up an entire village, killed everyone, and left them unburied in a mass grave. More directly connected to Agent Orange, veterans came home burned, or with cancer or Hodgkin’s disease. They passed physical and psychological problems to the children to whom they gave birth. And children across Vietnam were born with severe birth defects.

By the late 1960s, protests had heated up across the United States. Students took to universities, to the streets, even to the art museums. This social action did not just shame the government, it also tarnished the reputation of the corporations producing the Agent Orange: Monsanto, Dow Chemical, Ultramar Diamond Shamrock Corporation, Maxus Energy Corporation, the Thompson Hayward Chemical Company, Uniroyal Chemicals, and others. One by one, the corporations started dropping out, choosing to no longer manufacture the product. But the Dow Chemical corporation stayed as strong and loyal supporters, thankful for what edged constantly closer to a monopoly on the product.

In the fifty years since the war, the chemical companies have given all sorts of excuses and justifications of their work. Monsanto’s excuses are a perfect example. First, officials say, herbicides do not fall into the legal category of war crimes. Second, the corporation does not need to take responsibility since it was fulfilling a government contract. Third, Monsanto is not even run by the same people, so it should be considered a different company. Indeed, these are the kinds of arguments that original historical actors used: **Ted Doan** (CEO of Dow) continued to produce Agent Orange and Napalm long after all other companies had stopped, argued that it was the role of the corporation to ‘protect America’ and demonstrate their ‘patriotic loyalty.’

But critics and lawyers have not always agreed. **Phan Thi Phi Phi** and **Nguyen Van Quy** have tried (unsuccessfully) to take Monsanto, Dow, and other companies to court. Phi Phi is a Vietnamese doctor who herself suffered from serious exposure to Agent Orange as a child. As a result, she had four miscarriages and several health problems. Nguyen Van Quy was himself burned by Agent Orange during the war. He now has cancer and both of his children have serious birth defects. But their cases have been thrown out, because of other legal cases (see the bottom of the prompt) that have protected both the US government and the private companies that do its contract work.

To what extent are these corporations to blame? And should companies be held accountable for the death and abuse that comes as a result of their filling government contracts? Should they be cautious when asked to develop new herbicides, bombs, and weapons? And what about new technologies?

Today we are at the very beginning of a new military contract: the “Joint Enterprise Defense Initiative” or JEDI program (do not ask me why our state is still so obsessed with Star Wars). JEDI will bring a $10 billion contract to whichever large-scale technology corporation agrees to build military intelligence their own parallel internet. It will be a dark net, where only those on the inside will be able to access and work with special surveillance cameras, facial recognition, and weapons control.

Maybe this sort of technological innovation is completely different than what was happened with the chemicals used for Vietnam. After all, this is technology, not herbicide, right? You will have to debate this in the “compare/contrast” component of TimeMachine Millionaire. But keep in mind two things: first, that the early innovators of Agent Orange (at least publically) argued that an herbicide would not kill people, only plants (we hear this rhetoric with technology as well). Second, think about what has already happened with Project Maven.

Maven was a two-year military contract between the US Department of Defense (DoD) and Google. Google built up the possibility to use increased technology for drone strikes. What was the result? More attacks via drones, which means that the government can take out targets before any journalist ever has the chance to document where or what happened. Maybe this is useful: it means secrecy in attack and the loss of no American lives. Or maybe it is dangerous: new Mai Lai massacres without the US public ever finding out.

Regardless, Google employees have been furious about Maven (and even more upset with Project Dragonfly...) and have protested to ensure that Google does not continue to engage in corporate contracts with US intelligence. So Google has already agreed to step out of the race for the JEDI contract. That leaves Amazon, Microsoft, and IBM as the frontrunners for the contract. And all of their CEOs seem just fine with this intimate government connection and the money that will result.

Your mission in this episode of Time-Machine Millionaire is to decide what level of responsibility private corporations should take for military contract agreements. What can we learn from the Vietnam case (and its failures?) Since Amazon is most likely to take the contract, we will sit down (again) with their CEO **Jeff Bezos,** but also with two **Google Protestors**, that want to teach Bezos a lesson in corporate ethics. Of course, we will also hear the insistent words of **James Mattis**, the US Secretary of Defense, who believes that all corporations should remain loyal to the US, furnishing all possible technologies to ensure the safety and supremacy of the United States military in all areas of the globe.

**Cast of Players:**

1961 Secretary of State (under Kennedy): **Dean Rusk.** Who claimed that “the use of defoliant does not violate any rule of international law concerning chemical warfare.” Pushed corporations to cooperate with the United States for the safety of the country.

**Ted Doan** – WWII vet who became CEO of Dow Chemical from 1962-72, the period of Agent Orange and Napalm production.

**Kenneth Feinberg** – lawyer behind 1984 lawsuit, and continual spokesmen, defended Dow Chemical, Monsanto, and other companies for following the instructions of the US military.

**Phan Thi Phi Phi** – Vietnamese doctor at the forefront of the more recent lawsuits against Monsanto, Dow, and Hercules. She was a victim herself, having four miscarriages as a result of her own exposure to Agent Orange.

**Nguyen Van Quy** – Vietnamese man, burned by Agent Orange during the war, has cancer, and both of his children have birth defects.

**Joe Isaacson**. American veteran of the Vietnam war, had cancer since 1990s, non-Hodgkin’s lymphoma. school administrator.

**Jeff Bezos –** current CEO of Amazon. Interested in getting the JEDI contract.

**2 Google Protestors** – After two years of experience with Project Maven and the drone strikes that have resulted, they are very critical of private tech companies giving unlimited technology to the US Department of Defense.

**James Mattis** – current Secretary of Defense (which means he is in charge of the Department of Defense, which includes the Intelligence community and the Army, Navy, and US Air Force). Mattis believes all tech companies should be loyal patriots, meaning they should furnish all possible technology to the US Dept of Defense and then trust the military leaders to use this technology to find and eradicate all enemies of the state.

**Court Cases to keep in mind:**

*Boyle v United Technology Corp* (1988) – a military defense contractor is to be protected from lawsuits from people hurt by the results of such contracts. Specifically, the lawsuit dealt with was the case of Boyle (wife) suing after Boyle (husband) was killed in a military helicopter crash because the chopper had an engineering flaw.

*El Shifa Pharmaceuticals vs United States* (2010) – A week after the Monica Lewinski scandal blew up, two weeks after AlQueda blew up US embassies in Kenya and Tanzania, and just two months after the release of the film *Wag the Dog*, Bill Clinton signed off to blow up a pharmacy in Sudan via airstrike. The Department of Defense argued that the pharmacy was making nerve gas for AlQueda. They weren’t. Critics think Clinton blew up a harmless pharmacy in order to either a) give the US public a sense of revenge for the embassy attacks or b) shift the public’s attention away from the sex scandal. The Supreme Court case ruled that a private company (El Shifa) could not sue the Commander-in-Chief for military decisions.

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