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RESEARCH ARTICLE

Crossing off names: the logic of military assassination

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This article examines the term 'assassination' as describing a certain kind of killing which may – and does – occur in warfare. It critiques current definitions of the term to synthesise a stronger and more value-neutral definition: the premeditated killing of a specific individual in order to realise political objectives. It also critiques the term 'targeted killing' for a comparative lack of analytical clarity. The article then presents a theory of the goals assassination may achieve and the effects it may have on a conflict environment, when occurring within a military context. The article reviews three case studies which illustrate the scope of the theory, and concludes by noting that assassination can be the subject of legitimate ethical debate, as it may potentially adhere to the norms of *Just War Theory*, while constituting a valid category of military action.

Keywords: assassination; targeted killing; counterinsurgency; counter-terrorism; Israel; the War on Terror; drones; Northern Ireland; strategic theory

Introduction

In the relatively small literature on the strategic rationale behind government-directed killings of specific individuals, the term 'assassination' doesn't often arise except in reference to the tactics of state oppression. *Assassination* commonly carries with it pejorative connotations of cowardice, subterfuge, and unlawfulness,[1] and those governments or commentators who publically advocate the use of military means to kill specific enemies have in recent times generally preferred terms such as 'targeted killing'. Discomfort with the label aside, however, governments such as those of the United States and Israel have often openly carried out actions which according to many are indeed assassinations, most recently in pursuit of counter-insurgent or counter-terrorist goals. Given its growing relevance and controversy as a tactic of war or state security, those interested in discussing assassination on moral and strategic grounds would benefit from a neutral definition of the term and some description of the logic and set of

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variables which together comprise this increasingly prevalent method of war. Evidently then, assassination should be explored in a rigorous, systematic, theoretical, and practical way, with reference to its growing relevance to contemporary armed conflict.

If in a general sense it seems that assassination is worth exploring further from the perspective of strategic theory, several theoretical and empirical questions emerge. First and foremost, what is assassination? Such a contentious term must be defined carefully before it can be treated as a concept to be explored. Second, how can assassination be used as a military instrument? Theoretically at least, it should be possible to identify a both a process and a discrete set of potential goals or outcomes specific – though perhaps not unique – to an assassination. Third, how has assassination been used as a military instrument? While a theoretical presentation of the ways in which assassination could be used as a military instrument may certainly provide useful ideas or inspiration for future strategy, looking at some of the ways it has been used in recent or ongoing conflicts can provide some additional useful insights. In particular, it could show some of the potential pitfalls, drawbacks, or limitations to assassination in certain contexts. It could also illustrate how governments try to justify or design their use of assassination to account for public hostility towards the tactic on normative grounds.

This article offers some answers to the preceding questions, both by critiquing existing literature and by proposing some new perspectives. It should in doing so contribute a sound foundation for further study of assassination. It comprises three sections. In the first, it presents a survey of existing definitions, which shows that there are distinct and incompatible positions on the question of what assassination is. By critiquing previous attempts and by placing the concept of assassination within the extant understandings of politics and war, this article offers a more analytically useful application for the term. The second section presents a new model for explaining how assassination in armed conflict works, derived by placing the proposed definition of assassination within the context of warfare: what military goals it may serve and what relevant effects it might generate within a conflict environment. The third section contains an examination of several short case studies in the recent or ongoing use of assassination by states engaged in conflict to illustrate the conditions specified by the model. In applying the theoretical model of the second section to these cases, this article highlights some of the practical implications of military assassination and the role it could play in the near future of armed conflict. This article should thus establish that assassination as both a word and a concept could become a valuable tool for understanding a growing military trend, enable a better critique of current or proposed security strategies in which assassination plays a significant role, and clarify the salient details of what is for many a difficult moral dilemma in the use of lethal force.

Defining assassination

There are multiple extant candidates for a useful definition of assassination. For many, the word has come to refer, loosely and with no apparent rigour, to any politically motivated killing.[2] Three additional definitions suggest some distinguishing features, though. Havens, Leiden, and Schmitt, in their book *The Politics of Assassination*, define assassination as 'the deliberate, extralegal killing of an individual for political purposes'.[3] Another similar definition, proposed by Kevin O'Brien, is 'an act of killing a prominent person selectively, intentionally, and for political (including religious) purposes'.[4] A more nuanced definition may be found in a 1975 report on assassination, commissioned by the United States congress, to the 'National Commission on the Causes and Prevention of Violence'. This report defined assassination as the politically motivated killing of a politically prominent figure, with potential political consequences, according to the following typology of actors and goals:[5]

- The killing of one political elite by another within the context of an internal power struggle, without effecting any significant systemic or ideological changes;
- Killing with the intent to terrorise and delegitimise ruling political elites and effect significant systemic or ideological change;
- Killing by the government in order to suppress political challengers;
- Killing to further an ideological message;
- Killing by a single, deranged individual disconnected from '*rational*' [emphasis mine] political goals.

More recently, Kasher and Yadlin reached the following definition upon conducting a similar definitional review to the above: 'an act of killing a prominent person selectively, intentionally, and for political (including religious) purposes.'[6] Hence in all assassinations the agent is politically motivated, the target is politically prominent, the act of killing is deliberate, and according to O'Brien[7] and Kirkham et al., the consequences of the act must be politically or militarily relevant.

These definitions share significant weaknesses when placing assassination within the context of war. First and foremost, 'the deliberate killing of an individual for political purposes' describes the intent of all use of lethal force in the context of war. Merely including the qualifier 'extralegal' adds little clarification. This definition would then still apply to many killings in war, provided they are illegal.[8] Conversely, depending on the definition an assassination might adhere to the laws of war – indeed, the advantage to using a value-neutral definition is that a discussion of the legality of assassination can take place without an a priori conclusion already in place. It is also problematic to specify target 'prominence' as a condition. What constitutes 'prominence'? Can a killing of a relatively unimportant target never be assassination? Intention or deliberation also presents a problem. For example, arguably all soldiers or police

shoot with the intention of killing. If an arrest attempt leads to a gun battle, and the target of the arrest is shot dead, does that constitute an assassination? The *Commission* typology has its own considerable weaknesses. It excludes any discussion of assassination within the context of war, or between states. Worse still, its inclusion of a killing carried out by a deranged individual without 'rational' political objectives robs the term of analytical exactness, and directly contradicts the original criterion of political motivation. Finally, it seems irrelevant to consider whether a killing succeeds or fails in having political consequences. Whether or not such consequences occur does not affect the logic or conditions of the act, and serve rather to assess its outcome or efficacy. A definition for assassination that avoids the confusion and contradictions outlined here is thus a necessary precursor to any real discussion of its role in armed conflict, or indeed as a reasonable description of any kind of killing at all.

The following proposed definition should not suffer from the problems of its predecessors, and thus offer a solid beginning for further exploration of assassination as a strategic concept:

> Assassination is the premeditated killing of a specific individual to realise political objectives.

This definition contains three key elements:

(1) Premeditation
(2) Specificity
(3) Political intent

More so than the word 'intent' or 'deliberation', 'premeditation' carries the implication that the killing is not a reflexive decision based on events during the episode of action but precedes the initiation of contact between the agent and the target. The term 'specificity' replaces 'selectiveness' as the former requires that the agent 'name or state explicitly or in detail' while the latter to '[choose] from a number or group by fitness or preference'.[9] To select therefore implies a comparative process, which does not necessarily occur, while to specify merely means to designate. Finally, the element of 'political intent' requires that the motivations and goals of an assassination be political, but not anything more: the target need not meet any criteria of prominence, and the consequences of the killing need not actually achieve a politically relevant outcome. Essentially, by including only the three elements outlined above, assassination can describe clearly one particular type of killing in a value-neutral and context-neutral way, the consequences and moral or legal character of which can then be honestly debated or examined on a case-by-case basis.[10]

The term 'targeted killing' has become popular for referring to the premeditated killings of specific individuals carried out by governments as counterinsurgency or counterterrorism, and deserves particular attention as an alternative to 'assassination' in describing such actions. Many scholars and practitioners of military counterterrorism and counterinsurgency prefer 'targeted

killing'.[11] Of those who do, many draw deliberate distinctions between targeted killing and assassination.[12] Used in this way, the term is problematic. During war, 'targeted killing' describes a great deal of what militaries strive to do, as simple economics suggests that force should be targeted at combatants or specific enemy assets. Furthermore, to affix the designation 'targeted' only to those premeditated killings of specific combatants implies that killings outside this category result from untargeted or indiscriminate fire – something prohibited by international law and unpalatable for many polities. The term also seems to describe killings unrelated to armed conflict or counterterrorism: murders committed by private citizens for non-political reasons could be considered targeted killings, if the victim was specifically targeted and known to the offender. Though the normative connotations that most people attach to the term 'assassination' make it difficult to apply it in a value-neutral way, it has an analytic clarity that 'targeted killing' lacks.

The logic of assassination in war

Proceeding from the definition of assassination as '*the premeditated killing of a specific individual in pursuit of political objectives*', and in conceiving of the act as a military instrument, certain objectives emerge while considering the possible logic of assassination in armed conflict. There are several historical examples showing the various uses of assassination.[13] As symbolic act of 'propaganda of the deed', the Russian anarchists of the *Narodnaya Volya* successfully killed Czar Alexander II in an attempt to stir popular opposition to monarchy. As an act of intimidation, assassination has been a staple of regimes seeking to quash dissent, as in the case of Trotsky or, even earlier, of the attacks against crusader leaders by the sect of Shiite fanatics who inspired the word *assassination* itself: the *Hashishiyun*. These can be considered acts of psychological warfare and therefore to serve military goals. Organisations are human enterprises, and they may be disrupted by targeting the personalities whose political, military, or technical expertise, or intelligence value, is significant not for psychological or charismatic reasons but as an infrastructural asset. Perhaps the most widely known examples of assassination would be the killing of Julius Caesar by his rivals or the killing of J.F. Kennedy. Assassination also could embody the highest level of discrimination in the use of force, where only a single target need be killed, and thus it could hold great potential appeal as a strategic choice for actors seeking to adhere closely to the norms of *jus in bello* or to control for as many variables as possible. At first glance assassination appears to be a very appealing tool for states involved in counterinsurgency operations, where violence is intimately connected with the competitions for popular support and bureaucratic efficacy that characterise insurgent challenges to the state.

In considering the possible outcomes that assassination might produce in armed conflict, this article proposes a general model of assassination as a method of war.[14] Within the context of armed conflict, assassinations may serve seven

possible objectives, ranging in scale or essential nature from the tactical to the strategic in significance:

(1) The reduction of enemy military capacity through the systematic killing of its officers (or leaders of equivalent role, if considering certain non-governmental militias), field commanders, logistical personnel, and military intelligence assets;
(2) The reduction of enemy social and diplomatic capacity through the killing of its political activists and non-military intelligence assets;[15]
(3) The deterrence of future enemy actions through the psychologically traumatising killing of its human assets, particularly following enemy actions;
(4) The incapacitation of an enemy through the complete destruction of its military capabilities;
(5) The elimination of an enemy through the total or near-total killing of its political leadership, such that it ceases to exist as an organised group;
(6) The creation of political space for negotiation and compromise in a conflict involving a splintered enemy of both radical and moderate factions, where eliminating the former can empower or elevate the latter, or temporarily reduce violence to allow smoother negotiations;[16]
(7) The bolstering of friendly morale – either military or civil – through the appearance of military efficacy or 'justice done'.

The first goal is perhaps the simplest and most obvious, and involves the use of force against military targets employing a logic similar to most conventional military action. The second goal has more in common with the historical use of assassination by competing political elites, but can still constitute an objective in war, pursued through the use of the military instrument. The third goal is familiar to any student of terrorist strategy, but is certainly not unique to clandestine groups – in a more abstract sense, deterrence is the very essence of governance itself.[17] The fourth and fifth goals are extreme forms of the first and second, where assassination is not merely one tool among many but becomes the primary instrument of affecting a strategic outcome. The sixth goal is particular to conflict situations involving fractured or multiple competing enemies, and deserves recognition in light of any consideration of contemporary conflict situations. The seventh goal is a military version of the same intent underpinning the assassinations of the Russian aristocratic elite by anarchists hoping to inspire revolution by 'propaganda of the deed' and is a significant component in many modern strategies of insurgency. Refer to Table 1 to see these goals concisely arranged.

Goals aside, the decision to assassinate a target requires two tactical preconditions. Once a target is selected, assassination requires two tactical pre-conditions:

(1) Detailed intelligence as to the whereabouts and security of the target.
(2) The operational capability to kill the target while achieving further

Table 1. Goals and targets.

Goal	Target
Reduce enemy military capabilities	Officers , field commanders, logistical personnel, and intelligence assets
Reduce enemy political capabilities	Politicians, lawyers, activists, prominent community figures, political elites
Reduce enemy motivation through deterrence	Any specific enemy human asset, such that the assassination may be seen as punishment
Incapacitate enemy	Every enemy human asset of military relevance
Annihilate enemy	Every enemy human asset, until the enemy ceases to exist as an entity
Support political compromise	Any enemy human asset whose death helps doves at the expense of hawks
Bolster morale	Any enemy human asset whose assassination increases troop or civilian confidence

parameters, such as deniability, the avoidance of collateral damage or casualties, or the use of particularly intimidating means.

Another essential consideration is reflexivity. An assassination can lead to significant unintended harmful consequences – 'blowback'[18] – either prompting undesirable changes in enemy behaviour or harmful political backlash from enemy or neutral populations due to normative objections. An enemy facing the threat of assassination may tighten operational security procedures to deprive *Own Forces* of certain intelligence, seek to improve defences against a particular means of assassination, or pursue an 'aggressive' defence through reprisals and retaliation to deter future assassinations. In a conflict setting these changes in behaviour can alter the tactical environment dramatically, making some avenues of action more costly while closing others entirely. Furthermore, military action does not occur in geographic and political isolation, but rather is necessarily subject to interpretation by domestic and foreign audiences whose perception of the legitimacy of the involved parties can be paramount to overall success of the campaign. The circumstances of the assassination, if publicised, may affect that perception. These practical considerations weigh heavily on both the short-term and long-term repercussions of any decision to assassinate.

The diagram at Figure 1 shows a three-phase process:

(1) Goal and target selection: a party to a conflict takes into account the military and political environment and decides to use assassination in pursuit of one or more of seven possible goals, and selects a target accordingly.

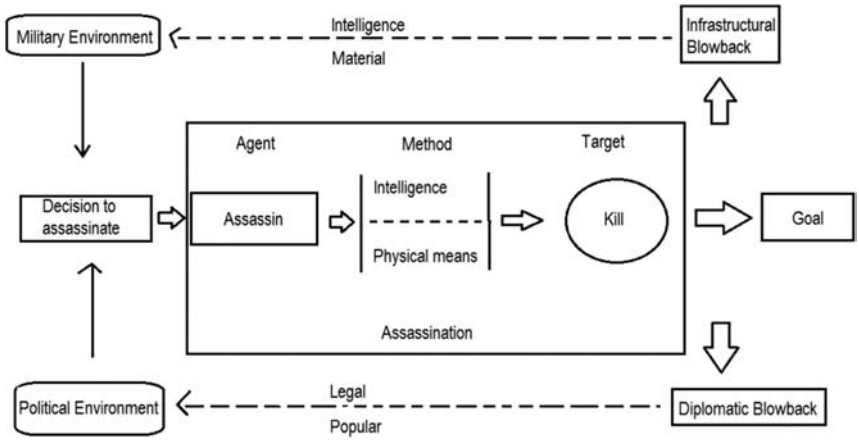

Figure 1. A graphical representation of the logic of military assassination.

(2) Action: the assassination is carried out by an agent – military or paramilitary, recognised or unrecognised – through a method that is shaped by both the intelligence on the target and the available opportunities for attack.
(3) Outcome: if successful in killing the target, the party achieves its goal but may experience two kinds of 'blowback':
   a. Infrastructural blowback influences the intelligence and human conditions of the party's military capacity, as other members of the target's organisation take steps to improve informational and physical security or carry out reprisals;
   b. Diplomatic blowback in the form of legal or public objection influences the normative discourse on the conflict, leading to possible sanctions and negative publicity for the party.

Ultimately, parties choosing to employ assassination must recognise the potential diplomatic cost of engaging in action that is controversial under current international norms and weigh it against any potential military or political benefit they may derive, regardless of whether they have the capability to kill a target. Developing that capability may itself require significant resources – training special forces, buying expensive equipment, and expanding or sacrificing intelligence infrastructure – that may be better spent elsewhere. As such, while many state and non-state actors in conflict have made intermittent use of assassination, few have done so systematically or frequently. Of those that have, the United States and Israel stand out. To a lesser extent, the United Kingdom during its campaign in Northern Ireland carried out operations that fit well enough within the model of assassination as to warrant discussion, but do not appear to fulfil the quality of specificity as unequivocally as the US and Israeli

cases. These cases illustrate the efficacy of the preceding model in framing and mapping assassination in practice.

Case studies

The following section presents three ongoing or recent historical examples of assassination in use as a tactic of war. They are chosen not merely for their comparative relevance in current public and scholarly discussions, but also because they illustrate how widely any particular systematic use of assassination can differ in application and outcome. Each case comprises a concise summary designed to review enough current literature to capture its salient details, and a discussion of how the features of the case can inform or qualify any attempt to apply the theoretical model set down in the previous section. There are doubtlessly many other intriguing examples of military assassination that one could supply, such as the killings of anti-Apartheid activists by the Apartheid Regime of South Africa,[19] the revenge taken by the Israeli government upon the perpetrators of the 1972 Munich Olympics attack,[20] and the killing of dissidents by the Soviet and Russian intelligence services.[21] However, the three offered in this section will connect the abstract earlier portions of this paper to environments and goals most relevant to the policies of liberal governments – that is, elected governments sensitive to public opinion and committed to an adherence to international humanitarian law in armed conflict – and students thereof.

The United States and its drones

The United States (US) has for the past decade operated what is likely the most overt, technologically advanced, and prolific assassination programme the world has seen. American-operated Unmanned Aerial Vehicles (UAVs) called 'drones' have evolved beyond their traditional role as surveillance devices into use as aerial attack platforms, launching missiles and dropping bombs.[22]

The first assassination by drone was probably carried out in mid-November 2001, when missiles launched from an *MQ-1 Predator* killed in his Kabul home Mohammed Atef, a senior al-Qa'ida member previously indicted for his pivotal role in the 1998 US embassy bombings in Tanzania and Kenya.[23] A year later, on 3 November 2002, the US carried out another assassination. In Yemen, the Central Intelligence Agency (CIA) used a drone to launch a missile into a vehicle containing six men, one of whom was Qaed Salim Sinan al-Harethi. Believed to be a senior leader in al-Qa'ida who had played a role in the 2000 bombing of the *USS Cole*, Qaed al-Harethi had been on a list of 'high-value targets' whose capture or killing had been sanctioned by presidential authority.[24] Since then drone attacks have become a significant component of American military activity. The US runs two drone programmes: one by the military, operating within the war zones of Afghanistan and until recently Iraq, and the other by the CIA, in other parts of the world. In recent years, the drone strikes have grown

considerably in prevalence, particularly under the Obama administration: 33 in 2008, 54 in 2009, and 30 in the first three months alone of 2010.[25] In 2008 and 2009, at least 20 militant leaders were killed in the strikes.[26] Those assassinated include high-ranking members of the Afghan *Taliban*, al-Qa'ida, and even *Tehreek-i-Taliban Pakistan* leader Baitullah Mehsud.[27] By their own admission, militant groups have found drone attacks a disruption to their activities,[28] but clearly that disruption has not led to substantial strategic success.

In compiling accurate data on the US drone strikes, one must remain humble in the face of several significant epistemic limitations. As the programme is covert, the details of its particular actions and policies are difficult to discover or verify, even if its essential nature as an assassination programme is common knowledge and implicitly or even explicitly – as in the case of Anwar al-Awlaki,[29] for example – acknowledged by the US government. Furthermore, it is extremely difficult to accurately gauge the true number of fatalities the strikes produce, as casualty figures are largely based upon unverifiable information. Most information on bystander and combatant deaths caused by the strikes in Pakistan is primarily supplied by unreliable local media or by the *Tehreek-i-Taliban Pakistan*[30] and therefore almost certainly inflated and deflated accordingly for propaganda value. The real number of deaths may be near to the figures presented in mainstream media outlets but they may just as amount to a small fraction of them.

With this strong caveat aside, the programme does seem to have caused a noteworthy number of bystander deaths – what one legal advisor to the US military calls the 'oops factor'.[31] Reported casualties have mounted fast, from 289 killed in 2007, to more than 500 in 2008[32] and more than 470 in 2009.[33] Many of the dead are reported to be civilians: by the end of 2009 popular media sources placed number of civilians killed at over 600.[34] By October 2010, such sources reported that the total number killed in drone strikes had reached 1800.[35] Other sources were more conservative: the Jamestown Foundation published in its journal *Terrorism Monitor* that the most rigorous interrogation of drone strike reports found that, with a total of 144 strikes by19 June 2010, the CIA drone campaign in Pakistan was 'impressively accurate': only 68 of the 1372 confirmed deaths (4.95%) were clearly identifiable as civilian, and 1098 (80%) were by comparison clearly identifiable as combatant.[36] While as previously mentioned, these numbers should be taken with a great quantity of salt and be viewed with scepticism – though the Jamestown Foundation study appears to have been conducted with as much empirical rigour as one could demand – it is nevertheless possible to see that the US assassination programme is perceived by 'Western' publics and by much of the population in its theatres of action to cause significant if not indiscriminate damage to civilian bystanders.[37] Adding to the controversy, the drones in the CIA programme are flown by civilians, often contracted from the private sector, rather than by military pilots.[38] Thus the programme has been highly contentious on the grounds that it is disproportionally lethal to non-combatants and that it violates the law by employing what could

reasonably be called 'unlawful combatants'. The strikes have also been criticised for depriving friendly intelligence agencies of potential human sources[39] and of alienating the local populations excessively.[40] David Kilcullen, a scholar on counterinsurgency and a former advisor to Centcom commander Gen. David Petraeus, discouraged the use of assassinations by drone in Pakistan except to avert a major attack, warning that they risk critically undermining the overall success of American political efforts in the region.[41] While the drones have clearly been successful in striking Taliban and al-Qa'ida top leadership, and have helped to avert terrorist or insurgent attacks,[42] it is not their tactical efficacy but strategic wisdom that is controversial.

The American drone strikes illustrate relevant aspects of both the objectives that may be met by assassination and the negative consequences it may produce. While the American government has yet to admit the existence of the programme, let alone comment extensively on its logic, it does appear to be the product of careful planning, designed to be highly discriminating and judicious in its selection of targets for assassination:

> [The strikes] are pre-planned, intelligence-led operations, and are usually accomplished with minimal civilian deaths – as even Human Rights Watch acknowledges. They are the product of meticulous planning among lawyers, intelligence officers, and others who scrupulously and independently confirm information about potential enemies, working to establish a rigorous 'pattern of life' to minimize the deaths of innocents. Others in the Air Force, using a classified algorithm, estimate the potential for civilian casualties based upon a variety of local data inputs.[43]

Kilcullen, writing along with former Army Ranger Andrew McDonald Exum, claims that:

> 'The appeal of drone attacks for policy makers is clear. For one thing, their effects are measurable. Military commanders and intelligence officials point out that drone attacks have disrupted terrorist networks in Pakistan, killing key leaders and hampering operations. Drone attacks create a sense of insecurity among militants and constrain their interactions with suspected informers. And, because they kill remotely, drone strikes avoid American casualties.'[44]

In confirmation of at least come of Exum's claim, senior advisers and intelligence officials within the Obama administration reportedly stated that drone strikes will not 'change the facts on the ground', but will serve as a method of achieving limited, 'counterterrorism success'.[45]

From these explanations it seems that the assassination programme is designed primarily to fulfil the goal of reducing enemy military capacity, and possibly the goal of boosting morale amongst both the military and the American public by achieving operational success free of *Own Forces* casualties – the first and seventh goals specified by the model, respectively. At the same time, the criticism over the cost in lost intelligence and negative public opinion are perfect examples of the two forms of 'blowback' – infrastructural and diplomatic – and how their consequences, particularly in the latter case, could be so great as to

undermine any cumulative strategic benefit.[46] It is also important to note that not all drone strikes should be considered assassinations. While only some of the strikes meet the criteria of assassination in the proposed model, it seems that many were merely attacks of opportunity on 'no-names'[47] based on intelligence from sources on the ground,[48] thus failing the test of specificity necessary for a killing to be an assassination. Whether future strikes will pursue other goals within the model remains to be seen, and should be a subject of conversation both inside the security establishment and among observers.

Israel and the Palestinians

Israel has employed assassination extensively as a security measure since the early days of the state. The first assassination is generally assumed to have taken place in 1956, when Israeli intelligence succeeded in killing Egyptian intelligence officer Colonel Mustafa Hafez with a parcel bomb.[49] However, but for this early example, Israel did not begin to use assassination systematically until after the 1972 Munich Olympics massacre of 11 Israeli athletes and coaches. The aftermath of the massacre and the desire of the Israeli government for retaliation and vengeance led then-prime minister Golda Meir to authorise the elimination of those responsible through a series of assassinations, with the additional intention of deterring similar attacks in the future.[50] While initially assassination was largely the domain of the Israeli intelligence services, Israel began to also make use of its special forces units to carry out the killings that took place throughout the 1970s and into the 1980s. The prototypical example was the 1973 Operation Spring of Youth, where a joint operation of Mossad and IDF commando units targeted three top Fatah leaders in their Beirut apartment.[51] Israel de-escalated its use of assassination considerably by the mid-1980s, and from 1990 until late 2000 Israel assassinated only a few times.[52] It was not until the local conflagration known as the 'Second', or 'Aqsa Intifada' began in late 2000, and particularly after Ariel Sharon was elected Prime Minister in 2002, that Israel began to assassinate large numbers of Palestinian activists on a systematic basis.

Facing a situation of escalating violence both inside the Occupied Palestinian Territories and inside Israel itself, Israel began using its military to carry out assassinations of targets in the West Bank and the Gaza Strip, making extensive use of snipers, helicopter gunships, drones, and remote-detonated bombs.[53] Between October 2000 and July 2007 Israel carried out 134 assassination operations, resulting in 367 deaths, 218 of which were of the specified targets.[54] Targets have included militant and political Figures (though during this conflict the distinction was often blurred). During this period the decision to assassinate a target originated with the Israeli General Security Service, which identified an individual as a major threat and assessed whether that individual satisfied four conditions, designed in concert with legal advisors:

(1) That the target be planning a terrorist attack in the near future;
(2) That appeals to the Palestinian Authority calling for the target's arrest

have failed;
(3) That attempts to arrest the target by the IDF have failed;
(4) That the reason for the assassination is not retribution for past attacks but to prevent multiple-casualty attacks in the future.[55]

These conditions clearly show that the criteria justifying an assassination in this case were expressed in conventional military terms: they relate to enemy capability and adhere to the principles of proportionality and discrimination in requiring that the target be a significant threat unable to be mitigated through less lethal means. Since the end of the Second Intifada and the end of widespread violence from Palestinian militants against Israeli civilians, the scale of Israel's military assassination programme has diminished, but not ceased entirely. It is reasonable to assume that Israel will continue to rely on assassination for the foreseeable future.

The Israeli case, notable for its scale and transparency, clearly presents nuanced examples of assassinations that served multiple goals, made use of diverse methods, and lead to both complex and controversial consequences. The single assassination of Colonel Hafez succeeded in substantially reducing terrorist attacks by the Fedayeen from Gaza, constituting a major strategic success.[56] The assassination of Shiqaqi crippled the PIJ and caused them to cease operations against Israel for several years[57] – a reduction in violence that could have made building trust between Israel and the Palestinian Authority easier had the Oslo peace process not already been on its way to collapse. In both cases the goal of the assassination was likely the fourth on the list within the model: incapacitation. The campaign of assassination that Israel waged against members of Black September and other PLO-affiliated terrorist organisations appears initially to have been about revenge, the appearance of justice for the Israeli people, and deterrence – the seventh and third goals specified by the model – but quickly began to include attempts to reduce enemy political and military capacity as well.[58] The killings of the 1990s were of targets of singular significance, but were likely aimed mostly at reducing enemy military capacity rather than achieving major change in the conflict environment, comprising further examples of the first goal in the model, and of the third goal: deterrence.[59] The long list of assassinations of enemy fighters or leaders during the Second Intifada by the Israeli military suggests a similar goal, to be achieved by cumulative rather than singular effect. However, strong evidence suggests that this goal was not achieved meaningfully, and that ultimately the assassinations netted nothing.[60] Israel's assassination programme has also led to negative consequences – again, both normative and infrastructural – with incidents of serious diplomatic cost,[61] as well as reprisal killings against both government personnel[62] and civilians.[63] The careful criteria used to determine targets during the Second Intifada was one way to pre-empt accusations of indiscriminate killing and to conform to the laws of war.

The SAS and the IRA

The 'counter-ambushes' in which British special forces shot dead numerous Irish Republican Army (IRA) militants were not necessarily assassinations according to the definition established earlier in this paper, as the a priori intent to kill specific individuals may not have been sufficiently present, but they came close enough to be worth a brief discussion. Deployed to support British forces in an environment of escalating violence and sectarian strife, the 22 Special Air Service Regiment (SAS) had been in Northern Ireland since 1976.[64] In 1983, following a five-year operational hiatus during which time the unit abstained from combat activity in the face of controversy over its lethality, the SAS resumed attacks on Republican militants. While operations, termed 'ambushes', did not include explicit orders to kill their targets, the term ambush was widely considered by both unit members and their commanders to imply it.[65] The ambushes were made possible by an increase in intelligence in Ulster by the early 1980s that allowed security forces to sometimes have foreknowledge of militant attacks.[66] The first took place on 4 December 1983, when the SAS killed two IRA members as they were recovering weapons from a cache.[67] Within just over a year, the SAS had killed 10 IRA militants.[68] On 5 May 1987 the most spectacular of the ambushes took place, during which SAS operators ambushed and killed an entire IRA cell: eight men of the Tyrone Brigade, as they attempted to attack the Loughgall police station.[69] To add to the controversy over whether or not these attacks were tantamount to assassination, in at least some of the ambushes, testimony suggests that security forces had ample prior capability to capture IRA militants, and instead preferred to wait for a confrontation that would allow for a legitimate-seeming use of lethal force.[70]

The SAS ambushes had a simple logic. One senior officer admitted that the ambushes were mostly intended as a deterrent, and that 'There comes a time when we say "We need a kill" – such as such a person is a thorn in our side and we've got to do something about him'.[71] They were tactically designed to minimise negative publicity for the security forces while still allowing for IRA militants to be targeted. This was accomplished by securing a 'clean kill' wherein IRA members were only ambushed while armed and en route to an attack.[72] They seem to have been successful in this regard for the most part. For example, immediately following the killing of the Tyrone Brigade, Sinn Fein leader Gerry Adams stated, 'I believe that the IRA volunteers would understand the risks that they were taking',[73] suggesting that even committed Republicans viewed the operation as a 'fair' measure in a situation of war. The IRA themselves have admitted that the ambushes had a deterrent effect.[74] However, not every ambush brought with it an absence of public outcry. For example, the killing of two IRA militants in Strabane led to a public outcry over an apparent coup-de-grace administered by SAS troopers to the two wounded men as they pled for mercy.[75] Nevertheless, as a method for combating the IRA the ambushes gave security forces an opportunity to reduce both the capacity and the will to fight, while

avoiding much of the earlier controversy that had led to limitations on the use of the SAS and propaganda for the IRA.

Whether or not the SAS ambushes of IRA militants took place with sufficient specificity and premeditated intent to kill to be called assassinations, they contain features that, when examined through the proposed model, lead to valuable insights. The goals of the ambushes were clear: deterrence was an explicit objective, and certainly the elimination of an entire regional cell, as occurred with the Loughall operation, would have been an appealing way to significantly reduce IRA military capability in the area for some time. The tactics of the ambushes were not only designed to compensate for limitations in intelligence, but also as a method of killing targets in a normatively acceptable way, and therefore avoiding one significant type of blowback: negative popular opinion that could have been strategically injurious to British interests. Thus whether assassination or not, these operations are excellent examples of how an assassination could be used effectively in a conflict: with great sensitivity to both the political environment and intelligence constraints, with careful discrimination in target selection, and in the service of limited goals embedded within the framework of a greater strategy of conflict reduction.

Assassination in modern war

The preceding examples provide the material for some useful conclusions about the way assassination has been used in armed conflict over the past few decades. Certain similarities among all three cases are particularly notable:

- All were carried out by the security forces of democratic states attempting to engage an irregular enemy embedded within a non-hostile population, whose neutrality, if not support, was of strategic importance.
- All contained operations that made use of innovative methods to compensate for constraints in intelligence or capability.
- All sought primarily to achieve the first and third of the seven possible objectives identified within the assassination model, namely the reduction of enemy capability through the destruction of its human assets, and the deterrence of enemy leaders through the threat of death.

In each case there was blowback along both diplomatic and infrastructural lines, and recognising that blowback, all three governments displayed at least some sensitivity to the normative conditions of their environment, seeking to tailor not only their choice of targets but their tactics to take into minimise the potential negative consequences of their actions – the US in seeking to avoid Own Forces casualties, Israel in justifying itself through legal argument, and the UK in staging 'counter-ambushes'.

These commonalities do more than confirm the process and the variables contained within the proposed definition and model; they also suggest that there is something about the conditions of contemporary conflict that make assassination

an appealing option for governments looking to apply force in an increasingly delicate political environment, which requires high levels of discrimination.

Lessons from case studies

There are from these case studies some lessons to be drawn concerning the strategic use and the limitations of assassination. First and foremost, in none of the three cases was assassination used to 'win a war' as a method of singular strategic importance. Rather it was used as a component of a larger strategy of a primarily military nature. In the case of the US drone strikes, the negative reaction from the population of the area of operations over the indiscriminate and 'cowardly' nature of the assassinations – tactical elements – have negatively influenced the overall strategic success of the programme. Thus even if the goals of assassinations are achievable the possible blowback produced by the action should occupy a large part in the calculations behind the decision to kill a target. In the Israeli case, there seems to be a divide between what might be called the 'strategic assassination', whereby a target of singular importance whose death might have significant importance is killed, and the 'assassination strategy', whereby assassination is used regularly towards producing cumulative effects. It appears that for Israel the former has been more effective in improving security than the latter. In the Northern Ireland case, the use of lethal force by the SAS was highly controversial, so the method of only using it against armed targets embarked on violent intent allowed for something tantamount to assassination with minimum political damage. If an assassination is to be witnessed by the general public, the way in which the target is killed should limit the extent to which he or she is likely to be seen as victim of brutality or murder. More broadly, this as much as any example demonstrates how assassination is subject to the normative context of the environment in which it is used, and how the extent to which an assassination is successful in achieving a strategic goal depends heavily on its tactical dynamics.

The legal dimension

The value of assassination is likely to be affected by its legality, as parties to conflicts may find diminished strategic returns by using methods of violence that provoke accusations of war crimes. While some might argue that assassination is fundamentally contrary to current international law, a survey of its theoretical and practical characteristics under the definition proposed by this paper suggests that its legality depends more on the specific case. There are several characteristics to assassination which are relevant in a legal analysis:[76]

- Use of lethal force
- Intent, premeditation, and deliberation to kill
- Targeting of specifically selected individuals
- Lack of physical custody (to kill someone in custody would be an

execution)
- Attributability to a subject of international law (thus excluding private individuals or *ad hoc* groups)[77]

For assassination to be legal under international law, an analysis of all of these characteristics must arguably show legitimate conduct under the laws and norms of warfare. Under such, the specific killing of combatants – such as enemy leadership – is not prohibited.[78] In wars where all combatants are uniformed and members of an organised and overt military force, determining whether or not an individual targeted for assassination is a legitimate target under international law is not difficult. However, in environments of insurgency or civil war, where a *de jure* state of war might not exist, where combatants might not wear uniforms and might not operate as part of a normal military machine, and where prominent political figures might moonlight as guerrilla leaders or terrorists, determining the legitimacy of a target becomes more difficult.

There are several ways that parties to conflicts with dynamics similar to those discussed in the earlier case studies may argue that killing a specified target is legal under international law and conforms properly with the norms of *jus in bello*. One argument is that when an enemy command structure is mixed in with the local population, 'leadership decapitation' through selective targeting and removal – by abduction or killing – is the most effective way to wage war while sparing the general population from being affected by larger-scale action.[79] Another argument states that since the 1977 Additional Protocols to the Geneva Conventions customarily grant the status of 'protected person' to any non-uniformed belligerent who is not currently engaged in active hostilities or the direct prelude to such, the act of naming specific targets based on collected intelligence allows for the designation of combatant for those involved in hostilities but who do not wear insignia, even when they would otherwise return to the status of civilian.[80] Once designated as a combatant, a target is legitimate. Yet these arguments are by no means universally accepted, and whether they ever become so depends largely on how appealing the rationale of assassination is in comparison with other methods of war. A definition of assassination that is both precise and legalistically neutral is indispensable if productive debate is to take place regarding these important issues.

Assassination vindicated?

It is apparent that assassination is a relevant strategic and tactical concept in contemporary warfare, despite the negative associations attached to the term. Defined as 'the premeditated killing of a specific individual in pursuit of political objectives', the term assassination can be applied effectively to actions taken by armed forces both today and in the recent past. The examples of the United States, Israel, and the United Kingdom show that assassination can fit well within the norms of *jus in bello*, perhaps even more so than other, larger operations.

Contrary to suggestions that it is fundamentally illegal under current norms and laws of war, assassination comprises elements that can be validated under existing legal frameworks and may even provide the solution to difficult legal and ethical dilemmas of warfare that states face today – though that determination is beyond the discussion of this paper. The appeal of targeting specific enemy human assets is easy to imagine in conflicts where every application of military force could have profound political consequences and where isolating enemy forces from a non-combatant population is difficult. Less obvious but equally appealing can be the political or morale value of sparing *Own Forces* from danger, by avoiding risky arrest operations or larger manoeuvres, and using either aerial attack platforms or snipers. These benefits are likely to be recognised most immediately – though by no means exclusively – by those familiar with the dynamics of insurgency and counterinsurgency, and the great appreciation for discrimination, proportionality, and normative calculation that should go into every military action taken in such conflicts.

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Notes

1. A survey of six dictionary definitions shows that five refer to assassination as murder, two include within their definitions a component of treachery, and three suggest that assassinations are usually carried out by mercenary agents (American Heritage Dictionary, Collins English Dictionary, Webster's New World College Dictionary, Concise Oxford English Dictionary, Oxford English Dictionary, Merriam-Webster Dictionary). Wikipedia categorises the entry for *Assassination* under the category *Murder*, along with such entries as *serial killer* and *contract killing*.
2. O'Brien, "The Use of Assassination … (part I)," 88.
3. Havens, Leiden, and Schmitt, *The Politics of Assassination*, 4.
4. O'Brien, "The Use of Assassination as a Tool of State Policy (Part I)," 98
5. Kirkham et al., *Assassination and Political Violence*, 1, 2–5.
6. Kasher and Yadlin, "Assassination and Preventive Killing," 44
7. O'Brien, "The Use of Assassination … (part I)," Figure 1: Matrix of Assassination vs Murder.
8. For example: killing a prisoner, killing a non-combatant, killing following a *de jure* truce, or indeed killing in any way which violates the principles of *jus in bello* such that it could be prosecuted as a violation of international or military law.
9. Both definitions drawn from the Merriam-Webster dictionary available online at http://www.merriam-webster.com/.
10. Technically speaking, the capital punishment of a criminal also fits this definition; however, as is discussed later, when the referent party is a government or equivalent entity under international law, a useful heuristic is to presume that assassination excludes the execution of prisoners in custody.
11. See, e.g., Byman, "Do Targeted Killings Work?" or the title of a recent conference at the University of Pensylvania: "Using Targeted Killing to Fight the War on Terror: Philosophical, Moral, and Legal Challenges" (16 April 2011).

12. See, e.g., former Deputy Director of the CIA Richard James Kerr in Conan, "CIA and Assassinations;" David, "Fatal Choices;" Guiora, "Targeted Killing."
13. A more detailed survey of assassination throughout history can be found in *Addition A* of Kirkham et al., *Assassination and Political Violence*.
14. Note, however, that this model is an ideal-type. In other words, it is meant to serve as a theoretical instrument for exploring the logical relationships and implications of a certain set of propositions. In the real world, it may be that the situation does not easily conform to the categories proposed in the model; for example, in situations where irregular or insurgent forces use assassination, there may not be the separation of diplomatic and military contexts that I presume in my theory. This does not 'falsify' the theory, but rather establishes its limits and its potential to highlight the presence of often obscured additional factors or dynamics.
15. The distinction between military and non-military assets is salient because the latter should be concerned with political or civil security intelligence, and therefore are not combatants or otherwise directly contributing to a military infrastructure.
16. The converse could be true also: assassination could be used to prolong a conflict in the unlikely event that the continuation of hostilities is itself a goal for one of the parties.
17. The threat of violence underpins the apparatus of the state, and is what allows a government to fulfil its contract to its constituents in the Hobbsian sense, enabling law enforcement, protection from external threat, and in many modern states permitting effective wealth redistribution. The failure of credible deterrence signifies state failure under the Weberian definition, as it implies a loss of monopoly over the exclusive use of legitimate force within its territory.
18. A term describing the venting of gases from a firearm back towards the user, which has become a common metaphor for the unintended harmful consequences of a particular action.
19. See, for example, O'Brien, "The Use of Assassination... (part II); Pauw, *In the Heart of the Whore*; *Dances with the Devil.*
20. See, e.g., Klein, *Striking Back.*
21. From Trotsky, to Marjov, to Litvinenko, such assassinations have captured global media attention and often taken place on a global stage.
22. Note that the US's use of armed UAVs to assassinate members of enemy militant groups is an ongoing case. This article was written in the summer of 2011. As academic articles often spend quite some time in press, there is a significant possibility that interesting developments in this case will have taken place since then.
23. Plaw, *Targeting Terrorists*, 116.
24. Solis, *The Law of Armed Conflict*, 539
25. Williams, Fricker, and Plaw, "New Light."
26. Bergen and Tiedemann, "Revenge of the Drones."
27. Gul, *The Most Dangerous Place*, xvii.
28. Maqbool, "Secret War."
29. "U.S. Approves Targeted Killing;" "Islamist Cleric Anwar al-Awlaki."
30. Fair, "Drone Wars."
31. Entous, "How the Whitehouse Learned to Love the Drone."
32. Murphy, "Obama Ups Pakistan Drone Strikes."
33. Mayer, "The Predator War."
34. Byman. "Do Targeted Killings Work?"
35. Walsh, "Obama's Enthusiasm for Drone Strikes."
36. Williams, Fricker, and Plaw, "New Light."
37. As is stated by Anatol Lieven at several points throughout his book, *Pakistan: A Hard Country*.
38. Mayer, "The Predator War."

39. Byman, 'Do Targeted Killings Work?'
40. Abdullah, "Drones Spur Yemeni Distrust of Government and US;" Byman, "Do Targeted Killings Work?"
41. Shachtman, "Call Off Drone War."
42. Bergen and Tiedemann, "Revenge of the Drones."
43. Fair, "Drone Wars," para. 7.
44. Kilcullen and Exum, "Death from Above," para. 5.
45. Shachtman, "CIA Chief Warned Obama."
46. As is asserted by Kilcullen and Exum in "Death from Above."
47. Shachtman, "No-Name Terrorists Now CIA Targets."
48. Ackerman, "CIA Snitches."
49. Pedahzur, *The Israeli Secret Services*, 26–8.
50. Klein, *Striking Back*, 106.
51. Ibid., 158.
52. Israel assassinated the following individuals four individuals during the 1990s: Hizbullah leader Abbas al-Musawi in 1992, Palestinian militant Atef Bseiso in 1992, Palestinian Islamic Jihad leader Fathi Shiqaqi in 1995, in Malta, and Hamas bomb-maker Yahya Ayyash in 1996, in Gaza. In 1997 Israel attempted to kill Hamas leader Khaled Meshaal but failed. Not included in this list is Gerald Bull, a Canadian weapons engineer in the employ of Saddam Hussein, whose 1990 assassination is commonly, though not credibly, attributed to Israel.
53. Pedahzur, 118; Weizman, *Hollow Land*, 241.
54. Plaw, *Targeting Terrorists*, 85–6.
55. Ibid., 71.
56. Ibid., 28.
57. Ibid., 58.
58. One of the overarching conclusions of Klein in *Striking Back*.
59. Consider, for example, this 2005 quote by the head of the General Security Service at the time, Avi Dichter, attributing a lull in the violence to successful deterrence: "Senior Hamas leaders decided they were tired of seeing the sun only in pictures:" see Harel and Haaretz Correspondent, "Ex-Shin Bet Chief."
60. Byman, "Do Targeted Killings Work;" Hafez and Hatfield, "Do Targeted Assassinations Work;" Plaw, *Targeting Terrorists*, 88.
61. For example, the arrest of Mossad agents in Lillehammer following their assassination of the Moroccan waiter Ahmed Bouchiki after mistaking him for Ali Hassan Salameh, or the high likelihood of arrest in the UK under laws that allow citizens to petition for war-crimes warrants, for any Israeli official involved in the assassination of Salah Shehadah.
62. For example, the assassination of Israeli Transport Minister Rehavem Ze'evi as a reprisal by the PFLP, several months after the 2001 killing of their leader: Benziman, "Shaken to the Core."
63. Plaw, *Targeting Terrorists*, 58.
64. Adams, *Ambush*, 53.
65. Urban, *Big Boys' Rules*, 161.
66. Ibid., 162.
67. Ibid., 174.
68. Ibid., 165.
69. Adams, *Ambush*, 113.
70. Urban, *Big Boys' Rules*, 200.
71. Ibid., 169.
72. Ibid., 240.
73. Adams, *Ambush*, 115.

74. Urban, *Big Boys' Rules*, 241.
75. Ibid., 201.
76. Melzer, *Targeted Killing in International Law*, 3–4
77. Entities subject to international laws of war, be they states or non-state actors recognised as belligerent parties, are generally presumed to operate systematically and to apply violence through designated military or paramilitary forces.
78. O'Brien, "The Use of Assassination … (part I)," 90.
79. Ibid., 91.
80. Gross, "Assassination and Targeted Killing," 330.

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