

The Politics of Assassination: Case Studies and Analysis

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Assassination has a long history of use as a political tool. The word originates from the Order of the Assassins, a Muslim sect from the 11th and 12th centuries. Enemies also knew the Assassins as hashishiyun, as it was said that hashish gave them the vision to carry out the murders. Of course, regicide or tyrannicide certainly go back much further. This is not a discussion of the morality of assassination nor its process, but rather its effects and its usefulness as a political tool. In the case studies presented here it is argued that unless the assassination is anonymous, the effects on the perpetrating organisation are highly unpredictable and can be devastating. As a political act, it seems to be widely seen as a terrible crime, even more so than the random acts of violence perpetrated within wider acts of terrorism.

Assassination essentially has three different elements that identify it as a particular kind of murder: the target must be a political figure; there must be a political motive for the killing; and there is usually a political impact caused by the assassination or escape from assassination.¹ This paper examines the political repercussions of assassination as practiced by political organizations, groups and states for political gain. By necessity, we can only examine assassinations where the public fully understands the identity of the assassin(s) and the motivation, only in this situation is a clear political point able to be made. The attempted assassination of US President, Ronald Reagan in 1981 would be excluded because it was performed by a mentally ill man, with very personal and unclear motivations.² The unsolved murders of Swedish Prime Minister, Olof Palme in 1986,³ and that of the US President, John F. Kennedy in 1963,⁴ would also be excluded, because, despite much theorizing, it is not publicly known why the two leaders were murdered. There can be no public backlash against something that is unknown. The focus of the paper will instead be on the less ambiguous assassinations

¹ Kirkham, J., Levy, S. and Crotty, W. *Assassination and Political Violence* (New York: Praeger Publishers, 1970.) : 1.

² Laucella, L. *Assassination: The Politics of Murder*. (Los Angeles: RGA Publishing Group, 1998) p.347.

³ Ibid. : 377.

⁴ Ibid. : 230.

with clear politically motivated goals, with the objective of demonstrating that the act of assassination is consistently unsuccessful in furthering the aims of the organization. In all three case studies it seems that the act of assassination has been successful in the short term from the organisation's point of view, but the medium term effect on the assassinating organisation has more often than not been devastating, both in terms of public reaction and internal morale. So while organisations may achieve their short term goal of removing an obstacle, or come close to it, it can often result in either a massive loss of credibility, devastating revenge attacks or the destruction or near destruction of the perpetrating organisation. In any case the consequences for the perpetrators could be seen to far outweigh any benefits.

Assassination against the State: Aldo Moro (1978)

On the 16th of March 1978, Prime minister and Christian Democrat, Giulio Andreotti was due to present his new government to the Italian Chamber of Deputies, with the Italian Communist Party sitting in the area of government for the first time as part of what was labelled the 'Historic Compromise'. That same morning, the architect of this coalition, political operator and former Prime Minister, Aldo Moro, had his car and police escort ambushed on the way to parliament. Moro's chauffeur and all the police accompanying them were killed. Moro was pushed into a waiting car which then escaped into the traffic. He was then held prisoner for 54 days in a secret hiding place by the Red Brigades, headed by Mario Moretti.⁵ The government of the day was confronted with the question of whether they should negotiate for Moro's life or stand firm. Andreotti's decision was to stand firm, and despite some internal disagreement, it was decided that to do otherwise would endanger Italian democracy. The fear was that if the government yielded to the Red Brigades it would have not only given them licence to conduct future kidnappings, but would have legitimised them as a recognised organisation in the eyes of the public. Moro died at the hands of the Red Brigades on the

9th of May. His body was placed in the boot of a car, which was parked exactly halfway between the Roman headquarters of the Christian Democrats (DC) and the Italian Communist Party (PCI).

One of the distinguishing features of the investigation during the kidnapping was the sheer ineptitude of the police with an astounding number of missed leads, lost evidence, and police oversight. A tip about the location of the kidnappers was even given to police; that the hideout was on Via Gradoli. The police knocked on the door of the house and walked away when nobody answered. The tip was accurate, but was one of thousands of leads and had, bizarrely enough, come from a spiritual séance. Tragically it was not investigated.⁶ If the event was not so tragic and had not ended Moro's Historic Compromise, it would have almost been comical.

The Red Brigades, according to the testimony of its ex-members, seems to support the theory that it was effectively a fundamentalist Marxist-Leninist sect. Much of their vitriol was aimed as much at what they saw as the half-heartedness of the Italian Communist Party, as it was the Christian Democrats.⁷ Red Brigade bulletins warned that the principle danger was no longer 'Gaullism,' but 'Social Democracy'; in other words the Italian Communist Party.⁸ The analysis of the Communist Party by the Red Brigades was that it was slowly eliminating even minimalist opposition, in a socialist sense, to capitalism and parliamentary democracy. The transformation of the PCI into the amorphous Democratic Party of the Left, roughly fifteen years later, confirmed this view as being almost prophetic in nature.

Italian reactions to the Moro case have to be understood in the context of a communist belief system that had a large and devoted following. During the late Sixties and Seventies there was a widely known solidarity between the extra-parliamentary left

⁵ Ginsborg, Paul. *A History of Contemporary Italy: Society and Politics 1943-1988*. (London: Penguin, 1990) : 384-5.

⁶ Drake, Richard. 'Why the Moro trials have not settled the Moro Murder Case: A Problem in Political and Intellectual History.' *The Journal of Modern History* 73 (No. 2 June, 2001).

⁷ Drake, R. Ibid.

⁸ Caselli, G. C. and Della Porta, D., 'La Storia Delle Brigate Rosse: Strutture Organizzative E Strategie D'Azione', in Della Porta and Pasquino, eds., *Terrorismi in Italia*, Bologna, 1984. Cited in Ginsborg, Paul. *A History of Contemporary Italy: Society and Politics 1943-1988*. (London: Penguin, 1990) : 383.

with violent groups, including the Red Brigades.⁹ The shocking murder, intended by the Red Brigades to bring about the collapse of law and order, instead rallied public opinion behind the government.¹⁰ The solidarity of the previous decade began to crumble after the Moro murder, and the Red Brigades almost immediately began suffering schisms, defections and betrayals. Erstwhile sympathisers began, out of necessity, to invent sanitized versions of their loyalties of the previous decade.¹¹ The revolution never came, and nobody wanted to be caught out backing brutal murdering outlaws. The Red Brigades, fanatically following Marxist-Leninist ideology and gaining huge support from a thriving revolutionary culture, kidnapped and killed Aldo Moro, hoping it would be the first step in smashing the bourgeois state, ending the dominance of the DC and bringing on the dawn of dictatorship by the proletariat.

While tragic, Prime Minister Andreotti's decision not to negotiate for the life of Aldo Moro probably helped stem a larger crisis. Through the sacrifice of Moro's life, any legitimacy that the Red Brigades had had was at once removed. The larger political situation was particularly volatile at the time and the government could not afford to appear weak. The Red Brigades did succeed in ending the Historic Compromise, but they effectively self destructed in the process. By murdering Moro, they alienated most internal and external supports. While many had few qualms about kidnapping alone, it was widely felt that murder was unacceptable amongst supporters. The act of assassination in this case therefore was not an effective political tool.

Indira Gandhi (1984)

The assassination of Indira Gandhi, Prime Minister of India, takes on a slightly different character because the Sikhs who murdered her were acting as much on the part of an organisation as on the part of an ethnic group. Nonetheless, the response to the attack was devastating. On October 30th 1984, Indira Gandhi was on her way to an

⁹ Drake, R. Ibid.

¹⁰ Mack Smith, Denis *Modern Italy: A Political History*. New Ed. (New Haven: Yale University Press, 1997) : 462.

interview, leading a group of aides and body guards on the path between her home and office. One of her guards, a Sikh called Beant Singh shot her three times in the abdomen. Another Sikh guard, Satwant Singh, fired into her and her bodyguards with a light submachine gun. Upon completing the execution they let themselves be taken away to be arrested.¹²

The problem began in the region of Punjab. The *Akali Dal* party dominated politics in the region, and as a strong opponent of the Congress (I) Party, (the 'I' standing for Indira), participated in a coalition of opposing parties in the late seventies. Indira Gandhi and her son, Sanjay, wanting to break the coalition, targeted the highly factionalised *Akali Dal* party and supported a Sikh preacher, Jarnail Singh Bhindranwale, hoping to use him to plant discord within the party.¹³ After Bhindranwale had achieved this, Mrs Gandhi, having been returned to power, consequently dispensed with him. His appeals, however, found a constituency amongst many young Sikh men, and he began to spread the message of self-determination; questioning the authority of the Indian state over its territory and pushing for a sovereign state – Khalistan.¹⁴ Between 1981 and 1982 Bhindranwale and his followers began acts of murder and targeted violence. Despite the growing chaos, Bhindranwale continued to receive support from Congress. By July 1982, the violence was becoming of greater concern and the government began to change and harden its stance. By August, *Akali Dal*, a previously more moderate organisation, effectively merged efforts with Bhindranwale's followers. Protests were launched from the Sikh Golden Temple at Amritsar and the jails soon became overflowing with arrested members of these organisations. These people were soon released in order to open negotiations, but nothing came of them. Bhindranwale still maintained a hard line stance and broadened

¹¹ Drake, R. Supra.

¹² Laucella. Supra. 373.

¹³ Khilnani, Sunil. *The Idea of India*. (London: Penguin, 1997) : 51.

¹⁴ Khilnani, Sunil. Ibid. 52.

his attacks to innocent Hindu civilians.¹⁵ It has been suggested that if *Akali Dal* had got the concessions it required, it may have been able to use the victory as a strengthening against Bhindranwale. As the community became more polarized, *Akali* leaders found themselves to be increasingly irrelevant and in need of espousing the same political rhetoric in order to maintain any political integrity.

With a general election looming, Mrs Gandhi had to resolve the Punjab crisis quickly in order to re-establish governmental credibility. In June the army surrounded the Golden Temple, in an attempt to negotiate with Bhindranwale, who at this point was well armed and well entrenched in the temple. It was believed unlikely that the holy temple would actually be raided but this view was mistaken.¹⁶ The army launched the raid, codenamed 'Operation Bluestar', and came up against a force of around five hundred well trained, well equipped Sikh warriors who were prepared to die for their cause.¹⁷ According to some estimates up to 3000 people, including soldiers and civilians were killed in the confrontation.¹⁸ The armed assault on the holiest of Sikh shrines stunned the Sikh community. It also led to the death of Bhindranwale, and extensive damage to the shrine. During the summer and autumn, militants who had escaped the Golden Temple were tracked down and arrested, although many had slipped into Pakistan to avoid the authorities.¹⁹ It was this set of circumstances which created the impetus for Mrs Gandhi's assassination.

The organised violence against Sikhs that followed the assassination of Mrs Gandhi was terrible not only because the government refused to act quickly to stem the violence, but also that so much of the government, specifically members of the Congress Party, were actually involved in the instigation and direction of violence against Sikhs.²⁰ For three days after the Prime Minister's murder, there were carefully targeted riots in

¹⁵ Chadda, Maya. *Ethnicity, Security and Separatism in India* (New York: Colombia University Press, 1997) :131-133.

¹⁶ Chadda. Ibid. 134.

¹⁷ Laucella. Supra. 371.

¹⁸ Chadda. Supra. 135.

¹⁹ Chadda. Ibid. 136.

²⁰ Khilnani, Sunil. Supra. 53.

Delhi and several other northern cities. Gangs moved through the cities with electoral rolls, identifying Sikh homes and businesses to attack.²¹ There are no clear estimates of how many people were murdered but some accounts have put the figure down as exceeding 4000.²²

Indira Gandhi's successor and son, Rajiv Gandhi, began working to pacify the situation in Punjab, by distinguishing between *Akali Dal* and the militants, and beginning to negotiate with the former. He attempted to allow *Akali Dal* to dominate Punjab regional politics but came up against opposition in his own party. The *Akali Dal* party was frequently suspicious of his motives, thereby preventing any successful negotiations, this lead Rajiv to concede to hardliners within the Congress Party and to the dismissal of the *Akali* regional government. As a consequence, the government decided to deal with the militants, or any other civil unrest in the region, exclusively through force.²³ As a result violence escalated, and the militants took Punjab to the edge of civil war. The Indian central government effectively put Punjab under an authoritarian state of emergency until the nineties.

The Gandhi murder is perhaps more complex and had wider repercussions than the Moro one for a couple of reasons: the cause was on behalf of an entire ethnic group, and it was as much the ethnic group that paid the price for the assassination as the organisation. While an organisation can be easily disowned, an ethnicity cannot be disowned. There are some grounds for arguing that none of this would have arisen, had there not been so much political manipulation by Indira Gandhi within Punjab, or had it not been so exacerbated by the support of militants by Pakistan,²⁴ but there is no question that there were repercussions for the Sikhs. Today, Punjab is quite peaceful, whereas once it was stunted by terrorism, maldevelopment, violence and corruption.²⁵ While the dream of 'Khalistan' still exists, possibly perpetuated by ex-patriots dwelling

²¹ Khilnani, Sunil. Ibid.

²² Chadda. Supra. 136.

²³ Chadda. Supra 137.

²⁴ Cohen, Stephen P. *India: Emerging Power*. (Washington: Brookings Institution Press, 2001) : 145.

on a homeland myth, essentially the issue seems to have died down. Accounts of what had taken place over the post assassination period are difficult to assess, but the retribution suffered by Sikhs at the hands of Hindus is by far the most terrible and obvious consequence of the murder. Public sympathy may have been gained for the Sikhs by the desecration of the Golden Temple, but the death of Mrs. Gandhi would have certainly reversed this and created antagonism towards the Sikhs generally. The placing of Punjab under authoritarian rule was a terrible consequence and the volatility of the situation practically destroyed the credibility of the relatively moderate *Akali Dal*. Rajiv Gandhi successfully politically exploited this antagonism by using virulent anti-Sikh speeches in the 1985 elections in order to gain votes from regions with highly disliked Sikh minorities, although he did go on to sign the Punjab pact later that year.²⁶

Certainly the problems of Punjab may have been legitimate and the resistance by the Sikhs may have been the voice of a genuinely oppressed group. The Sikh militants had been committing acts of murder and assassination previously, but the act of assassinating Indira Gandhi, even as a revenge attack, did not work in the group's interest. Instead, while not representing the views of all Sikhs, it brought violence upon all Sikhs. It thereby lost not only any support from outside the organisation, but also within it. It may have achieved the goal of vengeance and disrupting the government of the day, but the consequences for the group as a whole were tragic and far outweighed any benefits derived from the act.

Yitzak Rabin (1995)

On the 4th of November 1995, Yitzak Rabin, the then Prime Minister of Israel, was participating in a peace rally at the Kings of Israel Square in Tel Aviv. The Square and its side streets were filled with an estimated 250,000 people, all there to support the

²⁵ Cohen, Stephen P. Ibid. : 124.

²⁶ Chadda. Supra. 212.

peace process for which Rabin had been pushing.²⁷ The rally was a success, and the rally organisers suggested that he and Shimon Peres, the deputy leader, walk down amongst the crowd to go to where his car was parked, as a positive gesture. When Rabin reached his car, Yigal Amir, a right wing fanatic, pulled a pistol from out of his pants and shot at Rabin's unprotected back three times at point blank range, simultaneously yelling "It's nothing, they're not real bullets. They're blanks. It's not real."²⁸ In the context of a screaming crowd, security had left a gap, guarding against Islamic militants rather than a Jewish assailant. Rabin was pushed into the car and rushed to hospital, however, the driver had not been briefed on the best escape routes, and Rabin lost consciousness during the delay. On arrival it was discovered the hospital had not been alerted, thus valuable time was lost, and Rabin died.

Israel was stunned by the news and the nation went into mourning. The murder brought to light the growing divisions within Israeli society regarding peace with the Palestinians. The assassin, Yigal Amir, was a young messianic Zionist. The belief that motivated him was the same as many others in the religious-nationalist camp, specifically that the Jewish people are chosen, and the rightful owners of the Promised Land, the land of Israel.²⁹ Amir confessed that he conducted the murder to derail the peace process, and invoked Jewish religious law in support of the murder.³⁰ Amir had convinced himself that in killing Rabin, he was acting in the best interests of the Jewish people. In order to save the land and nation, Rabin had to be assassinated and that this was God's will.³¹

Borne out of the Six Day War, which saw the defeat of three Arab armies and the occupation of land three times the size of Israel, Messianic politics arose out of the ideas of some Orthodox Rabbis that Israel's success in the war was the work of the divine and

²⁷ Laucella. *Supra*. 423-4.

²⁸ *Ibid.* 425.

²⁹ Shlaim, Avi. *The Iron Wall: Israel and the Arab World*. (London: Penguin, 2000) : 548-9.

³⁰ *Ibid.*

³¹ Sprinzak, Ehud. 'Extremism and Violence in Israel: The crisis of messianic politics.' *Annals of the American Academy of Political and Social Science*. 555 (Jan, 1998).

that this was the “beginning of redemption”.³² The sanctity of the territory itself became central to religious Zionism, so that anyone prepared to give the land away was a traitor and enemy of the Jewish people, thus Rabin’s murder was both a religious and political one.

The assassination was possibly also fuelled by the actions of Rabin’s political opposition, a tone set by an inflammatory speech by Binyamin Netanyahu about Rabin surrendering the state of Israel and how the government ought to be brought down.³³

The main consequence of the assassination was a conscious rabbinical effort to exercise control over the rhetoric of the extreme right and to rule out political violence. A number of ‘messianic’ rabbis were neither eager to see the death of Rabin or a Jewish civil war and, although they were known for their pre-assassination extremism, none of them pleaded guilty or took responsibility for Amir’s cultural upbringing. The event, however, created a deep sense of guilt for not anticipating the murder and for allowing extremist followers to take over control of the rhetoric of the anti-government campaign.³⁴ Groups that have not shown any remorse, such as the followers of Rabbi Kahane (himself later assassinated), have found themselves isolated by the murder.

The question of whether Rabin’s assassination was a success for the Messianic Zionists is uncertain, but there is no doubt that Rabin’s murder had a devastating effect on the Israeli psyche. To estimate whether the peace process could have taken a different direction would be an object of speculation. It is fairly safe to say that it did have some impact; the government lost power in the following election, and the success of the peace process seems to have taken a significant down turn. What is of greater interest is the fact that broadly speaking the perpetrating group, the Messianic Zionists, and to some degree much of the extreme right, were either moderated by the assassination or isolated and discredited in the medium term. For instance, the extreme Kach party and its offshoot Kahane Chai (Kahane Lives), both connected to Rabbi

³² Shlaim. Supra 149.

³³ Shlaim. Supra 551.

Kahane and his son, Binyamin Zev Kahane, have been banned as terrorist organization, and many settler attacks on Palestinians have been blamed on these groups. The assassination of Rabin created a sense of shame and disgust throughout Israel, which forced the government to moderate some of its practices, at least in the short term, and to be more vigilant toward extreme organisations.

Effects of Assassination

While the cases cited above are not representative of all assassinations, they do demonstrate the after effects of organisational assassinations. Another citable example would be the assassination of Archduke Franz Ferdinand by a conspiracy of Young Bosnia and the Black Hand; the act which helped to set the scene for the First World War.³⁵ It seems that assassination on the whole, is a difficult sword to wield because in order to have political success, which is essentially its purpose, it must be anonymous. Those assassinations that were anonymous, such as that of Swedish Prime Minister Olof Palme, inflicted a sufficient amount of damage on the state, with no known effects on the murderers or their organisations.

There are a number of reasons why assassination draws such a strong response. Firstly, under most moral codes murder is unacceptable, and thus the murder of a significant political figure has its impact magnified. Secondly, when there is a political murder, it shows the fallibility of the state to protect its members. One of the paramount functions of the state is security and when people feel their security is threatened they can react with grief and anger. When a private individual is murdered, people see this as a crime against the individual, that is, someone other than themselves, without there necessarily being a serious increase in their own risk. When a public figure such as a political leader, is murdered, it is seen as a crime against society and state order. If the state cannot protect itself, it seems unlikely that it can protect the individuals within it.

³⁴ Sprinzak, E. *Supra*.

³⁵ Laucella. *Supra*. 94.

Even those opposed to the state, such as members of the Red Brigades, found the act of assassination unnerving, for it makes a tear in the façade of safety and shows the vulnerability of social and political institutions, and by extension the individuals that operate within them. This is particularly true now, as the state permeates our lives much more than it did one hundred years ago. The final, and possibly the most significant, aspect of assassination is that if assassination is at all seen to be an acceptable political course of action, it has the potential to destroy state continuity and create disorder. If it is acceptable even once as a course of action for political frustration, then there is a danger that this course of action will always be palatable, possibly destroying the ability of the state to function at all, in any form, in the future, even if the assassin(s) were able to achieve their political goals.

Assassination by the State:

The United States

Since the Ford administration in 1976, the United States has had a series of Executive Orders forbidding any employee or anyone acting on behalf of the United States Government from engaging in, or conspiring to engage in assassination, even in an indirect way. The latest form of the order was put into force by the Reagan Government in 1981: Executive Order 12333 (2.11) on “United States Intelligence Activities.”³⁶ Prior to 1976, the US had participated in many acts of assassination, including the Phoenix Program in South Vietnam, the murder of the Prime Minister of Congo Patrice Lumumba, President of the Dominican Republic Rafael Trujillo,³⁷ and President Salvador Allende’s death in Chile,³⁸ as well as numerous plots against Cuban leader, Fidel Castro. According to the 1976 Select Committee to Study Governmental Operations with respect to Intelligence Activities (known as the Frank Church Report),

³⁶ Bazan, Elizabeth B. *Assassination Ban and E.O. 12333: A Brief Summary*. The Library of Congress, (Washington, 2002) www.fas.org/irp/crs/RS21037.pdf (17 August 2003).

³⁷ Silverstein, David. “Reviving the Assassination Option’ *The American Enterprise* 12 (8, December 2001) : 36.

all of these assassinations and attempted assassinations have had negative consequences both domestically and for United States foreign relations, and that any future assassinations may lead to reprisals against the United States or could embarrass or weaken the United States globally.³⁹ The myriad of plots against Castro, obsessively pursued by the Eisenhower and Kennedy administrations, have made rapprochement with Cuba virtually impossible.⁴⁰ The Church Committee held that the United States should no longer engage in assassination and that a statutory prohibition should be enacted to this effect.⁴¹

In the light of the increase in small scale attacks on the United States and its interests, reconsideration of this executive order began in January 2001, with the proposal of the “Terrorist Elimination Act 2001” (HR19) by congressman Bob Barr, a Republican representative for Georgia, which would have rescinded the assassination provision to allow the US greater scope for pursuing its enemies.⁴² The bill, was referred to a Senate committee for consideration, and hasn’t since resurfaced in the public arena. After the events of September 11, the issue again came into the spotlight, some arguing for the repeal of the provision, and others arguing that any assassination done by the US to hunt down ‘terrorists’ would be justified by the United States interpretation of Section 51 of the United Nations Charter, granting the right to self-defence, even if such self defence is anticipatory.⁴³ This is in contrast to another position that holds that assassination is illegal under international law under the prohibition of the use of force in Article 2(4) of the UN Charter and that the act of assassination is prohibited by

³⁸ Solis, Gary D. “Assassination and American Armed Forces” *Virginia. State Bar Military Law Section Newsletter* 6 (Autumn 2001) <http://law.richmond.edu/special/SolisArticle.pdf> (19 August 2003).

³⁹ United States, United States Senate. *Alleged Assassination Plots Involving Foreign Leaders, An Interim Report of the Select Committee to Study Governmental Operations With Respect to Intelligence Activities*, Senate Report No. 94-465 at 1 (1975).

⁴⁰ Vest, Jason. “Kill this idea.” *The American Prospect* 12, (No. 8, May 2001).

⁴¹ United States, United States Senate. *Alleged Assassination Plots Involving Foreign Leaders* (1975)

⁴² Vest, Jason. “Kill this idea.” *Supra.* : 24.

⁴³ Harder, Tyler J. “Time to Repeal the Assassination Ban of Executive Order 12,333: A Small Step in Clarifying Current Law” *Military Law Review*. 172 (June 2002). : 19.

customary law, international agreements and the law of war.⁴⁴ Seen from this perspective, Executive Order 12333 is possibly redundant in the face of wider international law. Aside from the fact that the violation of an executive order can at its worst lead only to a monetary fine or dismissal from non-military federal employment, this would thus most likely apply to the CIA.⁴⁵ In regards to the military, currently FM 27-10, the law of war field manual for the United States Armed Forces refers to article 23(b) of the annex to 1907 Hague Convention IV, which is read as prohibiting assassination, but not precluding "attacks on individual soldiers or officers of the enemy whether in the zone of hostilities, occupied territory, or elsewhere."⁴⁶ Essentially, to overcome the prohibition is to declare war on the offending country, to narrowly define Article 31 of the UN Charter to allow action against an impending or continuous threat or to authorize an action that, while not specifically targeting a leader, would probably result in his or her death. When examined in this context the laws regarding assassination, both US and international, are practically reduced to the symbolic.

Putting aside the number of relevant legal questions which arise out of this problem it has become clear that the current administration under President George W. Bush, has been quite open about considering assassination as an option in defending United States interests. In September 2002, White House Spokesman, Ari Fleischer, said war with Iraq could be avoided at "the cost of one bullet."⁴⁷ During the US invasion of Iraq, the chief United States official, L. Paul Bremer III, has frequently stressed the importance of capturing or killing Hussein.⁴⁸ The current administration has made it very clear that it considers assassination a viable option to utilize in its foreign policy.

⁴⁴ Brandenburg, Bert. "The Legality of Assassination as an Aspect of Foreign Policy" *Virginia Journal of International Law*. 27 (University of Virginia, Richmond: 1987) Cited in Harder, Tyler J. "Time to Repeal the Assassination Ban of Executive Order 12,333: A Small Step in Clarifying Current Law" *Military Law Review*. 172 (June 2002). : 10-11.

⁴⁵ Solis, Gary D. *Supra*.

⁴⁶ United States, Department of the Army. *FM 27-10*. (1976). (<http://www.adtdl.army.mil/cgi-bin/atdl.dll/fm/27-10/ch2.pdf>).

⁴⁷ Wilkinson, Marian "Cost of one bullet cheaper than war." *Age*, October 3 2002.

⁴⁸ Powers, Thomas "When Frontier Justice Becomes Foreign Policy" *New York Times*, Jul 13, 2003.

The question in this context then, is whether the same factors apply when a state perpetrates an assassination, as when a non-state based actor performs such an act. The first result of negative public reaction against murder is magnified to the international level, and has the potential to decrease trust between states. The second result, that it violates the normal sense of security that people take for granted, is also applicable, it not only invalidates a sense of public safety, but the security of a nation's borders. The third result, that it normalizes the act, is perhaps the most important. If it becomes internationally acceptable to murder the heads of enemy states, then that increasingly makes international diplomacy unfeasible. It was arguably the creation of this norm that allowed leaders and their representatives to meet safely and thus has allowed for greater levels of diplomacy. If this norm is taken away, leaders and representatives are put at risk, thus removing opportunities for diplomatic resolution. Domestic and foreign opposition to assassinations allegedly performed by the CIA in the 1960s and 1970s show that assassination has done little to help United States foreign interests. For instance, Richard Helms, who himself was involved in an assassination plot before he became the Director of Central Intelligence, commented in the Frank Church Report that the assassination of President Diem in Vietnam resulted in a number of weak caretaker governments that worked to the disadvantage of the United States.⁴⁹

The final factor in regard to state sponsored assassination, is whether, upon targeting a head of state and thus removing the "centre of gravity" of an opposing force, will it have destroyed the movement in question. Surely if a belief system has a constituency, the death of one individual will not necessarily end it. By murdering a single individual, not only is an entire ideology unlikely to unravel, but the death would probably create a more volatile and aggravated reaction from the enemy. The Frank Church report concluded that to perform acts of assassination would no doubt be difficult to hide under a democratic regime, that it would damage the reputation of the United States internationally, that it would invite "reciprocal action" from foreign

⁴⁹ United States, United States Senate. *Alleged Assassination Plots Involving Foreign Leaders* (1975).

governments.⁵⁰ It seems that the new policy of leaving this option available, may well be ignoring the lessons of the country's past and leaving the way open for further sully of the United States reputation as a good international citizen.

⁵⁰ United States, United States Senate. *Alleged Assassination Plots Involving Foreign Leaders* (1975).

Conclusion

Assassination as a political tool is a difficult one to use effectively. When done anonymously, the assassinating organisation is unable to publicly communicate their frustrations and reasons and therefore the effectiveness of assassination may be limited. While it may remove the head of state, it does not remove the ideology behind it, or the constituency of that ideology. When performed openly by an organisation, the reaction of the public at large is usually negative and can outweigh any benefits the act may have brought. While a frustration or political statement may be communicated, the organisation's reputation invariably suffers and sometimes the acting organization is seriously damaged or destroyed. It seems that the murder of a leader is a far greater crime in the eyes of people generally than an ordinary murder because the act not only compromises the government, but also compromises the public perception of safety. As a political tool, assassination is probably the least useful, and thus the least desirable.

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