

# Decision Making in Using Assassinations in International Relations

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ASSASSINATIONS UNDERTAKEN FOR FOREIGN POLICY reasons can have dramatic consequences, as the killing of Archduke Franz Ferdinand a little over a hundred years ago illustrates. In recent years, there has been increased scholarly interest regarding states engaging in assassination. Attention has focused on Israel's "targeted killing" campaign, the killing of Osama bin Laden, and the U.S. drone strike campaign against al Qaeda leaders in Pakistan and elsewhere. Much of the literature on these assassinations has focused on whether removing top leaders of terrorist organizations actually diminishes their future capabilities.<sup>1</sup> But there has

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<sup>1</sup>The discussion in the literature regarding leadership targeting includes the capture as well as the killing of a leader. For a prominent article making the case that such targeting does not work, see Jenna Jordan, "When Heads Roll: Assessing the Effectiveness of Leadership Decapitation," *Security Studies* 18 (October/December 2009): 719–755. For two analyses stating that it does work, as well as surveys of the literature they are arguing against, see Bryan C. Price, "Targeting Top Terrorists: How Leadership Decapitation Contributes to Counterterrorism," *International Security* 36 (Spring 2012): 9–46; and Patrick B. Johnston, "Does Decapitation Work? Assessing the Effectiveness of Leadership Targeting in Counterinsurgency Campaigns," *International Security* 36 (Spring 2012): 47–79. For a recent piece reiterating and expanding the case against it working, see Jenna Jordan, "Attacking the Leader, Missing the Mark: Why Terrorist Groups Survive Decapitation Strikes," *International Security* 38 (Spring 2014): 7–38. For an argument that its effectiveness is inversely proportional to the level of institutionalization of the targeted organization, see Austin Long, "Whack-a-Mole or Coup de Grace? Institutionalization and Leadership Targeting in Iraq and Afghanistan," *Security Studies* 23 (July–September 2014): 471–512.

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not been much in the way of a historical discussion of assassination or an examination of the process behind assassination deliberations. That is the focus of this article.

Throughout past centuries, states have sometimes undertaken assassinations in order to advance their foreign policy interests. Such acts do not typically happen during the normal course of events, and during much of this time, there has been a general, if not always observed, norm against such assassinations. But when a state is willing to violate that norm, its leaders still must balance the potential benefits of the act against both expected and unexpected costs. This article presents a taxonomy of assassination benefits that differentiates among those that depend upon the policies of the successor compared with those of the assassinated individual, those that depend upon the capabilities of the successor, and those that do not depend upon the successor at all. Within each of these types, there are different mechanisms by which the benefit can be realized. The possible costs to the state undertaking assassination are mentioned as well.

The bulk of the article discusses in some detail more than a dozen cases of planned or actual foreign policy assassinations in order to illustrate and analyze the decision-making processes involved. One popular theory—that the assassination of a leader of state may bring about a “tit-for-tat” retaliatory assassination against the originating leader and that, as a consequence, leaders of states have observed a “tacit understanding” to avoid such actions altogether—is evaluated but found unconvincing based upon the historical record.

Instead, several factors are found to underlie decision making. One is that rational choice analysis is inherently difficult, as weighing the benefits versus the costs of a potential assassination is a quite complex problem: there are hard-to-make predictions involved and often no commensurate terms with which to compare the anticipated costs and benefits. Another is that the costs related to a state violating the norm against assassination and being identified as the perpetrator often necessitate that deliberations be held in secret, which, in turn, leads to the absence of necessary discussions and an analytical vacuum.

In addition, decisions regarding assassinations—especially those that depend upon the policies of the successor, which are the most frequent—tend to fall prey to two specific cognitive biases that are known to affect decision making among leaders in general. Policymakers tend to structure assassination deliberations in terms that simplify the issues involved and thus appear to remove the need for choice. Also, leaders view the foreign policies of adversarial states as reflecting the personal interests of the particular individuals holding power, especially in polities believed to be

under a dominant ruler, rather than expressions of broadly shared institutional or national interests among the elites in the opposing state. This personification results in decision makers overestimating the results of a change in the leadership of an opposing state and, hence, the potential utility of assassinating one or more of its leaders. In the end, decisions made in favor of assassination tend to be based on the hope, often without much evidence, that no successor to the assassinated figure could be worse and that any successor might be better.

In the final sections of the article, two recent occurrences of foreign policy assassinations are examined: the killing of Osama bin Laden and the drone strike campaign against al Qaeda leaders in Pakistan and elsewhere. The choice process behind the bin Laden raid is found to be the best conducted of any of those examined here. The decision-making calculus for drone strikes, while problematic in places, is nevertheless superior to these earlier historical instances. An analysis is given of the factors causing these differences. One is that the norm against assassination has been weakening when terrorism is involved, which has alleviated some of the need for secrecy; some aspects of targeted killing campaigns have been debated and contested in public. Another is that the decision-making process works best when the goals of the assassination have the smallest dependency upon the identity of the successor. In the case of bin Laden, in particular, there were no illusions about the policies of his successor, and while it was hoped his death would impede al Qaeda, the primary goal was simply to eliminate him for what he had done. The article concludes with some thoughts about the future directions of foreign policy assassinations.

## DEFINITIONS

Before assassination as an act of foreign policy or international relations (hereafter also termed a foreign policy assassination or an IR assassination) can be analyzed, the practice must be defined. The literature contains a number of definitions of assassination, from various perspectives.<sup>2</sup> This article will define it as follows: *the killing of specific, important foreign officials or actors undertaken by a state to advance its foreign policy.*

For the purposes here, wartime as well as peacetime actions are included; actions by governments-in-exile are included; actions against prominent

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<sup>2</sup>For a brief discussion of the problem of defining assassination in general, see Murray Clark Havens, Carl Leiden, and Karl M. Schmitt, *Assassination and Terrorism: Their Modern Dimensions* (Manhaca, TX: Sterling Swift, 1975), 2–6; see also Franklin L. Ford, *Political Murder: From Tyrannicide to Terrorism* (Cambridge, MA: Harvard University Press, 1985), 2.

military and scientific figures are included; and actions undertaken by surrogates of a state are included. (It is recognized that the level of state responsibility is often ambiguous in the historical record.) Actions by leaders of would-be polities are excluded, as they are not state actors and it is the processes of *state* decisions that are being examined here. However, actions by states *against* such would-be polities are included because, again, it is state decisions that are being looked at. (Palestinian plans and acts against Israel are included as a borderline case of the actions of a polity, not a would-be polity, as the Palestine Liberation Organization [PLO] has been recognized in some form by about a hundred states since the late 1980s.)<sup>3</sup> Failed assassination attempts and plans never put into action are included, because they too illuminate the decision-making process.

In some cases, such as with so-called targeted killings and especially with drone strikes, the definitional line becomes blurred in cases in which the number of victims is high and their status is low. The point to keep in mind is that victims of assassination, as the foregoing definition states, are specific individuals whom the state chooses to kill in the expectation that their death, thanks to some special characteristic, will advance the state's foreign policy or other interests. Thus, leaders are *assassinated* for their *uniqueness* (and the state may benefit from the death of one), but soldiers are *killed* because of their *uniformity* (and the state may benefit only by the death of many).

### TAXONOMY OF POTENTIAL GAINS

Assassination can be fairly seen as an act of war, but it is certainly not a substitute, for the potential effects of assassination are far less consequential. Whatever else assassins can do, they cannot defeat armies or occupy territory. Most assassinations do, however, share with war the goal of affecting the intentions or capabilities of another state. Assassinations have served these two general goals through the pursuit of a number of more specific objectives.

Our survey and analysis of IR assassinations and assassination plots from the time of the Republic of Venice in the fifteenth century (a hotbed of such activities)<sup>4</sup> to the present has led to the formation of a taxonomy of

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<sup>3</sup>Paul Lewis, "U.N. Resolution Would Recognize P.L.O. as Palestinian Spokesman," *New York Times*, 1 December 1989.

<sup>4</sup>Hans J. Morgenthau, *Politics among Nations* (New York: Alfred A. Knopf, 1949), 175–176. Morgenthau wrote that the Republic of Venice, between 1415 and 1525, "planned or attempted about two hundred assassinations for purposes of international politics." Ford quotes a nineteenth-century researcher as saying old records reveal "scores of assassination proposals" but considers knowing the actual number an intractable problem. See Ford, *Political Murder*, 134–145, 401n6.

goals of such actions, in terms of the basic types of benefits and the logical mechanisms by which the goals could be fulfilled.

*Assassinations whose benefits derive from the policies of the successor compared with those of the incumbent.* This change for the “better” can come through several mechanisms:

- By the expectation that a successor will pursue policies less hostile to those of the assassinating state. One of many examples took place between 1948 and 1953, when Joseph Stalin made multiple plans to kill Josip Broz Tito in the belief that Yugoslavia would then be led by officials more willing to follow Moscow.<sup>5</sup>
- By targeting members of another state’s elite in the expectation that if they came to power, they would initiate policies opposed to those of the assassinating state. An example is the motivation of Serbian military intelligence officer Dragutin Dimitrijević (Apis) in orchestrating the assassination of the heir apparent Archduke Ferdinand: fear of the archduke’s scheme for transforming the Austro-Hungarian dual monarchy into a tripartite arrangement with autonomy for Southern Slavs, which would have undermined popular support for the Greater Serbia movement.<sup>6</sup>
- By not removing hostile leaders *from* power but rather keeping relatively friendly leaders *in* power. An illustrative example concerns Morocco: French agents in 1956 attempted to kill Allal al-Fassi, a political opponent of the friendly Sultan Muhammad V, and in 1965 they helped Moroccan security officials kill Mehdi Ben Barka, a major opponent of Muhammad’s successor, King Hassan II.<sup>7</sup>
- By assassinating leaders already holding some power, with the object of preventing them from gaining more. An example occurred in 1619: the Protestant elector of Palatine, Frederick V, was opposed to the election of the Catholic archduke of Styria, Ferdinand, as emperor of the Holy Roman Empire, and Frederick’s agents tried to kill Ferdinand as he traveled to Frankfurt for the election.<sup>8</sup>

*Assassinations whose benefits derive from the capabilities of the successor compared with those of the incumbent.* This weakening of the ability of an opponent to conduct “bad” policies, thus affecting not its intentions but its capabilities, can also come about through several mechanisms:

- By putting an end to a would-be polity, such as the assassination of the leader of an insurrectionist movement intent on taking over a government or

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<sup>5</sup>Christopher Andrew and Vasili Mitrokhin, *The Sword and the Shield: The Mitrokhin Archive and the Secret History of the KGB* (New York: Basic Books, 1999), 357–358; see also Pavel Sudoplatov and Anatoli Sudoplatov with Jerrold L. and Leona P. Schecter, *Special Tasks* (Boston: Little, Brown, 1994), 335–338.

<sup>6</sup>Christopher Clark, *The Sleepwalkers: How Europe Went to War in 1914* (New York: HarperCollins, 2012), 48–49.

<sup>7</sup>Douglas Porch, *The French Secret Services: From the Dreyfus Affair to the Gulf War* (New York: Farrar, Straus and Giroux, 1995), 368, 417–418, 441–442; and Roger Faligot and Pascal Krop, *La Piscine: The French Secret Service since 1944*, trans. W.D. Halls (New York: Basil Blackwell, 1989), 263–264.

<sup>8</sup>C.V. Wedgwood, *The Thirty Years War* (New York: Methuen, paperback ed., 1981), 93–94.

seceding from it. An illustrative example is Philip II trying for 17 years to assassinate William of Orange and his brother Louis in the hope that this would end the revolt of the Spanish colonies in the Netherlands.<sup>9</sup>

- By putting into place alternative leaders who will prove less effective (by virtue of less talent or experience) in carrying out that state's goals. For instance, Venice's tribute to the military ability of Mohammed II—the sultan who conquered the last bastion of the Byzantine Empire, Constantinople, in 1453 when he was 24 years old—was to commission 14 different attempts to assassinate him between 1456 and 1479.<sup>10</sup>
- By finding it particularly useful, in time of war, to kill talented enemy leaders. Between 1451 and 1454, for example, Venice commissioned three attempts to assassinate Bartolomeo Colleoni, the condottiere leading the army of Milan, a man whose military skill the Council of Ten knew well, as earlier he had fought for Venice and would do so again after 1455.<sup>11</sup>
- By improving the prospects for the success of their own military operations. An example occurred in June 1982 during the Falklands War. In an attack timed with the British assault on Stanley, a British helicopter fired two missiles at the house where the senior Argentine commanders on the islands were thought to meet at dawn each day.<sup>12</sup>
- By preventing an opponent from gaining new or improved capabilities. For example, Israel has repeatedly employed assassination to handicap the development of new weapons by its enemies, beginning in 1962 with a determined campaign, with several attempted assassinations and one killing, against a group of West German rocket and jet specialists working for Egypt.<sup>13</sup>

*Assassinations whose benefits do not depend upon the successor at all.*

The possible mechanisms of these are as follows:

- By causing the breakup of a state, the gain of its territory, or an end to its regime. While unusual, an illustrative example is said to have occurred in 1964 when Malaysia charged Indonesia with plotting to kill the prime ministers of both Malaysia and Singapore as part of an effort to sow insurrection, break up their federation, and further President Sukarno's ambition to absorb their territory into a "Greater Indonesia."<sup>14</sup>
- By "false flag" assassinations, designed to worsen relations between two other states. While rarer than conspiracy theorists imagine, an example occurred early in the Nazi regime: when the Soviets thought Hermann Goering would

<sup>9</sup>Geoffrey Parker, *The Grand Strategy of Philip II* (New Haven, CT: Yale University Press, 1998), 134–135.

<sup>10</sup>Vladimir Lamansky, *Secrets d'Etat de Venise*, 2 vols. (Saint-Petersbourg: Académie Impériale des Sciences, 1884; repr., New York: Burt Franklin, 1968), 2:817–820.

<sup>11</sup>Lamansky, *Secrets d'Etat de Venise*, 2:218; and Geoffrey Trease, *The Condottieri* (New York: Holt, Rinehart and Winston, 1971), 294–295.

<sup>12</sup>Martin Middlebrook, *Task Force: The Falklands War* (London: Penguin, 1987), 323.

<sup>13a</sup>"Germans in Egypt Fear Israeli Spies," *New York Times* (International Edition), 9–10 January 1965; and Hedrick Smith, "Leader of German Rocket Team Reported to Have Left U.A.R.," *New York Times*, 9 July 1965.

<sup>14a</sup>"Jakarta Accused of a Murder Plot," *New York Times*, 23 April 1964.

visit Paris, they recruited an assassin, whom they believed could not be traced to them, to shoot Goering at the airport for the purpose of inflaming Franco-German relations.<sup>15</sup>

- By actions where the primary political target is a nontargeted state. An example is the killing of Reinhard Heydrich, the Reichsprotektor of Bohemia-Moravia. While the president of the Czechoslovak government-in-exile, Edvard Beneš, had several motivations for authorizing the assassination, the policies that he hoped most to affect were British, not German. Beneš saw it as a dramatic demonstration that the Czechs were making a contribution to Allied victory, which would thereby make it politically more difficult for Britain to make any peace agreement with Germany that would compromise Czech interests.<sup>16</sup>
- By assassinations where the primary political target is the assassinating state itself: killings designed mainly to meet the emotional needs of the population and/or leaders of the assassinating state—assassinations for the purpose of revenge. An example is the Libyan leader Colonel Muammar el-Qaddafi and his plan to kill the ruler of Saudi Arabia, Crown Prince Abdullah. Qaddafi initiated the plot following a heated dispute between the two at a meeting of Arab leaders in February 2003; the Crown Prince had called Qaddafi a liar who did not know what he was talking about.<sup>17</sup>
- By assassinations that demonstrate power and thereby shake the morale of an opponent, if only for the moment. An example is when a Soviet agent killed Gauleiter Wilhelm Kube, the Nazi commissar of Byelorussia in 1943: the Soviet intelligence service did not expect the assassination to affect the course of German occupation policy, much less the war. The killing was intended to contribute to the demoralization of the Germans and their local collaborators, but in the clear recognition that confidence in a German victory was going to be far more affected by what happened at the front than behind it.<sup>18</sup>

Table 1 summarizes this taxonomy. Of course, other categorizations of the benefits of assassination can be constructed, especially if all kinds are under consideration, not just foreign policy ones.<sup>19</sup>

## COSTS

For much of the past few centuries, there has been a generally perceived norm against foreign policy being conducted by assassination. It is beyond

<sup>15</sup>Andrew and Mitrokin, *The Sword and the Shield*, 70.

<sup>16</sup>Callum MacDonald, *The Killing of SS Obergruppenführer Reinhard Heydrich, 27 May 1942* (London: Macmillan, 1989), 80, 118–120, 137–138.

<sup>17</sup>Neil MacFarquhar, “Seeing a Plot, Saudis Recall Ambassador from Libya,” *New York Times*, 23 December 2004.

<sup>18</sup>For background on Kube’s time as governor, see Alexander Dallin, *German Rule in Russia, 1941–1945* (New York: St. Martin’s Press, 1957), 217–220, 665–666.

<sup>19</sup>One such general classification scheme is laid out in Havens, Leiden, and Schmitt, *Assassination and Terrorism*, 16–20. A breakdown that focuses on all types of assassination that occur during warfare is presented in Simon Frankel Pratt, “Crossing Off Names: The Logic of Military Assassination,” *Small Wars & Insurgencies* 26 (February 2015): 3–24.

TABLE 1  
*Taxonomy of Potential Gains from Foreign Policy Assassinations*

<b>Successor policy based</b>	Successor to opponent leader will have less hostile policies
	Eliminate potential successor who would have hostile policies
	Eliminate rival to keep friendly leader in power
	Prevent hostile opponent leader from gaining more power
<b>Successor capability based</b>	Put an end to hostile would-be polity
	Successor to opponent leader will be less effective
	Kill talented enemy leaders during time of war
	Kill important enemy military figures during time of war
<b>Not successor based</b>	Prevent opponent from getting improved capabilities
	Cause breakup of opponent state or regime
	“False flag” to worsen relations between two other states
	Cause indirect effect on third-party state
	Satisfy emotional needs or revenge within own country
	Demonstrate power and shake morale of opponent

the scope of this article to explore this norm, but work by Ward Thomas has postulated that the norm has been weakening since the midpoint of the twentieth century and has had less effect when terrorism has been a factor.<sup>20</sup>

In any case, the purpose here is to examine those cases in which a state has decided that it is willing to violate that norm—often by planning an assassination where its role will remain secret or by disguising that an assassination has even taken place.

The ability of policymakers to identify potential gains from an assassination, regardless of the motivation relative to the taxonomy presented earlier, provides no guarantee that those gains will actually be achieved. It is far easier to imagine the positive changes that *could* come from an assassination than it is to predict accurately what those changes will turn out to be.

In the centuries when hereditary monarchs ruled most states, a ruler intent on assassinating another monarch normally had a good idea of whom the successor would be—the first but not always the last step in predicting the results of an assassination. Predicting the results of an assassination is much more difficult in the case of modern, complex bureaucratic polities. Power in such states is so widely dispersed among elites, and policy is the result of so many conflicting interests among them, that the foreign policy results of any one person’s death are far harder to predict than in the case of absolute monarchs and potentially less

<sup>20</sup>Ward Thomas, “Norms and Security: The Case of International Assassination,” *International Security* 25 (Summer 2000): 105–133.



consequential as well. Although this is especially the case in democratic polities, where elites have independent bases for power, the point holds also for modern authoritarian and totalitarian states.

The task of prediction is broader, moreover, than trying to identify how a state's future intentions or capabilities will be affected by the death of the victim. Prediction must also address the potential consequences from the act of assassination itself. The future policies of the victim's state may be quite different if the death is believed to be the result of an assassination rather than natural or accidental causes. The degree to which assassinating states' links to an assassin are sufficiently ambiguous as to create uncertainty about their responsibility for the victim's death may inhibit retaliatory action by the victimized polity and make it easier for other states to justify little or no reaction. Assassinating states may try to make deaths appear to be the result of accidental or natural causes or the work of an individual or nongovernmental group and hope to create at least uncertainty about their responsibility, but their hands are unlikely to remain hidden for long. As a result, whether they anticipate it or not, assassinating states will normally pay a price for the act, and a prudent state should plan accordingly.

States do not take kindly to the assassination of their leaders. If they believe that is what has happened, they will, if they can, retaliate in ways that can prove very costly to the assassinating state. Moreover, other states, should they deplore the act or think their interests adversely affected by it, may also impose costs on the assassinating state.

### TIT FOR TAT AND THE "TACIT UNDERSTANDING" THEORY

The most straightforward form of retaliation by the victimized state is to return the favor and kill someone of value to the assassinating state. Known as "tit for tat," this might obviously affect the decisions of leaders when considering a potential foreign policy assassination, if they believe they would be under attack in return.

Following Philip II's assassination of William of Orange in 1584, Queen Elizabeth's Privy Council decided that if she ever died by violent means, it would order the immediate execution of Mary Stuart.<sup>21</sup> After 31 North Korean agents failed in a 1968 effort to assassinate South Korean president Park Chung-hee, South Korean military officials recruited exactly 31 agents for the mission of killing North Korean leader Kim Il-Sung.<sup>22</sup>

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<sup>21</sup>Parker, *The Grand Strategy of Philip II*, 175.

<sup>22</sup>Norimitsu Onishi, "South Korean Movie Unlocks Door on a Once-Secret Past," *New York Times*, 15 February 2004.

Lyndon B. Johnson, who always doubted that Lee Harvey Oswald had killed John F. Kennedy on his own, learned in 1967 about the Kennedy administration's efforts to kill Fidel Castro and concluded that the assassination had been the work of Castro, who had decided to kill Kennedy first.<sup>23</sup>

It is certainly the case that Castro tried to put an end to American efforts to assassinate him by publicly summoning up the prospect of tit-for-tat killings. In September 1963, he told an American reporter, "United States leaders should think that if they are aiding terrorist plans to eliminate Cuban leaders, they themselves will not be safe." But there is no evidence that Castro made an effort to develop the means to implement that threat, and his statement in 1978 to the visiting chairman of the House Select Committee on Assassinations has the ring of reality. When asked whether he had a part in Kennedy's assassination, Castro replied, "Listen, I would have to be crazy to kill the President of the United States. They would wipe my little country off the face of the earth."<sup>24</sup>

Actually, retaliations in kind for assassination attempts appear to be the exception rather than the rule. This, together with a perceived lack of assassination attempts in the first place, has led some to conclude that this is because the prospect of tit-for-tat killing has led leaders to observe a "tacit agreement" not to kill each other.<sup>25</sup> However, there is no real evidence to support this hypothesis.

It is the case that in the 1960s, when a member of the President's Foreign Intelligence Advisory Board kept asking why the Central Intelligence Agency (CIA) did not solve America's problems with North Vietnam by killing its leader, Ho Chi Minh, an agency official explained, "There is a tacit truce between nations on such matters: once you start killing them, they start killing you." But Thomas Powers has identified this statement as an example of the CIA's "regular spiel" designed to persuade others in the U.S. government that the CIA was neither interested in nor capable of engaging in assassination in order to maintain the secrecy of its actual assassination plans.<sup>26</sup>

President Kennedy was equally disingenuous when he assured an assistant in November 1961 that he would not authorize the assassination of

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<sup>23</sup>Thomas Powers, *The Man Who Kept the Secrets: Richard Helms and the CIA* (New York: Alfred A. Knopf, 1979), 156–157.

<sup>24</sup>For Castro's two statements, see George Crile, "CIA Wooed Castro Aide in Assassination Plot," *Record* (Bergen County, NJ), 2 May 1976; and Philip Shenon, "Who Killed John Kennedy? After 25 Years, More Theories Than Certainty," *New York Times*, 18 November 1988.

<sup>25</sup>See Edward Hyams, *Killing No Murder* (London: Thomas Nelson and Sons, 1969), 30.

<sup>26</sup>Powers, *The Man Who Kept the Secrets*, 127–130.

Castro, stating, “we can’t get into that kind of thing, or we would all be targets.”<sup>27</sup> At the time, Kennedy was into exactly that kind of thing. Robert F. Kennedy, the president’s brother and the attorney general, showed an equal lack of confidence in “tacit agreements” when he asked the Federal Bureau of Investigation to test for poison the wine that Soviet premier Nikita Khrushchev had sent the president.<sup>28</sup>

The Israeli-Palestinian conflict has featured assassinations of various kinds, including the killing by Israel of many of the organizers and perpetrators of the 1972 Olympics massacre in Munich. But the conflict is said by journalist Yossi Melman to have been marked from time to time by “a kind of silent agreement on both sides not to hit ‘national’ leaders.”<sup>29</sup> In our judgment, the restraints involved have not been the result of a desire to avoid tit-for-tat retaliations. In the case of Israel, over the decades there has been considerable debate over the utility of assassinating top Palestinian leaders, and there have been periods when Israeli governments have refrained from such killings in the belief that assassinations would only produce embittered successors with whom it would be even more difficult to negotiate a peace.<sup>30</sup>

But there have been other periods when Israeli governments have decided that Palestinian leaders responsible for terrorist acts were best killed in the hope that their successors would be either less skilled or more restrained in the use of terrorism. As a result, since the 1970s, at one time or another, Israel has assassinated leaders from every major Palestinian political organization.<sup>31</sup> The chairman of the PLO, Yasser Arafat, died of natural causes in 2004 only because a number of Israel’s attempts to kill him earlier had failed, and he escaped a sniper’s bullet during Israel’s 1982 war in Lebanon only because the United States exacted a pledge from Israel not to kill him as PLO forces left Lebanon under the supervision of the United States and other nations. This was an agreement that Ariel Sharon,

<sup>27</sup>U.S. Senate, Select Committee to Study Governmental Operations with Respect to Intelligence Activities, *Alleged Assassination Plots Involving Foreign Leaders*, 94th Cong., 1st Sess., 18 November 1975 (Washington, DC: U.S. Government Printing Office, 1975), 139.

<sup>28</sup>Richard Reeves, *President Kennedy: Profile of Power* (New York: Simon & Schuster, 1993), 151, 347.

<sup>29</sup>Yossi Melman, “Targeted Killings: A Retro Fashion Very Much in Vogue,” *Haaretz*, 3 March 2004. Similarly, John Kifner, “Israel Is Said to Have Killed Abu Jihad to Quell Unrest,” *New York Times*, 23 April 1988.

<sup>30</sup>For the variations in Israeli policy, see Michael Bar-Zohar and Eitan Haber, *The Quest for the Red Prince* (London: Weidenfeld and Nicolson, 1983), 136–137; and Dan Raviv and Yossi Melman, *Every Spy a Prince: The Complete History of Israel’s Intelligence Community* (Boston: Houghton Mifflin, 1990), 398.

<sup>31</sup>For a partial list of Israeli assassinations, see the Jewish Virtual Library, accessed at <http://jewishvirtuallibrary.org/jsource/Terrorism/hits.html>, 25 August 2014. As with many IR assassinations, the facts in a number of these cases remain somewhat uncertain.

defense minister at that time, later publicly regretted as prime minister, stating, “Actually, I am sorry we did not liquidate him.”<sup>32</sup>

On their part, the Palestinians have not refrained from threatening or trying to kill Israeli leaders. In 1969, there was a failed attempt to kill former prime minister David Ben-Gurion; multiple attempts to kill Golda Meir, while she was prime minister, also failed.<sup>33</sup> In January 2001, in response to Israel’s change from targeting Palestinians who actually committed terrorist attacks during the Second Intifada to also targeting leaders who planned or assisted such acts, a member of the Palestinian Legislative Council declared, “There are rules of the game, and if you violate them, you are opening a Pandora’s box. It’s very easy to start killing Israeli leaders.”<sup>34</sup> The following October, members of the Popular Front for the Liberation of Palestine (PFLP) did kill Rehavam Zeevi, Israel’s minister of tourism and a retired general. This was the first Palestinian assassination of a cabinet member in Israel’s history. A PFLP representative proclaimed, “The head of the criminal Zeevi will be the first step on the path of tit-for-tat.”<sup>35</sup>

There have been similar later threats against Israeli leaders. In June 2003, following an unsuccessful Israeli attempt to kill a major Hamas leader, Abdel Aziz Rantisi, another prominent figure in Hamas vowed vengeance, stating, “An eye for an eye and a politician for a politician.” But no such attack was made, nor was there any following Israel’s assassination of Sheikh Ahmed Yassin, a founder and the spiritual leader of Hamas, in March 2004, or the successful killing a month later of Rantisi, who had succeeded Yassin as the leader of Hamas in Gaza.<sup>36</sup> In fact, Palestinians have yet to kill an Israeli leader since Zeevi in 2001. They may lack the necessary capabilities in intelligence, logistics, and technology. In the meantime, Israel has added to its protective

<sup>32</sup>For attempts to kill Arafat, see Ian Black and Benny Morris, *Israel’s Secret Wars: A History of Israel’s Intelligence Services* (New York: Grove Weidenfeld, 1991), 381; Raviv and Melman, *Every Spy A Prince*, 276, 398; and Colonel Moshe “Muki” Betser (Ret.) with Robert Rosenberg, *Secret Soldier: The True Life Story of Israel’s Greatest Commando* (New York: Atlantic Monthly Press, 1996), 8–9, 20, 131, 270. For the 1982 pledge and Sharon’s regret, see George P. Shultz, *Turmoil and Triumph: My Years as Secretary of State* (New York: Charles Scribner’s Sons, 1993), 73, 81–82; and James Bennet, “Sharon Is Sorry Israel Didn’t Kill Arafat in the 80’s,” *New York Times*, 1 February 2002.

<sup>33</sup>For Ben-Gurion, see Black and Morris, *Israel’s Secret Wars*, 266; for Meir, see Elinor Burkett, *Golda* (New York: HarperCollins, 2008), 284; and Bar-Zohar and Haber, *The Quest for the Red Prince*, 156.

<sup>34</sup>Keith B. Richburg, “Israelis Confirm Wider Policy of Assassinations,” *Washington Post*, 8 January 2001.

<sup>35</sup>James Bennet, “Far-Right Leader Is Slain in Israel; A Blow to Peace,” *New York Times*, 18 October 2001.

<sup>36</sup>Laura King, “Israel Tries to Kill Top Militant,” *Los Angeles Times*, 11 June 2003. For the subsequent killings of Yassin and Rantisi, see James Bennet, “Leader of Hamas Reported Killed in Israeli Strike,” *New York Times*, 22 March 2004; and Greg Myre, “Leader of Hamas Killed by Israel in Missile Attack,” *New York Times*, 18 April 2004.

measures, providing for the first time bodyguards for its major military leaders.<sup>37</sup>

Thus we see that deliberations over whether to conduct a foreign policy assassination have not been precluded by fear of tit-for-tat retaliations or by any “tacit understanding” to refrain from such activity. Other factors must account for the decision-making process.

### DIFFICULTIES IN RATIONAL CHOICE AND THE LACK OF COMMENSURATE TERMS

Given the problem of estimating the potential costs of retaliation and the difficulty of predicting the identity and policies of a victim’s successor, it is clear that a judgment about the effect of a potential foreign policy assassination is no easy matter.

It is no wonder that when the Israeli government considered killing Arafat in the summer of 2001 in order to reduce the violence of the Second Intifada, there was no agreement on the likely consequences. A report of the Shin Bet, the Israeli internal security service, concluded that “damage from his disappearance is less compared to the damage from his continued survival.” But a former director of the Shin Bet and the foreign minister, Shimon Peres, disagreed, arguing that the policies of Arafat’s successor would not be any better and might even be worse.<sup>38</sup> Divided and uncertain about whether Arafat’s assassination would ease or exacerbate the intifada, the Israelis did not proceed.

The problems and difficulties of determining the consequences of a potential assassination notwithstanding, policymakers have obviously made predictions, evaluated alternatives, and chosen among them. The results have varied depending, among other factors, on how certain or united policymakers were in their views about alternative futures, how confident they were in their ability to judge the relative desirability of those futures, and how willing they were to make choices and use their power to impose them on others.

In the case of the assassination of Heydrich in 1942, when the head of the Czech underground in Prague, Ladislav Vaněk, learned that Beneš had sent two parachuted agents to assassinate Heydrich, Vaněk asked Beneš to cancel the operation, predicting that “unheard-of reprisals” would destroy the underground and threaten thousands of Czech lives. Beneš replied by warning the underground of the continued danger to Czech interests from

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<sup>37</sup>Gal Luft, “The Logic of Israel’s Targeted Killing,” *Middle East Quarterly* 10 (Winter 2003): 3–13, at 8.

<sup>38</sup>Lee Hockstader, “Pressure Grows in Israel to Wage War on Arafat,” *Washington Post*, 13 July 2001; and William A. Orme, Jr., “Let’s Keep Talking to Arafat, Peres Says,” *New York Times*, 12 July 2001.

a compromise peace and asserting the need for acts of rebellion and sabotage within Czechoslovakia: “On the international plane action of this kind would contribute to the preservation of the nation itself, even if it had to be paid for by a great many sacrifices.”<sup>39</sup>

In all probability, neither Beneš nor the British Special Operations Executive (SOE), which helped organize the action, anticipated the scale of the German retaliation, in which the entire village of Lidice was destroyed and its occupants either executed or sent to death camps. At all events, afterward, with his goal accomplished by the British repudiation of the 1938 Munich Agreement, Beneš ordered that, while Czech collaborators could still be killed, no further German officials should be assassinated because the reprisals would be too great.<sup>40</sup>

As this case illustrates, in addition to deciding to conduct assassinations in the face of costs, policymakers also have chosen the opposite. During World War I, British military intelligence established a network of agents in Belgium to gather information about German trains moving to the front. In February 1918, some of those agents reported that the chief of the German General Staff, Field Marshal Paul von Hindenburg, would visit the German headquarters in Spa and asked whether an attempt should be made to assassinate him. The British decided against it on the grounds that the railroad-watching network was too important to risk exposure.<sup>41</sup> In 1942, the SOE vetoed an agent’s proposal to kill a German Abwehr official responsible for hunting down Allied agents in France because the attempt might jeopardize the SOE operative’s main task, which was to organize groups that would assist the anticipated future invasion of France.<sup>42</sup>

Unfortunately, history does not provide much information about how policymakers have actually addressed the problems involved in making the necessary predictions and weighing the expected costs and gains of assassinations. These are discussions about which states tend to keep few records and do their best to secrete the records they do keep.

If the decision is approached as an exercise in rational choice, policymakers confront some very complex tasks. First, they have to establish the gains from the assassination and the costs if they are held responsible for it, both for the event in which the assassination succeeds and for the event in

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<sup>39</sup>MacDonald, *The Killing of SS Obergruppenführer Reinhard Heydrich*, 143, 155–160.

<sup>40</sup>MacDonald, *The Killing of SS Obergruppenführer Reinhard Heydrich*, 126, 205; and Douglas Dodds-Parker, *Setting Europe Ablaze* (Windlesham, UK: Springwood, 1983), 97.

<sup>41</sup>Christopher Andrew, *Her Majesty’s Secret Service* (New York: Viking, 1986), 141, 158, 170.

<sup>42</sup>M.R.D. Foot, *SOE in France* (London: Her Majesty’s Stationery Office, 1966), 117, 192–193.

which it fails. Next, they have to calculate the probability of success and the probability of being held responsible. They must determine whether the probable gains exceed the probable costs. And then they have to evaluate the benefits and costs of alternative policies and compare them with those of an assassination.

It is a safe assumption that however actual policymakers have gone about deciding whether to attempt an assassination, they have not done it in these terms. Some parts of the problem are intractable, and others are not susceptible to objective cost-benefit analysis. It is not always clear, as the debate regarding Arafat illustrates, just what policies a victim's successor will follow, and a rational net estimate of potential gains or costs would have to take account of the probability for each of these potential future policies. But how could Israeli policymakers do this when these were the very probabilities they were debating in the first place?

Even more to the point, far more often than not, there is no way to express the gains and costs associated with a potential future policy in commensurate terms, and thus there is no way to easily weigh the gains against the costs. There was, for example, no unit of account with which Beneš could have calculated just how many Czech lives Britain's repudiation of the Munich agreement was worth.

### **THE QUALITY OF DECISION MAKING: SECRECY AND OTHER FACTORS**

If the data were fully available, scholars would likely find that the quality of the analysis that policymakers give to decisions about assassinations is significantly lower than that for other major foreign policy issues. Decisions about assassinations are normally made in greater secrecy and by far fewer people and agencies than other foreign policy decisions. As a result, many officials who could bring different but relevant interests, skills, and information to bear on the issues involved in a potential assassination have no opportunity to do so. Whatever the views members of Serbia's foreign ministry might have had about the wisdom of killing Archduke Ferdinand in 1914, they had no chance to present them to the Serbian military intelligence officers who sponsored the assassination.

The American policy to assassinate Fidel Castro is a classic example of the practice and effect of secrecy. Not only was the U.S. Department of State not privy to the CIA's plans, but also knowledge was severely limited within the CIA. In 1961, only 13 people in the CIA were party to the plans to kill Castro, and when John McCone succeeded Allen Dulles as director in November 1961, almost two years passed before the new director received

any information about the plots.<sup>43</sup> Under these circumstances, it is not surprising that key issues received little analysis. For example, there is no evidence that possible Soviet counteractions received more than cursory analysis, and the possibility of retaliation by Cuba was apparently never raised.<sup>44</sup>

The consequences of assassinating Castro received surprisingly little discussion even by those involved in planning the act. In particular, no one appears to have addressed the discrepancy between intelligence estimates—such as those given by the CIA’s Directorate of Plans and by others at National Security Council meetings—which increasingly stressed the disadvantages of killing Castro alone, and the plots themselves, which generally targeted only Castro. This was the case with the CIA’s four known assassination plots between July 1960 and the ill-fated invasion at the Bay of Pigs in April 1961.<sup>45</sup>

The political consequences of Castro’s death were then assessed twice by the CIA’s Board of National Estimates, first in October 1961 and again in May 1963. In neither case was the board, a body separate from the Directorate of Plans, informed about the assassination plots. As before, these studies concluded that Castro’s death alone would not effect any real change in the Cuban government except for a possible increase in the power of the Communist Party.<sup>46</sup> Again, there was a total disconnect between these predictions and the assassination plots made after the failed invasion, of which there were at least five between April 1962 and June 1965, all of which featured Castro as the only target.<sup>47</sup> There is no evidence that Director Dulles, Deputy Director for Plans Richard Bissell, or Bissell’s successor, Richard Helms, ever discussed this discrepancy. Nor is there any evidence about just what political consequences these three CIA officials expected from Castro’s assassination.

The explanation for this analytical vacuum was the secrecy with which these three CIA officials shrouded their assassination plots. It is not just that they never discussed the plots with the Special Group, a National Security Council subcommittee charged with overseeing covert actions, or the CIA’s own Directorate for Intelligence and its Board of National Estimates. The record indicates that the few CIA officials who were privy to the plots never really discussed them even among themselves. They

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<sup>43</sup>*Alleged Assassination Plots*, 98n2, 99–108. However, there are CIA officials who doubt that McCone was as uninformed as he later claimed. See Powers, *The Man Who Kept the Secrets*, 189.

<sup>44</sup>*Alleged Assassination Plots*, 183n2.

<sup>45</sup>*Ibid.*, 72–82, 93, 114–115, 115n2.

<sup>46</sup>*Ibid.*, 136–137, 171.

<sup>47</sup>*Ibid.*, 83–90.



spoke only in cursory terms and circumlocutions, avoiding even the term “assassination.”<sup>48</sup>

The secrecy that attends the planning of assassinations has the potential to undermine analysis even by governments whose procedures for determining such policy involve more agencies and more plain speaking than was the case with the United States during the Dwight D. Eisenhower and Kennedy administrations. Ever since 1972, the prime minister of Israel has authorized assassinations in consultation with a special cabinet subcommittee, a structure that provides for the inclusion of Israel’s three main intelligence services.<sup>49</sup>

Israel’s attempted assassination of the Hamas official Khaled Meshal in September 1997 was so approved, even though it would take place on Jordanian soil and risk embarrassing King Hussein and his government (an outcome to be avoided given the importance of the 1994 Israeli-Jordanian peace treaty). The Mossad was so confident the poison they planned to use would remain undetected that no real thought was given to planning for contingencies in which Israel’s responsibility might become known. While the Mossad director informed the other intelligence heads that an operation against Meshal was being considered, there was no methodical discussion; the minister of defense, the Israel Defense Forces chief of staff, and the director of the Shin Bet later stated they had known nothing about the plan, and the foreign minister said that if consulted, he would have opposed it.<sup>50</sup> The attack failed; Israel paid a high price for the failure to keep its responsibility for the attack secret, including having to free several dozen prisoners from its jails to secure the release of two captured Mossad operatives. It is certainly not given that if the Mossad had discussed the operation in detail with these officials that the result would have been better or the attempt not made at all. What can be said is that this discussion was never joined.

Poor decision making can also result from other institutional factors. Or Honig’s analysis of Israel’s “targeted killing” campaign of 2000–2005 during the Second Intifada argues that the campaign was strategically suboptimal in terms of the views of the Palestinian political figures who were killed, the timing of the killings, the organizational affiliation of the

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<sup>48</sup>Ibid., 94–95, 110–111; see also Evan Thomas, *The Very Best Men* (New York: Simon & Schuster, 1995), 234–235.

<sup>49</sup>Raviv and Melman, *Every Spy a Prince*, 186, 392.

<sup>50</sup>*Report of the Commission Concerning Events in Jordan September 1997*, Summary for Publication, Jerusalem Government Press Office, 17 February 1998, accessed at <http://fas.org/irp/world/israel/ciechanover.htm>, 22 March 2015; “Netanyahu, Continued,” *The Economist*, 11 October 1997; and Serge Schmemmann, “Israelis, Arafat and Jordanian King Feuding,” *New York Times*, 10 October 1997.

targets, the consequences of the killings within the Palestinian polity, and the media profile of the operations. Honig determines that these problems resulted from a structural imbalance in the Israeli security establishment that favored military entities over civilian organizations. The military culture was used to making quick operational decisions, and the civilian side, including the Ministry of Foreign Affairs and the National Security Council, had little effective leverage against it, even once a formal approval process was established.<sup>51</sup> In at least one case, an entire debate was held over approving a target without diplomatic considerations ever being raised.<sup>52</sup>

Technology can also play a role. As Honig describes, deliberating Israeli leaders, such as the minister of defense, were able to watch targets on video as helicopters stood by ready to fire. At that point, rumination becomes difficult. As one Israeli adviser commented, “the leader cannot think strategically when he sees the pictures of the terrorists on the screen of his office.”<sup>53</sup>

More fundamentally, exactly what Israel was hoping to accomplish with its killings of Palestinian political figures during this time is not fully clear and has been the subject of some scholarly inquiry. One study, by Nir Gazit and Robert J. Brym, concludes that the real Israeli goal was to create instability in the Palestinian would-be polity and delay or prevent the creation of an actual Palestinian state.<sup>54</sup> An analysis by Simon Frankel Pratt finds that Israeli goals shifted over three phases of the assassination campaign, often in ad hoc fashion, starting with political signaling of Israel’s resolve but ending with a goal of strategic deterrence and the weakening of Hamas as a component in a potential Palestinian entity.<sup>55</sup> In terms of the taxonomy of benefits presented earlier, Israeli goals seem to have been a mixture of all three types, with the mechanisms being the prevention of a less desirable opponent gaining more power, the promotion of less capable people in their place, and the destruction of a would-be polity. That there is still debate over the usefulness of the campaign is not surprising given this combination.

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<sup>51</sup>Or Honig, “Explaining Israel’s Misuse of Strategic Assassinations,” *Studies in Conflict & Terrorism* 30 (June 2007): 563–577.

<sup>52</sup>*Ibid.*, 569–570.

<sup>53</sup>*Ibid.*, 570.

<sup>54</sup>Nir Gazit and Robert J. Brym, “State-Directed Political Assassination in Israel: A Political Hypothesis,” *International Sociology* 26 (November 2011): 862–877.

<sup>55</sup>Simon Frankel Pratt, “‘Anyone Who Hurts Us’: How the Logic of Israel’s ‘Assassination Policy’ Developed during the Aqsa Intifada,” *Terrorism and Political Violence* 25 (2013): 224–245.

### SPECIFIC COGNITIVE BIASES

If full information were available about how policymakers decided on assassinations, there is every reason to believe the evidence would show that these decisions are adversely affected by the same cognitive biases and misperceptions that a number of scholars, most notably, Robert Jervis, have found shaping policymaking on other important foreign policy issues.

Jervis's research has shown that when policymakers face the problem of deciding among alternative courses of action when the policies chosen to serve one value may result in a cost to another value, they will look for ways that avoid the stress of making the value trade-off. This is especially the case when there is great uncertainty about the consequences of their decision for the values involved and the values themselves are important but incommensurate. Under such conditions, often present in the case of assassinations, policymakers tend to structure the problem in terms that simplify the issues involved and appear to remove the need for choice.<sup>56</sup>

There are two ways in which this is done.<sup>57</sup> One is for policymakers to persuade themselves that one and the same course of action can serve all of the values involved. For example, the stress of choice for an Israeli official considering the assassination of a leading Palestinian terrorist is greatly eased if the official believes that the death would, at one and the same time, leave the Palestinian movement with a lessened capability for terrorism, make other terrorists more afraid to engage in such acts, and help persuade Palestinian leaders that their interests would be better served by negotiation with Israel.

The second way policymakers tend to avoid the stress of choice is to believe that each value or goal can be served by a separate policy and that each goal can, therefore, be pursued without real cost to the other. The American decision in 1943 to assassinate Admiral Isoroku Yamamoto, commander of the Japanese Combined Fleet, may be a case in point. Once codebreakers deciphered Yamamoto's flight plan, U.S. commanders in the Pacific discussed whether an attempt should be made to assassinate him. They discussed the potential gains, including their belief that his death would demoralize the Japanese navy and that any successor would be a less effective leader. When the concern was raised that a cost of the operation might be alerting the Japanese that its naval code had been broken, the

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<sup>56</sup>See Robert Jervis, *Perception and Misperception in International Politics* (Princeton, NJ: Princeton University Press, 1976), 142, for the conditions under which policymakers are most likely to avoid value trade-offs, and 128-141 for some policy examples.

<sup>57</sup>The two are best described in John Steinrunner, *The Cybernetic Theory of Decision: New Dimensions of Political Analysis* (Princeton, NJ: Princeton University Press, 1974), 101-109.

commanders authorized the operation provided that all personnel involved were briefed that the information came from Australian coastwatchers.<sup>58</sup>

The background for this provision was a (mistaken) belief that Japan had introduced a new version of its naval code the previous year in response to American press reports indicating that the victory at the Battle of Midway in 1942 had been facilitated by the ability to read Japan's codes.<sup>59</sup> Apparently the commanders thought that they could assassinate Yamamoto without cost to their ability to read Japan's naval code if they could just keep unauthorized Americans from learning that the flight plan information had come from reading that code. Thus, they avoided facing a value trade-off by believing that they had, in effect, two independent policies: one to assassinate Yamamoto and another to protect the knowledge that they were reading Japanese codes.

British intelligence officials, who did not have the same psychological interest in killing the man who had planned the Pearl Harbor attack, viewed the trade-off quite differently. They were incensed by the risk taken to kill one Japanese admiral, and Winston Churchill was reportedly so upset by the danger to Allied signals intelligence that he protested to President Franklin D. Roosevelt.<sup>60</sup>

Another scholarly finding advanced by Jervis that is of special relevance for assassination policy is that political leaders tend to see the policies of other states as more centralized and coherent than they frequently are. Given this perspective, the policies of an opposing state are attributed to the coordinated plans of key leaders rather than to a political process in which policy might be the outcome of uncoordinated institutional interests, the product of a negotiated compromise among competing leaders, or even the result of chance.<sup>61</sup> This perspective can easily lead political leaders to conclude that opposing foreign policies are basically reflections of the personal interests of the particular individuals then holding power, especially in polities believed to be under a dominant ruler, rather than expressions of broadly shared institutional or national interests among the elites in the opposing state.

<sup>58</sup>See E.B. Potter, *Nimitz* (Annapolis, MD: Naval Institute Press, 1976), 233; and Rear Admiral Edwin T. Layton, U.S.N. (Ret.), with Captain Roger Pineau, U.S.N.R. (Ret.) and John Costello, *And I Was There: Pearl Harbor and Midway—Breaking the Secrets* (New York: William Morrow, 1985), 474–475.

<sup>59</sup>Layton, *And I Was There*, 453–456. See also W.J. Holmes, *Double-Edged Secrets: U.S. Naval Intelligence Operations in the Pacific during World War II* (Annapolis, MD: Naval Institute Press, 1979), 107.

<sup>60</sup>R. Cargill Hall, ed., *Lightning over Bougainville* (Washington, DC: Smithsonian Institution Press, 1991), 26, 43n, 102–104.

<sup>61</sup>See Jervis, *Perception and Misperception in International Politics*, chap. 8, esp. 319, 321, 324, 338.

The tendency to see foreign policies as expressing the personal views of the individuals in power gains strength from the fact that at the summit of foreign policy, all politics *is* personal. The companion to Prime Minister Anthony Eden's conviction that Egyptian leader Gamal Abdel Nasser was determined to undermine Britain's whole position in the Middle East was Eden's belief that if Nasser met with any success, it would bring an end to Eden's own political power and career. Moreover, concluding from his failure to keep past agreements that Nasser was a dishonest and dishonorable politician, Eden developed a strong personal hatred of the man.<sup>62</sup> This led to Eden turning toward assassination as a policy for dealing with Nasser.

### THE OVERESTIMATION OF UTILITY

This personification of foreign policy and the tendency to see that policy as the work of a central actor have very important consequences for the conduct of assassinations. These perspectives lead decision makers to overestimate the results of a change in the leadership of an opposing state and, hence, the potential utility of assassinating one or more of its leaders.

The actual utility depends, of course, on the policies of the leader who takes power after the assassination. As stated earlier in the taxonomy, there are some cases—notably, those in which the goal of the assassination is to exact revenge or to demonstrate power—in which the assassinating state may be indifferent to the character of the successor's policies. In most cases, however, the goals of the assassinating state are served only if the policies of the successor turn out to be less hostile or less effective than those the victim had been pursuing. Thus, in December 1953, Eden, then the British foreign secretary, was persuaded to drop plans for assassinating the new anti-British leader of Egypt, General Mohammed Neguib, by the British ambassador to Egypt, who argued that assassinating Neguib would only result in Nasser, then Neguib's even more anti-British lieutenant, taking power.<sup>63</sup>

As previously discussed, predicting the identity and policies of a successor in a modern political-bureaucratic state can be a formidable analytical task. Nonetheless, decision makers do attempt it. On 21 June 1944, the executive head of the British SOE thought he had an opportunity to assassinate Adolf Hitler and asked the Chiefs of Staff whether the SOE should pursue it. The chiefs replied that, "from the strictly military point of

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<sup>62</sup>Anthony Nutting, *No End of a Lesson: The Story of Suez* (New York: Clarkson N. Potter, 1967), 18, 27; and Robert Rhodes James, *Anthony Eden* (New York: McGraw-Hill, 1987), 457.

<sup>63</sup>Stephen Dorril, *MI6* (New York: Free Press, 2000), 601–602.

view,” given the blunders Hitler had made, it was almost an advantage to keep him in charge of German strategy, but in the “wider point of view, the sooner he was got out of the way the better.” Just what interests and perspectives were responsible for this wider point of view, the chiefs did not say. Neither did they address the question of whether Hitler’s successor, even if more effective in the use of German forces, might not also be more willing to face the inevitability of German defeat and thus surrender at some point rather than continue the war to the bitter end.<sup>64</sup>

There were German specialists in both the SOE and the Foreign Office who believed the Allies were better off militarily with Hitler alive and that an assassination would make Hitler a martyr and stiffen German resolve. But with the support of the chiefs and a green light from Churchill, the SOE started to plan for an assassination and continued to do so almost up to the end of the war. In contrast, President Roosevelt, upon learning of the 20 July 1944 assassination attempt against Hitler by Claus von Stauffenberg, declined a request from intelligence operatives to give aid to the German resistance. By then he saw little difference between the Nazi regime and the German people as a whole, and he thought there was little chance that any successor German government would accede to the unconditional surrender policy he was committed to.<sup>65</sup> The plotters themselves hoped to make a separate peace with the Western Allies, preserve a number of German territorial gains, and stabilize and defend the Russian front, all of which would have posed political complications for the United States and Britain.<sup>66</sup>

In contrast to the British analysis of 1944, many, if not most, political leaders planning assassinations escape the problem of identifying successors and their policies. They are able to do this because by the time the policies of an opposing leader have threatened or thwarted them to the point where they are prepared to consider the assassination of that leader, they are ready to believe that no one could be any worse and anyone might be better. The American support of the coup that led to the assassination of Rafael Trujillo without sufficient analysis of who might succeed him is illustrative of this kind of thinking.

In February 1960, the Eisenhower administration, fearing that Trujillo’s brutal dictatorship in the Dominican Republic might lead to a Castro-like

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<sup>64</sup>*Operation Foxley: The British Plan to Kill Hitler*, introduction by Mark Seaman and foreword by Ian Kershaw (Kew: Public Record Office, 1998), 12–15.

<sup>65</sup>Steven Casey, *Cautious Crusade: Franklin D. Roosevelt, American Public Opinion, and the War Against Nazi Germany* (New York: Oxford University Press, 2001), 128–131.

<sup>66</sup>Richard J. Evans, *The Third Reich at War* (New York: Penguin Press, 2009), 633, 645.

revolution, decided to try to remove him from power. Officials in the CIA and Department of State offered political support to a group of dissidents who made it clear that they were intent on assassinating Trujillo. All this was done without any real discussion of what kind of government might follow once Trujillo was removed from power. The U.S. ambassador who had first made contact with the dissident group affirmed that they were pro-American and desired to establish a democratic government; this appears to have been the limit of the administration's analysis. All attention was focused on getting rid of Trujillo, who was seen as so great a problem for American interests that, in effect, only good could follow from his departure.<sup>67</sup>

The new Kennedy administration and the CIA then had second thoughts about what might follow Trujillo and warned the dissidents against "precipitous action" while still giving them some arms. The State Department told Henry Dearborn, the diplomat who was the main contact with the conspirators, that the president had said that "the United States should not initiate the overthrow of Trujillo before knowing what kind of government would succeed him." To this Dearborn replied that because State Department representatives had nurtured the dissidents for over a year in their effort, it was "too late to consider whether the United States will initiate overthrow of Trujillo," and the conspirators assassinated him on 30 May 1961.<sup>68</sup> The coup attempt was a fiasco that resulted in several Trujillo relatives and allies taking power and a prolonged period of instability leading to the 1965 U.S. invasion of the Dominican Republic.

### NO ONE AND ANYONE

There are a number of foreign policy assassinations that were probably guided by the aforementioned "no one could be worse, anyone might be better" perspective and thereby enabled decision makers to avoid the problem of predicting the identity of successors and their policies. Unfortunately, given the secrecy in which most assassinations are planned, more often than not no evidence remains about the thinking behind them.

The abortive German attempt to assassinate Churchill, Roosevelt, and Stalin during their November 1943 conference in Tehran is a case in point. There is no record of what Hitler or other German officials thought these deaths would accomplish.<sup>69</sup> It seems most unlikely, however, that the

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<sup>67</sup>*Alleged Assassination Plots*, 191–197.

<sup>68</sup>*Alleged Assassination Plots*, 198–215; and Reeves, *President Kennedy*, 140–141.

<sup>69</sup>There are no available German documents about this plot. The available literature is reviewed in Gary Kern, "The Lessons of History: How 'Uncle Joe' Bugged FDR," *Studies in Intelligence* 47 (March 2003): 19–31, at 26–27.

Germans spent any time trying to predict the outcome of a struggle for power in the Politburo, who would be the next leader of Britain's coalition government, or the kind of war Henry Wallace would fight. Given the determination and effectiveness with which Churchill, Roosevelt, and Stalin had been prosecuting the war, it is far more likely that German thought never went beyond the obvious: killing the "Big Three" would boost German morale, throw their enemies into disarray, and might lead to those enemies being less well led.

It is also likely that German thinking in 1943, like that of many others before and since, took the easy mental step from the expectation that the policies of a successor *might* be better to the expectation that they *would* be better. In April 1945, Hitler initially believed that Roosevelt's death, even at that late date in the war, would lead to a major change in Germany's fortunes.<sup>70</sup> Given that 1945 belief, he almost certainly thought in 1943 that if he killed the Big Three, their successors would be less determined and effective and that the war would turn in Germany's favor. The same "anyone would be better" expectation was no doubt behind Hitler's recommendation in January 1943 that the Abwehr use Arab nationalists to kill Churchill at Casablanca, and also behind Heinrich Himmler's order in the summer of 1944 that two anticommunist Soviet prisoners of war be sent into the Soviet Union with a plan to kill Stalin.<sup>71</sup>

Eden's private statements regarding his order to assassinate Nasser provide another example of how the "no one could be worse" perspective enables political leaders not to worry about the identity of successors and their policies. Offered a plan to thwart Nasser's policies, Eden called the minister of state for foreign affairs, Anthony Nutting, in anger and asked, "what's all this nonsense about isolating Nasser or 'neutralizing' him as you call it? I want him destroyed, can't you understand?" (Nutting originally wrote in 1967 that Eden then added, "I want him removed," but in 1985, he stated that "murdered" was the actual term Eden used.)<sup>72</sup> Informed that the Foreign Office did not believe there were any alternatives to Nasser, hostile or friendly, and that the result of his death would be anarchy, Eden

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<sup>70</sup>Alan Bullock, *Hitler: A Study in Tyranny*, rev. ed. (New York: Bantam Books, 1961), 702–703.

<sup>71</sup>For these two plots, see Laslo Havas, *Hitler's Plot to Kill the Big Three* (New York: Cowles, 1967), 27; and Walter Schellenberg, *Hitler's Secret Service*, trans. Louis Hagen (New York: Pyramid Books, 1958), 366–367.

<sup>72</sup>Dorril, *MI6*, 613, 854n35. For another account that finds the change in wording creditable, see Keith Kyle, *Suez* (New York: St. Martin's Press, 1991), 99. In contrast, a view that Eden did not sanction an assassination is stated without elaboration in D.R. Thorpe, *Eden: The Life and Times of Anthony Eden, First Earl of Avon, 1897–1977* (London: Chatto & Windus, 2003), 490n.



replied, “But I don’t want an alternative,” and “I don’t give a damn if there is anarchy and chaos in Egypt.”<sup>73</sup>

Still another example of how the belief that “no one could be worse” enables decision makers to undertake assassinations without any real knowledge about the leaders who would follow is the unsuccessful American attempt to kill Colonel Qaddafi in April 1986. U.S. aircraft hit a number of targets in Libya including ones where Qaddafi might be staying. The announced purpose of the attack was to punish Libya for past acts of terrorism and deter it from future acts, but the prime target was the man President Ronald Reagan had proclaimed the “mad dog of the Middle East.”<sup>74</sup>

Washington expected Libyan army officers to seize power following Qaddafi’s death, but there is no evidence that the administration was confident in its knowledge about who these officers would be or what policies they would follow. In contrast, diplomats stationed in Tripoli believed Qaddafi had been so successful in preventing the organization of opposition groups, including within the army, that the immediate result of his death would be political chaos.<sup>75</sup> Following the failure, the administration resumed pre-attack efforts to encourage a military coup in the continuing belief that, as a State Department analysis in August 1986 put it in a classic statement of the perspective that eases choice, “anybody else would be an improvement.”<sup>76</sup>

The United States tried to drop bombs or missiles on Saddam Hussein during both the Gulf War of 1991 and the initial phase of the Iraq War in 2003.<sup>77</sup> In addition, the aerial strikes carried out against Iraq during 16–19 December 1998 by President Bill Clinton and Prime Minister Tony Blair were nominally for the purpose of degrading Iraq’s capacity to make weapons of mass destruction, but the burden of the attack was directed against the Republican Guard and special forces dedicated to Saddam’s personal security. The hope was that by weakening them, regular Iraqi army units would be encouraged to “remove” Saddam from power. In a more direct effort, the allies also targeted Saddam’s Baghdad sleeping

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<sup>73</sup>Nutting, *No End of a Lesson*, 33–35.

<sup>74</sup>Seymour M. Hersh, “Target Qaddafi,” *New York Times Magazine*, 22 January 1987.

<sup>75</sup>Christopher Dickey, “Libya without Qadhafi: Chaos Is Feared,” *International Herald Tribune*, 19–20 April 1986.

<sup>76</sup>Bernard Gwertzman, “Shultz Expresses Hopes for a Coup to Oust Qaddafi,” *New York Times*, 18 April 1986; and David C. Martin and John Walcott, *Best Laid Plans: The Inside Story of America’s War Against Terrorism* (New York: Harper & Row, 1988), 317.

<sup>77</sup>Michael R. Gordon and General Bernard E. Trainor, *The Generals’ War: The Inside Story of the Conflict in the Gulf* (Boston: Little, Brown, 1995), 242, 313–314; and Gordon and Trainor, *Cobra II: The Inside Story of the Invasion and Occupation of Iraq* (New York: Pantheon Books, 2006), 169–177, 409–410.

quarters, seven of his presidential palaces, and two locations where they believed he saw mistresses.<sup>78</sup> But again, there was little planning for what would follow if the attack succeeded; one military officer was quoted as saying, “I’m not against nailing the guy, but then what do you do?”<sup>79</sup>

### THE BIN LADEN RAID: A MODEL DECISION PROCESS

A recent and quite well-known event is the 2011 raid by U.S. special operations forces that killed Osama bin Laden. A definitional question arises, as statements by U.S. officials, including President Barack Obama, and by one raid participant have portrayed capturing bin Laden as an anticipated possible outcome of the raid, if he and others at the compound were posing no threat to the attackers and were giving themselves up.<sup>80</sup> But these conditions were quite unlikely to be met given the mission parameters and the circumstances. Four administration lawyers wrote memoranda of legal justification for the raid that included framing it as an explicit kill mission with the capture possibility an unlikely alternative.<sup>81</sup> As one Pentagon official was quoted as saying, “The only way bin Laden was going to be taken alive was if he was naked, had his hands in the air, was waving a white flag, and was unambiguously shouting, ‘I surrender.’”<sup>82</sup> We agree with those writers who believe the capture option was mainly there for appearance’s sake and to fulfill requirements of international law and that everyone involved considered it for all practical purposes a mission to kill.<sup>83</sup> Thus, for this article, we consider the bin Laden raid to be an IR assassination.

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<sup>78</sup>William M. Arkin, “The Difference Was in the Details,” *Washington Post*, 17 January 1999; Steven Lee Myers, “U.S. and Britain End Raids on Iraq, Calling Mission a Success,” *New York Times*, 20 December 1998; and Barton Gellman and Vernon Loeb, “One Aim: Kill Saddam’s ‘Palace Guard,’” *Washington Post*, 19 December 1998.

<sup>79</sup>Seymour M. Hersh, “Saddam’s Best Friend,” *The New Yorker*, 5 April 1999. For an argument that from the 1980s on, the United States has consistently personalized its enemies in the Middle East and thus overstated the value of replacing them, see Andrew J. Bacevich, *America’s War for the Greater Middle East: A Military History* (New York: Random House, 2016), 150–151, 184–185, 329.

<sup>80</sup>For accounts describing the capture possibility, see Mark Bowden, *The Finish: The Killing of Osama bin Laden* (New York: Atlantic Monthly Press, 2012), 190–192; and Mark Owen and Kevin Maurer, *No Easy Day: The Autobiography of a Navy SEAL* (New York: Dutton, 2012), 177.

<sup>81</sup>Charlie Savage, *Power Wars: Inside Obama’s Post-9/11 Presidency* (New York: Little, Brown, 2015), 261–263, 266–269.

<sup>82</sup>Daniel Klaidman, *Kill or Capture: The War on Terror and the Soul of the Obama Presidency* (New York: Houghton Mifflin Harcourt, 2012), 245.

<sup>83</sup>For assessments judging that in practice the raid was purely a mission to kill, see Nicholas Schmidle, “Getting Bin Laden,” *The New Yorker*, 8 August 2011; Klaidman, *Kill or Capture*, 245; Bowden, *The Finish*, 252–253; Steve Coll, “Dead or Alive,” *New York Review of Books*, 25 October 2012; and Savage, *Power Wars*, 266–267.

Another question is the quality of information currently available to use regarding the decision making that went into the raid. There is no known official history or investigation into the search, decision, or raid, and, as Erik J. Dahl observes in the context of studying the intelligence work involved, there may not be one because such reports more commonly follow failed operations, not successful ones.<sup>84</sup> Several extensive accounts were written by journalists within a year or two of the raid, and several memoirs by high-level Obama administration officials have been published that discuss the decision making involved. In the general narrative and in most details, these accounts are in agreement. There are no doubt aspects of this operation still to be declassified or published, but we agree with Dahl's conclusion that while the data will become better in the future, it is good enough to make use of now.<sup>85</sup>

In any case, the bin Laden raid took place in the context of the post-September 11 U.S. war against terrorism. A key aspect of such contexts is that when faced with major terrorist acts committed against them, especially when the severity and immediacy are high and the identities of the perpetrators are known, leaders of nations have to do *something*—domestic public opinion, or pressures within the regime itself, simply will not allow otherwise. As an unnamed official in Israel said in 2001, “If some guy is killing Israelis, we have to do something. You can call it reprisal or justified killing or get him before he gets you or get even or anything you want. The point is, we can't do nothing.”<sup>86</sup> In cases in which the terrorists appear to be receiving support from a foreign state, attacking or even invading the offending state is one option, but a quite expensive one with uncertain outcomes that may not result in the leaders behind the terrorist act being caught or killed. Nor is that an option if you already hold the territory from which the acts are staged, such as with Germany and Czechoslovakia or Israel and the West Bank and Gaza. Thus, a common choice is either taking mass reprisals against the population around the group that committed the offending act or targeted killings of the leaders who ordered it. While the former option has been employed, including in Nazi Germany's response to the Heydrich assassination, for liberal democracies, clearly the latter option is more palatable.<sup>87</sup>

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<sup>84</sup>Erik J. Dahl, “Finding Bin Laden: Lessons for a New American Way of Intelligence,” *Political Science Quarterly* 129 (Summer 2014): 179–210, at 181–182.

<sup>85</sup>Ibid.

<sup>86</sup>Lee Hockstader, “A Cycle of Death in West Bank Town,” *Washington Post*, 7 September 2001.

<sup>87</sup>A point also alluded to in Daniel Byman, “Do Targeted Killings Work?” *Foreign Affairs* 85 (March/April 2006): 95–111, at 96.

In terms of the taxonomy of gains described earlier, the bin Laden raid encompassed two different potential benefits: eliminating a talented leader and operational figure and eliminating the person most associated with the September 11 attacks and thus satisfying the emotional need for revenge and justice among the American public and government. The first benefit should not be ignored; President Obama felt that bin Laden was a singularly effective and charismatic figure who remained a great danger to the United States.<sup>88</sup>

But even if U.S. policymakers believed that bin Laden would forever be isolated and ineffective in hiding, the knowledge that he was still loose was, as a *San Jose Mercury News* editorial put, “an open wound” on the American psyche.<sup>89</sup> So the second benefit and its emotional needs are especially relevant in this case when decision making is considered. It is instructive to consider that prior to September 11, bin Laden had been viewed as major threat, and the first U.S. attempt to neutralize him dates to a 1997–1998 operation by a team of Afghan agents known as TRODPINT that never achieved fruition. Taking into account the executive order banning foreign assassinations that President Gerald Ford had put into place following the revelations of the Church Committee in 1976, that team was given an explicit instruction: “You are to capture him alive.”<sup>90</sup> A series of secret memoranda of notification put into place following the bombings of two U.S. embassies in East Africa in 1998 authorized lethal action against bin Laden and other top al Qaeda figures in some circumstances, but the rules were so complicated as to be described as “Talmudic” by a senior administration official, and despite later attempts at clarification, the CIA was reluctant to proceed based upon them.<sup>91</sup> A generation of post–Church Committee, risk-adverse officers had come into power in the CIA and were unsure as to whether they could target bin Laden personally; one former chief of the agency’s Counterterrorism Center later said that he would have refused a direct order to kill bin Laden at that time.<sup>92</sup> During this period, a White House Situation Room discussion concerning what to do about bin Laden broke down into a debate about which means of trying to kill him might violate the Ford ban and which might not.<sup>93</sup> Following the embassy bombings, a cruise missile strike

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<sup>88</sup>Bowden, *The Finish*, 60–62.

<sup>89</sup>“America Needed This Moment of Triumph,” *San Jose Mercury News*, 3 May 2011.

<sup>90</sup>Steve Coll, *Ghost Wars: The Secret History of the CIA, Afghanistan, and bin Laden, from the Soviet Invasion to September 10, 2001* (New York: Penguin, 2004), 371–379.

<sup>91</sup>*Ibid.*, 423–428.

<sup>92</sup>Mark Mazzetti, *The Way of the Knife: The CIA, a Secret Army, and a War at the Ends of the Earth* (New York: Penguin, 2013), 88.

<sup>93</sup>*Ibid.*, 89.

against terrorist training camps in Afghanistan that was intended to kill bin Laden was justified by U.S. officials on the grounds that it was part of an attack against terrorist infrastructure.<sup>94</sup> Even after the USS *Cole* attack in 2000, a plan within the CIA to target bin Laden with an early version of the armed Predator drone met with institutional resistance both within and outside the agency and was still in limbo as of 4 September 2001.<sup>95</sup>

But after the United States suffered the attacks of September 11, a psychologically overwhelming experience for the nation, these issues concerning assassination legality were cast aside. There were no more concerns about killing, in any way, any leader responsible for the attacks, and the CIA was cleared to operate drone strikes against al Qaeda.<sup>96</sup>

The nearly 10 years that it took to kill bin Laden after September 11 was not due to indecision among policymakers about whether to do so but to an inability to locate him. There was near-daily pressure at the presidential level from George W. Bush and especially Obama to remedy this failure and numerous initiatives within the intelligence community tried to do so.<sup>97</sup> Once bin Laden was thought with at least some degree of confidence to be found in Abbottabad, Pakistan, however, the decision-making process involved was one of the most careful and measured ones seen in the annals of IR assassination. The CIA studied five different operational ideas for getting bin Laden, three different sets of analysts “red teamed” the intelligence regarding whether he had in fact been located, and a weekly meeting of deputies from the major national security departments monitored progress.<sup>98</sup>

A final meeting took place in the White House Situation Room on 28 April 2011, a few days before the operation would take place. In marked contrast to the Castro deliberations described earlier, a wide range of senior figures were present: the president, vice president, secretaries of state and defense, chairman and vice chairman of the Joint Chiefs, national security adviser, homeland security adviser, director of national intelligence, and director and deputy director of the CIA.<sup>99</sup> The senior attendees were asked

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<sup>94</sup>James Risen, “Bin Laden Was Target of Afghan Raid, U.S. Confirms,” *New York Times*, 14 November 1998.

<sup>95</sup>Coll, *Ghost Wars*, 521, 543–545, 559, 573–574; and Mazzetti, *The Way of the Knife*, 97–99.

<sup>96</sup>Mazzetti, *The Way of the Knife*, 99.

<sup>97</sup>Bowden, *The Finish*, 58–59, 98; and Dahl, “Finding Bin Laden,” 183–189.

<sup>98</sup>Bowden, *The Finish*, 152–166.

<sup>99</sup>This account is from Bowden, *The Finish*, 198–206. For generally similar accounts, see Peter L. Bergen, *Manhunt: The Ten-Year Search for Bin Laden from 9/11 to Abbottabad* (New York: Crown, 2012), 196–205; and three memoirs of participants: Robert Gates, *Duty: Memoirs of a Secretary at War* (New York: Alfred A. Knopf, 2014), 539–543; Hillary Rodham Clinton, *Hard Choices* (New York: Simon & Schuster, 2014), 170–171, 191–198; and Leon Panetta with Jim Newton, *Worthy Fights* (New York: Penguin, 2014), 306–309, 311–322.

to choose between three options—a special operations raid, a lightweight, specialized drone strike, and doing nothing—and to defend their stances. The two who favored the drone strike (Secretary of Defense Robert Gates and Joint Chiefs Vice Chairman James Cartwright) and the one who favored no action at all until intelligence was more certain (Vice President Joe Biden) were allowed to make their points. The military operation chosen was the one that provided the surest emotional satisfaction, meaning it would provide firm knowledge that bin Laden had been killed.

These deliberations did not involve some of the goals or choices present in other cases of IR assassination. No one assumed that a new leader of al Qaeda would be an ideological improvement over bin Laden or that his policies would be less hostile to the United States, and thus the “no one could be worse, anyone might be better” belief pattern did not apply. This eliminated a whole thread of possibly faulty analysis, as described earlier for other cases. And, as also mentioned earlier, the international norm against assassination is weaker when terrorism is involved, and thus the decision easier to make.

However, there was still a need to weigh incommensurate benefits and costs. One major possible repercussion was the effect of a raid upon U.S. relations with Pakistan, but it was not easy to predict what those might be nor obvious how to compare them to the gains if the mission succeeded. Furthermore, operational requirements for secrecy prevented the United States from notifying Pakistan of the raid ahead of time, thereby increasing the costs. No experts on that country were present at the 28 April meeting, and Secretary of State Hillary Rodham Clinton had been unable to consult any advisers or experts due to security concerns.<sup>100</sup> Nevertheless, Clinton made a detailed presentation of the pros and cons relative to Pakistan and concluded—although institutionally she would have had a predilection toward preserving relations with another state—that getting bin Laden was simply too important to the nation and that a good chance to do so could not be ignored and outweighed any risks.<sup>101</sup> Again, the emotional imperative to gain retribution for September 11 took precedence in the calculus. And in reality, by then the U.S.–Pakistan relationship had already been badly damaged by the ongoing American campaign of drone strikes there.<sup>102</sup>

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<sup>100</sup>Clinton, *Hard Choices*, 192.

<sup>101</sup>Bowden, *The Finish*, 203.

<sup>102</sup>Mazzetti, *The Way of the Knife*, 290.

### DRONE ATTACKS: A DIFFERENT STORY

Since late in the George W. Bush presidency and continuing during the Obama administration, the United States has conducted a steady campaign of foreign policy assassinations by means of drone strikes. These have been especially prevalent in Pakistan and later in Yemen, both countries the United States was not at war with, and have been conducted by both the CIA and the military's Joint Special Operations Command (JSOC). By one set of data compiled by the New America Foundation, during the first term of the Obama administration, the same drone strikes in Pakistan and Yemen that killed 3,300 operatives of al Qaeda, the Taliban, and other jihadist entities killed more than 50 senior leaders of those organizations.<sup>103</sup> Indeed, in the case of so-called signature strikes—where targets are selected based upon patterns of behavior rather than precise knowledge of who they are—a number of higher-level officials have been killed without prior knowledge that they were present in the strike area.<sup>104</sup> This calls into question whether such killings should even be considered assassinations; they are at the far end of our definitional range. Information about the decision-making process behind drone strikes is, as in the previous section, incomplete—and some recent strikes in other areas are not examined here for this reason—but several substantial accounts by journalists do give us a basis for discussion.

In terms of the taxonomy of gains, the drone strikes encompass three potential benefits. If they are truly, completely successful, the strikes would put to an end a major terrorist organization and the would-be caliphate that al Qaeda envisions reestablishing at some future date. If somewhat successful, the strikes would have the still-significant benefit of eliminating some talented leaders and operational figures. And also, if at least somewhat visibly effective, the strikes would have the benefit of displaying a will to fight terrorism to the American public and to competing elites within the American political scene.

Of course, the first two of these benefits rely upon the assumption that removing leaders of al Qaeda and similar organizations actually does diminish their future capabilities. As mentioned earlier, there is an active debate in the recent literature about whether leadership targeting works. At this point there is no consensus among scholars.<sup>105</sup> In any case, there is

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<sup>103</sup>Daniel Byman, "Why Drones Work: The Case for Washington's Weapon of Choice," *Foreign Affairs* 92 (July/August 2013): 32–43, at 33.

<sup>104</sup>*Ibid.*, 36, 42.

<sup>105</sup>Max Abrahms and Jochen Mierau, "Leadership Matters: The Effects of Targeted Killings on Militant Group Tactics," *Terrorism and Political Violence* (23 September 2015), 1–22, at 2.

little evidence that U.S. officials have taken into account these studies; as Jenna Jordan, one of the foremost proponents of the “does not work” belief, says, “Regardless of the effectiveness and potential for adverse consequences for its decapitation strategy, the United States is likely to continue . . . because U.S. policymakers view the killings of high-level targets, such as bin Laden [and others] as successes in themselves.”<sup>106</sup>

As previously discussed, leaders will naturally favor options that appear to get them out of painful dilemmas. Initially after September 11, the focus of U.S. efforts against al Qaeda was on capturing and interrogating terror suspects rather than killing them outright. This led to a series of controversial measures, such as the Guantánamo Bay detention facility, a network of secret interrogation facilities in foreign countries, “enhanced interrogation” techniques that were criticized as tantamount to torture, and rendition to foreign countries where outright torture was regularly practiced. By 2005, the weight of criticism of these measures, and the possibility of legal liability arising from their excesses, was enough to make senior CIA officials view targeted killings or assassinations as much the simpler and more desirable option.<sup>107</sup> This was all the more so once Obama took office, given that he had publicly denounced most of those Bush-era practices and had stopped some of them.<sup>108</sup>

As with other IR assassination decisions, mental tricks are available that allow leaders to find solace in facts that seem to negate costs and thus prevent having to make a difficult choice. A 2002 Predator strike that killed Qaed Salim Sinan al-Harethi in Yemen was portrayed by the Yemeni government as an accidental gas explosion, and early drone strikes in Pakistan were publicly attributed to the actions of the Pakistani army.<sup>109</sup> While President Pervez Musharraf told a CIA operative that such explanations would be creditable—“In Pakistan, things fall out of the sky all the time”<sup>110</sup>—it is difficult to think that they are believed for long by the organizations so targeted, as generally only one power in a region has the military capability to conduct operations whose results fit the profile of drone strikes. Indeed, this fiction fell apart in Pakistan once the strikes began increasing in frequency.<sup>111</sup>

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<sup>106</sup>Jordan, “Attacking the Leader, Missing the Mark,” 7–8. For an example of a former U.S. policymaker asserting that leadership targeting does work, see Michael V. Hayden, *Playing to the Edge: American Intelligence in the Age of Terror* (New York: Penguin, 2016), 331–344, 425–426.

<sup>107</sup>Mazzetti, *The Way of the Knife*, 120–121, 126.

<sup>108</sup>Klaidman, *Kill or Capture*, 122–127, 249; and Mazzetti, *The Way of the Knife*, 218–219.

<sup>109</sup>Mazzetti, *The Way of the Knife*, 87, 109–110.

<sup>110</sup>*Ibid.*, 109.

<sup>111</sup>C. Christine Fair, Karl Kaltenthaler, and William J. Miller, “Pakistani Opposition to American Drone Strikes,” *Political Science Quarterly* 129 (Spring 2014): 1–33, at 10–11.



Moreover, there are rarely alternative courses of aggressive action that would make the United States any more popular: U.S. troops would be less welcome, conventional air strikes would cause more collateral damage, and the local governments involved are often incapable or unreliable in conducting operations themselves.<sup>112</sup> Thus, drone strikes, including those involving assassination, carry a natural appeal to decision makers, especially American ones eager to avoid any new invasions or occupations. In the words of Audrey Kurth Cronin, “drone strikes offer the ideal, poll-tested counterterrorism policy: cheap, apparently effective, and far away.”<sup>113</sup> This strategy has enjoyed domestic public support; by 2012, one poll reported that 69 percent of the American public supported the U.S. government assassinating terrorists.<sup>114</sup> When politicians, or those working for them, weigh the expected costs and gains of an assassination, their judgment is bound to be influenced toward the affirmative by these characteristics.

Even though the decision-making calculus in these drone strikes may have been just as problematic as for other IR assassinations, the decision-making *process* regarding them has evolved over time.

The case of Anwar al-Awlaki revealed some of the fault lines in that process during the Obama administration. An American citizen who had become effective at delivering jihadist sermons to English-speaking Muslims and was hiding in Yemen, he was linked by U.S. officials to the 5 November 2009 Fort Hood shootings by Major Nidal Malik Hasan and to the 25 December 2009 airplane bombing attempt by Umar Farouk Abdulmutallab.<sup>115</sup> The belief that Awlaki had moved from a purely propaganda role to an operational one led to a prolonged debate over whether he, as an American citizen, could be assassinated. In opinions delivered in February and July 2010, the Justice Department’s Office of Legal Counsel gave the formal go-ahead for his killing.<sup>116</sup> The case had already become public by April 2010,<sup>117</sup> and—in what surely must be a first for an IR assassination possibility—Awlaki’s father sued in federal court in an attempt to block any U.S. action and remove his name from the

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<sup>112</sup>Peter Bergen and Katherine Tiedemann, “Washington’s Phantom War,” *Foreign Affairs* 90 (July/August 2011): 12–18, at 15–16; and Byman, “Why Drones Work,” 33–35.

<sup>113</sup>Audrey Kurth Cronin, “Why Drones Fail: When Tactics Drive Strategy,” *Foreign Affairs* 92 (July/August 2013): 44–54, at 52.

<sup>114</sup>Mazzetti, *The Way of the Knife*, 315. Stanford University Poll.

<sup>115</sup>Greg Miller, “U.S. Citizen in CIA’s Cross Hairs,” *Los Angeles Times*, 31 January 2010.

<sup>116</sup>Scott Shane, *Objective Troy: A Terrorist, a President, and the Rise of the Drone* (New York: Crown, 2015), 216–224.

<sup>117</sup>Scott Shane, “U.S. Approves Targeted Killing of American Cleric,” *New York Times*, 6 April 2010.

“kill list.”<sup>118</sup> The suit failed, the approval to take him out remained in place, and a CIA-led drone strike on 30 September 2011 did so.<sup>119</sup>

As it happened, Awlaki was initially one of several targets, but not the focus, of a 24 December 2009 JSOC-coordinated air strike against a meeting of regional al Qaeda leaders; surviving that, for a while he may have been on a JSOC kill or capture list but not a CIA one.<sup>120</sup> As news reports subsequently revealed, the CIA and JSOC did indeed each have separate kill lists, with different names and different criteria for who would go on them.<sup>121</sup> Congressional oversight of their operations was split between the Intelligence and Armed Services committees, making such oversight even less effective than usual.<sup>122</sup> All of this resulted from a bureaucratic cross-alignment during this time in which the CIA became increasingly involved in military operations and the Defense Department became increasingly involved in intelligence operations.<sup>123</sup>

After initial fears that the strike practices were too indiscriminate in their targeting and were creating more terrorists than they were killing, in 2010, Homeland Security Adviser John Brennan brought into being a formalized series of weekly White House meetings that included representatives from the CIA, the Defense, State, and Justice Departments, and the National Counterterrorism Center. While a record of these meetings is not public, available accounts do indicate that the discussions examined the merits and likely consequences of each proposed strike and a wide range of viewpoints were expressed.<sup>124</sup>

The benefits of drone strikes can, of course, become their own trap. There are costs to drone strikes, and over time the accumulated mistaken targets, civilian casualties, anger of local populations, and potential for breeding more terrorists may mount and cause policymakers to back off the strikes and make them more selective. President Obama’s May 2013

<sup>118</sup>Warren Richey, “Judge Dismisses Bid to Remove Anwar al-Awlaki from U.S. ‘Kill List,’” *Christian Science Monitor*, 7 December 2010.

<sup>119</sup>Mazzetti, *The Way of the Knife*, 308–310.

<sup>120</sup>For the assertion involving Awlaki and the JSOC list, see Dana Priest, “U.S. Playing a Key Role in Yemen Attacks,” *Washington Post*, 27 January 2010 (includes subsequent correction). This assertion is disputed in Savage, *Power Wars*, 231–232.

<sup>121</sup>Greg Miller, “Under Obama, an Emerging Global Apparatus for Drone Killing,” *Washington Post*, 27 December 2011. Indeed, at some points, there were three separate kill lists, with the National Security Council holding the third, and three sets of lawyers reviewing them. See Dana Priest and William M. Arkin, *Top Secret America: The Rise of the New American Security State* (New York: Little, Brown, 2011), 204–205.

<sup>122</sup>Miller, “Under Obama, an Emerging Global Apparatus for Drone Killing.”

<sup>123</sup>Mazzetti, *The Way of the Knife*, 132–134.

<sup>124</sup>Mark Bowden, “The Killing Machines,” *The Atlantic*, September 2013; and Bowden, *The Finish*, 69–70.

address at the National Defense University announced a plan whose objectives included doing that.<sup>125</sup>

In the time since, however, those objectives have proven difficult to meet. An attempt to move military actions away from the CIA faced bureaucratic and congressional resistance.<sup>126</sup> Signature strikes, which were supposed to be phased out, are still in use, especially in Yemen and Somalia.<sup>127</sup> Drone attacks have expanded into Syria in an attempt to target senior leaders of the Islamic State.<sup>128</sup> The May 2016 drone strike that assassinated Mullah Akhtar Muhammad Mansour, leader of the Taliban, in a region of Pakistan previously off-limits to U.S. strikes revealed a new level of distrust in the U.S. relationship with that country, but based on what limited data is available, the Obama administration seems to have shown little hesitancy in seizing the opportunity when it appeared.<sup>129</sup> The same factors that have made drone strikes an attractive option for decision makers before, continue to do so.

## CONCLUSION

The practice of assassination has been a relatively neglected subject in the study of international relations. For decades, Morgenthau's *Politics among Nations* was the only major text that even mentioned the subject.<sup>130</sup> Some recent research has focused on Israeli practices, especially during the 2000–2005 period, and on the “does leadership targeting work” debate.

The importance of foreign policy assassinations as a subject for investigation lies partly in topics beyond the scope of this article, such as developments in moral norms and national and international law regarding such actions. But the calculus by which leaders make costs-versus-benefits analyses and choices is important in itself and merits demonstration and explanation, especially if the norm against such assassinations continues to erode.

<sup>125</sup>Peter Baker, “In Terror Shift, Obama Took a Long Path,” *New York Times*, 28 May 2013.

<sup>126</sup>Karen DeYoung, “Obama’s Revamp of Anti-Terror Policies Stalls,” *Washington Post*, 21 May 2014; and Jane Harman, “Disrupting the Intelligence Community,” *Foreign Affairs* 94 (March/April 2015): 99–107.

<sup>127</sup>Dan De Luce and Paul McLeary, “Obama’s Most Dangerous Drone Tactic is Here to Stay,” *Foreign Policy*, 5 April 2016.

<sup>128</sup>Greg Miller, “U.S. Launches Secret Drone Campaign to Hunt Islamic State Leaders in Syria,” *Washington Post*, 1 September 2015.

<sup>129</sup>Adam Entous and Jessica Donati, “How the U.S. Tracked and Killed the Leader of the Taliban,” *Wall Street Journal*, 25 May 2016.

<sup>130</sup>Morgenthau, *Politics among Nations*, 175–176. Subsequent texts tend to refer to assassination only in passing in the course of a discussion focused on terrorism. See, for example, Charles W. Kegley, Jr., and Eugene R. Wittkopf, *World Politics: Trend and Transformation*, 2nd ed. (New York: St. Martin’s Press, 1985), 448.

As can be seen from the accounting of IR assassinations presented here, the quality of decision making that goes into them is closely tied to the perceived benefits from them. The poorest analytical processes come from the need to evaluate the identity and policies of a successor. The bin Laden decision process worked well because it was freed from assumptions about what might happen with his replacement. The point was simply to eliminate him in payment for his past deeds and to prevent him from doing anything else. Another important factor was that the need for secrecy was largely operational and not norm based; assuming the raid succeeded, the United States fully intended to announce what it had done.<sup>131</sup>

Regardless of whether drone strikes are wise or not, the quality of the decision-making process regarding them has become more deliberate and more rigorous over time compared with the large majority of prior planned or actual IR assassinations. What factors have caused this?

A salient point about the drone strikes in Pakistan and Yemen is that the means used in conducting the general U.S. military efforts there are exactly the same as those used in conducting assassinations. That is, the drone strike that kills the lowliest foot soldier is operationally the same as the one that kills a top leader, and these strikes are the only military operations being conducted. This is historically unprecedented and helps to largely blur the traditional gradations between conventional attacks on military targets and attacking leaders personally. When in such conflicts these become one and the same, the *uniformity* versus *uniqueness* distinction outlined at the beginning of this article becomes eliminated. This confluence makes it all the easier for leaders to order such assassinations but also aids in the decision-making process, as the mechanisms by which the assassinations would be carried out are already well established and well known within the national security establishment.

Also unusual is that assassinations viewed as targeted killings have been exposed to public debate. The Israeli program of targeted killings (often by air strikes) restarted in 2000 by Prime Minister Ehud Barak during the Second Intifada began as a covert project but did not stay that way. Several nongovernmental organizations kept tallies of the killings, Shin Bet actually engaged the country's media to explain what the program entailed, and the program was challenged both in that venue and in the courts.<sup>132</sup> While

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<sup>131</sup>However, if bin Laden had not been at the Abbottabad compound, the goal was to get the SEALs out quietly and keep the whole mission secret from the American public and the Pakistani government. See Bergen, *Manhunt*, 189.

<sup>132</sup>Laura Blumenfeld, "In Israel, a Divisive Struggle Over Targeted Killing," *Washington Post*, 27 August 2006; and Byman, "Do Targeted Killings Work?," 109-110.

the American drones program also began in secrecy, much has become known about it by the present time; organizations keep and publish databases of strikes and their results and a lively public and political debate has taken place. Commentators both supporting and criticizing the American strikes have said the process surrounding them needs to become more transparent,<sup>133</sup> but the near-real-time public discussions in both this and the Israeli case are surely more than almost any previous IR assassination deliberation has seen.

And broader changes are afoot. Improvements in the technological capabilities of the drones themselves will provide new possibilities for their range and scope of use.<sup>134</sup> The ongoing proliferation of surveillance drone technology has already reached 75 to 85 countries, and while armed drone technology is harder to acquire and make practical use of, it, too, is spreading.<sup>135</sup> Thus, the dynamics of foreign policy assassinations, and the decision making that goes into them, may well undergo further change in the not too distant future.\*

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<sup>133</sup>Byman, "Why Drones Work," 41-43; Cronin, "Why Drones Fail," 54; and Bowden, "The Killing Machines."

<sup>134</sup>Bowden, "The Killing Machines."

<sup>135</sup>Byman, "Why Drones Work," 41; Sarah Kreps and Micah Zenko, "The Next Drone Wars: Preparing for Proliferation," *Foreign Affairs* 93 (March/April 2014): 68-79; and "World of Drones: Military," New Foundation, accessed at <http://securitydata.newamerica.net/world-drones.html>, 12 June 2016.

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