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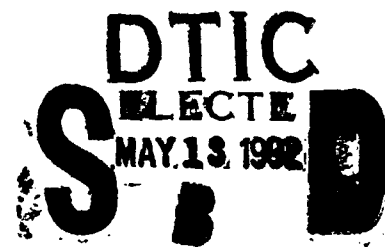
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NAVAL WAR COLLEGE
Newport, R.I.

THE CASE FOR
TARGETING LEADERSHIP IN WAR

by

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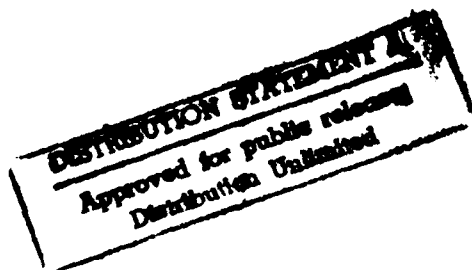


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The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy

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Abstract of
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TABLE OF CONTENTS

Introduction.....	1
Centers of Gravity, The Paradoxical Trinity, and Strategy.....	1
Strategic and Operational Implications.....	6
Objections to Targeting Individual Leaders.....	9
Legal Reservations.....	9
Moral Reservations.....	13
Fear of Retaliation.....	15
Dangers of Success.....	17
...Martyr Syndrome.....	17
...Undermine War Termination.....	18
...Successor May Be Worse.....	19
"What If We Target...But Don't Admit it?".....	20
Conclusion.....	22
End Notes.....	24
BIBLIOGRAPHY.....	29

INTRODUCTION

Following the 1986 air raid on Libya, administration officials vehemently denied Libyan leader Moammar Gadhafi had been a target. Secretary of State George Schultz stated flatly, "We oppose that sort of thing."¹ In Desert Storm, when Air Force Chief of Staff, General Michael J. Dugan, suggested Saddam Hussein might be a target, he was summarily dismissed.² President Bush insisted, "We're not targeting any individual," as General Schwarzkopf added, "That's not the way we fight wars anyway."³

What is significant is not whether the U.S. considered Gadhafi or Saddam strategically significant targets, but that the U.S. apparently condemns the targeting of leaders outright. This view is overly restrictive and demands reappraisal. It overlooks a potentially effective stratagem, and is grounded in reservations--legal, moral, political and otherwise--based on misconception, not fact. When the United States goes to war--committing lives and treasure to a cause--the option to target the enemy's political leadership should be deliberately considered, and not dismissed out of hand. Discarding such an option can be wasteful, ill-conceived and ultimately immoral. I will argue the case for targeting individual leaders--not in every conflict, but in those where the leader is our enemy's "center of gravity," and where it offers the most direct route to favorable war termination. I will address the strategic utility in targeting individual leaders, as well as address common objections to this stratagem.

CENTERS OF GRAVITY, THE PARADOXICAL TRINITY, AND STRATEGY

When studying strategy, the most likely place to start is Carl von Clausewitz. On defining the military objective to best ensure defeat of the enemy, Clausewitz advised directing all one's energies against the enemy's center of gravity, the "hub of all power and movement."⁴ The center of gravity relates directly to another of Clausewitz' constructs, the paradoxical trinity. In studying war Clausewitz suggested there are three fundamental components, or sources, of national power: the **people**--the source of passion in war, of primordial violence, hatred, enmity, regarded as a blind natural force; the **commander and his army**--managing the chance and uncertainty in war with talent and courage, making creative decisions in battle; and the **government**--subordinating war as an instrument of policy, subjecting it to reason, matching

resources and expenditures to anticipated gains.⁵ (See Figure 1) A country's center of gravity is the point about which these three elements of national power are balanced.

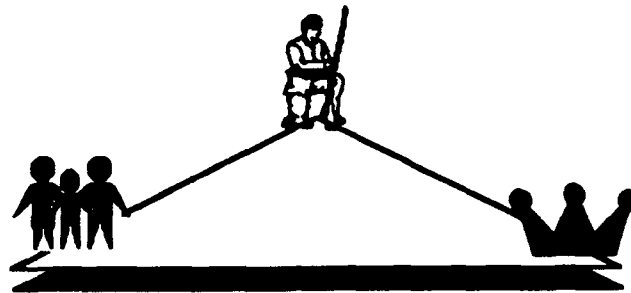


Figure 1: Paradoxical Trinity

Over time, states' centers of gravity can change, reflecting shifts in the relative power between the people, the army and the government. In Napoleonic France, for example, Clausewitz witnessed the center of gravity shift from the army to the people. (See Figure 2) The French Revolution taught him that a state's greatest source of political treasure could be its people.⁶ Another dramatic shift occurred during the early 20th century and the rise of fascism in Europe. Under internally repressive, totalitarian regimes, the center of gravity shifted to the government: a dictator exercising absolute authority over the functions of government and the military, with little or no deference to the people. (See Figure 3) Meanwhile, pluralistic democracies evolved, erecting institutional checks and balances to maintain civil control over the military, hold government accountable to the people, yet temper the passions of the people, protecting the rights of minorities. The center of gravity in democracies tends to be more distributed, or balanced, between the elements of the trinity. (See Figure 4)

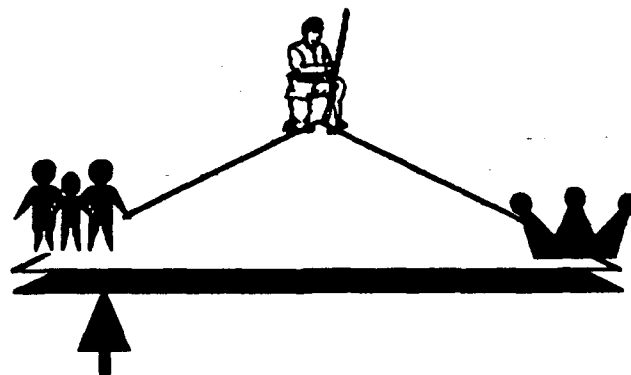


Figure 2: Center of Gravity--Napoleonic France

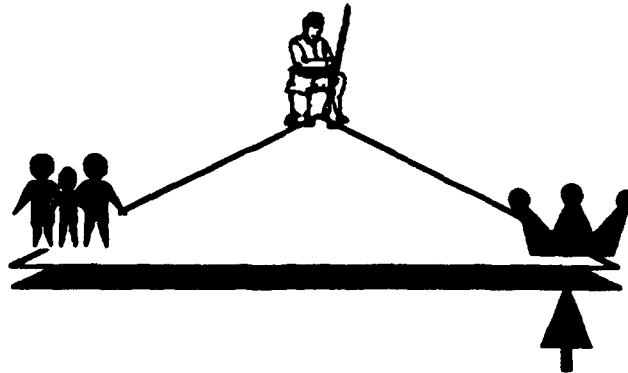


Figure 3: Center of Gravity--Totalitarian Regime

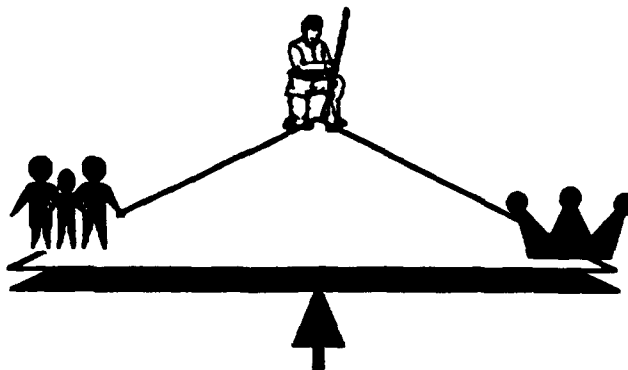


Figure 4: Center of Gravity--Democracy

Though Clausewitz repeatedly asserted the aim of warfare is to disarm the enemy, his concept of focusing on the enemy's center of gravity supports the conclusion he believed in "fighting smarter, not harder." Suggesting a "short cut to peace," Clausewitz wrote,

"It is possible to increase the likelihood of success without defeating the enemy's forces. I refer to operations that have *direct political repercussions*, that are designed in the first place to disrupt the opposing alliance, or to paralyze it, that gain us new allies, favorably affect the political scene, etc. If such operations are possible it is obvious that they can greatly improve our prospects and that they can form a much shorter route to the goal than the destruction of the opposing armies."⁷

Perhaps Clausewitz never envisioned the possibility that a country's center of gravity could be its head of state. Clausewitz did suggest one instance where

the "personalities of the leaders" might be the center of gravity: that of popular uprisings.⁸ But there is a clear distinction between the leader of an uprising and the sovereign of a legitimate state. Had Clausewitz lived to see the rise of fascism and emergence of totalitarian states, he would likely have advocated targeting their leadership as the most direct path to peace.

Modern democracies are less prone to aggression, and less likely to go to war with each other. If this remains true, America's future conflicts are likely to involve undemocratic regimes. Our experience in this century certainly seems to bear this out. Turning, then, to the hypothetical case of a conflict with a totalitarian regime, we examine the leader as the center of gravity, and the strategic opportunities inherent in that condition.

The totalitarian state is characterized by centralized control of all elements of state power: internal security measures to control *the people*; economic, legal and political controls to control *the government*; centralized command and control procedures to keep a tight reign on *the military*. Authority is vested in the person, not the institution, and succession is rarely institutionalized or predictable. Perhaps most significant, policy--including decisions that precipitate and terminate wars--is highly dependent on the personality of the leader. In the cases of Hitler and Stalin, for example,

"...the dictators themselves, driven by pathological hatred and fear of what they perceived as insidiously conspiratorial enemy forces operating at home and abroad, were responsible to a very significant extent for the totalitarian terror that did in fact exist in Hitler's Germany and Stalin's Russia."⁹

Conversely, policies that are dependent on the personality of the leader are susceptible to sudden change when that leader is removed. "To the extent that a public leader's power is based exclusively on beliefs and attitudes about his personal qualities, his "power" might be said to vanish almost completely on his removal."¹⁰

Had Hitler been assassinated in July 1944, it is debatable whether the war's ultimate outcome would simply have come sooner, or whether an early armistice--sparing Germany from another year of bombing and leaving the Wehrmacht disarmed but undefeated--may have transformed into a humiliating memory of "unnecessary surrender," like that of 1918.¹¹ What is clearer,

however, is that Hitler himself was "the single most powerful driving force" behind the Nazi genocide campaign.

"It was Hitler's own will to genocide that generated the relentless pressure under which Himmler's terror machine proceeded...Without Hitler's authority, Himmler, a man solely of subordinate virtues, would never have dared to act on his own."¹²

Removing Hitler would surely have altered this horrific dimension of the war.

When Stalin died in 1953, the Soviet purge operations ended abruptly, inaugurating the subsiding of terror that had enveloped the Soviet people since 1929. Though repression continued in the Soviet Union, nothing approaching the brutal terror of the Stalin regime returned; stark evidence of the dependence of totalitarian policy on the personality of the leader.¹³ Indeed, the "assassination profile" of an "ideal target" is a "charismatic, irreplaceable, maximum leader in the process of transforming the nation and the world," precisely because his death would precipitate the greatest substantive change in policy.¹⁴ Such a target is usually at the head of a totalitarian regime.

Democracies offer a profound contrast to the personality-dependence, centralized control, and political 'vulnerability' of totalitarian regimes. The U.S. has a decentralized, pluralistic government. Authority is vested in the office, not the person. Succession--a function of institutionalized authority--is predictable, formal, and consistent. Personality plays only a marginal factor in defining policy, clearly overshadowed by institutional checks, balances and public opinion.

When a President has died in office, there has been little change in his fundamental policies, owing perhaps to the fact that the Vice President tends to be of the same political inclinations as his running mate. In 1901, when President McKinley was assassinated, there was widespread anticipation among Philippine insurgents that the U.S.' commitment to the counterinsurgency there would diminish under his successor. Theodore Roosevelt disappointed them. After Lyndon Johnson succeeded John Kennedy, U.S. commitment in Vietnam did not decline; Johnson escalated military involvement.

So "insensitive" are democratic institutions to a change in leadership, that most experts regard them as virtually "assassination proof."

"When there is a consensus in society, when the means of succession are legitimate, when there are few pressing issues or turmoil in the streets--and especially when there is no hope of success--conspiracies to murder are rare."¹⁵

For open societies, concludes J. Bowyer Bell's analysis of assassinations, "history cannot be changed by righteous murder--at least, not often and not by much."¹⁶

STRATEGIC AND OPERATIONAL IMPLICATIONS

The strategic implication is clear. A democracy at war with a totalitarian regime is in a comparatively stronger position to target political leadership. Applying Clausewitz' dictum, totalitarian leadership--as the "hub of all power"--should be the focus of our destructive energies. This is evident at both the strategic and the operational levels.

Targeting totalitarian leadership can remove the greatest impediment to war termination. Leaders responsible for bringing their country to war are reluctant to withdraw in failure. If a leader argues for a negotiated peace, he may be seen as betraying the men that are still dying at the front. "To make peace may require a nation get rid of its leader."¹⁷ Zapata, the Mexican rebel leader, staunchly refused to compromise with the Mexican authorities. Within months of his assassination, in April 1919, his movement joined forces with moderates, and gained political power in the government.¹⁸ In the case of the totalitarian regime, the "political inertia" can be much more acute. An unrepresentative leader, immune to public opinion, has more time to delay the decision to end the war. "The fact that public opinion was completely controlled in Nazi Germany and Japan during the Second World War undoubtedly contributed to the prolongation of the war."¹⁹ Centralized leadership further exacerbates this tendency.

"In times of war, the influence of a single individual is accentuated, and the possible damage he may inflict by delaying or evading a decision to end war is even greater than that caused by hesitancy in times of peace. When leadership is concentrated in fewer hands, it becomes more important to take into account non-rational elements."²⁰

Hitler, for example, knew in 1943 that the war was lost. But he held out irrational hopes for a miracle and salvation.²¹

Simply removing the influence of a charismatic leader--a catalyst--can significantly influence war termination. The capture of rebel leader, Emilio Aguinaldo, by American troops in 1901 marked the end of the Philippine resistance.²² When Augusto Cesar Sandino, the Nicaraguan revolutionary, was assassinated in 1934, his eight year insurgency died, and with it all resistance to the Somoza regime.²³

"There have always been many targets who cannot be replaced, charismatic leaders who become the embodiment of national or world aspirations: Nkrumah in Africa, Nasser in the Middle East, Gandhi in India, Mao, Stalin and Hitler and Peron. These were special people, the source of authority, messiahs in political roles crafted through their own sense of destiny, their own magnified image, their own cult of personality."²⁴

Targeting leadership can also have a profound impact at the operational level. A sudden change in leadership would have a dramatic "ripple effect" throughout a totalitarian regime. The informal, *ad hoc* succession would likely precipitate a struggle for power. Amidst this instability and uncertainty, the military, accustomed to receiving specific instructions from the central authority, would be decapitated--like a guided missile gone ballistic.

Targeting "command and control" is not new to U.S. military doctrine. Targeting leadership is a logical extension of the U.S. Army's current Air-Land Battle doctrine, a principal imperative of which is to "concentrate combat power against enemy vulnerabilities."²⁵ Against a force that relies on centralized command, control, communications and intelligence (C³I)--like the former Soviet Union and its clients--U.S. doctrine is to target key command and control nodes, in effect isolating the military forces in the field from effective direction.²⁶ Operation Desert Storm demonstrated the effectiveness of this strategy. According to the Desert Storm Operation Order, attacking Iraq's political-military leadership and command and control network--considered their center of gravity--was the first military objective of the war.²⁷ Targeting Iraq's air defense facilities, command bunkers, and communications facilities in the first few days

of the air campaign effectively decapitated Iraqi forces, rendering them virtually helpless.²⁸

Targeting the individual leader is nothing more than applying the logic of Clausewitz to current doctrine. Target the hub, not the spokes; the head, not the arms. The logic is intuitive, but more than that, the American people expect it.

"Be swift to hear, slow to speak, slow to wrath" (James 1:19). In international relations, Americans endeavor to live up to this maxim.

"The American public is cautious about foreign involvement: it believes strongly in the value of talk and opposes the use of military force...Such views are not a new wave of post-Vietnam isolationism. They are part of enduring American attitudes."²⁹

Once committed, however, they expect their leaders to pull out the stops and terminate the conflict quickly, completely, with the fewest possible casualties.

As the costs of war have grown--in human and monetary terms--the U.S. has raised the "threshold" at which it will commit itself to war. From John F. Kennedy's 'blank check' of support to "pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival of liberty," American foreign policy has become much more selective and discriminating. Today the "Weinberger doctrine" spells out six pre-conditions for committing military forces abroad, clearly limiting the situations where we would likely use force, and resisting all involvement without an assurance of success.³⁰ "The trend against the direct use of force as reflected in U.S. law and policy doctrines is clear. The use of force is too expensive, too ineffective. Indeed, force has finally become the *ultima ratio*."³¹ When a threat does meet America's threshold for intervention, the strategy reflects our traditional demand for unconditional surrender in the shortest possible time and minimum casualties. Grenada and Lebanon represent the types of military enterprises Americans will accept and reject. Americans supported the *fait accompli* in Grenada because it was successful, was quick, rescued Americans, resulted in few casualties, and had clear and achievable objectives. The opposite was true in Lebanon, where our involvement was prolonged, American lives were not as clearly at stake, casualties were high, and objectives were unclear and ultimately unattainable.³² Americans trust our political and military leadership to utilize the most efficient--not just effective--route to peace, as measured in lives and treasure. Dismissing the option of targeting enemy leadership violates that trust.

OBJECTIONS TO TARGETING INDIVIDUAL LEADERS

Reluctance to target heads of state has been an enduring tenet of military strategy. Legal, moral, political and other reservations account for this institutional resistance. We focus on each of these, balancing them against the strategic utility of targeting individual leaders.

Legal Reservations

The way the U.S. wages war should be entirely consistent with international law, and the law of war in particular. The law of war "complements and supports the principles of warfare embodied in the military concepts of objective, mass, economy of force, surprise, and security."³³ It is also in our greater national interest to adhere to international law. "A power that is perceived as generally abiding by the law and respectful of its legal commitments reaps useful, even if often intangible, political benefits from such a perception. Notions of morality and lawfulness, though not decisive, do exert some weight in the diplomatic and political processes of world politics."³⁴ Nothing in this argument is intended to suggest a departure from the law of war. To the contrary, overtly targeting individual leaders may ultimately reinforce and elevate our international legal position.

Targeting individuals is often equated to assassination, which is prohibited both by domestic and international law.³⁵ Opponents point to Hague Convention IV, 8 October 1907, which states, "It is especially forbidden...to kill or wound treacherously individuals belonging to the hostile nation or army." Army Field Manual 27-10, "The Law of Land Warfare," authoritatively defines the U.S.' interpretation: "This article is construed as prohibiting assassination, proscription or outlawry of an enemy, or putting a price on an enemy's head, as well as offering a reward for an enemy 'dead or alive.'"³⁶ Some experts interpret this to mean that targeting any individual is assassination, and unlawful--regardless of wartime.³⁷ They point out the President is required to comply with all treaties receiving the advice and consent of the Senate (per article 6 of the constitution, the "Supremacy Clause"), so compliance with international law (like the Hague rules) is required under domestic law as well.³⁸ Finally,

Executive Order 12333, first signed by President Ford in 1977 and reaffirmed by each administration since, prohibits assassination as matter of national policy.³⁹

The stronger case (and the preponderance of recent legal writings) supports the legality of targeting individual leaders in wartime. "Assassination" is not a legal term of art--it is not defined by international treaty or U.S. law--and it is often applied loosely to describe intentional killing, both in peace and in war.⁴⁰ Interpretations restrictive of individual targeting broadly apply peacetime protections--regardless of combat--and narrowly define (or dismiss) "permissible killing" during war. The principal issues are the *status of the target* (protected noncombatant versus permissibly targeted combatant) and the *method of the killing* (treacherous versus "legal").

Nearly everyone agrees that the "intentional killing of a specified victim...perpetrated for reasons related to his...public prominence and undertaken with a political purpose in view"⁴¹ is illegal *in peacetime*--under both international and domestic law. In wartime, however, assassination takes on a different meaning. The use of force is permitted under international law--as an enforcement action on behalf of the United Nations, or as a measure of individual or collective self-defense.⁴² The law of armed conflict seeks to "prevent unnecessary suffering and destruction by controlling and mitigating the harmful effects of hostilities through minimum standards of protection to be accorded to combatants and to noncombatants." These general principles require armed force be used only as a last resort (necessity), only to the degree necessary to achieve the objective (proportionality), and not in a treacherous or dishonorable manner (legal means).⁴³ Though international law does not define combatants and noncombatants, the latter are generally considered those individuals who are not part of the armed forces, and do not participate in, or support, hostile acts.⁴⁴ Similarly, "treachery" is not clearly defined in international law, but has been interpreted to prohibit actions which undermine the minimum degree of trust necessary to negotiate and terminate conflict between belligerents. "Treacherous or perfidious conduct in war is forbidden because it destroys the basis for a restoration of peace short of the complete annihilation of one belligerent by the other."⁴⁵

Neither selective targeting nor his "civilian" status make an individual leader an unlawful target in wartime. Singling out an individual military target for killing has never been "illegal" in war. The Hague rules' prohibition on treachery precludes proscription or outlawry of an enemy, putting a price on an enemy's

head, offering a reward for an enemy 'dead or alive,' luring enemy soldiers into an ambush by pretending to surrender, misusing the emblem of the Red Cross, and attacking under cover of civilian clothes.⁴⁶ It does not, however, "preclude attacks on individual soldiers or officers of the enemy whether in the zone of hostilities, occupied territory, or elsewhere."⁴⁷ Practice in war reflects the widespread acceptance of this interpretation:

- On 18 November 1941, a British commando unit tried to kill German Field Marshall Erwin Rommel, at Bedda Littoria, Libya.
- On 18 April 1943, a U.S. P-38 fighter successfully intercepted a Japanese aircraft, killing Admiral Osoruku Yamamoto.
- During the Battle of the Bulge, German General Otto Skorzeny reportedly led a failed commando raid to kill or capture General Eisenhower.
- On 30 October 1951, a U.S. Navy airstrike killed 500 senior Chinese and North Korean military officers and security forces attending a military planning conference at Kapsan, North Korea.⁴⁸

None of these military operations involved "treachery," nor were they "assassination." They were directed against legitimate targets, and used legal means. Even during *peacetime* contingency operations, individuals have been legally targeted:

- 1804-1805: Marine First Lieutenant Presley O'Bannon led an expedition into Libya to capture or kill the Barbary pirates.
- 1916: General "Blackjack" Pershing led a year-long campaign into Mexico to capture or kill the Mexican bandit Pancho Villa following Villa's attack on Columbus, New Mexico.
- 1928-1932: U.S. Marines conducted a campaign to capture or kill the Nicaraguan bandit leader Augusto Cesar Sandino.
- 1967: U.S. Army personnel assisted the Bolivian Army in its campaign to capture or kill Ernesto "Che" Guevara.
- 1985: U.S. naval forces were used to force an Egypt Air airliner to land at Sigonella, Sicily, in an attempt to prevent the escape of the Achille Lauro hijackers.
- 1986: U.S. naval and air forces attacked terrorist-related targets in Libya in response to the Libyan government's continued employment of terrorism as a foreign policy means.⁴⁹

History does provide examples of treacherous killing in war, involving otherwise "legal" targets. Conspirators in the murder of President Lincoln were tried as war criminals, by military tribunal, owing to the treacherous nature of the

killing--not because Lincoln was an "illegal" military target.⁵⁰ In a classic example, British SOE-trained Czechoslovakian partisans ambushed SS General Reinhard Heydrich on 27 May 1942. The killing was considered "treacherous" by most scholars because the assassins wore no uniforms--posing as civilians to get close enough to murder him--and not because Heydrich's post as governor of Czechoslovakia was considered "civilian."⁵¹

The remaining issue is whether an individual leader is a legal target. While there is general agreement among legal experts that civilians who participate in hostilities ("quasi-combatants") may be regarded as combatants and are lawful targets, there is no agreement on the degree of participation it takes to make an individual civilian a combatant.⁵² Increasingly, scholars have argued that the head of state--acting as commander in chief of the armed forces, directing the war effort--is a legal target.⁵³ Their logic is compelling:

"...an individual may be subject to lawful attack if his (or her) immunity from military service in his (or her) civilian position is of greater value to a nation's war effort than that person's service in the military."⁵⁴

Historically, the decision whether to target an individual leader has been a policy, rather than a legal, matter.⁵⁵ "From a legal point of view, there is no difference in bombing the Republican Guard and aiming for its leader; and targeting Saddam Hussein would be consistent with the U.N. resolutions."⁵⁶ The only real barrier to targeting heads of state is political, not legal.

An example of this political resistance is the current preoccupation among policymakers with the prohibition on "assassination," under Executive Order 12333.⁵⁷ This preoccupation is grounded in confusion, and not the law. The EO does not apply to wartime targeting. That was the conclusion of a 1989 government opinion, and certainly our experience in the past with targeting military leaders (Yamamoto, Kapsan airstrike, etc.) reinforces that position.⁵⁸ EO 12333 was a response to the Senate hearings in the early 1970's on "Alleged Assassination Plots Involving Foreign Leaders," which recommended a statutory prohibition on covert assassination operations. The Senate report from those hearings explicitly excluded combat and wartime targeting in their statute recommendations.⁵⁹ The executive order does not, and was not intended to, restrict targeting in war.

Targeting individual leaders is not only permitted under domestic and international law, it may even be required under certain circumstances. Recalling that the use of armed force must be necessary and proportionate, if the death of the enemy's head of state would hasten an end to hostilities, the legal presumption under the law of armed conflict rests with targeting the leader. In Operation Desert Storm, despite careful selection of military targets and employment of the most accurate bombs and missiles ever used in war, collateral damage left Iraqi infrastructure in a "pre-industrial," "near apocalyptic" condition. At least 100,000 noncombatants died in the war, and the delayed effects of cholera, typhoid and malnutrition promised to claim 170,000 children over the next year.⁶⁰ One observer labelled the U.S. air campaign "illegally disproportionate" under international law.⁶¹ It remains to be seen whether Saddam Hussein's death would have resulted in fewer casualties and an earlier end to the war. But deliberately not targeting him, when it was in our power to do so, may have unnecessarily prolonged the war. The purpose of the law of armed conflict is to "ensure that the violence of hostilities is directed toward the enemy's forces and is not used to cause purposeless, unnecessary human misery and physical destruction."⁶²

The "proportionality" doctrine of international law supports a conclusion that it is wrong to allow the slaughter of 10,000 relatively innocent soldiers and civilians if the underlying aggression can be brought to an end by the elimination of one guilty individual."⁶³

The legal burden should be on American decisionmakers to prove that targeting Saddam Hussein would not have ended the war sooner. Otherwise we had a legal obligation to do so.

Moral Reservations

Regardless of the state of international law, some argue, it is inherently wrong to target an individual for death. By resorting to such tactics, we degrade ourselves and lose the "moral high ground."⁶⁴ The moral basis for this line of argument is shallow and rests upon a paradoxical assumption, that somehow the one person most responsible for instigating the war should be protected from its effects.

Targeting the head of state--when he represents his country's center of gravity--is the most direct and *proportionate* means to peace. If morality represents the broadest consensus of what is right and wrong, then international law represents international morality. From an historical perspective, tyrannicide--"striking down illegitimate, capricious, or impious rulers on grounds of principle"--for at least two and a half millennia "has constituted in the eyes of philosophers the only respectable link between ethics and political violence."⁶⁵ President Bush took deliberate steps to frame Desert Storm as a "just war." The underpinnings of tyrannicide and just war theory emanate from the same source our common sense of morality.

The Bible describes as righteous the slaying of Eglon, the King of Moab, by Ehud, of the tribe of Benjamin, which ended eighteen years of foreign oppression. St. Thomas Aquinas contended that assassination, even of the sovereign, is warranted by natural law if the murder of a tyrant is done for the common good...⁶⁶

Sir Thomas More noted that once war was declared, the belligerents "promise great rewards to him that will kill their enemy's prince, and somewhat less gifts, but them very great also, for every head of them..."⁶⁷ For More, targeting the sovereign was warranted in war.

The moral objection to targeting leaders is based on the paradoxical premise that it is "just" to protect the sovereign from the effects of a war for which he is likely responsible. While Hitler was arguably this century's "best" candidate for tyrannicide, totalitarian leaders would probably come closest to qualifying for this honor, today.⁶⁸ Totalitarian regimes are virtually immune to public opinion, and are usually perpetuated through brutal repression of the population. Neither the common soldier nor average citizen of such a state has any say in whether his country goes to war. Yet they are precisely the ones who pay with their lives if their sovereign so chooses.

To argue as a matter of either legal or moral principle that, above all and without possible exception, the life of a head of state guilty of armed aggression must be safeguarded--to give him the protected status of a Red Cross or medical worker--is to argue that it is better to kill 10,000 innocent individuals than to take the life of one guilty man.⁶⁹

Such reasoning flies in the face of justice. "For those who believe this is a just war," argued one observer prior to the commencement of Operation Desert Storm, "it would be immoral not to try to make it less bloody by doing our best to kill Saddam."⁷⁰ As long as we remain judicious and deliberate in our employment of this stratagem--targeting an individual leader only in time of war and when he represents his country's center of gravity--it will not cost us the "moral high ground."

Fear of Retaliation

Many observers worry that if we start targeting enemy leaders, it could be "catching," inviting retaliatory strikes on our own executive.⁷¹ Some point to the four-fold increase in terrorist incidents worldwide during Desert Shield, 35% of which were in the U.S.⁷² Others warn of the risk that our prisoners of war might be mistreated in retaliation.⁷³

These fears are basically unfounded. In targeting democratic leadership, a totalitarian regime is inherently disadvantaged--both in the means by which they can assassinate the President, and in the potential impact a successful assassination would have. Consider the available means the totalitarian regime would likely have with which it could retaliate against the U.S. It is doubtful the totalitarian forces could wage an overt military assault in America. While U.S. combat forces overtly targeted enemy leadership--by air, ground and special operations forces--the totalitarian state would be reduced to terrorist-like tactics: small hit squads operating covertly. In contrast to the normal peacetime security posture, would-be assassins would find a much less accommodating environment in wartime.

When war breaks out there is almost certain to be an immediate tightening of security measures, including those designed to protect the lives of government leaders. Such precautions generally acquire additional force from the willingness of the population at large to share in seeing that they work. Even disaffected elements are often reluctant to pursue their grievances in ways that might be viewed as treasonable.⁷⁴

The totalitarian regime intent on counter-targeting the President in retaliation will be fighting against the odds all the way.

In contrast to those of a totalitarian regime, our institutional commitment to wartime policies is much less vulnerable to change by assassination. Recall from earlier 'strategic and operational implications' that a democracy is in a comparatively stronger position to target political leadership than its totalitarian counterpart. On the one hand, the totalitarian regime is uniquely vulnerable to abrupt policy reversals with the death of the political leader. Its leadership represents the center of its military command and control network, the source of political decisions, and the key to popular repression.

...there are certain states and certain regimes that invite rebel conspiracy. Some regimes have no real means of legitimate succession or even logical elite replacement...(A) regime may not be a closed elite but a single man ruling through fear and repression, his regime founded on dread and charisma: Idi Amin in Uganda is a classic tyrant. In many countries, however, there are not cannibal kings or mad ministers--rather, presidents of one-party states, who, unlike the generals, have fashioned the form for succession without assurance that the process will work...⁷⁵

The democracy, on the other hand, is relatively "insensitive" to political change through assassination. Authority and succession are institutionalized; a function of the office, not the person. The democratic leader is much less likely to represent his country's center of gravity. He is not as strategically significant a target. Democracies appear to be tempting targets to the "lone crazy," by virtue of their openness, seemingly lax security, and availability of weapons. But assassinations are inherently futile in pluralistic societies.

Apparently the psychotic lured toward murder as a cure to intolerable personal anguish will be with us always, each inexplicable deed causing ripples of irrelevant concern that need not produce systemic adjustment. But the revolutionary gunman may have outlived his day in the open societies of the West.⁷⁶

The threat that a targeted leader may expand the conflict (presumably through terrorism) and mistreat our prisoners of war in retaliation must be seen for what it is: desperation or an inherent disregard for international law and basic human rights. Our targeting him will not influence his decision significantly. If he believes mistreating prisoners and unleashing terrorists on innocent civilians are "acceptable," he will likely turn to these abhorrent

methods eventually, regardless of our choice of targets. The terrorist threat must also be kept in perspective, and not magnified by misinterpretation. In the case of the increase in terrorist incidents reported during Desert Shield, many of those reported were anti-Arab "hate crimes," not Iraqi-inspired terrorism.⁷⁷ Our strategy must not be unduly influenced by such illegal threats and blatant extortion.

In the final analysis, the concern over retaliation is a hollow fear. There is little reason to believe state-sponsored assassination against the U.S. would be any more effective--either in killing the executive, or altering substantive policy--in war than in peacetime. Retaliatory measures are likely to be futile.

Dangers of Success...Martyr Syndrome

Some raise concerns over the dangers of actually killing an enemy leader: creating a martyr, undermining early war termination, or getting a successor that is worse than the original tyrant. We will address each in turn.

The potential for creating a martyr by killing the enemy's leader is a factor which should be considered long before the leader is targeted. In the case of a "benevolent dictator" with broad popular support, it would probably be inadvisable to target him, for two reasons. First, the leader probably would not be the primary center of gravity. If popular sentiment carried so much weight, the people clearly exercise more influence than is likely in a totalitarian state. Removing such a leader would not have the same decisive strategic impact. Secondly, if the passion of war--the enmity and hatred Clausewitz attributed to the "people"--is, indeed, dormant but potentially volatile, it would be foolish to "stir the hornet's nest," as it were, unleashing that latent human energy. Had the U.S. found itself at war with Iran in the 1980's, for example, targeting the Ayatollah Khomeini could have been disastrous, whether or not he was Iran's center of gravity, because of the potential backlash from Islamic fundamentalists worldwide.⁷⁸

On the other hand, the "benevolent dictator" is a rare occurrence, particularly among warring leaders. The context of death makes martyrs; and war completely changes the context of death. The externally aggressive totalitarian leader is more likely to be internally repressive than benevolent.⁷⁹ The concern for the martyr syndrome rests on two unlikely assumptions: that the dictator enjoys some modicum of popular support, and the people have a

higher regard for their leader's life than their own. If we are at war with a state, it should be safe to assume we are not very popular in their country: we are killing their soldiers and destroying their country. Why should the dictator's people regard his death with greater remorse or passion than those of their own family and countrymen? The death of the dictator--unelected, unresponsive and brutally repressive--is not likely to incite much greater enmity than already would exist in war. More likely, if the leader is feared or hated, his death may be welcomed. In short, the totalitarian leader is an unlikely martyr.

Dangers of Success...Undermine War Termination

An issue that often arises from discussions of strategic nuclear "counter-political" targeting is whether targeting leadership inhibits early war termination, since it might eliminate everyone empowered or able to negotiate peace.⁸⁰

This argument, when applied to the targeting of leaders in a conventional war, suffers two flaws. First, the argument ignores the fact that current doctrine (Air-Land Battle) already targets command, control and communications facilities, in order to isolate the forces in the field from the leadership. If we are successful in destroying C³I facilities, the death of the head of state will not have much marginal effect on the capability to communicate with field commanders. Secondly, the argument does not address the fact that the totalitarian leader is probably the single greatest impediment to war termination. Recall the earlier analysis that the incumbent leader usually resists unfavorable war termination, having a "vested interest" in its progress. History bears out the fact that war termination is often precipitated by a change in leadership: Zapata's death in 1919 and his Mexican agrarian reform insurgency, the Kaiser's abdication prior to Germany's surrender in World War I, Petain and the French surrender to Germany in 1940, Eisenhower's election in 1952 and peace talks in Korea, DeGaulle's return in 1958 and the resolution of the Algerian revolution, Nixon's election (and/or the death of Ho Chi Minh) in 1969 precipitating American deescalation in Vietnam and eventual peace talks, and many others.⁸¹ "Political inertia" is exacerbated by the dramatic influence a single personality--particularly a dictator insensitive to public opinion--can have in postponing an inevitable defeat.⁸² While there remains a possibility that a "power vacuum" created by the death of a warring dictator may impede

resolution of the conflict, it is far more likely that the dictator is the single greatest impediment to negotiation and peace.

Additionally, targeting the leader--even if unsuccessful--can have a coercive effect to improve progress in terminating the war. Personal threat can deter. That has been a tenet of U.S. strategic nuclear targeting for many years. By targeting the "mechanisms for ensuring survival of the Communist Party and its leadership cadres," the U.S. has placed at risk "those political entities the Soviet leadership values most."⁸³ If the totalitarian leader cares about nothing else, he will at least value his own life and power. Only by making it clear that we will target enemy leaders will it have any deterrent effect.

Dangers of Success...Successor May Be Worse

Some authors suggest that the successor to a totalitarian leader is likely to be no better than his predecessor, perhaps even replacing an otherwise "rational" tyrant with an "irrational" maniac.⁸⁴ If the heir apparent is certain, and known to be "worse," perhaps this might discourage targeting the enemy leader. But in the absence of such information, it is much more likely that the warring dictator is uniquely aggressive, and that his demise will only improve the opportunities for peace.

Recall from the last section that the totalitarian leader is most likely the single greatest impediment to war termination. Any change creates an opportunity for early war termination. But more importantly, extensive research on the leaders in totalitarian regimes reveals that the nature of the regime--its internal repression, external adventurism, its propensity for aggression, etc.--is defined by the personality of the leader, and not the reverse. Psychological studies have shown that aggressive, war-prone dictators possess psychiatrically defined paranoid characteristics, representing a political personality type. They are driven to lead a "fighting organization," perpetuated by internal repression and invented external threats.⁸⁵ Their personalities define the brutality of their regime, and the nature of their regimes change abruptly when they are removed(recall Hitler and Stalin). In light of their intense paranoia and brutality (purges eliminate real challengers and deplete the remaining leadership pool), "warfare personalities" are mutually incompatible; *Consecutive* warfare personalities are highly unlikely. This clearly refutes the notion that the successor merely reflects the influences of his "environment,"

and that he is likely be just as ruthless, aggressive, irrational, etc. as his predecessor.

"WHAT IF WE TARGET...BUT DON'T ADMIT IT?"

Some might suggest it is simply too difficult to identify and successfully target individuals, much less individual leaders. The "Noriega syndrome" describes the embarrassing experience of U.S. troops during Operation Just Cause, as they chased Manuel Noriega around Panama's streets for days before they finally captured him.⁸⁶ One alternative, they argue, is to target the leaders, but deny it, thus avoiding the "loss of face" if the task proves impossible to carry out. Some would argue this is precisely what the U.S. did in both the 1986 El Dorado Canyon airstrike against Libya's Gadhafi, and air raids into Baghdad aimed at Saddam Hussein.⁸⁷ This political "charade" is fraught with serious problems. It would diminish any coercive effect targeting might otherwise have, it would threaten the organizational integrity and effectiveness of our military, and it would seriously jeopardize our international legal standing.

Targeting leadership is not a strategy in itself: it must support strategy. And whether or not the targeting is successful in capturing or killing the enemy leader, the message it sends is at least as important as the physical threat. Targeting can be effective in at least four ways: directly removing the leader; indirectly by encouraging or supporting a coup; detering him through the threat of personal violence; or coercing him to withdraw or negotiate. Only one of these paths depends on U.S. forces being able to locate the leader. If any of the others succeed, the stratagem is a success. Recall from the discussion on "war termination," that physical threat does coerce political behavior. Furthermore, the three indirect/nonlethal alternatives are effective only if the U.S. sends a clear targeting signal.⁸⁸ Perpetrating a "charade" defeats three-fourths of the potential effectiveness in targeting.

The second problem entails subordinate military officers executing a targeting policy that is publicly denied and condemned by policymakers. In the past when this has occurred, it has undermined the fundamental integrity and credibility of the institution involved. Senate hearings in the early 1970's uncovered widespread abuse of CIA covert operations, including U.S. involvement in assassinations of foreign leaders in peacetime.⁸⁹ The practice of

maintaining "plausible deniability" was implicated in much of the breakdown in institutional accountability. Subordinates felt they had to "protect" their superiors from knowledge of, or involvement in, the covert operations. As a result, superiors lost control of critical operations, important feedback was never received (nor sought), and the trust of the American people in the CIA was lost. More recently, the Iran-Contra scandal underscored an important lesson, that governmental institutions are not immune to the insidious influence of "plausible deniability."⁹⁰ Permitting military officers to target individual leaders, while the National Command Authority publicly denies and denounces it, risks the same fate. Lying about our targeting policy threatens the institutional integrity and credibility of the entire defense department.

A third problem with stated "targeting policy" contradicting practice is that it may undermine our standing in international law. In order to substantiate a contested claim under international law, it must be exercised. This is the basis of the U.S. Navy's Freedom of Navigation (FON) program. Secrecy surrounding our international claims--whether related to freedom of navigation or targeting of individual leaders--is counterproductive to proving our case.⁹¹ If we publicly denounce the targeting of individuals, we threaten to build the case against using it legally. The law of armed conflict does adapt to reflect states' practice, or customary law. When we deny that we target enemy leadership, we lend support to the position that it is contrary to the law of war. And if we get "caught" targeting leaders, when we said we were not, we lose credibility with other nations, and undermine our commitment to international law. "Administrations should take international law seriously enough to articulate effectively the relationship of a particular policy to the international legal order of which the United States is a part."⁹² Moreover, we undermine American confidence in the military and our commitment to international law.

...the American public is generally uncomfortable with U.S. behavior that is blatantly illegal. The public will not object to interpretations of the rules of international law on which reasonable men can disagree, nor will it mind U.S. actions in areas where the rules are unclear, but Americans are uneasy about policies that are in open violation of international law.⁹³

The real danger is that we threaten to unravel the widespread support for international law that this nation helped build through decades of restraint, commitment and diligent effort. The charade simply is not worth it.

CONCLUSION

Targeting leadership is not a panacea. There is even the risk that some will think targeting leadership with "smart weapons" makes conventional armed forces virtually obsolete. Nothing is further from the truth. Targeting must support strategy, not replace it. Targeting leadership can act as a force multiplier, yielding tremendous strategic benefit for the degree of force committed.

Within the paradigm of conflict with a totalitarian state, we possess a distinct advantage in targeting enemy leadership. The totalitarian leader is the center of gravity: the lynch pin holding the power of the government, military and people in place, often through the use of tremendous repressive power. If the leader--and his "cult of personality"--is removed, the totalitarian state is destabilized: the likelihood of a popular uprising increases in the midst of a struggle for political power; the military, accustomed to positive command and control from centralized authority, is left adrift; and the personality-dependence of government policy makes those policies vulnerable to radical shifts when the leadership changes. Additionally, the "warfare personality," characteristic of repressive totalitarian regimes, is predisposed to external aggression and prolonged conflict. The leadership is the greatest impediment to peace.

The President of the United States, on the other hand, is institutionally--if not personally--"assassination-proof." A change in leadership does not significantly change our wartime commitment or policies. U.S. political institutions are stable, responsive to the people, and in firm control of military policy. Our center of gravity is much more dispersed, while the totalitarian regime's is highly concentrated: in their leader.

The lessons of Clausewitz, when applied to the political realities of today, dictate targeting totalitarian leadership in support of wartime strategy. Even more compelling, the American people demand that when we go to war, we finish it quickly, and efficiently. Targeting leadership is consistent with that expectation.

It is important that we have addressed the major objections to leadership targeting. Not only does international law *permit* leadership targeting, in those

instances where targeting leadership offers the most proportionate use of force to defeat aggression, the law of armed conflict dictates we *should* do it. Behind the legal question, targeting leadership is more morally defensible than the widespread death--of innocent civilians and *innocent soldiers*--and destruction that inevitably accompanies armed conflict. Fears of retaliation are unfounded, in that U.S. policy is relatively insensitive to assassination, and the risk of terrorist attacks and mistreatment of prisoners of war is a function of the enemy's desperation and disregard for international law, not our choice of targets. The "dangers of success" are also ill-founded fears: the totalitarian leader is an unlikely martyr; targeting appropriate leadership will hasten peace, overcoming the single greatest impediment to negotiation and war termination; and paranoia, jealousy and brutal purges guarantee successors to a warfare-prone dictator are unlikely to be as aggressive, repressive or irrational.

Finally, if we choose to use this targeting stratagem, but publicly deny and denounce it, we diminish its coercive effectiveness, threaten the institutional integrity of the military, and jeopardize our international legal standing.

B.H. Liddell-Hart lamented that nations at war, driven by their intense passion, have always "chosen to batter their heads against the nearest wall."⁹⁴ Targeting leadership is a delicate stratagem. Used judiciously, it is a scalpel in the hands of a surgeon; used indiscriminately, it is a street hood's knife. We should endeavor to use this efficient instrument, when appropriate, instead of throwing it aside as we run headlong into the next wall.

End Notes

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- 2 Robert F. Turner, "Killing Saddam: Would it be a Crime?" The Washington Post, 7 October 1990, p.D2. In addition to the Iraqi leader, GEN Dugan suggested Saddam Hussein's family and mistress might be targeted. He also discussed with reporters the allies' contingency plans for the initial phase of bombing raids on Iraq. See also John D. Morrocco, "Allied Strategists Altered Battle Plans to Compensate for Dugan's Comments," Aviation Week and Space Technology, 22 July 1991, p.60-1.
- 3 Stuart Taylor, Jr., "Should We Just Kill Saddam?" Legal Times, 4 February 1991, p.23.
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- 5 Clausewitz, p.89.
- 6 Clausewitz, p.609-10
- 7 Clausewitz, p. 92-3.
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- 10 Dwaine Marvick and Elizabeth Wirth Marvick, "The Political Consequences of Assassination," Assassinations and the Political Order, ed. by William J. Crotty (New York: Harper & Row, 1971), p.519.
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- 12 Tucker, p.312-313 (citing Alan Bullock, Hitler: A Study in Tyranny, 1962, p.403).
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- 23 Neill Macauley, The Sandino Affair (Chicago: Quadrangle Books, 1967) p.256; Thomas A. Walker, Nicaragua: The Land of Sandino (Boulder, CO: Westview Press, 1986) p.21-3.; Donald Hedges, Intellectual Foundations of the Nicaraguan Revolution (Austin: Univ of Texas Press, 1985) p.161.
- 24 Bell, p.230.
- 25 U.S. Army, Headquarters, Field Manual 100-5, "Operations" (Washington DC: 5 May 1986), p.23.
- 26 Morocco, AWST, 4/22/91, p.42-3; and Dowell, p.27.
- 27 Department of Defense, Conduct of the Persian Gulf Conflict: An Interim Report to Congress Pursuant to Title V Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991 (PL 102-25), p.2.3-2.5
- 28 DOD Interim Report, p.2.6.
- 29 William C. Adams, "Opinion and Foreign Policy," Foreign Service Journal, May 1984, p.30-2.
- 30 Handel, p.496-7. The Weinberger doctrine, "On the Use of Military Power," was announced 28 October 1984, and requires fulfillment of the

following conditions before the U.S. should commit its forces to military action abroad: (1) The vital interests of the U.S. or its allies must be at stake; (2) Sufficient force should be applied to unequivocally reflect the intention of winning (i.e, no half-measures); (3) Political and military objectives must be clearly defined; (4) The U.S. involvement must be continuously reassessed to keep cause and response in synchronization; (5) Before troops are committed, there must be a reasonable assurance of support from American public opinion; (6) A combat role should be undertaken only as a last resort.

31 Handel, p.497.

32 Adams, p.32.

33 U.S. Navy, Chief of Naval Operations, NWP-9 (Rev A): The Commander's Handbook on the Law of Naval Operations, (Washington: October 1989) para. 5.1.

34 Alberto R. Coll, "International Law and U.S. Foreign Policy: Present Challenges and Opportunities," The Washington Quarterly, Autumn 1988, p.117.

35 Francis A. Boyle, "Letter: Law of the Land," New York Times, 9 February 1989, p.A26. Professor Boyle argues that targeting a head of state, even in war, is assassination, prohibited by U.S. and international law. Accordingly, he contends the President could ultimately be held accountable for directing such an undertaking.

36 U.S. Army, Field Manual 27-10, The Law of Land Warfare (Washington: July 1956), Art.31, p.17.

37 Boyle, p.A26; Louis Rene Beres, "Assassinating Saddam: A Post-War View From International Law," Denver Journal of International Law and Policy, vol.19, no.3, 1991, p.613-623.

38 Beres, p.619.

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40 For example, the popular press often refers to the targeting of any individual--as opposed to physical targets--as "assassination." See Lisa Beyer, "Military Options: Three Ethical Dilemmas," Time Magazine, 4 February 1991, p.48.

- 41 General definition of "assassination": Ford, p.2.
- 42 NWP-9, para. 5.1.
- 43 NWP-9, Para 5.2.
- 44 Army JAG, p.7-8; NWP-0, para. 5.3; LCOL Joseph B. Kelly, JAGC, USA, "Comments: Assassination in War Time," Military Law Review, October 1965, p.108.
- 45 Marjorie M. Whiteman, Digest of International Law, vol 10, Department of State Publication 8367 (Washington, DC: Government Printing Office, April 1968) p.381.
- 46 Kelly, p.102.
- 47 Whiteman 10, p.204 and 380. The reason for prohibiting outlary, "dead of alive" rewards and the like is that it tends to encourage soldiers to deny quarter: "...killing and wounding an enemy who, having laid down his arms, or having no longer any means of defense, has surrendered..." See also US Army Field Manual 27-10, and Hague rules article 23 (b).
- 48 Army JAG, p.5; and Kelly, p.103.
- 49 Army JAG, p.7
- 50 Kelly, p.101.
- 51 Army JAG, p. 6; Kelly, p.104; Whiteman, p.390; Ford, p.277
- 52 Army JAG, p.6-7.
- 53 Army JAG, p.6.
- 54 Army JAG, p.6.
- 55 Kelly, p.108.
- 56 Eric L. Chase, "Should We Kill Saddam?" Newsweek, 18 February 1991, p.117.
- 57 Chase, p.117.
- 58 Chase, p.117.

59 United States Senate, Select Committee to Study Governmental Operations with respect to Intelligence Activities, Alleged Assassination Plots Involving Foreign Leaders (Washington: Government Printing Office, 1975), p.283.

60 "Comment: Strategic Targets," The Progressive, August 1991, p.9-10; Allan Nairn, "When Casualties Don't Count," The Progressive, May 1991, p.16-17; and Eric Stambler and Paul F. Walker, "...And the Dirty Little Weapons," The Bulletin of the Atomic Scientists, May 1991, p.22.

61 Nairn, p.17.

62 NWP-9 (Rev A), para. 5.2.

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69 Turner, p.D2.

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71 Glass, p. 6; Abraham D. Sofaer, "Commentary: Thinking Past the Moment," U.S. News and World Report, 18 February 1991, p.28.

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- 85 Frank, p.225; and Tucker, p.317-8.
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