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www.afgazad.com

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Assassinating Gaddafi is a step too far

By Richard M Bennett
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It must be more than a little bit difficult for the elected leaders of the Western world to claim the moral high ground while authorizing the deliberate targeting of the leaders of largely Third World or so-called "enemy states" for assassination.

Whether this is by the use of poison or exploding cigars in the case of Cuba's Fidel Castro or by the use of highly sophisticated guided weapons in the case of Serbia's Slobodan Milosovic, or the Iraqi dictator Saddam Hussein, is less important than the belief in Washington, London and perhaps Paris than they alone have the right to order the untimely deaths of foreign leaders.

The maverick former MI5 officer David Shayler and Richard Tomlinson of MI6 have both vigorously claimed that Britain's intelligence services had attempted to assassinate Libya's Colonel Muammar Gaddafi in February 1996.

Now suspicion is growing that Gaddafi is once again being singled out for termination, a suspicion fueled by an apparent public dispute between Britain's military leadership who deny that there is any intention of killing or overthrowing Gaddafi and the Conservative-Liberal Democratic coalition government that point-blank refuses to rule this out as a sub-text to the United Nations agreement on imposing a no-fly zone.

Many Arab nations that reluctantly signed up to this operation apparently did so on the understanding that a no-fly zone would mean just that ... stopping the Libyan air force from attacking rebel held towns and cities.

While this may indeed prove to be a valid excuse for attacking air defense sites and even airfields, it would seem perverse in the extreme to try and claim that tanks, trucks and Infantry are "airborne assets".

It would seem increasingly likely that the real intention of the political leadership in the US and in particular the United Kingdom and France is regime change and that the "accidental" death of the Libyan leader would be a significant milestone towards achieving this aim.

The British coalition government is guilty of sending out mixed signals over whether it believes Gaddafi could or should be targeted under the terms of the UN resolution authorizing military action in Libya.

On March 20, British Defense Secretary Liam Fox when asked if it was possible to hit Gaddafi "without unacceptable civilian casualties, would you try to do that?" Fox replied: "Well that would potentially be a possibility."

While on the same day Pentagon spokesman Vice Admiral William Gortney said, "We are not going after Gaddafi. At this particular point I can guarantee he is not on the target list."

Clearly highlighting the rift between the British military and political leadership on March 21 the chief of the defense General Sir David Richards stated Gaddafi is "absolutely not" a target. "It is not something that is allowed under the UN resolution and it is not something that I want to discuss any further."

Downing Street sources however quickly replied, "Government sources say it is legal under the UN resolution to target Colonel Gaddafi. Sources say under the UN resolution 1973 the coalition have the power to target Gaddafi if he is a threat to the civilian population of Libya." The source added that "General Sir David Richards was wrong to say it is not allowed under the UN resolution. However sources declined to say whether this meant Gaddafi was a target."

B Raman, a former deputy head of Intelligence at India's RAW (Research and Analysis Wing) said on March 21:

"The no fly zone was authorized by the UNSC [United Nations Security Council] to protect the civilians from air strikes by the Libyan air force. States of the Arab League supported the proposal for a no fly zone under the impression that it meant patrolling by the planes of the members of the coalition in the Libyan skies in order to immobilize the Libyan air force.

"The UNSC resolution has been interpreted by the US, the UK and France as authorizing not only the immobilization of the Libyan air force, but also its destruction on the ground. Hence, the repeated air and missile strikes for three nights in succession on ground positions in Tripoli, the capital, and other areas under government control."

Raman goes on:

"The reported destruction by a missile strike of a building near Gaddafi's place of residence under the pretext that it housed the command and control of Libyan air defense forces has given rise to suspicions that the Western-led coalition has arrogated to itself without the authority of the UNSC the objective of removing Gaddafi through military action. There have been vague

answers from Western leaders to the question as to Gaddafi's removal is one of the objectives of the military action. While the Americans have been somewhat vehement in their denial, the British have not been. While denying that Gaddafi is a direct target, the British do not rule out the possibility of his becoming an indirect victim of the air and missile strikes."

In an article "This is war. Skip the hand-wringing about assassinations" published in August 2003, John Yoo, professor of law at the University of California, Berkeley's School of Law concludes: "No law prohibits the targeting of specific enemy leaders in war. Assassination is different: the murder of a public figure for political reasons. The murders of Martin Luther King Jr, John F Kennedy, and Abraham Lincoln were assassinations.

By contrast, the killing of the enemy in combat is protected by the laws of war. As Hugo Grotius, the father of international law observed in 1646, 'It is permissible to kill an enemy'. Legitimate military targets include not just foot soldiers, but the command and control structure of an enemy's military, leading up to its commander in chief."

There are however great risks and enormous moral issues inherent in the use of assassination as an adjunct to foreign policy and to put it in simple language; shouldn't the world's leading democracies be better than this?

Can it really be beyond the wit of the West's political leaders to find an intellectually acceptable alternative to a descent into the gutter along with the terrorist, the criminal and the corrupt dictator?

If this alternative view is treated with derision by the media and widely dismissed as naive or unrealistic and bound to end in failure, then it must of course be pointed out that those targeted will undoubtedly and indeed quite properly reserve the right to retaliate in kind.

As most counter-terrorism experts would probably admit there is simply no way to guarantee 100% the safety of any of the world's major leaders, not even the president of the US.

Terrorists or revenge seeking dictatorships only have to "get lucky" a very few times to allow quite a significant cull of the most important Western political leaders to occur.

Targeting an enemy's leadership for assassination is not new, but the willingness to resort to the elimination of political opponents now appears to be becoming almost a fully functioning part of modern warfare.

The personalization of conflict in aiming to eliminate named individuals, the leaders of foreign powers, in both war and in peace is in effect an admission of failure by Western democracies and is a further indication of a return to the brutish methods of the Middle Ages when respect for life and human rights were at an all time low.