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2020

In the Shadow of International Law: Secrecy and Regime Change in the Postwar World

Hannah Steeves

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Charities Regulatory Authority,” applies the balancing act of regulators and regulatory concerns to the Irish introduction of a new regulator. Patrick Ford’s inquiry into the question of “Independent Schools in Scotland: Should They be Charities?”, while made in a context very different from the Canadian story, provides a useful example and model for jurisdictions other than Scotland. And, finally, Warren Barr’s piece entitled “Social Housing – Charities and Vulnerable Groups” is a powerful and affecting discussion of the issues within the U.K. context but again with obvious, if unfortunate, application to Canada and other jurisdictions.

I recommend the purchase of *Debates in Charity Law*. The impressive combination of range and depth of the debates themselves will be of great interest and utility to practitioners in the field and to the many lawyers who, voluntarily or otherwise, find themselves involved with charitable organizations. Given the attention that *Debates in Charity Law* manages to pay to both fundamental and cutting-edge issues, I expect that it will continue to be useful for years to come.

REVIEWED BY
CHARLES R. DAVIDSON
Davidsons Lawyers

***In the Shadow of International Law: Secrecy and Regime Change in the Postwar World.* By Michael Poznansky. New York, NY: Oxford University Press, 2020. 247 p. Includes bibliographic references and index. ISBN 9780190096595 (hardcover) \$49.95. Also available in eBook format.**

In the Shadow of International Law: Secrecy and Regime Change in the Postwar World explores a theoretical argument that might explain why world leaders often pursue regime change surreptitiously. Author Michael Poznansky is an assistant professor in international affairs and intelligence studies cross-appointed to the political science department at the University of Pittsburgh. He explores the role that international laws addressing violations of sovereignty have played in post-WWII America’s increase in covert interventions intent on altering the domestic authority structures of another state. Simply put, the book tests Poznansky’s theory that non-intervention principles and provisions lead to intentionally covert actions to overthrow foreign regimes.

The text is divided into four sections: two introductory chapters, a theory-based chapter, four case study chapters, and a conclusion. The introduction provides an overview of the author’s theory, defines key terms, establishes Latin American nations in the Cold War era as backdrops of the case studies, and outlines the purpose and value in studying covert operations. Poznansky provides the reader with the basic knowledge of how and why covert action helps these states retain credibility and evade the cost of hypocrisy within their own domestic affairs. A flowchart on the causal logic of the author’s argument is included as a visual aid. The second introductory chapter elaborates on how non-intervention principles have unfolded over the past ~300 years, justifies the focus on the postwar period in the United States, and expounds on how changes to the governance of intervention could affect covert operations in the future.

The third chapter is the theoretical foundation for the case studies that follow. Here, Poznansky balances the details of his own argument by outlining alternative theories and the causal mechanisms. He also justifies the selection of the case studies and the methodology used in applying and testing his hypothesis.

The case study chapters are presented in the following order: Bay of Pigs (1961), Richard Nixon intervening in Chile (1970–73), Lyndon Johnson invading the Dominican Republic (1965), and Ronald Reagan enforcing regime change in Grenada (1983). Each chapter is presented in a similar format. Poznansky identifies the evidence that should exist if his theory is accurate. He then reviews the historical background, drivers of intervention, and logistics of a failed operation, and concludes by applying these events against his own theory to test its accuracy. The case study chapters refer to a wealth of primary and secondary sources, including declassified government documents and interviews with government officials. These documents are examined in detail and ground Poznansky’s theory with historical, empirical evidence.

Poznansky concludes by summarizing his theoretical and empirical findings and applying these findings to situations beyond the geographic and temporal constraints of Latin America and the Cold War era. He reviews the U.S. intervention policy in Iraq (1991–2003) and the Obama administration’s approach to regime change in Libya and Syria. He uses these shorter case studies to suggest that his theory can be applied to liberal democracies under other powerful leaders. He ends with a discussion of future research and potential policy implications.

Footnotes and a select bibliography make Poznansky’s research accessible to readers. Additional finding tools include a table of contents (not detailed) and an index. There are a small number of tables and charts in the introductory, theoretical, and concluding chapters that are particularly helpful in communicating complex ideas. Notably, these include a summary of theoretical predictions and the legal theory of covert actions versus alternatives.

The writing is academic and interdisciplinary. The main discipline is international law, but Poznansky’s theory also relies upon political science and liberal internationalism. Geopolitics, economics, and ideology are also applied in the tests he has created for his theory of covert regime change. The text is appropriate for students at a graduate level, upper year undergraduates, and scholarly researchers. The case study chapters are particularly well structured and could be used as readings for niche history or political science courses that focus on the events discussed in the case studies. The book is also a valuable resource for policy makers on both domestic and international levels.

Attention has been given to the broader topic of non-intervention principles and covert intervention, primarily through academic articles. However, Poznansky’s book appears to be among the first in-depth reviews of covert interventions that address the broader theoretical grounding and provide a comparison between several case studies

from a particular point in political history. The bulk of the existing articles on similar topics were published between the 1970s and 1990s, making this book significantly more recent. The currency of this publication also allows for a new lens to be applied to the historical, declassified documents, and Poznansky's suggestions for applications in future research are valuable.

Overall, this text is a timely publication in an era of increased geopolitical unease, particularly considering recent events in the United States.

REVIEWED BY

HANNAH STEEVES

Instruction & Reference Librarian

Sir James Dunn Law Library

Schulich School of Law, Dalhousie University

***Inalienable Properties: The Political Economy of Indigenous Land Reform.* By Jamie Baxter. Vancouver: UBC Press, 2020. 226 p. Includes illustrations and tables. ISBN 9780774863421 (hardcover) \$80.00.**

Property represents a fundamental base from which economic participation occurs. The value of freely alienable property can be leveraged for investment in a variety of ways such as through transfers, mortgages, leases, and subdivisions. Indigenous lands, however, are not so freely alienable. Is inalienability of lands an insurmountable obstacle to economic development or a valuable assurance for future generations? What options do Indigenous communities have for the reform of land management that can strike a balance between present and long-term economic stability?

In *Inalienable Properties*, author Jamie Baxter describes the historic and current legal frameworks that impose significant restrictions on the governing of Indigenous lands, the nature of land ownership, and the inalienability of these lands, while also taking a unique turn and presenting these issues on the context of a comprehensive discussion of game theory. This approach, which includes equations and matrices, is used to describe the trade-offs that communities and leaders must consider while making decisions regarding Indigenous lands. It is through this perspective that the leadership guiding communities through major decisions on the adoption of land management models is explored. The author raises the following questions: What land reform tools will be used to leverage the value of Indigenous lands for the benefit and economic development of the community? How does the leader gain, maintain, or lose community support for such endeavours? To what extent will constraints on inalienability be maintained or challenged in creative ways? And how will this impact the community for current and future generations?

Baxter presents a detailed case study for four Indigenous communities: the Westbank, Membertou, Nisga'a, and James Bay Cree nations. Collectively, these four studies include geographic examples from the East Coast, West Coast, and northern Quebec; historical and modern treaties; and lands bordering both growing urban centres, with the associated pressures of urban development, and more remote areas facing the challenges of resource development.

The case studies also discuss several issues encountered by the leaders in each community, such as the extent to which lands will become alienable, the nature of non-member investment and interest in community lands, and the trade-off between present economic gain and maintaining a land base for future generations. The author provides the reader with a view into the land reform decisions affecting these communities at key points in their history. However, what is lacking is greater discussion surrounding the future impacts of following a particular path over a prolonged period.

Baxter provides a cursory discussion on the development of the legal framework for findings of Aboriginal title by referencing decisions such as *Calder v British Columbia* (1973) and *Tsilhqot'in v British Columbia* (2014), and for treaty rights by referencing decisions such as *R v Marshall* (1999). However, rather than giving the reader an extensive analysis of the legal framework and the evolution of reasoning through the courts, Baxter includes these decisions as part of a discussion of leadership and governance. The author provides an examination of the individuals involved in bringing some of these key questions before the courts. The text presents a study of leadership and organizational decision-making that takes a new approach to Indigenous studies and adds an Indigenous perspective to the body of organizational theory.

Inalienable Properties opens the door for the further examination of Indigenous land management decision-making in the context of institutional governance theory. What is not mentioned is how this discussion can best inform a path toward reconciliation. Several of the calls to action in the summary of the final report of the Truth and Reconciliation Commission of Canada (2015) spoke in general terms to changes in the way governments and the Canadian corporate sector can embrace a reconciliation framework that questions past assumptions around land and commits to meaningful consultation, respectful relationships, and free informed consent for economic development projects. Readers are asked how these principles may be considered alongside organizational leadership in Indigenous communities and what options are available for alienable property rights to benefit communities now and in the future.

REVIEWED BY

IZAAK DE RIJCKE, LL.M.

Certified Specialist (Real Estate Law)

Guelph, Ontario

***Legal Research: Step by Step.* By Arlene Blatt & JoAnn Kurtz. 5th ed. Toronto: Emond Montgomery, 2020. ISBN 978-1-77255-602-5 (softcover) \$107.00.**

Textbooks pose challenges to reviewers, who must employ their skills to evaluate the accuracy of a textbook, then do their best to forget much of what they know to assess whether it meets the needs of its audience. *Legal Research: Step by Step* poses these challenges. It is a textbook designed to support introductory research and writing courses for law clerks and paralegals. The authors are members of the faculty of Seneca College, and previous editions of this