

Our Covert Regime Change Wars

Poznansky's new book shows how the U.S. pays lip service to international rules while doing what it wants behind the scenes.

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The U.S. presents itself as the builder and enforcer of an international order defined by the rules and institutions created in the wake of WWII. While the U.S. frequently violates those rules, international law still constrains how the U.S. has operated in the world. Even when pursuing regime change, the U.S. has felt constrained by the principle of nonintervention to conceal its role in toppling foreign governments when there is no legal excuse readily available. That is the core argument of Michael Poznansky's "[In the Shadow of International Law: Secrecy and Regime Change in the Postwar World](#)."

Poznansky's focus is four case studies of U.S. regime change policies in Latin America during the Cold War, but his study is relevant for post-Cold War foreign policy as well. His findings can help inform a foreign policy of peace and restraint by emphasizing the importance of international law as an impediment to wars for regime change, and his case studies show how the most cynical unilateralists have felt constrained by the need to appear to be adhering to the rules.

Poznansky proves his argument by studying two cases of attempted covert regime change in Cuba in 1961 and Chile from 1970-73 and complementing them with his study of two overt regime change interventions that the U.S. undertook in the Dominican Republic and Grenada. He demonstrates that the Eisenhower, Kennedy, and Nixon administrations were concerned to avoid the *appearance* of violating U.S. commitments to nonintervention in the affairs of our neighbors while looking for ways to trample on those commitments for the sake of overthrowing leaders that they opposed.

The desire to avoid being directly implicated in the effort to invade Cuba was so great, that Kennedy famously scaled down the operation to minimize the chances of it being linked to the U.S. The U.S. preferred to keep its regime change goals under wraps with greater risk of failure rather than openly play the hypocrite.

He selected cases in Latin America specifically because this is the region where the U.S. is supposed to have the freest hand and should be able to get away with brazen violations more easily, and he shows that the U.S. opted for overt and direct intervention only when

there was a legal pretext that excused U.S. interference in the internal affairs of other countries. In both the Dominican Republic and Grenada interventions, the U.S. could claim to be carrying out a rescue of American nationals caught up in the upheaval in these countries, and then once the interventions were underway the U.S. was able to wrap itself in the mantle of supporting regional organizations to provide stability.

Poznansky's book does a good job of reconstructing how top policymakers in each administration viewed the issues, and he proves that even someone as cynical and unscrupulous as Kissinger felt somewhat constrained by U.S. commitments under the U.N. and OAS Charters. The U.S. government had no problem trampling on its international commitments, but it did feel the need to pay tribute to those commitments by keeping the violations secret as much as possible.

There is one post-Cold War example of a U.S. regime change policy that doesn't fit very well with Poznansky's argument, and that is the Iraq war. As he acknowledges in the book, the Iraq war may show the limits of his argument. Despite having no legal justification under international law and no Security Council authorization, the U.S. and its allies launched a war to overthrow the Iraqi government. In the absence of any legal cover for their action, Poznansky's argument suggests that we should have expected the Bush administration to seek regime change in Iraq covertly. The fact that they pressed ahead with the invasion when there was no international authorization tells us that there are occasions when our government is so dead-set on intervention and regime change that there is nothing that will discourage them from attacking.

However, the aftermath of the invasion tends to back up the rest of Poznansky's explanation for why states resort to covert regime change policies. The U.S. government has preferred to avoid the costs that come with flagrant, overt violations of international law and the principle of nonintervention. The U.S. often behaves hypocritically and in violation of the rules that it preaches to others, but its brazen violations are relatively few because the government doesn't want the backlash that comes with openly flouting the rules.

The Libya and Syria cases under the Obama administration deserve some additional discussion. While they are addressed only briefly in the book, the U.S.-led Libyan intervention and U.S. support for regime change efforts in Syria provide some interesting test cases for Poznansky's thesis. The U.S. obtained Security Council authorization for military action in Libya, but it was supposed to be a limited mission focused on civilian protection in eastern Libya. It quickly morphed into a war for regime change, and many of the governments that had allowed the resolution to pass objected that the U.S., British, and French governments had exceeded their mandate by continuing the war until the Libyan government collapsed and Gaddafi was killed.

Had the U.S. and its allies expressed their intention to bring down the Libyan government from the start, there would have been no U.N. authorization of the intervention. Would the Libyan intervention have gone ahead anyway in the absence of Security Council approval? It's impossible to know how the counterfactual would have worked out, but it seems likely that the U.S. and its allies would have relied on the precedent of the illegal Kosovo war as a model for going ahead without U.N. support. The conceit that the Kosovo war was "illegal but legitimate" in the eyes of its supporters was part of the debate over intervention in Libya at the time.

The Syria case is intriguing because U.S. involvement in regime change efforts there was never very covert and concern about international law never seemed to be an issue. In order to placate interventionists at home, the Obama administration had to publicize its support for anti-government rebels. Reluctance to intervene openly in Syria seems to have had more to do with not wanting to repeat the Iraq debacle and escalation fears involving Russia and Iran than with respecting the principle of nonintervention. Obama appeared to be willing to launch attacks on the Syrian government at the end of the summer of 2013. That wouldn't have been aimed at bringing down the Syrian government, but it also shows that the Obama administration was not very worried about violating the U.N. Charter.

The U.S. seems even less constrained by international law since the end of the Cold War than it was during it, and that has manifested itself in many more overt, direct military interventions in other states' internal affairs. Some of the interventions in the last thirty years have not been wars for regime change, but they do show a U.S. government that is far less worried about being perceived as a violator of the rules than it used to be. Instead of choosing between covert or overt regime change policies, the U.S. should be scaling back its foreign policy ambitions and renouncing interference in the affairs of other nations altogether.

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