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Citation: 3 San Diego Int'l L.J. 133 2002



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Kissinger's World: A Cautionary Tale Through a Cold War Lens

Book Review*

MICHAEL J. KELLY**

Henry Kissinger, former National Security Advisor and Secretary of State in the Nixon and Ford administrations, Nobel Peace Laureate, Co-Man of the Year for Time Magazine, and widely regarded “dean of American foreign policy” is an eloquent writer. He is persuasive, avuncular, and sometimes grandiose. His internal logic is mostly consistent and coherent. He is perhaps one of the greatest diplomats of his generation.

Henry Kissinger is also a man of the Cold War generation. This book reflects his latest attempt to bring meaning to the multipolar world that has emerged around him, but it equally reflects his more general inability to do so, as he continues to cling to notions of unipolarity with America at the center. An unfortunate theme is Kissinger’s predictable distraction by geopolitical and geostrategic considerations that enjoyed more relevance during his tenure in office than today.

Does America Need a Foreign Policy? is clearly a rhetorical title intended to stir interest in what Dr. Kissinger rightly perceives as waning American concern for international affairs. This book is designed to offer a general stock-taking of our current situation in the world as we move into the 21st century—hence the subtitle, *Toward a Diplomacy for the 21st Century*. While the book does not neatly outline a comprehensive new foreign policy, package it with all the trimmings and deliver it to Secretary of State Powell for immediate implementation, it does create a

* Henry Kissinger, *Does America Need a Foreign Policy* (Simon & Schuster 2001).

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useful overview of U.S. interests on a region by region basis, packing a lot of history and realpolitik (classic Kissingerian analysis) into each punch.

Politics perhaps inevitably finds its way into Dr. Kissinger's views. Apparently every non-economic measure that President Clinton pursued on the world stage was ill-advised. However, once the reader learns to identify the sleights and subtle grumblings aimed at most of America's Clinton-era foreign policy initiatives, these can be dismissed and the reading becomes fairly easy-going, if at times pedantic. This book has been described as a useful primer on foreign affairs and a great introduction for the neophyte to the subject,¹ and I would generally agree with that characterization.

Chapter one poses many questions, not all of which are answered, but all of which should logically be considered. What should America's goals be in the world, how should it set about achieving them, and what resources can politically be brought to bear in furtherance thereof? What is happening to the bedrock concept of sovereignty, how do we deal with its transformation, and when should we be willing to violate it? America is cast as the epicenter in a unipolar world, and the overarching issue posed is whether Washington should cast itself as an "empire" or a "leader."

Kissinger naturally argues for the latter. Of course, in order to agree with Kissinger's conclusion, one must first accept the premise that America is the gravitational well in this political galaxy, around which all things revolve. Kissinger levels a more broad-based attack against the post-Cold War generation of U.S. leaders, "whether graduated from the protest movements or the business schools,"² who tend to adhere to an inward-looking foreign policy rather than an outward-looking one. This line of thought is borne out by merely observing the agendas followed during both Clinton administrations up to 1998 and the first portion of the G.W. Bush administration.

Chapter two reviews the half-century partnership between the U.S. and Europe. Here, the author offers a brief overview of many West European country's assets and liabilities, questions the continued relevance of a common security policy in Europe and contemplates the future of the North Atlantic Treaty Organization without coming to a solid resolution. Nonetheless, Kissinger does a good job of encapsulating the

1. John J. Miller, *Amazon.com Editorial Review of Does America Need a Foreign Policy?* at <http://www.Amazon.com/exec/obidos/tg/stores/detail/books/0684855674/reviews/qid=10102-9734577-5032946/102-9734577.4032946> (last visited March 27, 2002).

2. HENRY KISSINGER, *DOES AMERICA NEED A FOREIGN POLICY? TOWARD A DIPLOMACY FOR THE 21ST CENTURY* 30 (2001).

issues and paring them down to the essential policy tensions.

Perhaps most interesting, if also inconclusive, is the discussion about Germany's emergence in Europe after reunification. The undertones here take on the debate of whether it is the destiny of Europe to become more "German" or the destiny of Germany to become more "European."³ The political, economic and demographic data tend to support a hypothesis that each will occur simultaneously—thereby ameliorating the long-terms effects of the other.

The portion of this chapter dedicated to discussing the Anti-Ballistic Missile Treaty of 1972 was unabashedly geared toward boosting President Bush's initiative to do away with that agreement in the interest of pursuing newer missile technologies and defensive strategies against debatable "enemies" of dubious existence or capacity.⁴ This initiative has now been accomplished with Russian President Putin's acquiescence in allowing the ABM treaty to lapse,⁵ but it remains ironic that it was created when Kissinger was Nixon's National Security Advisor—a move he argues that he never supported.⁶

Finally, the matter of Russia is raised, though not adequately explored—for an analysis of relations with Russia could run at least a chapter, here they are given a mere ten pages. Dr. Kissinger portrays Russia as unsure of itself or its place in the world, nervous, dangerous, delicate and security-obsessed. If nations can exude personality traits, then he finds them, perhaps in a romanticist manner, with regard to Russia, and contends that they can drive policy in Moscow:

One of the key challenges to the relations of the Atlantic nations with Russia is whether Russia can be induced to modify its traditional definition of security. Given its historical experiences, Russia is bound to have a special concern for security around its vast periphery and . . . the West needs to be careful not to extend its integrated military system too close to Russia's borders. But, equally, the West has an obligation to induce Russia to abandon its quest for the domination of its neighbors. If Russia becomes comfortable in its present borders, its relations with the outside world should rapidly improve. But if reform produces a strengthened Russia returning to a policy of hegemony—as, in effect, most of its neighbors fear—Cold War-style tensions would inevitably reappear.

3. *Id.* at 37-41.

4. Michael J. Kelly, Editorial, *As Treaty Goes, So Goes World's Security*, LANSING STATE JOURNAL, June 14, 2001, at 12A.

5. Jim Hoagland, Editorial, *Strategic Odd Couple*, WASH. POST, Feb. 3, 2002, at B7.

6. KISSINGER, *supra* note 3, at 66-67.

The United States and its allies need to define two priorities in their Russia policy. One is to see to it that Russia's voice is respectfully heard in the emerging international system—and great care must be taken to give Russia a feeling of participation At the same time, the United States and its allies must stress—against all their inclinations—that their concerns with the balance of power did not end with the Cold War.⁷

Kissinger turns his attention to the Western Hemisphere and Latin America in chapter three. Ever in pursuit of balance in world power distribution, he suggests that the best counterweight to Europe's eventual unification is dogged pursuit of closer economic integration in the Americas along the lines of NAFTA. Although his portrait of Argentina as a success story now rings hollow, at least in the short term,⁸ his basic argument along the lines of economic integration could prove prescient as a means to buttress democracy and stability on this side of the Atlantic.

Chapter four addresses American interests in Asia, but significantly reduces these considerations to an overall policy of equilibrium cast as something approaching containment. I do not mean "containment" in the Cold-War sense of Truman-era policy directed toward containing communist countries, but rather in the sense of offsetting the emergence of any single power by boosting another to achieve balance. Only in an Asia, where power is balanced, Kissinger contends, will economic expansion ensue and peace be perpetuated.⁹ Once an imbalance occurs, calamity could be unleashed. The key to maintaining a *status quo*, of sorts, centers on America's ability to shore up Japan as its pivotal strategic partner in the area.¹⁰

Of course, no foreign policy discussion about Asia would be complete without reference to the impasse between mainland China and Taiwan. Kissinger does not disappoint. In fact, he correctly characterizes the increasingly common problem with Chinese stances on Taiwan and other matters as issues of nationalism, not communism. However, his only advice on sensitive topics where emotions run high on both sides (here he draws a comparison between Taiwan and Palestine) is to leave them alone until they are "ready" to be resolved.¹¹ Unfortunately, there is not an accompanying political yardstick to measure when such a topic becomes "ready" for resolution.

Human rights, or lack thereof, get short shrift in this chapter, which is a shame since many of the world's human rights abuses occur in Asia.

7. *Id.* at 76-77.

8. Juan Forero, *Across Latin America, Pity for Argentina, and Worries Too*, N.Y. TIMES, Jan. 8, 2002, at A3.

9. KISSINGER, *supra* note 3, at 160-63.

10. *Id.* at 126-27.

11. *Id.* at 152.

Another major omission, especially in light of the September 11th terrorist attacks, is any discussion at all of Afghanistan, the impact of the Taliban regime, or the growing role of Islamism in much of Asia. Clearly, Kissinger cannot be expected to have predicted the attacks, the war or its aftermath. But equally clearly, he can be expected to have considered the importance of the post-Soviet regime in that country, its characterization of a world religion, attempts to export fundamentalism and its larger impact on Central Asia.

The Middle-East and Africa are collapsed together in chapter five under the neatly contrived heading of "worlds in transition." If this is the key element these regions have in common, then it is an artificial one. In my view, both regions are so utterly important to U.S. foreign policy that each deserves individual treatment. Moreover, Kissinger's inclusion of Africa as an after-thought (only ten pages)¹² handily unmask him as belonging to that school of thought whereby some weight was accorded the continent when we were squaring off against the Soviet Union, but no weight is accorded it now that the Cold War is finished. Thus, Africa's diminished importance is reflected by its diminished presence on the Kissinger radar screen.

In contrast, his treatment of the Middle-East is both realistic and cautious. Kissinger dryly notes that there will be no peace between Israel and the Palestinians until both sides want it badly enough. He also correctly blames former president Clinton for rushing the process that ultimately fell apart, while simultaneously crediting Ehud Barak with the courage to make concessions no other Israeli prime minister was ever willing to make and condemning Yassir Arafat for his inability to seize the moment. Beyond this, his summary of that conflict holds nothing new for the student of international relations.

However, his treatment of Iran does offer new analysis coupled with interesting policy suggestions:

There are few nations in the world with which the United States has less reason to quarrel or more compatible interests than Iran There is no American geopolitical motivation for hostility between Iran and the United States The chief obstacle has been the [ayatollah-based regime] in Tehran While there is little doubt that [President] Khatami is seeking to implement more moderate domestic policies in the face of considerable resistance, there is little evidence so far that this moderation extends to the international scene or that Khatami will be permitted to execute a change of course if he were to attempt it.¹³

12. *Id.* at 200-10.

13. *Id.* at 196-99.

Kissinger's proposed response to a positive signal from Tehran is to "designate a trusted representative—or 'unofficial' trusted spokesman—to explore [the possibilities]." ¹⁴ Kissinger's suggestion proved prescient on this point. Iran vaguely indicated its interest in a dialogue with us. ¹⁵ Coincidentally, the replacement of the Taliban regime in neighboring Afghanistan with an interim government indebted to America for its very existence presents us with just such a man to broker a dialogue, although his job was not made easier by a recent slip in our diplomatic verbiage.

It must be remembered that the law of unintended consequences is harsh at times and benevolent at others; however, it is always operative with respect to U.S. foreign policy. Many unintended consequences have flowed from our involvement in Afghanistan, but the emergence of that country's interim leader, Hamid Karzai, as a possible "third man" smoothing over relations between America and Iran is a surprising, and benevolent consequence.

The diplomatic dance between Iran and the U.S. during the past two years has not been a predictable waltz, but rather a convoluted tango—with lots of sudden reversals. Until President Bush's State of the Union address, this dance was on the whole fruitful. Limited token trade resumed (we were once again importing Iranian pistachios and caviar), Tehran agreed to provide safety to downed U.S. pilots in the Afghan war, and John Ashcroft's Justice Department intervened in federal court to dismiss a case by the former hostages of 1979-80 for monetary damages against Iran in restitution for their unlawful detention. ¹⁶

While the road to reconciliation was an unsure one, we were indeed on it. Then the State Department lost control of the situation. Mr. Bush's political triumvirate, Karl Rove, Ari Fleischer, and Karen Hughes, had engineered what they considered a knock-out speech to Congress. But with their limited foreign policy experience, they failed to detect the landmine phrase "axis of evil" as applied to North Korea, Iraq and—yes—Iran. ¹⁷ In one brief moment, with the president's unknowing utterance of this label, two years' worth of initiative and investment were undone. Colin Powell must have winced as he sat listening to the speech, his mind racing with the implications.

14. *Id.* at 200.

15. Nazila Fathi, *On the Sly, Iran Weighs Closer Ties with U.S.*, N.Y. TIMES, Nov. 9, 2001, at A11.

16. Elaine Sciolino & Neil A. Lewis, *Iran Dances a 'Ballet' with U.S.*, N.Y. TIMES, Oct. 16, 2001, at B1.

17. President George W. Bush, State of the Union Address to Joint Session of Congress, 38 Weekly Comp. Pres. Doc. 133, 135 (Jan. 29, 2002), available at <http://www.access.gpo.gov/nara/pdbrowse.html>.

Iran was suddenly transformed back into a single evil entity from the multi-dimensional one we had cultivated. Ayatollah Khameni and his hard-liners had won over President Khatami and his supporters of Western engagement. Afghanistan's Hamid Karzai was in the audience that night, and surely understood how that sound bite would play in Tehran. He could have easily predicted the anti-American demonstrations in the streets and the re-ignited hatred and distrust of the U.S. that Khameni would surely try to inflame.

So it was, that one month later Karzai went to Tehran and visited Khatami (on his own?), not only to thank him for Iran's support, but also to urge reconciliation with the West—especially America. Of course, Karzai can only win from a renewed rapprochement, as can both the antagonists. The only loser would be the Ayatollah, whose power would erode from closer ties between his country and the U.S. Iran has pledged \$560 million to the rebuilding of its Afghan neighbor and is eager to cement political and economic ties with Kabul.¹⁸ America is also invested in re-establishing Afghanistan as a stable keystone in that turbulent area and securing it as a more dependable and predictable friend than the other states around it have proved to be.

Perhaps these shared goals in regard to Afghanistan naturally led to Karzai's emergence as the third man in the diplomatic dance. A godsend to the State Department in its effort to contain and repair the damage, Mr. Karzai is an ideal proxy ambassador. He clearly owes his position and his country's freedom to American intervention, but he is also a devout Muslim and military commander who fought the Taliban—a common enemy of Tehran. So this is not Tony Blair or Jacques Chirac showing up on Iran's doorstep in a pinstripe suit on our behalf, but Hamid Karzai, weary from the battlefield—a man of the region in Afghan robes and lamb-skin cap, who is willing to pay homage at Khomeini's tomb in order to get what he wants.

We should support him in these efforts, but not overtly. If he is seen as the stooge of Washington, taking instructions by e-mail, then his credibility is lost and the effort is hopeless. The best thing President Bush can do is place the delicate matter of Iran back where it belongs, squarely in the State Department, and muzzle his White House politicians from attempting to make political hay out of strong but misguided

18. Nazila Fathi, *In Tehran Visit, Karzai Appeals to Iran and U.S. to Make Up*, N.Y. TIMES, Feb. 25, 2002, at A13.

foreign policy statements. In short, if we take Dr. Kissinger's advice and let this third man join the dance, then perhaps we can persuade the band to keep playing.

Kissinger is less provident in his treatment of the effects of globalization. In chapter six, Kissinger departs from his region-by-region appraisal and delves into topical issues newly raised on the international agenda. He provides a good summation of globalization as a process and does identify some of the manifest downsides to this process, but the analysis offers little by way of solutions to the growing problem of disenfranchisement. We are advised that a "political construction" must accompany globalization, but we are left guessing as to what this means.

Chapter seven continues the departure from regional discussion and enters the realm of peace and justice. On the peace side, special consideration is dedicated to what Kissinger calls the "new interventionism." By this he means the evolving American policy to militarily violate other states' sovereignty in order to protect human rights. It is no surprise that he generally opposes such interventionism:

The new doctrine of humanitarian intervention asserts that humane convictions are so integral a part of the American tradition that both treasure and, in the extreme, lives must be risked to vindicate them anywhere in the world. No other nation has ever advanced such goals, which risk maneuvering the United States and its allies into the role of world policemen.¹⁹

In his zeal to debunk what he considers unnecessary and perhaps reckless "Wilsonianism," Dr. Kissinger overstates the case. An accompanying premise implicit in the new "doctrine" (if it has indeed gelled into one) is that America will only intervene where it is possible or desirable to do so. We did not intervene to protect against egregious human rights abuses in Russia on behalf of Chechnya or China on behalf of Tibet because it was not militarily feasible. Likewise, we did not intervene in Mexico on behalf of Indians in Chiapas or Turkey on behalf of Kurds because these are friends—Mexico a NAFTA partner and Turkey a NATO ally.²⁰ Thus, there are clearly definable and pragmatic limits to intervening "anywhere in the world."

Four examples are given, ostensibly to demonstrate this doctrine in action, through which Kissinger draws lines of commonality to support his argument:

The American military was deployed in Somalia, initially to help distribute food, then to bring about civilian government; in Haiti, in order to free the

19. KISSINGER, *supra* note 3, at 253.

20. Michael J. Kelly, *Traveling the Road to Rambouillet: Is the Imposition of Federalism in Kosovo Pragmatic Foreign Policy or Unwise Meddling?*, 40 S. TEX. L. REV. 789, 799-800 (Summer 1999).

population from a military government having come to power by a coup; in Bosnia, to force an end to a cruel civil war; and, in Kosovo, in effect, to shift authority from Serbia to the majority of the population, which was ethnically Albanian.

All four cases of military intervention . . . had certain common features: they reflected no traditional notion of American national interest . . . ; they were a response to powerful domestic pressures to alleviate undisputed human suffering . . . ; the intervention was thought to be free of risk²¹

The problem with Kissinger's grouping on this point is the diversity in the degree of sovereignty allegedly violated. In the case of Somalia, there was no functioning government in Mogadishu and in the case of Bosnia, the West was invited by President Izetbegovic to intervene.

Moreover, these actions were not unilateral ones. The interventions in Somalia, Haiti and Bosnia were approved by the United Nations Security Council. In contrast, the deployment following the air campaign in Serbia to prevent genocide in Kosovo, while done without U.N. approval, was undertaken by NATO as a whole. Thus, portrayal of these situations as unilateralist police actions binding us in the future to deployment of American soldiers abroad is stretching the argument.

On the justice side of chapter seven, Kissinger engages in more debunking as he rails against the application of universal jurisdiction of courts to prosecute international criminals. It is this portion of the book that suffers from a complete lack of credibility. First, because the facts are incorrect in his argument and second, because Kissinger is personally wanted in several jurisdictions to testify as to his knowledge of certain atrocities.

To begin with, the author attempts to undermine the legitimacy of universal jurisdiction as a principle of law by characterizing it as a new concept:

In less than a decade, an unprecedented concept has emerged to submit international politics to judicial procedures The doctrine of universal jurisdiction asserts that there are crimes so heinous that their perpetrators should not be able to escape justice by invoking doctrines of sovereignty The very concept of universal jurisdiction is of recent vintage. The sixth edition of *Black's Law Dictionary*, published in 1990, does not contain even an entry for the term.²²

True, *Black's Law Dictionary* does not contain such an entry. However, had his research continued beyond the dictionary to prove the existence of this concept, Dr. Kissinger would have found its consistent

21. KISSINGER, *supra* note 3, at 255.

22. *Id.* at 273-74.

usage, including by the faculty of his own alma mater, from at least 1935. Manley O. Hudson, director of the International Law Project at Harvard University from 1932-35, later Judge on the Permanent International Court of Justice in The Hague, and his team of research colleagues, lists it specifically as one of the five traditional bases of criminal jurisdiction for courts to assert in international law:

These five general principles are: first, the territorial principle, determining jurisdiction by reference to the place where the offence is committed; second, the nationality principle, determining jurisdiction by reference to the nationality . . . of the person committing the offense; third, the protective principle, determining jurisdiction by reference to the national interest injured by the offence; *fourth, the universality principle, determining jurisdiction by reference to the custody of the person committing the offence*; and fifth, the passive personality principle, determining jurisdiction by reference to the nationality . . . of the person injured by the offence *The fourth [universality principle] is widely though by no means universally accepted . . .*²³

This principle has been restated as a legitimate basis for assertion of jurisdiction in subsequent authoritative works such as the Restatement of Foreign Relations.²⁴ Many courts have availed themselves of universal jurisdiction to try perpetrators of particularly heinous crimes even though there was either no nexus, or only a tenuous one, to the country in which the court was situated. Examples include, the trials of Adolf Eichmann in 1961 by Israel (a state which did not exist when the crimes were committed) for war crimes,²⁵ Fawaz Yuniz in 1988 by the United States for hijacking a passenger jet,²⁶ and two Catholic nuns in 2001 by Belgium for the commission of genocide in Rwanda.²⁷ Consequently, not only is the concept of universal jurisdiction a much older theory than *Black's Law Dictionary* leads Dr. Kissinger to believe, it has been used repeatedly—even by U.S. courts.

The second dent in the credibility of this book's attack on universal jurisdiction stems from Kissinger's very personal stake in not having it applied to him. Christopher Hitchens, a British journalist, has compiled

23. Manley O. Hudson, *Research in International Law Under the Auspices of the Faculty of the Harvard Law School: Jurisdiction with Respect to Crime*, 29 AM. J. INT'L L. 1, 435, 445 (Supp. 1935) (emphasis added).

24. "A state has jurisdiction . . . for certain offenses recognized by the community of nations as of universal concern, such as piracy, slave trade, attacks on or hijacking of aircraft, genocide, war crimes, and perhaps certain acts of terrorism, even where none of the bases of jurisdiction indicated in §402 is present." RESTATEMENT (THIRD) OF FOREIGN RELATIONS § 404 (1986).

25. Attorney Gen. of Israel v. Eichmann, 36 I.L.R., 18 (Isr. Dist. Ct. - Jerusalem 1961), *aff'd*, 36 I.L.R. 277 (Isr. Sup. Ct. 1962)

26. United States v. Fawaz Yunis, 681 F. Supp. 896 (D.D.C. 1988), *rev'd on other grounds* 859 F.2d 953 (D.C. Cir. 1991).

27. Marlise Simons, *Human Rights Cases Begin to Flood into Belgian Courts*, N.Y. TIMES, Dec. 27, 2001, at A8.

a catalogue of indictable crimes against humanity allegedly committed by Kissinger during his time in office, from his participation in mass killings in Cambodia, Bangladesh and Timor to engineering the bloody coup of Augusto Pinochet in Chile.²⁸ Likewise, Kissinger has been served with orders to appear in court in France, Argentina and Chile to testify as to his role in various atrocities.²⁹ It is unlikely that those judges will see him in their courtrooms voluntarily.³⁰

The final argument against buying into Kissinger's strenuous assault on universal jurisdiction comes in the wake of the September 11th terrorist attacks. Those terrorist acts were so universally condemned that almost any government, were it to capture al Qaeda or Taliban members on the run, would be predisposed to prosecute them in their own courts even if their nationals were not killed and they did not have extradition agreements with the U.S. For instance, Pakistan or Iran is likely to find such people, unlikely to negotiate an extradition agreement with America quickly, and could avail themselves of the universal principle to try them.

Would that not be preferable to letting them go? Perhaps Kissinger would agree given the events that have transpired since the publication of his book. At a minimum, the persistence of universal jurisdiction as a viable doctrine to arrest and prosecute such individuals should be considered one more tool in the varied foreign policy toolbox of countries as they struggle to fight the scourge of terrorism.

Finally, chapter seven concludes by denouncing the effort to establish an International Criminal Court. Here again, Kissinger seems overly concerned with such a court's jurisdictional reach and the types of crimes it may consider from a personal perspective. In reality, this court will be created within a very few years when the treaty establishing it enters into force. President Clinton signed the Statute of Rome, as it is

28. CHRISTOPHER HITCHENS, *THE TRIAL OF HENRY KISSINGER* (2001).

29. Nick Cohen, Book Review, *Evasive Manoeuvres: Henry Kissinger is Quick to Rail Against Tyrants, but Completely Oblivious to His Own Guilt*, *GUARDIAN* (London), Sept. 9, 2001, at 17.

30. Vivienne Walt, *European Prosecutors Target Foreign Human-Rights Violators*, *NEWSDAY*, July 16, 2001, at A4:

Paris—The invitation for Henry Kissinger that arrived at the Ritz Hotel here in late May was not the usual request for his attendance at an elegant dinner. Rather, a French judge wanted him for questioning about U.S. involvement during Gen. Augusto Pinochet's rule in Chile in the 1970s, while Kissinger was U.S. secretary of state and opponents of the Chilean strongman were regularly 'disappeared.' Kissinger quietly checked out and left town.

known, before leaving office, but president Bush is predisposed to avoid ratification by the Senate.³¹

Nonetheless, the court may still exercise jurisdiction over U.S. nationals who come within its purview.³² Given Kissinger's realpolitik stance on so many issues, it is mildly surprising that, given the court's impending birth as a foregone conclusion, he considers it unwise for us to become a party to it, contribute judges and prosecutors to its ranks and attempt to reform it from within.

In his discussion of justice matters, Kissinger expresses a fear of sovereignty erosion as a common underlying concern with regard to both universal jurisdiction and the creation of an International Criminal Court. That last point cannot be discounted so easily and deserves more thorough theoretical exposition than is possible in this book review. Ultimately, a balance must be struck between traditional notions of sovereignty and the pursuit of uniform and enforceable justice.

The book's Conclusion contains several thought-provoking observations, my favorite of which is the apt comparison between the computer's ability to reshape global society today with the impact of the printing press reshaping the medieval world. Where the computer, and all the potential it represents, will take us is anyone's guess, but we are sure to be transformed as people and countries, thus also transforming the personal and international relations that flow therefrom.

Kissinger rightly praises president Bush's call for America to act with humility on the world stage. After an era of triumphalism and arrogance that characterized our conduct of foreign policy in the 1980's and 90's, with Secretary of State Madeleine Albright memorably referring to America as "the indispensable nation," a tone of humility is clearly in order.³³ More so now that some of the hatred aimed at this country can be traced to such callousness felt in the Islamic World and the Third World.³⁴ Although much of this book's impact may have been undermined by the unforeseeable terrorist attacks against us, these final thoughts remain salient, and may in fact prove the most precious to emerge from this work.

31. Michael J. Kelly, Editorial, *Imperfect Justice*, SAN DIEGO UNION-TRIBUNE, Feb. 7, 2001, at B7.

32. Michael J. Kelly, *Case Studies "Ripe" for the International Criminal Court: Practical Applications for the Pinochet, Ocalan, and Libyan Bomber Trials*, 8 J. INT'L L. & PRAC. 21 (Spring 1999).

33. Richard Gwyn, *Waiting for Blow to American Pride*, TORONTO STAR, Oct. 20, 1999, at News Sect.

34. Gay Alcorn, *Resentful Muslims See America as Ruthless, Arrogant and Biased*, SYDNEY MORNING HERALD, Feb. 28, 2001, at 9.