The Washington Post
Democracy Dies in Darkness

Henry Kissinger: Nobel peace laureate, war criminal?

By Adam Taylor

November 30, 2023 at 5:04 p.m. EST

Henry Kissinger, who died on Wednesday at 100, was a Nobel Peace Prize winner who worked in two White House administrations and advised world leaders even deep into old age. He lived an extraordinary life: At the peak of his geopolitical power, serving in the Nixon administration as national security adviser and later secretary of state, he was dating a series of starlets and clinking glasses at celebrity parties.

Yet for many, Kissinger will be remembered as one thing: A war criminal. While the former U.S. diplomat has never been found guilty, or even tried, for war crimes, his links to policies that led to many thousands of civilian deaths are an indelible part of his legacy.

"The Trial of Henry Kissinger," a 2001 book by incendiary writer Christopher Hitchens, laid out the case for the label, pointing to his role in scandalous policy in areas of the world as far apart as Chile and Cambodia, saying the U.S. diplomat should be tried "for war crimes, for crimes against humanity, and for offenses against common or customary or international law, including conspiracy to commit murder, kidnap, and torture."

Years later, the popular television host and chef Anthony Bourdain summed up the disgust felt by many who saw Kissinger still feted during a visit to Cambodia. "Once you've been to Cambodia, you'll never stop wanting to beat Henry Kissinger to death with your bare hands," Bourdain wrote in the 2001 book, "A Cook's Tour," calling for Kissinger to go on trial at the International Criminal Court alongside former Serbian president Slobodan Milosevic, at that point on trial for crimes related to genocide.

Over the years, these positions have often been strengthened by the release of declassified documents that added weight to the argument that Kissinger was often involved in military decisions and knew, but did not care, of the civilian toll of the policies he pursued. Tom Blanton, director of the National Security Archive at George Washington University, wrote this week that Kissinger had recorded many of his conversations out of cynicism — "he needed to keep track of which lie he told to whom."

Here are some of the most notorious examples of Kissinger's foreign policy decisions, and the evidence linking them to potential war crimes.

Bombings in Cambodia

Kissinger is often associated with policy in Asia, having led the opening of relations with Communist China during the Nixon administration and working to end America's involvement in the Vietnam War.

But his legacy here is heavily disputed, particularly in Southeast Asia. While he would win the 1973 Nobel Peace Prize for negotiating a cease-fire in Vietnam, he also prolonged that war in the belief — later proven mistaken — that the United States could extract better terms from the North Vietnamese through more violence. Years before that, he helped sabotage President Lyndon B. Johnson's efforts to wind down the war by passing information to Richard M. Nixon, who in turn passed it on to South Vietnamese forces.

The most shocking action in Asia, and perhaps the one that looks most clearly like a war crime, was the carpet bombing of large swaths of Cambodia during the Vietnam War between 1969 and 1973. Cambodia was not a party to that war — Nixon wanted the country bombed in a bid to displace Communist troops there — but historians estimate now that around 500,000 tons of U.S. bombs were dropped on Cambodia during this period, resulting in as many as 150,000 civilian deaths, and leaving an enormous burden of unexploded ordnance that lingers to this day.

Declassified documents show that Kissinger had a direct role in turning Nixon's vague plan for bombing into a reality, telling his military assistant that it should be a "massive bombing campaign" that involves "anything that moves."

Genocide in Bangladesh

In 1971, when the Pakistani Army began massacring Bengali Hindus in what was then East Pakistan but is now the independent country of Bangladesh, Nixon and Kissinger refused to rein in Pakistan's military government, which was reliant on U.S. arms. Hundreds of thousands are now estimated to have died in what has been called a genocide, while 10 million fled to India.

Kissinger refused numerous calls to condemn the violence. The Nixon administration secretly approved the transfer of F-104 Starfight bombers to Pakistan at this time and White House recordings of Kissinger's conversations show the secretary of state mocking those Americans who "bleed" for "the dying Bengalis."

Historians like Gary J. Bass argue that Kissinger was ultimately trying to support the Pakistani military government, led by Gen. Agha Muhammad Yahya Khan, because they wanted to use Kahn as a back door for diplomacy with China. Bangladesh became an independent country after neighboring India entered the conflict, quickly forcing encircled Pakistani forces to surrender.

A coup in Chile

Another of Kissinger's most notorious spheres of influence was Latin America, where he routinely sided with and empowered right-wing governments accused of hideous crimes.

In Chile, the U.S. government worked to destabilize the democratically elected government of leftist leader Salvador Allende. When Allende was eventually deposed in a military coup that led to his death and replaced by Gen. Augusto Pinochet in 1973, Kissinger pushed for more support for Chile despite the disruption of democratic norms. When reports of human rights violations were brought to him by his staff, he brushed them aside.

"I think we should understand our policy — that however unpleasant they act, this government is better for us than Allende was," he said in private comments that were later declassified.

Pinochet's government is now believed to have killed at least 3,197 people and tortured about 29,000, with the majority of those killings taking place at the precise moment Kissinger was backing him most, in 1973. The general would later be suspected of involvement in a 1976 car bombing in Washington that killed a former Chilean foreign minister.

Pinochet remained in power until 1990. Though he faced numerous legal challenges in later years, his failing health largely kept him out of courtrooms and he died in 2006 at age 91.

Kissinger also encouraged the Argentine military junta that took over in 1974. As many as 30,000 people were killed or disappeared by the military during that period, in what became known as the "Dirty War." Declassified documents later showed that Kissinger had not only been aware of the junta's violence, but actively encouraged it.

"If there are things that have to be done, you should do them quickly," Kissinger told Argentine Foreign Minister Adm. Cesar Augusto Guzzetti in 1976, declassified records show.

War criminal or realist?

The list goes on: East Timor and Cyprus are two lesser-known examples where Kissinger turned a blind eye, or worse, to plots that led to mass killing or displacement. But Kissinger remained an in-demand diplomatic figure until his death, with dignitaries of all stripes attending a birthday party at Manhattan's Economic Club of New York in May.

Kissinger never apologized for his acts. When he did justify them, he made a realist argument and pointed to the gains that the United States made from his policy — whether it was gaining the upper hand in the war in Vietnam, ensuring that communism didn't spread in Latin America or keeping open a vital diplomatic channel to China — though those gains did not always last. He would not express sympathy for the foreigners who suffered from his policies and privately mocked those who did.

But if Kissinger was a realist in foreign policy, that doesn't mean he couldn't have committed war crimes. Reed Brody, an American lawyer who has worked on other war crimes cases, wrote an in-depth article for Just Security earlier this year that outlined some of the instances where Kissinger could credibly be accused of war crimes, citing precedent from other similar cases. The problem may be that Kissinger's alleged crimes were conducted decades before the 1998 establishment of the International Criminal Court in The Hague, which heralded the modern era of international justice (and to which Bourdain said Kissinger should be sent).

Brody wrote that "for all the advances made by international justice, a powerful American former secretary of state still seems beyond its grasp." Kissinger's death will take away any uncertainty, though it will allow more insight into his thinking: with the legal protection of his privacy gone with his death, more records may be released.