

According to Eisgruber: federal judges. They are not elected and therefore can do what is best for the people. Judicial review, the author argues, is democratic because the justices can breathe life into the current population's sentiment on moral issues. Eisgruber's vision of the judicial function is, I suspect, not so much to discern the population's sentiments as it is to discern the sentiments the people *should* have. And that turns out to be the same liberal values that one would encounter in public policy debates.

All of that is hardly new—"good results" always have been the cornerstone of noninterpretive review. What makes this book bold is Eisgruber's systematic and unflinching pursuit of judicial oligarchy. In the end, like Michael Perry before him, Eisgruber elevates the Supreme Court to another Chair of Peter, insisting that what the Court does best is to serve as our moral compass—all of this, mind you, under the title of "Constitutional Self-Government." And that is possible because not only is democracy redefined, but so, too, is self-government. The people need not be concerned that the Supreme Court makes our most important public policy decisions—rendering the elective branch superfluous, because Eisgruber's democratic model has incorporated judicial oligarchy.

Eisgruber is frank, forthright, and articulate. He obviously enjoys debate and confronts those opposition arguments that his criteria of relevance permit him to identify. Despite frequently muttering to myself, I enjoyed the book. In a sense, it even attacks noninterpretivism since in the author's eagerness to elevate the Supreme Court to the Chair of Peter, he criticizes some noninterpretivist justifications as suspect (e.g., that the amendment process is cumbersome). He does, however, place a good deal of emphasis on contemporary sources. While I give him high marks for familiarity with an explosive body of literature, he receives low marks for mastery of the older interpretative-noninterpretive debate.

The reader, however, should consider that I am solidly in the opposite camp, and so he or she must take my criticisms in that context. But the boldness of this book should evoke responses from such scholars as John Hart Ely, H. Jefferson Powell, and Martin Redish. They need, I trust, to distance themselves.

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Foreign Policy and National Security

Thomas, Daniel C.

The Helsinki Effect:

International Norms, Human Rights, and the Demise of Communism

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In *The Helsinki Effect: International Norms, Human Rights, and the Demise of Communism*, Daniel C. Thomas presents a powerful and compelling case for a re-examination and reinterpretation of the collapse of communism. Thomas argues that the human rights norms established in the Helsinki Final Act contributed directly to the growth of large peaceful movements for democratic change, which undermined the legitimacy of totalitarian rule. His argument is based on meticulous research on the history of this period. Thomas, an assistant professor of political science at the University of Illinois at Chicago, conducted dozens of interviews with the key officials and activists from the United States, Western Europe, the former Czechoslovakia, Hungary, Poland, and the former Soviet Union who were active in both the Helsinki negotiations and subsequent events. From this comprehensive research, Thomas presents a convincing history of how human rights norms dramatically influenced state behavior during the Cold War. *The Helsinki Effect* is required reading for anyone interested in understanding why there is no longer a Soviet Union.

Henry Kissinger and the Ford administration (in alliance with Leonid Brezhnev and the Soviets) actively opposed the inclusion of the human rights provisions in the Helsinki accords and thought these agreements would have little impact. Thomas demonstrates how the United States eventually redefined its self-interest and elevated the position of human rights from a low-priority issue that the White House and State Department preferred to ignore to an inescapable high priority in U.S. relations with the Soviet bloc. This transformation was brought about in large part by "the persistent shaming and lobbying efforts of a transnational network combining dissidents and human rights activists in the East [and] sympathetic private groups in the West" (155).

Militarists and political realists consistently question the value of norms and human rights and scoff at the impact of "soft law" on state behavior. Thomas effectively demolishes their pinched reasoning and demonstrates the power of human rights ideas in real-world politics. He proves "that

the Kremlin reforms that dismantled the coercive capacities of the Soviet party-state were driven in large part by domestic and international demands for compliance with human rights norms, not by Ronald Reagan's Strategic Defense Initiative or even by the declining productivity of central planning" (285-86). He documents that the Gorbachev reforms that led to the end of the Cold War were not brought about by the Soviet Union's inability to match the U.S. military buildup or to compete in the global economy. Thomas dramatically presents the case that the end of the Cold War was largely caused by the growth of human-rights-promoting ideational change and the work of transnational human rights networks.

This study should fundamentally alter and redirect current debates about the ability of human rights and norms to alter state behavior.

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Abrams, Elliott, ed.

The Influence of Faith: Religious Groups and U.S. Foreign Policy

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Over the past two decades or so, the public importance of religion has become apparent to journalists and academic political scientists. Long recognized as an important and previously neglected source of political behavior in Western democratic systems and as a source of conflict and cohesion in more traditional societies, religion appears in recent scholarship as a key variable in international relations. Indeed, Samuel Huntington's seminal work *The Clash of Civilizations* has made the hypothesis that religious values are a vital source of international conflict part of the conventional wisdom in political science.

Elliott Abrams's edited collection, *The Influence of Faith: Religious Groups and U.S. Foreign Policy*, is an attempt to apply Huntington's macro-level insight to the somewhat narrower, more focused area of U.S. foreign policy. Although all of the contributors to this collection recognize that America's religious pluralism and its constitutional limitations on relations between religion and politics make direct religious influence on U.S. foreign relations quite unusual, the work reminds readers of the indirect and subtle ways in which religious values and religious actors can make a difference in international affairs.

The Influence of Faith is organized into a series of essays, each of which is followed by a brief (2-4 page) commentary by one of

