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CAN INTERNATIONAL LAW SURVIVE?

A FOREWORD.

David Kaye¹

In September of 2024, a group of scholars, practitioners and students came together at UC Irvine School of Law in order to consider the future of international law. We were asking a broad question, and those of us organizing it wondered, should we ask, “Can international law thrive?” Or would it be better to ask, “Can international law survive?” As I write this foreword for a collection of essays conceived at that symposium, we seem firmly in the latter camp. But even then, at the time of the symposium, the moment was ominous. Russian aggression against Ukraine, Hamas terrorism against Israelis and Israeli genocide in Gaza, failures to address existential harms to the climate, the rise of an unregulated digital space, degradation of the system of global governance under the aegis of the United Nations—these and other threats to international law had focused the attention of scholars, pundits and policymakers. There may have been some hope that the public saw these serious legal violations as a problem that international institutions should address, but overall the public sentiment seemed to suggest, as one participant suggested over coffee, “the rules-based international order is dead.” Indeed, the very phrase, “rules-based international order,” a Biden administration favorite, seemed to allude to a marginalization of international law itself.

Even so, there was yet another cloud on the horizon, and this group understood that full well. That cloud was the candidacy of Donald J. Trump for his second term as president of the United States. Our symposium participants gathered knowing that, on the one hand, there was much to rethink and rebuild (“build back better”?) for international law to survive Ukraine, Gaza, climate destruction and much else. On the other, we collectively experienced a sense of uncertainty about what lay in the future. For some, that uncertainty might have felt like dread. And it was clear, whoever won the presidential election, that the global governance system that has developed over eighty years since World War II and the adoption of the UN Charter in San Francisco in August 1945 (with dark synchronicity, the same month the United States attacked Hiroshima and Nagasaki with the most terrible weapons known to humanity) seemed likely to face the kinds of threats it had not yet experienced. In the event, with Trump’s

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inauguration in January 2025, it has been worse than even the most pessimistic might have thought likely to occur. At the level of international institutions, the Trump administration has either attacked them directly, as with sanctions against members of the International Criminal Court,² or withdrawn entirely, as the administration has done with respect to the Paris Climate Change Agreement³ and the World Health Organization⁴ on its first day in office and sixty other organizations of international life about one year later.⁵ It destroyed the U.S. Agency for International Development (USAID), the main instrument of American governmental support for global sustainability, health, rule of law, and other initiatives.⁶ It has repeatedly used military force in starkly illegal ways, including the bombing of civilian boats in the Caribbean and killing unknown numbers of generally unidentified people, launching an operation to kidnap the head of state of Venezuela and replace its governing leadership, and twice initiating aggressive war against Iran without any basis in international legal standards, including the assassination of Iran's head of state. Meanwhile, domestically, the Trump administration has used the tools of coercive government authority to target immigrants and citizens, violating fundamental standards of international refugee law and human rights law, and attacked media and individual critics in ways entirely at odds with the guarantees of freedom of expression.

And all this merely scratches the surface of the United States' complete rejection of international legal norms since January 2025. And yet there is a way in which, although the rejection is stark and unprecedented in its scope and depth, it also echoes longtime American resistance to the international legal constraint. Put another way, as destructive of international law as the United States under President Trump is, the attitudes have roots that go back at least to the Ronald Reagan Administration in the 1980s, a time of reconsideration of a nearly forty-

² *Imposing Sanctions on the International Criminal Court*, WHITE HOUSE (Feb. 6, 2025), <https://www.whitehouse.gov/presidential-actions/2025/02/imposing-sanctions-on-the-international-criminal-court/>.

³ *Putting America First in International Environmental Agreement*, WHITE HOUSE (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/putting-america-first-in-international-environmental-agreements/>.

⁴ *Withdrawing the United States from the World Health Organization*, WHITE HOUSE (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/withdrawing-the-united-states-from-the-worldhealth-organization/>.

⁵ *Withdrawing the United States from International Organizations, Conventions, and Treaties that Are Contrary to the Interests of the United States*, WHITE HOUSE (Jan. 7, 2026), <https://www.whitehouse.gov/presidential-actions/2026/01/withdrawing-the-united-states-from-international-organizations-conventions-and-treaties-that-are-contrary-to-the-interests-of-the-united-states/>.

⁶ Fatma Tenis & Leila Fadel, *USAID Officially Shuts Down and Merges Remaining Operations with State Department*, NPR (July 1, 2025), <https://www.npr.org/2025/07/01/nx-s1-5451372/usa-id-officially-shuts-down-and-merges-remaining-operations-with-state-department>.

year effort to build international institutions and international law—yes, in ways that favored American power⁷, but legal norms and institutions nonetheless.

I. The Scholarship in this Volume

The scholarship in this collection grapples with that legacy in creative and provocative ways. Consider, for instance, the contribution by Jamil Dakwar, who leads the human rights program at the American Civil Liberties Union (ACLU). Dakwar notes at the outset that customary and conventional international law establishes standards that states are obligated to meet, across a range of human rights areas. But for a number of reasons, especially the non-integration of human rights law as a matter of federal law, he proposes a familiar mechanism of impact assessment for human rights purposes. In short, he argues that one way that the United States could meet its human rights obligations is by establishing basic human rights impact assessments as a standard practice at local, state and federal levels. In doing so, Dakwar demonstrates that, while the United States has been resistant to the application of international law as a standard to judge its behavior, there are practices and norms developed globally that the authorities in the United States could adopt in order to promote and monitor legal compliance—even, one might think, at a time when the federal government is moving in opposite directions.

Martha Davis, Distinguished Professor at Northeastern University School of Law and a leading scholar and proponent of domestication of international human rights law in the United States, is certainly in sync with Dakwar. Professor Davis begins with the fact that the United States lacks a National Human Rights Institution (NHRI), the kind of domestic human rights monitoring enjoyed by most democratic governments around the world. The result is a federal “infastructure [that] falls short in meeting the nation’s obligations,” but Professor Davis notes – and then devotes her article to—the rise of human rights agencies at the state and local level. These “human rights commissions” present a kind of answer to the failures of the federal government, reflecting both local needs and concerns and a sense of global solidarity and commitment. In Professor Davis’s scholarly appraisal, these institutions show how human rights can and do survive even in, or perhaps in spite of, a national environment in which domesticating international norms faces increasingly insurmountable barriers.

If Dakwar and Davis provide strong arguments for local institution-building as a bulwark against the deterioration of international human rights norms in the United States, Professor Paul Hoffman—a faculty member at UC

⁷ Lou Cannon, *Ronald Reagan: Foreign Affairs*, UNIV. VA. MILLER CTR., <https://millercenter.org/president/reagan/foreign-affairs> (last visited Apr. 6, 2026).

Irvine School of Law and one of the leading human rights litigators in the United States over the past four decades—considers the limitations the Supreme Court has imposed on the Alien Tort Statute and proposes a different way of thinking about domestic enforcement of human rights law. In particular, Professor Hoffman considers the possibilities unleashed by tort claims based on foreign law as a tool for human rights protection. As the leading ATS litigator in the country, Professor Hoffman is the ideal person to consider where the statute stands at the current moment, and his contribution deserves a wide reading for that assessment alone. But given his understanding of ATS law and practice, he is also in an unusual position to assess alternatives to a tool that the Supreme Court has tried so hard to strip of its power. His exploration of how successful cases have addressed human rights harms as civil harms in foreign law, but enforced in U.S. courts, suggests a novel pathway for human rights litigators moving forward.

Drilling down even further into human rights practice, Professor Cathy Sweetser, director of the International Human Rights Litigation Clinic at UCLA School of Law, looks at the conduct of human rights lawyering in the United States itself. Professor Sweetser transposes the recognized tension between client-centered and movement-driven lawyering for the international human rights environment. Highlighting the role and power of trauma-informed lawyering, she encourages human rights educators to focus on the connections between client-centered lawyering and the kind of movement activism that often lies at the heart of social change and human rights advocacy. As a tool for the human rights advocate in the United States, such an approach brings together both the client's legitimate demand for justice and reparation and the social need for compliance with and promotion of fundamental human rights norms.

Professor Chimène Keitner and Todd Buchwald, in separate contributions, get most directly to the rhetorical and legal toolkits at the national level, connecting rhetoric to the reality of international legal obligations. Professor Keitner, a globally-recognized international law scholar and holder of a chair in international law at UC Davis School of Law, asks us to look directly at the language of a “rules-based international order,” and posits that the use of the phrase not only substitutes for language about compliance with international law but also “legitimizes selective compliance and double standards by the very states that claim to defend it.” Her contribution is perhaps the most trenchant exploration of the concept to date and, though the Trump administration has dropped the phrase altogether, her work allows us to see clearly how rhetoric, combined with practice, can erode trust and compliance.

Buchwald, previously a long-time lawyer and policymaker at the U.S. State Department and now the U.S. member of the Committee Against Torture,

the treaty body for the Convention Against Torture, explores the law governing the resort to force (the *jus ad bellum*). Buchwald makes a distinction between “the values that underlie the international law rules” from “the rules themselves,” and he introduces the possibility of a delta between those two concepts. He explores this possible delta through three cases, the quarantine imposed by President John F. Kennedy against Cuba in 1963, the U.S. air war against Serbia in support of Kosovo in 1999, and the invasion of Iraq in 2003. Whatever one might think of that delta, Buchwald tells a story that highlight not only the “cold” assessment of the law’s applicability but the nature of the U.S. approach and its shifting appreciation of the importance of international law norms and institutions.

Together, these contributions—and this volume of scholarship—provide both a snapshot of thinking about international law at a moment of crisis and a roadmap for the kind of policies and positions that might enable it to thrive domestically and internationally when the current moment of U.S. assault on international legal norms comes to a close. It seems a bit arrogant, and even out of touch, for *Americans* at this moment to ask how international law can thrive, given that their government is one of the lead protagonists in a story of international law’s seeming destruction. But we can also imagine what the next phase of governance and leadership might look like.

II. An Instance of Planning for International Law’s Survival

Let’s take one area as a possible jumping off point for what the future might involve. It seems quite obvious to scholars and practitioners that the global human rights system faces its most serious crisis of the postwar era. Its immediate causes may be obvious, beginning with the steps of the Trump administration identified above and the promotion of a relativist, non-legal approach to global order promoted by senior officials of the Biden administration, as detailed by Professor Keitner. Yet the global crisis has not emerged Athena-like from Zeus’ head; it has much deeper roots. At the institutional level, the UN’s Office of the High Commissioner for Human Rights (OHCHR), the central node for human rights monitoring globally, has been underfunded and under attack for years. China and Russia and the United States, and a host of other countries, have long attacked it as biased, seeking to redefine human rights to give cover to massive violations of fundamental rules of law. At the normative level, the popularity of illiberal movements signals failure—failed politics, failed messages—throughout the democratic world. The credibility of human rights as a framework for rule of law has been tested by widespread impunity, from Gaza to Ukraine to Myanmar, Sudan, and beyond. A Council of Europe report drew the succinct conclusion that “the rules-based

order that emerged after the Second World War is unravelling before our very eyes.”

The sense of crisis, of a global rule of law commitment that has run its course, has seeped into conversations among human rights professionals for years, many of whom rolled their eyes when the Biden administration made the demonstrably hollow pledge to put “human rights at the center of American foreign policy.”⁸ Early career human rights professionals, those entering the field with the kind of idealism and sense of purpose that has driven the movement for decades, often reflect this ambivalence. It is not uncommon to hear some version of the lamentation, “Why don’t our arguments for rights and against limitations resonate with people?” A senior European diplomat, based in a country with a popular leftist but authoritarian-minded government, told me in the spring of 2025, “In this country, human rights as a pillar of democracy seems at best abstract to many people who do not believe democracy has delivered them from poverty or made their lives better.”

So what is the future of international human rights law? Can it survive, let alone thrive, at a moment of assault? As a body of law, as a rhetoric for thinking about rule of law and democratic values, as a set of global, regional, domestic, and municipal institutions designed to develop and enforce obligations to observe fundamental rights – can it provide the kind of framework that has energized and supported global movements for democracy and reform for nearly eighty years?

The optimist may argue that, over the long-term, human rights will regain its proper place as a guiding force for democracy, rule of law, and international peace and security, if only because there is simply no other option. Still, such optimism depends upon getting things right over the medium-term, the coming decade, an era of contestation and threat in which human rights will continue to experience an existential crisis of resiliency. Simply put, there is a striking disconnect between the maturity of the contemporary human rights ecosystem and the rise of an anti-rights, anti-democratic populism. It is impossible to say that human rights’ ability to survive and thrive is assured, certainly not if scholars, leaders, and advocates neglect hard thinking about how to bridge that troubling gap. It’s not enough to be angry or cynical about noncompliance; a rejuvenated human rights movement will need to figure out whether and how it went wrong and what needs to change in order to build a global culture of rights compliance.

⁸ Press Release, Anthony J. Blinken, Secretary of State, Putting Human Rights at the Center of U.S. Foreign Policy (Feb. 24, 2021), <https://2021-2025.state.gov/putting-human-rights-at-the-center-of-u-s-foreign-policy/>.

A. Postwar Success...?

Today's international human rights law ecosystem might very well dazzle those who drafted the United Nations Charter in 1945 and the Universal Declaration of Human Rights in 1948. The Charter assigned the UN the purpose of "promoting and encouraging respect for human rights and fundamental freedoms," giving non-binding human rights powers to the General Assembly and other institutions. The Universal Declaration, designed to advance the Charter's purposes in a set of thirty largely hortatory articles, advanced a framework of specific civil, political, economic, social, and cultural rights. Together they marked a revolutionary if somewhat light (i.e., unenforceable) touch at the founding of the postwar order, piercing the rhetorical veil of sovereignty states could previously rely on to foreclose international investigation and concern.

Decades of legal and institutional innovation followed, particularly beginning with the adoption of the human rights covenants in 1966, the International Convent on Civil and Political Rights ([ICCPR](#)) and the International Covenant on Economic, Social and Cultural Rights ([ICESCR](#)), the former one of the few human rights treaties actually ratified by the United States. Decades of drafting and negotiation delivered far more than the language of the 1940s anticipated: binding treaty commitments coupled with robust monitoring bodies; rapporteurs, councils, and courts at global and regional levels; a rich jurisprudence that clarified and interpreted the broad treaty obligations in detailed case law; a global scholarly community; networks of civil society investigators; a professional human rights bar; and domestication of international human rights law. Individuals and communities around the world owe their freedom to the workings of this expanding and deepening body of law.

The development of international human rights law is one of the great achievements of the postwar world. Americans tend not to recognize this, let alone celebrate it the way people across the Americas and Europe do, as U.S. constitutional law has developed outside the international human rights law framework, its domestic institutions largely resisting the human rights vocabulary outside of foreign policy. Still, the global human rights framework is robust and yet decentralized, with much of its power coming from regional institutions and domestic implementation. Its guarantee of human dignity and its requirements that any limitation on fundamental rights generally meet tests of legality, necessity and proportionality, and legitimacy, are foundational to contemporary democratic society and rule of law.

B. Today's World of Threat

And then there is the real world of today. What to make of it? Are human rights serving as a limitation on power? What do today's headlines tell us about the story of postwar achievement? There's an uncomfortable question that those committed to human rights and rule of law would be unwise to ignore: Is human rights law a paper thin set of obligations and institutions that could be swept away by the next autocrat, act of aggression, pandemic, climate disaster, or intrusive technology? Are human rights even the appropriate framework for building equitable, democratic orders? Aren't *these* the questions many are asking today? Are we experiencing not a story of Kantian recognition of human dignity's overriding value, the kind embedded in the UN Charter and the Universal Declaration, but a Hobbesian one of anarchy, contract and competition?

Notwithstanding the maturity and success of international human rights law, its very foundations appear quite obviously tenuous. A chasm opened between human rights law's institutional and normative progress and the global rise of an anti-rights, anti-democratic authoritarianism. It's not only that its credibility is at stake, which is indeed concerning. It's not only that some are just now waking up to the hypocrisy of an outwardly looking human rights posture—to put it bluntly, the North imposing norms on the South while often failing to acknowledge the applicability of those rules to themselves. It's that a global order in which governments acknowledged and committed to uphold human dignity in their domestic and foreign activities itself seems to be in cardiac arrest.

This does not mean that human rights “lost” some Manichaean battle and the rights agenda is over. We are not there (yet). Nonetheless, the foreseeable future of human rights is one of contestation, posing a serious resiliency challenge. Institutions are already suffering the consequences, and they have been for some time. We see this in the intimidation of and resource crises within political human rights bodies, those of the UN, the Organization of Security and Cooperation in Europe (OSCE), the Organization of American States (OAS), and others. Still, even in an era of contestation, many of the pillars of the human rights ecosystem will continue to operate, even flourish. The European institutions under the Council of Europe umbrella—especially the European Court of Human Rights and the Venice Commission—continue to do the concrete work of legal interpretation and application. Scholarship will continue to identify new frameworks for addressing human rights challenges; courts will continue to develop jurisprudence; civil society will continue to identify and litigate new threats (and often prevail); many states will reinforce their own human rights protections. Some might even believe that the long-term result of

contestation may very well be one of strengthened institutions, thriving civil society, deepening jurisprudence, improved accountability. As in: We went through the storm and came out stronger! Scholarship and academic leadership will play an essential role in this. Human rights has an undeniable power as a framework for popular protest and legal progress around the globe, which should give advocates confidence in the long-term future of human rights as a field.

But the medium-term demands that an objective assessment of the challenges and the crafting of an ambitious path to building human rights resiliency. This will not be easy. Pathways appear obstructed. The golden age of treaty-making is behind us; no major treaty has been adopted in nearly twenty years. Many see human rights as an elitist luxury that does not speak to the most important human struggles and needs. The loss of American, British, Scandinavian and other major donor funding and political support will have serious repercussions for civil society activists in the Global South and research and policy institutes in the North. Propaganda and a weakened independent media complicate public debate and participation. National security arguments and long-buried sovereigntist claims, deployed to trump rights, will persist.

C. Building Pillars for the Future

As a result, the future of human rights depends on securing its foundations and doing some deep reflections on what a revived human rights system should involve. At a minimum, a resilient human rights future rests on addressing the following four pillars:

Pillar 1: International institutions. Today, there is an ongoing battle within global institutions, especially those of the UN, to redefine rights down. China and Russia lead that effort, and the United States has joined them, seeking to downgrade human rights in the service of their own power or worldview. Many others have reason to resist human rights' progress. The revisionists understand the normative power of UN institutions. If those institutions fail to uphold human dignity, and a half-century of policy and jurisprudence, much of the global support for rights-based institutions will crumble.

Pillar 2: Accountability and remedy. At the founding of the modern human rights system of protection, the drafters—the policymakers and politicians in places like Dumbarton Oaks, San Francisco and New York—lost their nerve. They revolutionized the thinking about international peace and security by including human rights as a fundamental purpose of global governance. But they resisted making those norms clearly enforceable by global mechanisms. Yet the meaningfulness of rights depends upon the availability of remedy and the impossibility of impunity. Even as the world established major international

criminal tribunals, accountability for systemic human rights abuses remains elusive. This is certainly true of political leaders and other state authorities. But it is also at the center of widespread anxiety that private corporations are rarely held to account for their abuses. As Professor Hoffman demonstrates, the U.S. Supreme Court has strangled the Alien Tort Statute as a mechanism to hold multinational corporations accountable for serious international crimes. Meanwhile international negotiations over a binding business and human rights treaty appear uncertain at best to garner widespread adoption. It is a massive challenge, but without a change in the impunity structure of international life, the power of human rights will be difficult to sustain.

Pillar 3: Technology in the service of rights. Digital weapons in the arsenals of state security, runaway surveillance by the private sector, the internet's impact on diverse and reliable independent media – all longtime problems now supercharged by AI innovations lacking a rights-based regulatory framework — threaten democratic societies and the values that underlie them. Technology, especially digital technologies, have the potential to advance human dignity, global knowledge, innovation, and well-being. But that possibility depends on a spirit of integrating rights, and at this point, rights-respecting regulation rarely prevails over demands for innovation.

Pillar 4: Rights as a foundation of an equitable economic order. Human rights are often framed by its contestants as a threat to prosperity or even morality. We see this most clearly perhaps in the demagogic framing of migrants as a threat to social and community well-being, but we also see it in the threats to women's rights and autonomy and other forms of discrimination. We see it in the global failure to address climate change and its likely devastating impacts on human development. A meaningful future for human rights requires not only a focus on fundamental economic and social rights—those essential to human feelings of security and stability—but human rights advocates must inform debates over rights and the broader economy: labor, indigenous people, gender, health and a healthy environment, education, social security, and so on.

D. Thinking Toward a Renewed Human Rights System

Where do we go from here? How do those who believe in rule of law at global and domestic levels stabilize the pillars of human rights when they are under such enormous strain, including by one of the historic builders and defenders of the multilateral system? Former British Prime Minister Gordon Brown posed a challenge that could provide some strategic framing. Brown wrote in *The Guardian*, “if we are to have anything approaching a values-based order we will have at some point to agree an updated global charter for our

common future, something that builds on the Atlantic Charter of 1941 and the UN Charter of 1945, but is geared to a completely different century.”

What Brown hints at is a long game. He may be overstating the possibility that the charters of the 1940s cannot speak to this “different century”. It may be that the visions memorialized in the 1940s were written with enough foresight to require little “updating” in terms of values and that, instead, there is a need for reassessment to focus on something those at San Francisco in 1945 failed to achieve: robust enforcement. In other words, it may not be the substantive values that need updating but their application to the contemporary challenges—and a willingness of states to take the necessary steps to implement them (thought that, too, is a value). That willingness is hardly in evidence today, to put it mildly.

At any rate, Brown’s challenge should be taken seriously, with those committed to global rule of law beginning now to build for and contribute to the moment when a rethink at the global level is possible. Scholars, advocates and rule-of-law oriented policymakers will have to take the intellectual and practical leadership to ensure the resiliency of the human rights order built over the course of three-quarters of a century, to engage in the work of translation and conversion of critical research into meaningful impact. A committed community could drill down into the hardest issues but also face intelligibly and accessibly outward, toward disciplines beyond law and communities beyond scholars.

Scholarship and think-tankery alone will be insufficient, particularly if—as is typical—the scholarly community speaks in the coded and often politicized jargon that excludes broader debate. Traditional human rights tools of investigation and reporting will be important but separate from *this* task. Something more ambitious will be required, something that recognizes how the world has developed a certain kind of hostility to the rights-based agenda and the institutions that carried forward the values formalized in the Charter and Universal Declaration. At a minimum, this will require a second Dumbarton Oaks, a Charter review process, a deep dive into the disconnect between normative achievement and weak enforcement, one that leads to concrete recommendations for an improved, if not radically reformulated, approach to making human rights and global rule of law work for everyone. It needs to be developed in such a way that it gains purchase outside of academics and think tanks, that gains the buy-in of governments and the championing by leading statespersons.

It requires a vision and a civil society reckoning rooted in hard thinking about what a just world will involve, a vehicle to carry forward scholarship into the rough-and-tumble of institutional advocacy, grassroots argument, and forceful change. The question for policymakers and civil society is how to build

upon scholarship and clear thinking for the project of human rights resiliency, to stabilizing and building on the four pillars of human rights and ensuring that human rights survives this ongoing period of contestation.

At a minimum, the job of reinforcement and rebuilding requires two levels of ambition. At one level, rule-of-law minded leaders need to think hard about what has worked and what has not. We need to strip bare our normative commitments to present institutions and ask what kinds of institutions—not just what values underlie them but, more importantly, what powers they are to be given—would meet the moment, would be responsive in a period of contestation. A Dumbarton II would serve as a framework for a multi-year process in which policymakers and scholars work together, studying and formulating responses for the four pillars of human rights resiliency, to consider what a renewed human rights order should involve. Over time, networks of academics, government officials and civil society leaders, journalists, grass roots activists, could together formulate responses to the crisis of resiliency.

If that's too elitist—and it certainly does depend upon a kind of old school approach of involving those traditionally considered elites—it may be even more important to link up with communities where the battles over rights are taking place. Often left out of the “global order” conversations are those domestic institutions that do the hard work of integrating human rights norms, those that Jamil Dakwar and Professor Davis describe so clearly in their contributions: city human rights monitors, National Human Rights Institutions, rights-oriented politicians and officials, indigenous communities and their leadership. Even in the most difficult authoritarian environments, civil society activists and human rights defenders play critical roles in the efforts to ensure individual and community protection and improvement. Human rights advocates are often slandered as out-of-touch elites, when the truth is that their work aims to protect those far outside elite zones of comfort. Even so, that perception at least needs a response. And that response must involve advocates engaging the debates at local levels and promoting substantive norms—especially those that are designed to improve people's opportunities, access to justice, equitable economic outcomes, labor protections, and so forth—that so many people may believe are excluded from the rights conversation.

Ultimately, it may be that this era of contestation requires something urgently local to ensure the thriving of international law: deep relationships not only with elites but with the communities most in need of a rights and rule of law framework. It requires responding to the opponents of rights where they active—in those local environments. An approach at the global level is bound to fail if it fails to engage with the reasons why people are often so skeptical of human rights as a framework for improving their lives.