THE DEMOCRATIC LIMITS OF INTERNATIONAL HUMAN RIGHTS LAW

JOHN O. MCGINNIS*

We citizens of the United States have been handed a precious gift—the Constitution.[1] The importance of this gift lies not merely in the structures for government that the document details but also, more broadly, in the commitment to the rule of law. Some in the current generation of jurists have now asked the question: "Which law should rule us?" Some justices on the Supreme Court have been looking to international law and precedent to decide domestic cases.[2] But is this legitimate? Should decisions made in Geneva bind people in Grand Rapids?

---

* George C. Dix Professor in Constitutional Law at Northwestern Pritzker School of Law.

1. This essay has been adapted from remarks delivered at the 2021 Federalist Society National Student Symposium in a debate entitled "How Beneficial is International Human Rights Law?" with Prof. Eugene Kontorovich, Prof. Michael Ramsey, Prof. Beth Simmons, and, as Moderator, Hon. Stephanos Bibas of the United States Court of Appeals for the Third Circuit. The original debate can be viewed at The Federalist Society, *Panel IV: How Beneficial is International Human Rights Law?*, YOUTUBE (Mar. 20, 2021), https://www.youtube.com/watch?v=yu7NyFwFlP8 [https://perma.cc/YX9U-HQGY]. It reflects some of the substance of the longer, joint work presented by John O. McGinnis & Ilya Somin, *Democracy and International Human Rights Law*, 84 NOTRE DAME L. REV. 1739 (2009). Thanks to Jack Ramler for research assistance.

2. *See, e.g.*, Graham v. Florida, 560 U.S. 48, 81–82 (2010) (explaining that imposing life sentences without the possibility of parole on juvenile offenders is "inconsistent with basic principles of decency" and noting that the United States is one of only two nations not to prohibit the practice by ratifying the United Nations Convention on the Rights of the Child); Grutter v. Bollinger, 539 U.S. 306, 344 (2003) (internal quotation marks and citation omitted) (Ginsburg, J., concurring) ("The Court's observation that race-conscious programs must have a logical endpoint accords with the international understanding of the office of affirmative action.").

In this brief essay, I will argue that international law should not be applied against United States officials or others in the United States except when Congress has made it part of our law by either treaty or statute. Our structure for creating norms applied to Americans is better than the structure for creating international norms. Far from harming the cause of international human rights, this limitation to their application will advance it.

Currently, many Americans, particularly conservatives, are suspicious of international human rights because they fear such rights will be used to attack American practices and actions, despite our functioning democracy and the benefits we provide the world in keeping the international peace. But if the only international norms that are applied to the United States are those to which we actually consent, that limitation will put to rest these fears. Under that regime, Americans will have more credibility to attack the worse abuses of international human rights that occur not in well-functioning democracies but in authoritarian regimes, like Iran, and in communist regimes, like China, North Korea, and Cuba.

The United States should not generally feel bound by international human rights law unless it has agreed to be bound through its own domestic law—either by treaty or congressional executive agreement. The democratic processes for legislating in the United States are superior to the often-flawed processes that create modern human rights law. While other well-functioning democracies should also not feel bound by international law to which their domestic systems have not consented, the United States has particular reasons for its refusal because of its constitutional structure of federalism, its common law style of judging, and its unique international responsibilities as a world superpower.

America's need for screening human rights claims through its own democratic processes has become much more important in recent times because of the vast, continuing expansion of human rights law since World War II[3] and because of the more uncertain

3. Frans Viljoen, *International Human Rights Law: A Short History*, UN CHRONICLE, https://www.un.org/en/chronicle/article/international-human-rights-law-short-history [https://perma.cc/F26A-2CFL] (last visited Aug. 12, 2021).

processes by which the international community generates that law.[4] Participatory nations used to share a consensus on what constituted a legitimate international human rights claim—rights involving a fairly definable core, like "freedom of opinion and expression."[5] Now, however, human rights claims like "sustainable development" are more difficult to define. International human rights claims have also moved from rights that have claim to universality, such as freedom from arbitrary detention, to ones whose content might plausibly vary with time and place, like rights to housing and medical care.[6] Both the scope and vagueness of modern human rights claims call for a domestic process that will keep them within precise bounds.

The broader problem is that by their very nature, some of the positive rights to government-provided resources for which modern international human rights policymakers argue can conflict with the United States' negative individual rights traditions, like rights to liberty and to private property. The ever-expanding range of norms that international human rights advocates now accept or espouse is breathtaking. For example, many now claim the right to healthcare or the right to affirmative action as an accepted norm.[7]

While democratic processes for resolving policy conflicts possess many advantages, two are particularly pertinent. First, if the governed have no meaningful control over their rulers, then the rulers' inherent right to rule is far from clear. Second, citizens are likely to be better off under a government that is subject to democratic

4. *See generally* Jörg Kammerhofer, *Uncertainty in the Formal Sources of International Law: Customary International Law and Some of Its Problems*, 15 EUR. J. INT'L L. 523 (2004) (discussing the complex and fluid nature of the development of customary international law).

5. G.A. Res. 217 (III) A, Universal Declaration of Human Rights, at 4 (Dec. 10, 1948).

6. Comm. on Econ., Soc., & Cultural Rights (CESCR), General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12), ¶ 11, U.N. Doc. E/C.12/2000/4 (Aug. 11, 2000).

7. *See id.*; Ruth Bader Ginsburg, *Affirmative Action as an International Human Rights Dialogue: Considered Opinion*, BROOKINGS INST. (Dec. 1, 2000), https://www.brookings.edu/articles/affirmative-action-as-an-international-human-rights-dialogue-considered-opinion/ [https://perma.cc/R2YX-KUQX].

checks because that accountability makes the government's right to rule dependent on the citizens' continuing preferences.

Many of the processes for generating international human rights laws are inferior to a beneficent democracy because they do not provide citizens as much control over those that frame international human rights. The three primary sources of modern international human rights law—multilateral international human rights treaties, customary international law, and "soft law," all of which are norms emerging from international courts and interpretive bodies—merit specific consideration in comparing them to domestic democracy.

First, there is a variety of international human rights treaties, which many nations have signed and ratified.[8] The range of these treaties covers many subjects. Some are general, such as the Covenant on Civil and Political Rights,[9] as well as the Covenant on Economic, Social and Cultural Rights,[10] which addresses some positive claim rights. Some treaties are much more specific, like the Rights of the Child Convention.[11] The United States has signed many of these multilateral conventions but has ratified relatively few of them. For example, the Senate gave its advice and consent to the Covenant on Political and Civil Rights, which the President subsequently ratified.[12] In contrast, the United States has not ratified the

8. *Universal Human Rights Instruments*, U.N. OFF. OF THE HIGH COMM'R FOR HUM. RTS., https://www.ohchr.org/EN/ProfessionalInterest/Pages/UniversalHumanRightsInstruments.aspx [https://perma.cc/NYW7-A8T5] (last visited Aug. 13, 2021).

9. International Covenant on Civil and Political Rights, Dec. 19, 1966, T.I.A.S. 92–908, 999 U.N.T.S. 171.

10. *See* International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1996, No. 14531, 993 U.N.T.S. 4 (listing the State Parties' dates of ratification to the covenant, which does not include the United States).

11. *See* Convention on the Rights of the Child, November 20, 1989, No. 27531, 1577 U.N.T.S 3, 44 (listing the State Parties' dates of ratification or accession, which does not include the United States).

12. International Covenant on Civil and Political Rights, December 16, 1966 T.I.A.S. No. 92 908 (entered into force for the U.S. September 8, 1992). The treaty was signed by the U.S. on October 5, 1977, the Senate gave its advice in consent to ratification on April 2, 1992, and the President ratified it on June 1, 1992.

Covenant on Economic, Social and Cultural Rights or the Rights of the Child Convention.[13]

Even with most of the treaties the United States has ratified, the government has registered substantial reservations, often in the form of statements that the United States will not follow the treaties in some particulars, such as when some kinds of international human rights endanger First Amendment freedoms.[14] Moreover, the ratifying bodies almost universally make these ratified treaties non-self-executing.[15] A non-self-executing treaty requires the United States Congress to pass legislation to make the treaty judicially enforceable in the United States.[16] In the absence of such legislation—and certainly, in the absence of ratification of treaty —regarding the United States to be bound as a matter of our domestic law to follow these treaties is problematic for several reasons.

The democratic deficits of these treaties for the United States are multiple. First, the basic multilateral human rights treaties were negotiated at a time when the totalitarian communist nations had veto power at the negotiating table.[17] As a result, no one could really be certain that the same provisions would have emerged through a process in which the important players were all democracies.

---

13. *See* Convention on the Rights of the Child, *supra* note 11, at 44.

14. *See* S. EXEC. REP. NO. 102-23, at 1, 6 (1992), *as reprinted in* 31 I.L.M. 645 (making reservations to the International Covenant on Civil and Political Rights accommodate the First Amendment); Frederic L. Kirgis, *Reservations to Treaties and United States Practice*, AM. SOC'Y INT'L L. (May 4, 2003), https://www.asil.org/insights/volume/8/issue/11/reservations-treaties-and-united-states-practice [https://perma.cc/5HFB-9K85] (describing the practice of treaty reservations and explaining that the United States has declined to sign some treaties that do not allow reservations).

15. *See* STEPHEN P. MULLIGAN, CONG. RSCH. SERV., RL32528, INTERNATIONAL LAW AND AGREEMENTS: THEIR EFFECT UPON U.S. LAW, at Summary (2018).

16. *See* Carlos Manuel Vázquez, *The Four Doctrines of Self-Executing Treaties*, 89 AM. J. INT'L L. 695, 695 (1995) (internal quotation marks omitted) ("[A] non-self-executing treaty . . . [may be defined as] a treaty that may not be enforced in the courts without prior legislative implementation.").

17. *See* Natalie Hevener Kaufman & David Whiteman, *Opposition to Human Rights Treaties in the United States Senate: The Legacy of the Bricker Amendment*, 10 HUM. RTS. Q. 309, 310–11 (1998) (describing various reasons the U.S. was wary of signing human rights treaties).

Second, the United States often agrees to these treaties only as a matter of international law, making them self-executing and not incorporating them into domestic law. The lack of domestic assent makes the assent to these treaties less politically salient than the assent required in domestic systems.

The next source of international human rights law—custom—is harder to describe because observers disagree about the mechanism for generating its content. "Classicists" in customary international law believe that customary international law must be rooted in the widespread consensus of the practice of nation-states.[18] In their view, a practice will be deemed a rule of customary international law only if nation states generally engage in a practice and do so from a sense of legal obligation.[19] The sense of obligation is called *opinio juris*, which is measured objectively.[20]

Under this classical view, the question for *opinio juris* is not whether the practice is morally right and should be observed out of a sense of moral obligation but whether the practice is actually undertaken from a sense of legal obligation.[21] Although the metric for classical customary international law is objective, the objectivity does not mean that determining the content of custom is straightforward. State practices are multifarious and often obscure.[22]

Because catalyzing practices requires specialized expertise, customary international law has long looked to the authority of experts in customary international law—the so- called publicists[23]—to

18. RESTATEMENT (THIRD) OF FOREIGN RELATIONS LAW § 102 (AM. L. INST. 1987); *see also* David P. Fidler, *Challenging the Classical Concept of Custom: Perspectives on the Future of Customary International Law*, 39 GERMAN Y.B. INT'L L. 198, 201 (1996) (referencing the Restatement definition of customary international law as the classic model).

19. RESTATEMENT (THIRD) OF FOREIGN RELATIONS LAW § 102(2) (AM. L. INST. 1987).

20. *Id.* § 102 cmt. c.

21. *Id.*

22. *See* David J. Bederman, *Constructivism, Positivism, and Empiricism in International Law*, 89 GEO. L.J. 469, 486 (2001) (discussing criticism of *opinio juris* as an elaborate ruse to give the appearance of consent to customary international law).

23. *See* Statute of the International Court of Justice art. 38(1)(d), June 26, 1945, 59 Stat. 1055, U.S.T.S. 993 (instructing courts to apply the "teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law"); J. Patrick Kelly, *The Twilight of Customary International Law*, 40 VA. J. INT'L L.

make such assessments. The term "publicist" may be an unfamiliar one. This essay was written by one. They are generally professors of international law.[24] Now, as any law student has undoubtedly learned in law school, professors have many virtues, but they are not actually representative of the general public on any dimension at all. In particular, their inferences are skewed by the overwhelmingly left liberal ideology of legal academia.[25] This process of determining international law through publicists or international courts contrasts unfavorably with domestic democracy where regular elections assure representation and accountability.

Many human rights scholars now take a more expansive view of how to generate custom, increasing the democratic deficit.[26] The scholars relaxed the classical standards in several ways to capture a more morality-centered view of what international human rights law should be.[27] For instance, instead of requiring that nation-states actually engage in a practice, these scholars substitute statements by nation-states that give the norm mere verbal assent.[28] These nominal sources can include resolutions of the General Assembly of the United Nations.[29] This method, of course, expands the scope

---

449, 475 (2000) ("A knowledge of CIL [customary international law] requires detailed study of I.C.J. decisions and those of its League of Nations predecessor, the Permanent Court of International Justice, a willingness to examine old and venerable treatises, and familiarity with difficult to obtain materials, such as international arbitral findings and individual state practices. This has become the work of a highly specialized group of experts, not the residue of customary norms understood and accepted by members of a society.").

24. *See Teachings of Publicists*, NW. PRITZKER SCH. OF L.: PRITZKER LEGAL RSCH. CTR., https://library.law.northwestern.edu/InternationalResearch/Teachings [https://perma.cc/M5LQ-5LEH] (last visited Aug. 24, 2021) ("A publicist is an international law scholar . . . .").

25. *See* Adam Bonica et al., *The Legal Academy's Ideological Uniformity*, 47 J. LEG. STUD. 1, 3 (2018) ("Approximately 15 percent of law professors are conservative compared with 35 percent of lawyers.").

26. *See* Kelly, *supra* note 23, at 484–85.

27. *See id.*; *see also* Anthea Elizabeth Roberts, *Traditional and Modern Approaches to Customary International Law: A Reconciliation*, 95 AM. J. INT'L L. 757, 758 (2001) (noting that "modern custom is derived by a *deductive* process that begins with general statements of rules rather than particular instances of practice") (emphasis in original).

28. *See* Kelly, *supra* note 23, at 484–85.

29. *Id.*

of international human rights law. But in expanding the scope, the method also increases its democratic deficit because much of these materials represent rather cheap talk.

A particular problem for the United States is that the process of generating customary international law renders the contours of that law uncertain. Such uncertainty enables judges—at least judges in a common law system—to engage in further decision-making that can further expand these principles.

Another problem particular to America is that the controversial nature of some of these rights claims also create serious difficulties for a federalist system like the United States. Federalism creates a market for governance where a bundle of rights should, to some extent, map on to the diverse preferences of the citizens of diverse states.[30] International human rights impositions can prevent that process of competition from working. The federal government may through the treaty process limit the authority of the states, but the two-thirds requirement for treaty ratification[31] imposes a very high bar on interfering with the process of interstate competition.

A third source of international human rights law, generally considered "soft law," may be growing in importance, but still suffers from a comparable democratic deficit. The norms that generally constitute soft law stem from the deliberations of international organizations.[32] Some of these international organizations are actually set up under the multilateral commissions.[33]

---

30. *See* G. Patrick Lynch, *Protecting Individual Rights Through a Federal System: James Buchanan's View of Federalism*, 34 PUBLIUS 153, 153 (2004) (explaining that economist James Buchanan supported federalism as an alternative to a large federal government because federalism "protect[s] individual liberty, promote[s] democratic efficiency, and help[s] foster community values").

31. Herbert Wright, *The Two-Thirds Vote of the Senate in Treaty-Making*, 38 AM. J. INT'L L. 643, 644 (1944).

32. Jaye Ellis, *Shades of Grey: Soft Law and the Validity of Public International Law*, 25 LEIDEN J. INT'L L. 313, 321 (2012).

33. *See, e.g.*, *International Relations and Analysis*, EUR. CENT. BANK, https://www.ecb.europa.eu/ecb/tasks/international/institutions/html/index.en.html [https://perma.cc/5X96-K5MQ] (last visited Aug. 8, 2021).

Other kinds of commissions, like the International Committee of the Red Cross (ICRC),[34] have unique features contributing to a democratic deficit, illustrating the problem of an international organization generating soft law. The ICRC purports to give authority to interpretations of humanitarian law, which is the part of human rights law that regulates the treatments of combatants and property in war.[35] While the ICRC may be a worthy body in many ways, the organization is peculiarly unrepresentative. While the name of the organization is the International Committee of the Red Cross (ICRC), the committee, in fact, is a self-perpetuating body composed entirely of citizens of Switzerland, the world's most famously neutral nation.[36] This history of neutrality gives Swiss citizens a markedly distinctive perspective on humanitarian law. Consequently, given this neutral perspective, the ICRC's use of materials to expand the ambit of humanitarian law is not surprising.[37] But the idea that the United States should be bound by decisions of a small group of people from a particular foreign nation offers a *reductio ad absurdum* of the notion of applying international law without domestic consent.

Indeed, the ICRC is often in express disagreement with the United States on the law of war.[38] For instance, the United States

---

34. *International Committee of the Red Cross (ICRC)*, U.N. REFUGEE AGENCY: REFWORLD, https://www.refworld.org/publisher,ICRC,COMMENTARY,,,,0.html [https://perma.cc/58PM-F4QP] (last visited Aug. 8, 2021).

35. Geneva Convention for the Amelioration of the Condition of the Wounded & Sick in Armed Forces in the Field, Introduction, Aug. 12, 1949, 75 U.N.T.S 16 [hereinafter Geneva Convention of 1949].

36. *Id.* at 105; *see also* Jennifer Latson, *Switzerland Takes a Side for Neutrality*, TIME (Feb. 13, 2015, 10:30 AM), https://time.com/3695334/switzerland-neutrality-history/ [https://perma.cc/ZL5F-DEFZ] (outlining the history of Switzerland's policy of neutrality).

37. Geneva Convention of 1949, *supra* note 35, at 10.

38. For example, the ICRC's recently updated guidelines proscribe various means of warfare that degrade the environment. INT'L COMM. OF THE RED CROSS, GUIDELINES ON THE PROTECTION OF THE NATURAL ENVIRONMENT IN ARMED CONFLICT 29–47 (2020), https://www.icrc.org/en/download/file/141079/guidelines_on_the_protection_of_the_natural_environment_in_armed_conflict_advance-copy.pdf [https://perma.cc/8JK6-4F7Z]. The ICRC acknowledged the importance of "soft law in-

has objected to environmental degradation becoming a predicate for war crimes.[39] The disagreement between the ICRC and the United States shows the third particular problem for the United States in having international human rights norms foisted upon its law books without full domestic deliberation. As the world's superpower, the United States has particular responsibilities for keeping world peace that require tradeoffs between the use of force and other values. Bodies like the ICRC may well be indifferent to such tradeoffs. Thus, many nondemocratic adversaries of the United States will doubtless want to use international human rights law as a weapon of asymmetric warfare against the famously non-neutral superpower.

It may be useful to end by giving an example of what I fear regarding the effect of international law not implemented as domestic law by our constitutional processes. Some Supreme Court Justices have cited international human rights law to defend affirmative action.[40] I am not here to debate about whether we should have affirmative action or not. My point is that international law is not a legitimate source for resolving the question. We should look to our own statutes and the Constitution to make such a decision.

There is a particular danger of such international law being used in a jurisdiction with common law heritage. Common law judges

---

struments" to the drafting process, including the 1972 Declaration of the UN Conference on the Human Environment, the 1982 World Charter for Nature, and the 1992 Declaration on Environment and Development. *Id.* at 21.

39. At the United Nations, the United States expressed concern that environmental degradation in relation to armed conflict "encompasses broad and potentially controversial issues" with "ramifications far beyond the topic of environmental protection," and as such, its position was that "this topic is not well-suited to a draft convention." Protection of the Environment in Relation to Armed Conflict, Rep. of the Int'l L. Comm'n on the Work of Its Sixty-Third and Sixty-Fifth Session, U.N. Doc. GA/L/3469 (Nov. 4, 2013) (Statement by Mark Simonoff, Minister Counsel for Legal Affairs, United States Mission to the United Nations), available at https://www.un.org/en/ga/sixth/68/ILC.shtml [https://perma.cc/X5NM-8MMK].

40. *See* Grutter v. Bollinger, 539 U.S. 306, 344 (Ginsburg, J., concurring) (citing to the International Convention on the Elimination of All Forms of Racial Discrimination to appraise the international understanding of the purpose of affirmative action).

often take principles and extend them to new circumstances.[41] In other words, if international law is accepted as part of our law, it may become generative, and that generative power sits uneasily with democratic consent.

Moreover, even if one thinks that a right like affirmative action should be a universal right, there remains the question of how far and in what circumstances it will apply. As Professor Eugene Kontorovich notes, we are far more likely to take guidance on its precise application from the political branches than from international law sources, which tend to the abstract.[42] In the process of compromise, legislatures have to get specific.

Thus, unlike some scholars, I do believe that there is a risk that these international agreements that are not ratified or not executed into domestic law are going to come over the transom and be used as part of our law. There have been statements by Supreme Court justices that suggest that customary international law is part of our law.[43] And many international human rights advocates argue that international human rights law that has not been domesticated in our law may be used to constrain the United States.[44] Those claims disregard the structure of the Constitution. The Supremacy Clause

---

41. *See* Antonin Scalia, *Common-Law Courts in a Civil-Law System: The Role of United States Federal Courts in Interpreting the Constitution and Laws*, *in* A MATTER OF INTERPRETATION: FEDERAL COURTS AND THE LAW 3, 5–7 (Amy Gutmann ed., Princeton Univ. Press 1997) (noting the generative nature of common law judging).

42. *See* Eugene Kontorovich, *Discretion, Delegation, and Defining in the Constitution's Law of Nations Clause*, 106 NW. U. L. REV. 1675, 1675 (2012) ("[T]he Framers understood international law to be vague and intertwined with foreign policy considerations. Thus, courts reviewing congressional definitions should give them considerable deference.").

43. *See, e.g.*, The Paquete Habana, 175 U.S. 677, 700 (1900) ("International law is part of our law, and must be ascertained and administered by the courts of justice of appropriate jurisdiction, as often as questions of right depending on it are duly presented for their determination.").

44. *See* Harold Hongju Koh, *International Law as Part of Our Law*, 98 AM. J. INT'L L. 43, 56 (2004) ("[T]ransnationalists suggest that particular provisions of our Constitution should be construed with decent respect for international and foreign comparative law.").

makes only treaties and statutes the supreme law of the land, not international human rights.[45]

By respecting the United States Constitution and shutting down these kinds of claims, we will advance international human rights around the world. The most important reason that there is skepticism about international human rights among conservatives is fear that international human rights law will result in blowback of extravagant claims against the United States, claims that have no foundation from the laws or constitution in our own democratic republic.[46] Once this fear is eliminated, conservatives are more likely join others in pressing human rights claims where the abuses are worse—in nations that are not well functioning democracies. Moreover, quite rightly, the focus on abuses in these undemocratic nations are on well-established rights that have a persuasive claim to universality, such as freedom of speech, freedom from arbitrary arrest, and due process before property is taken.[47] Such core rights are not under substantial threat in the United States or other well-functioning democracies. Here, conservatives and liberals can make common cause in seeing that core rights are respected abroad.

Thus, I do not argue that all international human rights law is without value. Some international human rights laws undoubtedly are beneficial, including those that reinforce democratic processes allowing nations to make good decisions in their particular circumstances. But given the current infirmities in the structure of generating international human rights, the United States should employ

---

45. *See* U.S. CONST. art. VI, cl. 2 ("This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land . . . .").

46. *See, e.g.*, Mark P. Lagon & William F. Schulz, *Conservatives, Liberals, and Human Rights*, HOOVER INST.: POL'Y REV. (Feb. 1, 2012) https://www.hoover.org/research/conservatives-liberals-and-human-rights [https://perma.cc/72VJ-ZXZ4].

47. *See, e.g.*, *North Korea: Events of 2020*, HUM. RTS. WATCH, https://www.hrw.org/world-report/2021/country-chapters/north-korea [https://perma.cc/65BH-C86R] (last visited Aug. 24, 2021) (explaining that in 2020, North Korea's government "continued to sharply curtail all basic liberties, including freedom of expression, religion and conscience, assembly, and association, and ban political opposition, independent media, civil society, and trade unions").

its own internal democratic processes to determine which are beneficial enough to bind our own country.