Defending our ideals in the face of adversity

Democracy is about our rights.

Alexey Navalny in courtroom in Moscow on February 20, 2021 (Evgeny Feldman, Wikimedia Commons)

Shortly before USAID was dismantled this spring, I met two of Russia's most prominent human rights lawyers in my Washington office. At the time, I was leading the democracy and governance division in USAID's Bureau for Europe and Eurasia, which had provided US government support for the development of free and fair elections, independent media and civil society for decades—continuing a tradition of democratic assistance that began when President Ronald Reagan made the promotion of democratic institutions a cornerstone of US foreign policy. Vadim Prokhorov and Karina Moskalenko were in town to raise awareness about political prisoners in Russia, whose numbers had swelled into the thousands since the Kremlin's war in Ukraine began in 2022.

Both had recently gone into exile to escape political retribution, but they continued to represent Russian dissidents before the European Court of Human Rights in Strasbourg—the one venue where civic leaders and opposition politicians can still make their voices heard. For political prisoners, they told me, the greatest fear is not imprisonment itself but being forgotten by the outside world—a refrain I had often heard during my government career.

Prokhorov reminded me of another meeting we had attended years earlier. He and the opposition leader Vladimir Kara-Murza had come to town to discuss the recent imprisonment of Alexei Navalny—President Vladimir Putin's main rival—on his return to Russia from Germany, where he had been recovering from a near-fatal poisoning. Prokhorov, who was representing Navalny in Russian courts, described the futility of those trials, where judges ruled with predetermined outcomes regardless of evidence. I asked him what many in the room were thinking: What was the point of going through the motions of a trial when the verdict was already decided?

Now Prokhorov told me that he and Kara-Murza had discussed that question for a long time after the meeting. I remember the moment well—the drab ambience of the conference room in State Annex 44, the sun reflecting from the copper of a 40-foot Gutenberg Bible reproduction at the Museum of the Bible next door. I also remember Prokhorov's answer clearly: *We must do something; we simply can't do nothing*.

That answer has stayed with me. Sometimes we act not because success is likely but because action is the only right choice. For Navalny, returning to Moscow knowing he faced prison—which ultimately resulted in his death—was the right thing to do. For Vladimir Kara-Murza, going home to Russia shortly after Putin invaded Ukraine, fully aware it meant years behind bars, was also the right thing. He spent more than two years in prison before his release during a prisoner exchange last year.

Lately, I've returned to that conclusion more often. I'm troubled by how "democracy" has become a distant ideal—or worse, a word people even hesitate to utter. For the past 17 years until the attack against USAID, I worked on rule of law and human rights across post-communist Europe and the former Soviet Union. In Washington and abroad during that time, I was often asked why democracy mattered so much, and why we should care about its erosion. Each time, I felt a mix of surprise—*How could the question even be asked?*—and resentment, as if I were naive to believe the answer was self-evident. Now I wonder exactly how we reached the point where the value of democracy itself can be doubted.

When I posed my question to Prokhorov and Kara-Murza years ago about the futility of defending clients in a system designed only to punish, I was thinking of my own early years as a young *advokat*, a defense lawyer, in Russia's courts in the democratizing post-communist 1990s. The law was fragile even then, but the effort to fight for it deeply mattered.

My colleagues and I had celebrated the Russian Federation's 1993 constitution, which borrowed language from the Universal Declaration of Human Rights almost verbatim. It stated very clearly that human and civil rights and freedoms "shall be recognized and guaranteed under universally recognized principles and rule of international law." As Russian lawyers, we embraced those provisions to defend our clients in ways that had not been possible under Soviet law.

When I left the country to pursue legal studies in 1995, it had been a land of constant change and opportunity. I'd wanted to be part of that seismic transformation, and moving to the United States—with its ethos of success and possibility—felt like a natural step. Gradually, however, the initial optimism that accompanied the post-Soviet era began to fade as the political landscape shifted under Putin. The very rights we had fought to enshrine in law were systematically eroded. Under the guise of providing stability and national security, the government began tightening its grip on civil liberties, stifling dissent and punishing those who dared to speak out.

The cases of political prisoners like Navalny, Kara-Murza and many others serve as stark indicators of that regression. But their courage in the face of overwhelming odds is also testament to the enduring spirit of those who still believe in democracy and human rights despite the grim reality many around the world face today: Legal systems that no longer help protect rights but enable oppression.

Lawyers like Prokhorov and Moskalenko remain unwavering in their commitment to their clients

despite the risks. They embody the belief that defending human rights is not just a professional obligation but a moral imperative. Their current work in the European Court of Human Rights represents a lifeline for those who have been silenced at home. It's a reminder that even in the darkest of times, avenues for justice remain, however limited they may be.

The erosion of democracy is not just a Russian problem, needless to say; it is a global concern. We are seeing similar trends in various parts of the world where authoritarianism is on the rise and the rights of individuals are being compromised. The question of why democracy matters isn't just academic; it's a pressing issue affecting the lives of millions. Democracy is about more than just elections; it's about the protection of rights and rule of law, freedom of speech, freedom of movement, freedom from arbitrary prosecution and people's ability to participate in the governance of their own lives.

As I reflect on my journey from a young lawyer in Russia to my current role promoting democracy, I'm reminded of the importance of resilience and hope. We must not allow our democratic ideals to become a distant memory or cause for hesitation. Now in the face of adversity, the stories of those who risk everything for the sake of freedom and justice should inspire us to reaffirm our commitment and work tirelessly to protect and promote them in every corner of the globe.

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