# 1NC

## 1

#### Appropriation requires the right to possess and exclude portions of space, not merely use it

Reinstein 99

Ezra J. Reinstein (JD, Associate at Kirkland & Ellis), Owning Outer Space, 20 Nw. J. Int'l L. & Bus. 59 (1999). JDN. https://scholarlycommons.law.northwestern.edu/njilb/vol20/iss1/7

IV. PROPOSAL: APPROPRIATIVE OWNERSHIP OF REAL PROPERTY

The ideal legal regime should create maximum incentives for efficient development of space, in recognition of the fact that the potential wealth in space will not drop into our laps. But as much as commercial development of space would benefit all mankind, it is just as important that the development be controlled. We must learn from mistakes of the past. Any legal regime should guard against inefficient exploitation, waste, and environmental despoliation. Furthermore, space should not become the next Wild West. Destruction and sabotage must be discouraged. My proposal, which will be developed throughout this essay, is to maximize incentives by giving developers comprehensive property rights. Humanity's welfare demands that we alter the current law to allow real estate ownership -- not just usufructary rights -- to those who would best develop land in space.7 The potential wealth of outer space, in the form of minerals, energy, living space, etc., doesn't do us any good unless we are able to harness it. And, as Jeffrey Kargel, a planetary scientist at the U.S. Geological Survey, has written, "if you want to cross the bridge into the 21st century of space [development], then space must pay its way and give private investors a handsome early return on investment.' 75

What do we mean by "ownership?" Property is commonly recognized as being a "bundle" of disparate rights regulating relations between people with respect to things. The bundle of rights can be unpacked. It includes: the right to possess, the right to use, the right to exclude, and the right to transfer.76 These rights are not on/off affairs; they can each be limited or expanded along a continuum. I use the term **"ownership"** to **describe a state** of affairs **wherein a person has all four** of these rights to their maximum extent with respect to a piece of property.

**Current space law** ostensibly **respects the right to use real property** in space **and** to collect **and own its fruits.** Historically, this has been known as the usufructary right.77 But the current law doesn't even provide this right freely; it seems to be limited by several clauses of the Outer Space Treaty (e.g. use "for the benefit...of all countries").78

Nor does the OST recognize **the right to exclude**, as is evidenced by article I's prohibition on appropriating what it recognizes as being "the province of all mankind," the guarantee in the same article of "free access to all areas of celestial bodies," and article XII's requirement that "[a]ll stations [and] installations...shall be open to representatives of other States Parties to the Treaty on a basis of reciprocity." Likewise, as illuminated in the SpaceCorp hypothetical, **the prohibition on appropriation seems to negate a long-term right of possession.** Without the right to exclude or possess, of course, a legal system need not provide the right to transfer real estate. Anyone else may simply help themselves. In sum, the OST demands that "[n]o State can obtain such possessions as will entitle it to claim ownership or sovereignty over them... There can be no exclusive appropriation of [celestial bodies] and any part thereof as a result of their 'use'..." 79 Under current law, space cannot be owned.

#### Violation—the aff’s own solvency advocate clarifies that the vast majority all of actions the aff claims to ban are mere use of space [APPLE VALLEY READ YELLOW]

Patel 21 [(Neel, space reporter for MIT Technology Review, and I also write The Airlock newsletter, your number one source for everything happening off this planet. Before joining, he worked as a freelance science and technology journalist, contributing stories to Popular Science, The Daily Beast, Slate, Wired, the Verge, and elsewhere. Prior to that, he was an associate editor for Inverse, where I grew and led the website’s space coverage.) “China’s surging private space industry is out to challenge the US” MIT Technology Review, 1/21/2021. https://www.technologyreview.com/2021/01/21/1016513/china-private-commercial-space-industry-dominance/] BC

How did China get here—and why?

Until recently, China’s space activity has been overwhelmingly dominated by two state-owned enterprises: the China Aerospace Science & Industry Corporation Limited (CASIC) and the China Aerospace Science and Technology Corporation (CASC). A few private space firms have been allowed to operate in the country for a while: for example, there’s the China Great Wall Industry Corporation Limited (in reality a subsidiary of CASC), which has provided commercial launches since it was established in 1980. But for the most part, China’s commercial space industry has been nonexistent. Satellites were expensive to build and launch, and they were too heavy and large for anything but the biggest rockets to actually deliver to orbit. The costs involved were too much for anything but national budgets to handle.

That all changed this past decade as the costs of making satellites and launching rockets plunged. In 2014, a year after Xi Jinping took over as the new leader of China, the Chinese government decided to treat civil space development as a key area of innovation, as it had already begun doing with AI and solar power. It issued a policy directive called Document 60 that year to enable large private investment in companies interested in participating in the space industry.

“Xi’s goal was that if China has to become a critical player in technology, including in civil space and aerospace, it was critical to develop a space ecosystem that includes the private sector,” says Namrata Goswami, a geopolitics expert based in Montgomery, Alabama, who’s been studying China’s space program for many years. “He was taking a cue from the American private sector to encourage innovation from a talent pool that extended beyond state-funded organizations.”

As a result, there are now 78 commercial space companies operating in China, according to a 2019 report by the Institute for Defense Analyses. More than half have been founded since 2014, and the vast majority focus on satellite manufacturing and launch services.

For example, Galactic Energy, founded in February 2018, is building its Ceres rocket to offer rapid launch service for single payloads, while its Pallas rocket is being built to deploy entire constellations. Rival company i-Space, formed in 2016, became the first commercial Chinese company to make it to space with its Hyperbola-1 in July 2019. It wants to pursue reusable first-stage boosters that can land vertically, like those from SpaceX. So does LinkSpace (founded in 2014), although it also hopes to use rockets to deliver packages from one terrestrial location to another.

Spacety, founded in 2016, wants to turn around customer orders to build and launch its small satellites in just six months. In December it launched a miniaturized version of a satellite that uses 2D radar images to build 3D reconstructions of terrestrial landscapes. Weeks later, it released the first images taken by the satellite, Hisea-1, featuring three-meter resolution. Spacety wants to launch a constellation of these satellites to offer high-quality imaging at low cost.

To a large extent, China is following the same blueprint drawn up by the US: using government contracts and subsidies to give these companies a foot up. US firms like SpaceX benefited greatly from NASA contracts that paid out millions to build and test rockets and space vehicles for delivering cargo to the International Space Station. With that experience under its belt, SpaceX was able to attract more customers with greater confidence.

Venture capital is another tried-and-true route. The IDA report estimates that VC funding for Chinese space companies was up to $516 million in 2018—far shy of the $2.2 billion American companies raised, but nothing to scoff at for an industry that really only began seven years ago. At least 42 companies had no known government funding.

And much of the government support these companies do receive doesn’t have a federal origin, but a provincial one. “[These companies] are drawing high-tech development to these local communities,” says Hines. “And in return, they’re given more autonomy by the local government.” While most have headquarters in Beijing, many keep facilities in Shenzhen, Chongqing, and other areas that might draw talent from local universities.

There’s also one advantage specific to China: manufacturing. “What is the best country to trust for manufacturing needs?” asks James Zheng, the CEO of Spacety’s Luxembourg headquarters. “It’s China. It’s the manufacturing center of the world.” Zheng believes the country is in a better position than any other to take advantage of the space industry’s new need for mass production of satellites and rockets alike.

#### Neither building a satellite for the CCP nor offering launch services constitutes ownership of space as the company neither has possession over the space where their product is used nor the ability to exclude others from it. This would be like saying that General Motors privately appropriates the highway whenever it builds a truck or that Uber owns all the roads its ride sharing operates on.

#### Framing: evaluate the plan as contextualized by the aff’s evidence, not in a vacuum. The Patel card is the one *directly* following the plan. Two reasons:

#### (A) Substantively—the meaning of words is influenced by context, so their evidence offers proof that even if they use the same word as the topic, Immaculate Heart doesn’t mean the same thing when they say it that the topic means.

#### (B) Theoretically—planicality would let the aff just re-read the resolution as their plan text to be automatically topical and then clarify that their plan does some hyper-specific thing to side-step all procedural checks.

#### The first standard is precision—the neg is from a space lawyer defining property as a term of art. This topic engages a deep body of legal literature where precision is key to understanding factors like precedent. You don’t get to just cut evidence on any random thing private companies are doing in space and ban that.

#### Second, limits—there’s all sorts of random things you can do in space without owning space. On top of launch sharing and satellite building, they could ban GPS satellites, space tourism, scientific research, and so on. These both open the floodgates to tiny plans as well as allow even broad plans to artificially supercharge solvency by fiating through alt causes.

#### Drop the debater—the 1nc was already skewed and the 2N is too late to read new offense. Fairness comes first because debate is a competitive game and is an issue of competing interpretations because reasonability is arbitrary and invites judge intervention.

#### And, if they win an I meet, vote neg on presumption because if they comply with the neg interp, then their own evidence proves they ban almost none of the things they say are bad.

## 2

### China Becomes the US’s Lackey CP

#### Counterplan: The People’s Republic of China should:

#### --forfeit all territorial claims to Taiwan, the Senkaku Islands, the Spratly Islands, and disputed border areas with India

#### --bindingly abide by all international legal commitments it has entered into

#### --enter a formal non-aggression pact with the United States including opening its military to random inspections by the US armed forces

#### --cease all cooperation with the Russian Federation on space exploration, ground- and space-based weapons development and deployment, and weapons testing

#### --declare Russian space militarization a top national security concern

#### --pursue continued economic development of space in conjunction with the United States and partnerships with its private sector businesses

#### --make no demands of US concessions in exchange for its cooperation

#### The counterplan is effectively China’s unconditional surrender in the race to primacy. This is what the hegemon demands.

Rogin 22

Josh Rogin (WaPo columnist). “Biden doesn’t want to change China. He wants to beat it.” WaPo. 10 Feb 2022. JDN. <https://www.washingtonpost.com/opinions/2022/02/10/biden-china-strategy-competition/>

One big change in the U.S. approach was to do away with “linkage.” No longer would China’s participation or progress on issues of common interest such as climate change or North Korea be grounds for Washington to grant concessions on other fronts. “We are not in the business of trading cooperation with China on climate change as a favor that Beijing is doing for the United States,” Sullivan said at the Aspen Security Forum in April.

#### The US and China are both market-oriented powers whose geopolitical aims are compatible, BUT Russia remains a unique threat to the global order. Best recent studies prove.

Mousseau 19

Michael Mousseau (Former Research Fellow at the Belfer Center International Security Program of Harvard University and the United Nations Studies Program at Yale University; Professor, University of Central Florida). “The End of War: How a Robust Marketplace and Liberal Hegemony Are Leading to Perpetual World Peace” International Security, Vol. 44, No. 1 (Summer 2019), pp. 160-196. JDN. doi.org/10.1162/ISEC\_a\_00352

I argue that this liberal global hierarchy is unwittingly but systematically buttressing states’ embrace of market norms and values that, if left uninterrupted, is likely to culminate in permanent world peace, perhaps even something close to harmony. My argument challenges the realist assertion that great powers are engaged in a timeless competition over global leadership, because hegemony cannot exist among great powers with weak markets; these inherently expansionist states live in constant fear and therefore normally balance against the strongest state and its allies.5 **Hegemony can exist only among market-oriented powers, because only they care about global order.** Yet, there can be no competition for leadership among market powers, because they always agree with the goal of their strongest member (currently the United States) to preserve and protect the global order based on the principle of self-determination. If another commercial power, such as a rising China, were to overtake the United States, the world would take little notice, because the new leading power would largely agree with the global rules promoted and enforced by its predecessor. Vladimir Putin’s **Russia, on the other hand, seeks** to create **chaos around the world.** Most other powers, having market-oriented economies, continue to abide by the hegemony of the United States despite its relative economic decline since the end of World War II.6

To support my theory that domestic factors determine states’ alignment decisions, I analyze the voting preferences of members of the United Nations General Assembly from 1946 to 2010. I find that states with weak internal markets tend to disagree with the foreign policy preferences of the largest market power (i.e., the United States), but more so if they are major powers or have stronger rather than weaker military and economic capabilities. The power of states with robust internal markets, in contrast, appears to have no effect on their foreign policy preferences, as **market-oriented states align with the** market **leader regardless of** their **power status** or capabilities. I corroborate that this pattern may be a consequence of states’ interest in the global market order by finding that states with higher levels of exports per capita are more likely than other states to have preferences aligned with those of the United States; those with lower levels of exports are more likely to have interests that do not align with the United States, but again more so if they are stronger rather than weaker.

Liberal scholars of international politics have long offered explanations for why the incidence of war may decline, generally beginning with the assumption that although the security dilemma exists, it can be overcome with the help of factors external to states.7 Neoliberal institutionalists treat states as like units and international organization as an external condition.8 Trade interdependence is dyadic and thus an external condition.9 Democracy is an internal factor, but theories of democratic peace have an external dimension: peace is the result of the expectations of states’ behavior informed by the images that leaders create of each other’s regime types.10 In contrast, I show that the security dilemma may not exist at all and how peace can emerge in anarchy with states pursuing their interests determined entirely by internal factors.11

#### Russia remains an existential threat to the United States

Kaufman 21

Ellie Kaufman (Producer in CNN's Washington DC bureau). “Top US military intelligence official says Russian military poses an 'existential threat' to the US.” CNN. 29 April 2021. JDN. https://www.cnn.com/2021/04/29/politics/military-intel-leader-russia/index.html

**The top US military intelligence official** said during a congressional hearing on Thursday that the Russian military is an **"existential threat"** to the United States.

"The Russian military is an existential threat to the United States," Lt. Gen. Scott Berrier, director of the Defense Intelligence Agency, said during a Senate Armed Services Committee hearing about worldwide threats.

Berrier said the country's military is being used to maintain influence over states "along its periphery, compete with US global primacy and compel adversaries who challenge Russia's vital national interests."

"Moscow continues to invest in its strategic **nuclear forces**, in new capabilities to enhance its strategic deterrent, and that places the US homeland at risk," Berrier said.

Berrier's comments come as **tensions** between Russia and the US **remain high.** The US unveiled sanctions against Moscow earlier this month over its interference in the 2020 US presidential election, the SolarWinds cyberattack and its ongoing occupation and "severe human rights abuses" in Crimea.

#### The US can’t win a two-front war. Only the counterplan secures China’s active assistance in defeating Russia.

Ullman 22

Harlan Ullman (Harlan Ullman, Ph.D, is senior adviser at Washington, D.C.’s Atlantic Council). “Is Russia or China a bigger threat?” The Hill. 17 January 2022. JDN. https://thehill.com/opinion/international/589964-is-russia-or-china-a-bigger-threat

What is the best course of action for the U.S.? In my analysis, **Russia is the more immediate** political-military **threat** and China the long-term geo-economic challenge. While China’s technological military advancements have been impressive, Russia’s have been at least as noteworthy, particularly in space and modernizing its nuclear and conventional forces. Despite the specter of a Chinese invasion of Taiwan, that threat has been exaggerated. China lacks the capacity to mount a successful amphibious assault on Taiwan and will for the foreseeable future.

About regarding China and Russia as co-equal threats, for over a decade and a half during the Cold War, the U.S. relied on the so-called "**two-and-a-half war doctrine**. It posited fighting two major wars (China and Russia) simultaneously and a half war elsewhere. Unable to win the half war in Vietnam, the concept of a two-war strategy remains **unaffordable, unobtainable and unwinnable.**

#### Here’s how to envision the plan versus the counterplan. The US is in a stand-off, with both China and Russia on the other side. The plan has China drop its gun, which is good but not enough because Russia remains a threat. The counterplan has China keep its gun and point it at Russia which actively aids the US in maintaining hegemony against a hostile non-market power. The perm to have China just do the non-mutually exclusive planks would mean China dropping its gun and trying to punch Russia which doesn’t solve because all the 1AC’s evidence proves that China’s space industrial base is the lynchpin of its geopolitical influence.

## 3

### Locke NC

#### The right to appropriate is a priori—it’s the only non-contradictory system of property

Dominiak 17

Łukasz Dominiak (Associate Professor at Nicolaus Copernicus University in Poland; he holds a PhD and habilitation in political philosophy and is a Fellow of the Mises Institute). “Libertarianism and Original Appropriation.” Historia i Polityka, 29/2017: 22. Pp. 43-56. JDN. <https://apcz.umk.pl/HiP/article/view/HiP.2017.026/13714>

In this last paragraph we would like to focus on what we claim is the best justification for the first possession theory of **original appropriation** and what are the ramifications of both this theory and its justification. We suggest that the ultimate justification of this theory is not usually evoked avoidance of conflicts – although it is a necessary consequence of the justification we are going to present here – but **a necessary condition of rationality of a conceptual system** (it is good to remember that rights have form of deontic propositions and therefore they also form a conceptual or theoretical system). Let us present a sketch of our argument.

For a conceptual system to be rational it is necessary to be non-contradictory (Popper, 2002). Nothing that violates the law of non-contradiction can be true, justified or for that matter rational (Łukasiewicz, 1987, 1988). In a system of rationally justified rights – so-called natural rights – existence of contrary rights and duties, let alone contradictory ones is ex definitione off limits since contrary rights violate the law of non-contradiction. As Steiner puts it with reference to rights as such, although his argument seems to work impeccably only with natural rights, “mutual consistency – or compossibility – of all the rights in a proposed set of rights is at least a necessary condition of that set being possible one. A set of rights being a possible set is, I take it, itself a necessary condition of the plausibility of whatever principle of justice generates that set. Any justice principle that delivers a set of rights yielding contradictory judgements about the permissibility of a particular action either is unrealizable or (what comes to the same thing) must be modified to be realizable” (1994). Hence, systems of rights in which there are contradictory or contrary rights is off limits insofar as its rational justification is concerned. Basically, such a system can never be rationally justified. It is obvious on the other hand that one of the most important and direct ramifications of a system of non-contradictory rights is avoidance of conflicts. It is the case be-cause for a person who abides by the norms of such a system it is impossible to find himself in the situation of conflicting rights or duties. So, on our account it is not so much that property rights are justified functionally or teleologically as being conducive to conflict avoidance as that their function of conflict avoidance is a logical consequence of their fundamental vindication as rational (non-contradictory) allocations of individual jurisdictions (Barnett, 2004) or spheres of freedom (Steiner, 1994).Now the question is: What set of rights can be a set of non-contradictory rights? Following Steiner we can say that rights predicate about human action. Because each action-token always takes place in a specific time and space, it can be given an exhaustive description in extensional terms of its spatio-temporal components. We can therefore say that two action-tokens are incompossible when they share at least one physical component; on the other hand, action-tokens are com-possible when they do not have any physical components in common. Now, rights that “oblige” people to perform two or more action-tokens that share at least one physical component are perforce contradictory rights – they “oblige” people to do what is incompossible to do; whereas rights which oblige people to perform action-tokens that do not have common components are non-contradictory rights. How to make sure that rights never become contradictory? It is necessary and sufficient to construe of rights as rights to **exclusive control of physical components** of actions, i.e. As rights to possess tangible things. If physical components of actions are unequivocally distributed amongst people, if each and every physical component is unambiguously and exclusively assigned to one and only one person, then there can never be rights to action-tokens that share physical components with each other and therefore there can never be rights that oblige people to perform incompossible action-tokens (Steiner, 1994). As Steiner points out, “a set of categorically compossible domains, constituted by a set of property rights, is one in which each person’s rights are demarcated in such a way as to be mutually exclusive of every other person’s rights... we will interpret this to mean that no two persons simultaneously have rights to one and the same physical thing” (1994).

Because the nature of possession is such that it is impossible for two or more people to possess the same thing at the same time – although it seems possible for two or more people to simultaneously mix their labour with the same thing (e.g. when two people chase the same wild animal) – then **assigning rights to** people who took **first possession** of a thing, who are first-comers, perforce avoids non-contradictoriness of rights and conflicts between people since the dawn of time. For it is always and from the very beginning clear who has title to which physical resource as well as which resources are still up for appropriating and which are not so available. As Hans-Hermann Hoppe writes, “with regard to the purpose of conflict avoidance, **no alternative to private property and original appropriation exists.** In the absence of prestabilized harmony among actors, conflict can only be prevented if all goods are always in the private ownership of specific individuals and it is always clear who owns what and who does not. Also, conflicts can only be avoided from the beginning of mankind if private property is acquired by acts of original appropriation (instead of by mere declarations or words of latecomers)” (2012). It is **by definition inconceivable** for more than one person to be in a position in which it is physically possible to deal with a thing at will to the exclusion of others. Neither is it conceivable for more than one person to simultaneously come to such a position. Thus, taking first possession of scarce resources as basis of title and as principle of justice in original appropriation guarantees non-contradictoriness of rights and avoidance of conflicts since the dawn of time.

#### Therefore negate—private appropriation of space is deducible from first principles. There is no morally relevant distinction from terrestrial property

Baca 93, Associate at Gallop writes in 1993 for the SMU Journal of Air Law and Science

[Kurt Anderson, (Associate at Gallop, Johnson & Neuman, St Louis, Missouri), Property Rights in Outer Space, 58 J. Air L. & Com. 1041, 1993, <https://scholar.smu.edu/jalc/vol58/iss4/4>, accessed 6-24-21]

The powers necessary to constitute an efficient system of property rights on Earth have been found, by deduction from first principles by political philosophers influential in the development of the Western institutions and from history and practice in the courts, to be the power to exclude, to use, and to dispose. 98 The resulting system is also inherently equitable as it benefits society as a whole and as it protects investments and expectations. This system would remain equitable so long as the initial allocation of any new resource was, and is, not based on mere usurpation of unclaimed property, but is based on investment in the property that adds to its value. 99

This system of property rights relies on the provision of powers to the holder of the property. The source of the power is ultimately in the state that enforces the liabilities of parties corresponding to the powers of owners: the liability to exclusion, the liability for interference with use, and the liability to respect contracts and to refrain from hindering disposition. °0 This implies that sovereign power is essential to any functioning system of property rights, and in the absence of a general sovereign body, sovereignty is to be found in the nation-state.

How does the extension of man's [humanities] activities into space and onto the celestial bodies change the basic necessities of an efficient and equitable property rights system? The movement of activities into space affects only the place of activities. The nature of those activities and of the actor remain unchanged. The nature of efficiency and equity are likewise unchanged, and the need for certain securities and guarantees to foster productive activity by man is unchanged. The same property rights system that is most beneficial on Earth will be most beneficial on the celestial bodies.

The principles of the Outer Space Treaty do not necessarily contradict these property concepts. It has already been shown that the notion of property rights, including the power to use and dispose, are not incompatible with the general principles of the Outer Space Treaty.20 ' The principle of access in space is also appropriate when properly interpreted. ° But, in regulating access, governing bodies must make proper account for the use of various portions of space and of the rights of the user to be free of harmful interference. 3 Although the provision of Article II against national appropriation contradicts these property concepts, it is inconsistent with the notions of jurisdiction and ownership found elsewhere in the treaty.2 0 4 This provision should therefore be modified and replaced with a concept of reasonable use or investment.20 5 Such a provision should provide for initial allocation of unclaimed property only upon productive use or investment. This would allow for the security of national sovereignty while preventing the non-productive reservation of vast resources by non-users.20 6

## AC

### Plan Flaw

#### Plan flaw—any entities acting in space would necessarily not be in China because national sovereignty doesn’t extend to space. The plan bans nothing.

OST 67

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. United Nations. 27 January 1967. JDN. <https://www.unoosa.org/oosa/en/ourwork/spacelaw/treaties/outerspacetreaty.html>

Outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

### AT: Moen

#### Pleasure and pain aren’t intrinsic values—their framework can’t explain masochists or ascetics who forgo pleasure for higher values.

#### They’re also not verifiable or quantifiable, so they leave no way to weigh.

#### Occam’s razor goes neg because the Dominiak ev proves Lockean labor is the simplest way to adjudicate property, BUT if they win that util can explain why right matter, that means conceding that the NC link turns the AC framework.

### AT: Bostrom

#### Extinction doesn’t come first. It begs the question of whether morality is about maximizing future value. The neg framework doesn’t recognize future pursuit of moral truth as an intrinsic good.

#### This also leads to policy paralysis because all acts have some risk of extinction.

### Reject the aff

#### Independently reject the aff – all of their util and policy actions say nothing about the resolutional question, if the appropriation of space is unjust

#### Acquisition of property can never be unjust – to create rights violations, there must already be an owner of the property being violated, but that presupposes its appropriation by another entity.

Feser 1, (Edward Feser, 1-1-2005, accessed on 12-15-2021, Cambridge University Press, "THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION | Social Philosophy and Policy | Cambridge Core", Edward C. Feser is an American philosopher. He is an Associate Professor of Philosophy at Pasadena City College in Pasadena, California. [https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)[brackets](https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)%5bbrackets) for gen lang]//phs st

There is a serious difficulty with this criticism of Nozick, however. It is just this: There is no such thing as an unjust initial acquisition of resources; therefore, there is no case to be made for redistributive taxation on the basis of alleged injustices in initial acquisition. This is, to be sure, a bold claim. Moreover, in making it, I contradict not only Nozick’s critics, but Nozick himself, who clearly thinks it is at least possible for there to be injustices in acquisition, whether or not there have in fact been any (or, more realistically, whether or not there have been enough such injustices to justify continual redistributive taxation for the purposes of rectifying them). But here is a case where Nozick has, I think, been too generous to the other side. Rather than attempt —unsatisfactorily, in the view of his critics—to meet the challenge to show that initial acquisition has not in general been unjust, he ought instead to have insisted that there is no such challenge to be met in the first place. Giving what I shall call “the basic argument” for this audacious claim will be the task of Section II of this essay. The argument is, I think, compelling, but by itself it leaves unexplained some widespread intu- itions to the effect that certain specific instances of initial acquisition are unjust and call forth as their remedy the application of a Lockean proviso, or are otherwise problematic. (A “Lockean proviso,” of course, is one that forbids initial acquisitions of resources when these acquisitions do not leave “enough and as good” in common for others.) Thus, Section III focuses on various considerations that tend to show how those intuitions are best explained in a way consistent with the argument of Section II. Section IV completes the task of accounting for the intuitions in question by considering how the thesis of self-ownership itself bears on the acqui- sition and use of property. Section V shows how the results of the previ- ous sections add up to a more satisfying defense of Nozickian property rights than the one given by Nozick himself, and considers some of the implications of this revised conception of initial acquisition for our under- standing of Nozick’s principles of transfer and rectification. II. The Basic Argument The reason there is no such thing as an unjust initial acquisition of resources is that there is no such thing as either a just or an unjust initial acquisition of resources. The concept of justice, that is to say, simply does not apply to initial acquisition. It applies only after initial acquisition has already taken place. In particular, it applies only to transfers of property (and derivatively, to the rectification of injustices in transfer). This, it seems to me, is a clear implication of the assumption (rightly) made by Nozick that external resources are initially unowned. Consider the following example. Suppose an individual A seeks to acquire some previously unowned resource R. For it to be the case that A commits an injustice in acquiring R, it would also have to be the case that there is some individual B (or perhaps a group of individuals) against whom A commits the injustice. But for B to have been wronged by A’s acquisi- tion of R, B would have to have had a rightful claim over R, a right to R. By hypothesis, however, B did not have a right to R, because no one had a right to it—it was unowned, after all. So B was not wronged and could not have been. In fact, the very first person who could conceivably be wronged by anyone’s use of R would be, not B, but A himself, since A is the first one to own R. Such a wrong would in the nature of the case be an injustice in transfer—in unjustly taking from A what is rightfully his—not in initial acquisition. The same thing, by extension, will be true of all unowned resources: it is only after some- one has initially acquired them that anyone could unjustly come to possess them, via unjust transfer. It is impossible, then, for there to be any injustices in initial acquisition.7

#### Basic rights justify appropriation of property. The aff arbitrarily limits our freedom which is unjust.

Feser 3, (Edward Feser, 1-1-2005, accessed on 12-15-2021, Cambridge University Press, "THERE IS NO SUCH THING AS AN UNJUST INITIAL ACQUISITION | Social Philosophy and Policy | Cambridge Core", Edward C. Feser is an American philosopher. He is an Associate Professor of Philosophy at Pasadena City College in Pasadena, California. [https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)[brackets](https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/abs/there-is-no-such-thing-as-an-unjust-initial-acquisition/5C744D6D5C525E711EC75F75BF7109D1)%5bbrackets) for gen lang]//phs st

V. Some Implications If what I have argued so far is correct, then the way is opened to the following revised case for strongly libertarian Lockean-Nozickian prop-erty rights: We are self-owners, having full property rights to our body parts, powers, talents, energies, etc. As self-owners, we also have a right, given the SOP, not to have our self-owned powers nullified —we have the right, that is, to act within the extra-personal world and thus to acquire rights to extra-personal objects that the use of our self-owned powers requires.39 This might involve the buying or leasing of certain rights or bundles of rights and, correspondingly, the acquiring of lesser or greater degrees of ownership of parts of the external world, but as long as one is able to exercise one’s powers to some degree and is not rendered incapable of acting within that world, the SOP is satisfied. In any case, such rights can only be traded after they are first established by initial acquisition. In initially acquiring a resource, an agent does no one an injustice (it was unowned, after all). Furthermore, [they] has mixed [their] labor with the resource, significantly altering it and/or bringing it under his control, and is himself solely responsible for whatever value or utility the resource has come to have. Thus, [they] has a presumptive right to it, and, if his control and/or alteration (and thus acquisition) of it is (more or less) complete, his own- ership is accordingly (more or less) full. The system of strong private property rights that follows from the acts of initial acquisition performed by countless such agents results, as a matter of empirical fact, in a market economy that inevitably and dramatically increases the number of resources available for use by individuals, and these benefited individuals include those who come along long after initial acquisition has taken place. (Indeed, it especially includes these latecomers, given that they were able to avoid the hard work of being the first to “tame the land” and draw out the value of raw materials.)40 The SOP is thus, in fact, rarely, if ever, violated. The upshot is that a system of Lockean-Nozickian private property rights is morally justified, with a strong presumption against tampering with exist- ing property titles in general. In any case, there is a strong presumption against any general egalitarian redistribution of wealth, and no case what- soever to be made for such redistribution from the general theory of prop- erty just sketched, purged as it is of the Lockean proviso, with all the egalitarian mischief-making the proviso has made possible.

### AT China Rise

#### Fake news, China losing now- their authors- I post date

Beckley and Brands, 21 -- Professors of political science and global affairs

[Michael Beckley, Associate Professor of Political Science at Tufts University and Jeane Kirkpatrick Visiting Fellow at the American Enterprise Institute. Hal Brands, Henry A. Kissinger Distinguished Professor of Global Affairs at the Johns Hopkins University School of Advanced International Studies and a Senior Fellow at the American Enterprise Institute, "The End of China’s Rise," Foreign Affairs, 10-1-2021, https://www.foreignaffairs.com/articles/china/2021-10-01/end-chinas-rise, accessed 12-18-21]

The prevailing consensus, in Washington and overseas, is that China is surging past the United States. “If we don’t get moving,” President Joe Biden has said, “they’re going to eat our lunch.” Countries everywhere are preparing, in the words of an Asian diplomat, for China to be “number one.”

Plenty of evidence supports this view. China’s GDP has risen 40-fold since 1978. China boasts the world’s largest financial reserves, trade surplus, economy measured by purchasing power parity, and navy measured by number of ships. While the United States reels from a shambolic exit from Afghanistan, China is moving aggressively to forge a Sinocentric Asia and replace Washington atop the global hierarchy.

But if Beijing looks to be in a hurry, that’s because its rise is almost over. China’s multidecade ascent was aided by strong tailwinds that have now become headwinds. China’s government is concealing a serious economic slowdown and sliding back into brittle totalitarianism. The country is suffering severe resource scarcity and faces the worst peacetime demographic collapse in history. Not least, China is losing access to the welcoming world that enabled its advance.

### AT China Weaponizing Space

#### All overblown- Cold War FOBS proves

Buono, 21 -- postdoctoral fellow at Stanford University's Center for International Security and Cooperation

[Stephen, "Fear about China’s new space weapon echoes older worries about war from space," Washington Post, 10-26-21, https://www.washingtonpost.com/outlook/2021/10/26/fear-about-chinas-new-space-weapon-echoes-older-worries-about-war-space/, accessed 12-18-21]

Look up! The ghosts of space weapons past have once again darkened our cosmic doorway. Recently Britain’s Financial Times reported that China flight-tested a new breed of space weapon when it launched a massive “Long March” rocket tipped with a nuclear-capable, hypersonic glider. The missile briefly entered orbit before descending on its target, which it missed by roughly two dozen miles. The report suggested that the test was evidence that China has “made astounding progress on hypersonic weapons and [is] far more advanced than US officials realised.”

As one might expect, some commentators have seized upon the test to call U.S. security into doubt. And why not? The glider’s physical capabilities are truly impressive. Its high lift-to-drag ratio, for instance, means that it can descend on its target unpowered and can fly much farther than the reentry vehicles of normal ICBM warheads. Hypersonic gliders zip along at lower altitudes and can maneuver, enabling them to hide from radar and missile defense systems. Not least, there is the weapon’s ludicrous speed: Hypersonic weapons travel at speeds that literally change the surrounding molecules, either by breaking them apart (dissociation) or picking up electrical charge (ionization). That’s fast.

The Chinese test has disentombed long-buried fears of orbital bombardment that hark back to the Cold War. In the 1960s and 1970s, the Soviet Union developed and tested a terrifying weapon that preoccupied U.S. leaders for more than two decades: the “fractional orbital bombardment system” (FOBS). Like the purported Chinese glider, FOBS permitted the Soviets, in theory, to orbit a nuclear warhead and deaccelerate it out of orbit onto earthly targets. Though the Kremlin abandoned the program in 1983, having never orbited a single warhead, FOBS’s political and military significance continued to resonate long after the Cold War ended. Indeed, the history of the FOBS scare tells us much about how space weapons have figured in the American imagination and offers us a window into why the Chinese test isn’t a cause for panic.

By the time the American public first learned of FOBS in 1967 — the CIA had speculated about development of the system five years earlier, shortly after design work began — Cold War paranoia and an exploding science fiction literature had been priming readers for the news for more than 20 years. As early as July 1945, U.S. Army intelligence was regaling journalists with details of a massive Sonnengewehr, or “Sun Gun,” that Nazi scientists had modeled for use in combat. Their blueprints called for a gigantic mirror that would harness solar rays and redirect them onto enemy cities and armies. Months later, after Hiroshima and Nagasaki, physicist Louis Ridenour immediately connected the devastating power of the atomic bomb to satellite technology in a short story for Fortune magazine. “Pilot Lights of the Apocalypse” ends when an underground command center outside San Francisco confuses an earthquake with an all-out nuclear strike from space, precipitating a cataclysmic world war. After the Soviet Union launched Sputnik in October 1957, dozens of novels and short stories — Jeff Sutton’s “Bombs in Orbit” (1959) and Robert Heinlein’s “The Moon is a Harsh Mistress” (1966), for example — employed space-based bombardment as a dramatic device. These imaginative works reflected a threat that many serious observers felt was imminent. In the United States, the Air Force Ballistic Missile Division and the Rand Corporation conducted numerous studies that weighed the military benefits of orbital weapons. High-ranking generals hailed satellite bombardment as the “next logical step” of deterrence. Books by defense analysts and military thinkers included orbital bombardment in their projections for the future of war. The Soviet Union, for its part, leaped in headfirst. The Kremlin initiated the first of three separate FOBS programs in March 1961. Within a few years, the other two prototypes were on display in Red Square parades. Radio Moscow bragged that “the main property of missiles of this class is their ability to hit enemy objectives literally from any direction, which makes them virtually invulnerable to antimissile defense means.” Bluster and bluff perhaps, but it contained an element of truth. Unlike ICBMs, which traveled roughly 600 to 1,200 miles above the planet, FOBS missiles could dip as low as 125 miles. This lower flight path would dramatically reduce the 15 minutes of warning time U.S. ground stations could typically count on for missiles launched from Soviet territory. Because they used Earth’s naturally occurring orbits, moreover, FOBS missiles could enjoy an unlimited flight range — a space bomber that need not refuel midflight. Most bone-chilling, FOBS weapons could deorbit along a polar axis, from south to north, thus bypassing the comprehensive system of radars the United States had established along stations in Alaska, Greenland and England, the vaunted Ballistic Missile Early Warning System. “We can launch missiles not only over the North Pole, but in the opposite direction, too,” Soviet Premier Nikita Khrushchev boasted in March 1962. “As the people say, you expect it to come by the front door, and it gets in the window.” It was easy, at the time, to believe that the superpowers were on the brink of a strategic revolution based on space weapons. Lawmakers, pundits and military leaders aggressively petitioned for a more aggressive posture against the Soviet Union in space, including crash programs for orbital bombardment, antisatellite weapons, even a lunar base. Barry Goldwater made it a pillar of his 1964 campaign for president. That same year, Phyllis Schlafly, who later gained notoriety for her opposition to the Equal Rights Amendment, established herself as a defense intellectual with “Strike from Space,” in which she argued that the Kremlin had deliberately lured the United States to Vietnam as a distraction from FOBS. The only solution was to build an even stronger fleet of space weapons to maintain the U.S. nuclear deterrent. For policy entrepreneurs, fear itself had become a useful weapon. But what happened next contradicted the logic of the arms race and the Cold War more broadly. Scientists, and even some members of the military community, questioned the technical foundations of orbital bombardment and argued that FOBS was an inefficient delivery system compared to land- and submarine-launched ICBMs. Propelling a FOBS missile into orbit meant compromising on warhead mass, for example. Orbits made their paths predictable, and thus, possible to intercept. The Pentagon meanwhile abandoned its early studies on orbital bombardment in favor of a more tempered regime of reconnaissance and military support satellites. Official thought in the Kennedy and Johnson years held that if the United States refrained from weaponizing space, the Soviets might stay their hand as well. Over the course of 1966, U.S. and Soviet negotiators collaborated on an international agreement to govern the use of space “exclusively for peaceful purposes.” The resulting Outer Space Treaty, which entered force the following year, banned the stationing of nuclear weapons in orbit, on celestial bodies or “in outer space in any other manner.” Within a few years, dozens of countries had ratified the accord.

Though FOBS tests continued for several years, the Soviet Union never orbited a bomb and instead phased out the program piece by piece. Fractional orbital bombardment never became the monster its phobics predicted it would be.

The moral? Don’t overreact.

Though China’s hypersonic glider appears to be just the kind of radical technology that could ignite a frantic new arms race, the history of FOBS demonstrates that the development of a weapons system, whether in the imagination, on a blueprint or on a factory floor, does not ensure its power to change the game.

Context will always be queen. Rather than drive the strategic debate, FOBS unfolded amid the scare of the Cuban missile crisis, a robust nuclear arms control agenda and a U.S.-Soviet rivalry over which government could project the more peaceful and beneficent space program. The challenges faced by today’s decision-makers are different, but certainly no less profound. New space weapons, though, will require the same things as the old: poise, patience and more than a dash of diplomacy. Here’s hoping the recipe is around here somewhere.

### AT Heg

#### No risk of US-China war or escalation

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Rivalry with China should thus be conceptualized by the U.S. foreign and security establishment as a limited competition in particular areas, not a universal and existential struggle between good and evil. Apart from anything else, to center the whole of U.S. policy on struggle with China will be a terrible distraction from what are in fact much greater threats to the well-being of U.S. citizens: at home, economic inequality and racial tensions; in the world as a whole, climate change and its consequences. The coronavirus pandemic should also help the United States better to understand the real interests of ordinary Americans. Whatever the administration of President Donald Trump may now be trying to suggest, it has been a virus (albeit made worse by Chinese and U.S. governmental incompetence), and not a rival great power, that at the time of writing has killed more Americans than died in the Vietnam War and Korean War put together. **U.S. competition with China** is real, serious, and bound to increase. That is inevitable, both for economic reasons and because of the incompatibility between Chinese ambitions and the U.S. establishment’s determination to maintain U.S. global leadership. However, it **is not** an **existential** struggle between two fundamentally opposed systems, nor is it a universal struggle that must be fought in every corner of the world. A comparison with basic features of the Cold War should make the difference clear**.** China is not promoting communist revolution around the world. In fact there is no evidence at all that it is aiming at the overthrow of existing states. As a great capitalist trading power**, it has a strong stake in the stability of markets and** the safety of Chinese **investments**. If the Chinese government in principle prefers authoritarian states, it has as yet done nothing to foster such systems. Chinese influence operations in the West are real and should be resisted, but they are intended to influence Western policies toward China, not cause state collapse and revolution. And the United States has an old and tried arsenal of international influence operations of its own that it can deploy in response. As to the U.S. political system, the impact of Chinese (and Russian) covert propaganda on U.S. politics has been minimal compared to the impact of the United States’ own domestic problems. It was not China that killed George Floyd. As a capitalist trading state, China is dependent on the health and stability of the international capitalist system. Unlike the Soviet Union, it needs a degree of rules-based international order—though not if (as seen from China) this means a system in which the United States sets all the rules and then breaks them whenever it wishes. On the other hand, China has certainly sought with great determination to increase its international influence through international capitalism. Some of these efforts (like Huawei’s role in fifth-generation telecommunications technology) must be strongly resisted. They do not however as yet greatly exceed past U.S. patterns of international economic influence. The impact of Chinese (and Russian) covert propaganda on U.S. politics has been minimal compared to the impact of the United States’ own domestic problems. It was not China that killed George Floyd. The defense and strengthening of U.S. capitalism in competition with China is indeed essential, but needs to be seen not just in terms of tariffs on Chinese imports (as the Trump administration has seen it), but as requiring a massive program of U.S. domestic economic reform and investment in infrastructure and technology—in other words, the way the Chinese government conducts this competition. When it comes to hard geopolitical influence and the expansion of Chinese military power, with one important exception China has proceeded with great caution. In the Indian Ocean, until now the Chinese program of port construction has been entirely commercial (except for a small refueling and repair station in Djibouti, next to a much bigger U.S. one). The Chinese naval presence in the region is insignificant compared to that of the United States, let alone the United States plus India. Above all, China has not sought to exploit U.S. difficulties in the Middle East, despite multiple opportunities to do so. The contrast between the strategies of Beijing and Moscow in this regard is extremely marked. Readers may wish to imagine, for example, the impact on the United States’ position in the region if China were to devote even a fraction of its resources to a full-scale program of strengthening Iran economically and militarily. The reasons for this Chinese abstinence are not of course altruistic. In the first place, China as the world’s greatest energy importer depends on the stability of the Persian Gulf—far more than does the United States, since thanks to fracking the United States is now virtually self-sufficient in oil and gas. Secondly, as a Chinese official told me a decade ago, China has studied the repeated and disastrous messes that the United States has gotten into (and sometimes caused) in the Middle East, and has no desire to follow suit. There is no evidence that this very sensible approach has changed in the years since.

#### No impact to US leadership – not key to multilat and can’t shape the global agenda

**Feffer 3-11**-21 [John Feffer is the director of Foreign Policy in Focus at the Institute for Policy Studies, is a senior associate at the Asia Institute in Seoul, “Multilateralism and the Biden Administration,” https://rosalux.nyc/multilateralism-and-the-biden-administration/]

Indeed, as it looks to engage more deeply on these issues, the Biden administration faces a number of obstacles to realizing even its modest multilateral restoration: congressional opposition, corporate lobbying, public indifference or hostility, the mistrust of allies, and bureaucratic inertia. It also must deal with a set of interlocking crises on the home front, from the pandemic and the resulting contraction of the U.S. economy to crumbling infrastructure, endemic racial inequality, political polarization, and rising poverty rates. Finally, the administration must reckon with challenges within the multilateral project itself, including a democratic deficit and the problem of non-compliance. But on certain key issues, such as global health and environmentalism, progressives will have an opportunity to push U.S. policy in the direction of greater equitable international engagement during the Biden years. On a case-by-case basis rather than through a transformative agenda, then, the Biden administration might alter—or be pushed to alter—the way the United States engages the world. The Trajectory of American Global Engagement The United States helped to build the existing multilateral order. It played a key role in establishing the United Nations and drafting the Universal Declaration of Human Rights. It was a prime mover behind the creation of the Bretton Woods institutions (IMF, World Bank) and in making the U.S. dollar the effective world currency. During the Cold War, it created regional multilateral institutions such as NATO and its short-lived Asian cousin SEATO. American expertise was critical even in the development of agreements—like the International Law of the Seas and the Rome Statute of the International Criminal Court—that the U.S. Senate has yet to ratify. The ambivalent relationship that the United States has maintained with multilateral institutions reflects a deep division within the American elite over the extent to which the country should accede to the rules of the international order, even if those rules are written in large part by the United States. This tension could be seen in the refusal of Congress to back Woodrow Wilson’s attempt to bring the United States into the League of Nations all the way to a similar congressional resistance to the Rome Statute and Donald Trump’s withdrawal of the United States from the Paris Climate Accord over the objections of some even within his own administration. This ambivalence prevented the United States, at the end of the Cold War, from taking advantage of an extraordinary opportunity to rewrite the rules of a global order born in the wake of World War II and shaped by the bipolar confrontation of Washington and Moscow. Instead of negotiating new rules, however, the United States pursued a strategy of inclusion into existing structures: inviting the countries of East-Central Europe into NATO, bringing China (and others) into the World Trade Organization, and facilitating entry into the UN for countries like the two Koreas, former Soviet and Yugoslav republics, and new states like Timor-Leste. By contrast, the United States chose not to collaborate in replacing NATO with a larger multilateral security system from the Atlantic to the Urals, restructuring the WTO or any of the international financial organizations, or transforming the UN Security Council to reflect modern geopolitical realities. On this last point, although An Agenda for Peace (1992) and An Agenda for Development (1994) led to some changes in the UN structure and new bodies have been created like the Human Rights Council (2006) and the Green Climate Fund (2010), the Security Council has remained intact in terms of permanent members (still the original P5) and non-permanent members (stuck at 10 for more than half a century). The Clinton administration supported the inclusion of Germany and Japan in the Security Council, and Obama sort of backed India’s bid for a permanent seat, but nothing came of this, largely because of the expected vetoes of other P5 members. As David Bosco explains, the United States has not had much of an incentive to back any major changes in the Security Council: “On many issues, it can use the council to help share burdens, amplify its voice, and endow policies it favors with the force of international law. When Washington doesn’t find the council convenient, the veto power means it can work around the body without risking an official reprimand.” As senator and then vice president, Joe Biden has long paid attention to UN issues, but his focus has been on peacekeeping. Give that a Senate vote is necessary to ratify any amendment to the UN charter, Biden is not likely to expend his limited political capital on any major UN initiatives beyond restoring U.S. funding for UN operations. In the economic realm, the United States did indeed support changes in multilateral institutions, but these changes were about policies not structure. The World Bank, for instance, was focused on infrastructure development and, later, poverty alleviation. The IMF imposed certain austerity measures, such deficit reduction, but these were short-term and “the Fund retained a neutral stance about the relative role of states and markets in national economies.” Beginning in the 1980s, by using its disproportionate influence in both the World Bank (15.85 percent of the weighed votes) and IMF (16.52 percent), the United States pushed both institutions toward a laissez-faire, pro-deregulation orientation through the application of longer-term “conditionalities” to loans that required receiving governments to change national policies to remain eligible. Privatization of state properties, reduction of government services, and the weakening of the regulatory apparatus became part of the “structural adjustment” packages imposed on recipient countries. This emerging “Washington consensus” facilitated economic globalization through the reduction of barriers to trade and facilitated greater access to markets, particularly in the Global South, for transnational corporations. Although the United States was an enthusiastic booster of these changes, it also suffered economically from the greater global fluidity of capital, whether measured in terms of deindustrialization, wage stagnation, or greater income polarization. Instead of translating the unipolar moment of the early 1990s into a new kind of multilateralism, then, the United States sought to preserve its economic and military dominance through existing global structures. In practice, this approach can be described as “a la carte multilateralism,” a commitment to “multilateralism when we can but unilateralism when we must.” This philosophy can be traced through Bill Clinton’s policies toward former Yugoslavia, George Bush’s handling of the Iraq War, Barack Obama’s incorporation of drone strikes in the “war on terrorism,” and Donald Trump’s trade policies with both allies and adversaries. This a la carte multilateralism positions the United States about halfway along a policy spectrum with aggressive American exceptionalism at one end and an equitable internationalism at the other. The American public is similarly conflicted on these issues. According to Pew polling, Americans line up in predictably partisan ways on multilateralism, with Republicans generally less enthusiastic about active U.S. global engagement and Democrats more enthusiastic. But these positions have changed over time. The partisan gap, at least in terms of support for the United Nations, was only 7 percent in 1994. It has grown to 46 percent in 2020, with 85 percent of Democrats positive about the UN compared to only 39 percent of Republicans. There is also a certain perversity to American attitudes. Democratic enthusiasm for global engagement was quite low during most of the Obama years and only began to rise in his last two years in office. Republican enthusiasm, meanwhile, was rather high during the Bush years and only began to fall precipitously when Obama took office. In 2019, after more than two years of Trump, the enthusiasm levels of both Republicans and Democrats rose significantly. On this central issue of multilateralism, the American public tends to mirror in reverse the policy approach of the administration, which does not bode well for those hoping for a groundswell of popular support for progressive multilateralism under Biden. In response to this intermittent commitment to multilateralism and, as importantly, the often-wild swings in policy from one administration to another, **the rest of the world has taken steps to establish multilateral institutions that are independent of U.S. control**. In the security realm, U.S. allies have built up their own military capacities. The European Union has invested in the “strategic autonomy” of its European Defense Fund to the tune of 8 billion euro in the most recent EU budget. South Korea has not only significantly increased its military spending but now produces many of its own major weapons systems. As it gradually breaks out of its “peace constitution,” Japan has been assuming more and more of the alliance responsibilities once handled by the United States even to the point of planning to take over the new military base at Henoko on Okinawa. The Philippines, despite an ongoing conflict with China in the South China Sea, has paradoxically explored closer security ties with Beijing. In perhaps the most extreme example, Israel long ago opted for its own nuclear weapons instead of sheltering under a U.S. nuclear umbrella. In the economic realm, meanwhile, the BRICS (Brazil, Russia, India, China, South Africa) orchestrated an end run around the U.S. dominance over international financial institutions when they established the New Development Bank, headquartered in Shanghai. The bank, the first run by emerging markets, focuses on the same kind of infrastructure development as the World Bank (dams, ports, power plants) but also has a commitment to sustainability, issuing its first green financial bond in 2016. In five years, it has put together a $21 billion portfolio of lending to its member states and plans to expand its membership to more countries in the developing world. China has also established its own multilateral lending alternative to the World Bank: the Asian Infrastructure Investment Bank. Headquartered in Beijing but with members from all around the world, the AIIB was intimately connected to China’s One Belt One Road project of building up infrastructure not only around China’s periphery but also further afield. In 2020, the AIIB devoted $13 billion to COVID-19 response and is also pivoting more resolutely in the direction of sustainability, pledging to commit half its approved financing by 2025 to climate investments. Although European countries are members of the AIIB, the United States has pointedly refused to join. As these examples suggest, the United States faces a much more complex multilateral order that is no longer entirely dependent on policy decisions made in Washington. The de facto policy of **a la carte multilateralism has created a world order in which the U**nited **S**tates **is no longer in control of the menu**. The Biden administration is thus operating in a different context than what the Obama administration faced. When it comes to multilateralism, the Biden team couldn’t establish Obama 2.0 even if it wanted to do so. The spread of COVID-19 in 2020 and the sharpening of the climate crisis have only confirmed this reality.