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**THE CONCEPTUAL ARCHITECTURE OF
AMERICA FIRST—IDEOLOGICAL
TRANSACTIONALISM AND THE CASE OF
CUBA**

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ABSTRACT: *Since 2016 the conceptual basis of the foreign relations architecture of the United States has experienced a profound dialectic. On the one side is the contemporary product of a long evolution of conceptual premises that are grounded in the orienting conception of an institutional state overseen by an expert techno bureaucracy in the service of institutions around which political, economic, social, and cultural life is organized both domestically and in relations with other similarly organized institutions in the public and private sphere. This had produced both the deeply institutionally integrated systems of international organizations and of economic globalization around which the rules based legal order operated. On the other side were forces of opposition to this vision that emerged in a dominant form with the election of President Trump in 2016 and again in 2024. This oppositional vision was grounded in a rejection of centering the organization of collective life around and through institutions. It did not reject institutions as such; it sought to refocus the driving force of social organization from institutions to the transactions that with respect to which institutions and other actors. While this possible cognitive shift appears at first blush to be one of emphasis, its consequences can be significant. This essay has two objectives. The first is to sketch out the current framework of conceptual transnationalism around which America First is evolving. The second is to consider its application in the case of the Cuban crisis of 2026.*

Key words: *America First, Cuba, international law, international relations, national security, economic policy*

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I. INTRODUCTION: SITUATING CUBA AND THE CARIBBEAN WITHIN AMERICA FIRST

Cuba's political-economic system is in crisis. That crisis has been generated by decades of ideological paralysis internally, and by sustained pressure from the United States and others. The Cubans appear to desire to retain their system unchanged from the time it reached an apex of development in the 1970s.¹ The United States has been committed to regime change since the 1960s and the establishment of the Cuban revolutionary regime and later its Marxist-Leninist system. This survived changes in U.S. presidential administrations and their contrasting ideologies. It was evident even

¹ LARRY CATÁ BACKER, *CUBA'S CARIBBEAN MARXISM: ESSAYS ON IDEOLOGY, GOVERNMENT, SOCIETY, AND ECONOMY IN THE POST FIDEL CASTRO ERA* (Little Sir Press, 2018).

in the remarks of President Obama at a time when there was an effort at opening up and accommodation.²

But the dynamic changed rapidly with the start of the 2nd Trump Administration in 2025. By January 2025, the U.S. Administration had intervened to change the governance of Venezuela, significantly limiting the supply of petroleum to Cuba at a time when its infrastructure, through years of neglect, had begun to collapse in ways that defied repair. After January 2026 the Trump Administration appeared to intensify its pressure on Cuba. It sought to impose tariffs of states supplying petroleum to Cuba and began negotiations with elements of the Cuban leadership for changes. The US began supplying petroleum to the private sector though.³ The situation remained fluid by the start of April 2026. The Cubans sought to provide enough reform to preserve their political economic model without much change,⁴ while also producing changes at the margins.⁵ Other states sought to alleviate the situation with humanitarian aid,⁶ including limited supplies of petroleum.⁷ By the end of March 2026, U.S. President Donald Trump was quoted as suggesting that “Cuba is next” during a speech at an investment

² Barack Obama, Remarks by President Obama to the People of Cuba (22 March 2016); available [https://obamawhitehouse.archives.gov/the-press-office/2016/03/22/remarks-president-obama-people-cuba].

³ Dave Sherwood & Marianna Parraga, *Exclusive: US Ramps up Fuel Exports to Cuba's Private Sector*, REUTERS, Mar. 25, 2026, https://www.reuters.com/business/energy/us-ramps-up-fuel-exports-cubas-private-sector-2026-03-25/.

⁴ Government of the Republic of Cuba, Programa Económico y Social del Gobierno 2026; available [https://www.presidencia.gob.cu/static/assets/gpdf/1_prog_gob.pdf].

⁵ *Cuba Releases Over 2,000 Prisoners Amid Mounting US Pressure*, AL JAZEERA (3 April 2026); available [https://www.aljazeera.com/video/newsfeed/2026/4/3/cuba-releases-over-2000-prisoners-amid-mounting-us-pressure].

⁶ *EU Announces a Further \$2.4 Million in Humanitarian Aid for Cuba*, REUTERS, Apr. 1, 2026, https://www.reuters.com/world/americas/eu-announces-further-23-million-humanitarian-aid-cuba-2026-04-01/.

⁷ Ayose Naranjo, *Russian Oil Tanker Begins Discharging Cargo in Cuba's Matanzas Terminal*, REUTERS, Mar. 31, 2026, https://www.reuters.com/business/energy/russian-oil-tanker-enters-anchorage-cubas-matanzas-port-ship-data-says-2026-03-31/; *President Sheinbaum Defends Mexico's Right to Supply Oil to Cuba*, REUTERS, Mar. 30, 2026, https://www.reuters.com/business/energy/president-sheinbaum-defends-mexicos-right-supply-oil-cuba-2026-03-30/.

forum in Miami during which he touted the successes of U.S. military action in Venezuela and Iran.⁸

All of this is quite interesting in itself. It is more interesting still as elements of a distinct way of approaching issues of relations between States. On this, more general, level, the US engagement with Cuban transition may be symptomatic of a perhaps much more profound transition that has been emerging within the United States, and which is proving to have substantial consequences globally. At the same time, it suggests the difficulties in deal making where the fundamental approach to framing, understanding, and approaching values-based resolution of conflict differ in fundamental respects. As the American administration shifts its fundamental orientation for framing the world, and then deploys its legalities and politics to the fulfillment of the ends premised within that framework, other states continue to embrace the older fundamental world rationalizing orientation—one grounded in the primacy of institutions, and institutions managers as both the primary vehicle for the fulfillment of national objectives, overseen by a techno-bureaucracy interconnected with their peers in other institutions. While the United States now begins to frame its law and relations in fulfillment of a basic need to protect and enhance deal making, transactions, which in the aggregate serve society, Cuba, among others, continues to frame its politics, law, and approaches to relations with others (and their own people) in fulfillment of the basic operating premise that institutional organs serve as the building blocks of a well-managed society overseen and curated through increasingly inter-connected and techno-bureaucracies who serve the interests of a society now arranged as the objects of the institutions that serve them.

The Cuban situation provides a quite useful space within which it is possible to understand the consequences and behaviors driven by bureaucratic/institutional cognitive frameworks and those driven by the merchant/transactional one. The Cuban situation will resolve itself one way or another, either by following patterns now

⁸ Steve Holland & Gram Slattery, *Trump Says 'Cuba is Next' in Speech Touting US Military Successes*, REUTERS, Mar. 27, 2026, <https://www.reuters.com/world/americas/trump-says-cuba-is-next-speech-touting-us-military-successes-2026-03-27/>.

well developed in its current form from 1959,⁹ or breaking them and producing some sort of transition. That current (and recurring) Cuban crisis, however, might also be used to understand the fundamental shift in the cognitive premises¹⁰ under or through which American foreign policy is understood, analyzed, and the range of plausible approaches developed and applied. It is that shift, understood through the lens of the Cuban transition crisis of 2026, that is the subject of this essay.

Since 2016, the conceptual basis of the foreign relations architecture of the United States has experienced a profound dialectic and their conceptual basis, the “taken for granted assumptions at the core of social action.”¹¹ On the one side is the contemporary product of a long evolution of conceptual premises that are grounded in the orienting conception of an institutional state overseen by an expert techno bureaucracy in the service of institutions around which political, economic, social, and cultural life is organized both domestically and in relations with other similarly organized institutions in the public and private sphere. This had produced both the deeply institutionally integrated systems of international organizations and of economic globalization around which the rules based legal order operated. For the last generation or so one spoke to a cognitive cage the framing of which was built around the premises

⁹ GRAHAM T. ALLISON, *ESSENCE OF DECISION: EXPLAINING THE CUBAN MISSILE CRISIS* (Little Brown, 1971).

¹⁰ *Cf.*, Scott Soames, Cognitive Propositions, *in* 27 *PHILOSOPHY OF LANGUAGE* 479-501 (2013) (how things bear specific properties because the propositions they entertain do, pp. 443-4); Oleksandr Kolesnyk, The Cognitive Premises of Myth-Oriented Semiosis, *in* 19 *COGNITIVE STUDIES/ÉTUDES COGNITIVES* 1, 1, 5 (2019), available [<https://doi.org/10.11649/cs.1916>] (“[A]ddress[ing] the phenomenon of alternative ways of construing the world as a result of semio- /noematic genesis, the latter also being the premise of texts generated in specific contexts (related to corresponding discourse types)... Mental models representing abstract irrational entities: 1) comprise hierarchical blocks that come in and out of an individual’s focus; 2) dynamically follow the interpreter’s pragmatic objectives; 3) can be re-arranged and re-structured.”).

¹¹ Lynne G. Zucker, *Institutional Theories of Organization*, 13 *AM. REV. SOC.* 443-464, 443 (1987).

of institutionalism.¹² This was the “new world order”¹³ at the “end of history.”¹⁴ One did not, however, build the architectures of behavior around national institutions but rather around the notion of networks; the way in which institutions responded to governance challenges that retained the institution, and its techno-bureaucracies, at its center.¹⁵ These networks might be of the governments or states, or increasingly if actors and institutions within states and international public and private organizations with substantial interconnection among themselves.¹⁶ These could be understood in a variety of ways. Anne Marie Slaughter suggested resilience, task, and scale networks.¹⁷ However one understood this, the foundational premises of relations was focused on institutions; not just institutions but their networks; and perhaps, not just institutions but systems, the structural couplings of which could be understood, in a more popularizing way, as “network.”¹⁸

¹² See, e.g., Paul Pierson & Theda Skocpol, *Historical Institutionalism in Contemporary Political Science*, in *POLITICAL SCIENCE: THE STATE OF THE DISCIPLINE* 693–721 (Ira Katznelson & Helen V. Milner eds., 2002); Edwin Amenta, *State-Centered and Political Institutional Theory: Retrospect and Prospect* in *HANDBOOK OF POLITICAL SOCIOLOGY: STATES, CIVIL SOCIETIES, AND GLOBALIZATION* 94, 96114 (T. Janoski, R. Alford, A. Hicks, & M. A. Schwartz eds., 2005).

¹³ ANNE MARIE SLAUGHTER, *A NEW WORLD ORDER* (Princeton University Press, 2005).

¹⁴ See generally FRANCIS FUKUYAMA, *THE END OF HISTORY AND THE LAST MAN* (Free Press, 1992).

¹⁵ See generally ANDREW JORDAN & ADRIAAN SCHOUT, *THE COORDINATION OF THE EUROPEAN UNION: EXPLORING THE CAPACITIES OF NETWORKED GOVERNANCE* (OUP, 2006).

¹⁶ See, e.g., John Boli & George M. Thomas, *INGOs and the Organization of World Culture*, in *CONSTRUCTING WORLD CULTURE: INTERNATIONAL NONGOVERNMENTAL ORGANIZATIONS SINCE 1875* 13-49 (J. Boli and G. M. Thomas eds., 1999); see generally, Anne Marie Slaughter, *America’s Edge: Power in a Networked Century*, 88 *FOREIGN AFF.* 94-113 (2009).

¹⁷ See Gabriel A. Huppé, Heather Creech & Doris Knoblauch, *THE FRONTIERS OF NETWORKED GOVERNANCE: IISD REPORT* (Feb. 2012), available at [<https://www.iisd.org/publications/report/frontiers-networked-governance>]; ANNE MARIE SLAUGHTER, *THE CHESSBOARD AND THE WEB: STRATEGIES OF CONNECTION IN A NETWORKED WORLD* (Yale University Press, 2017).

¹⁸ See especially NIKLAS LUHMANN, *SOCIAL SYSTEMS* (John Bednarz, Jr., & Dirk Baecker trans., Stanford University Press, 1995).

On the other side were forces of opposition to this vision. There were a number of variations, especially within academic debates.¹⁹ In 2016, what appeared to animate them all was the Trans-Pacific Partnership and its institutional/normative significance. “The centering of transnational orders, of marginalization of transparency and engagement by states founded on a governing ideology of engagement and transparency, and the construction of governance orders beyond states and their democratic sovereign masses in which states and enterprises would become the major stakeholders enraged many—on both left and right in the United States.”²⁰ One approach to such opposition, however, has come to dominate the field with the election of President Trump in 2016 and again in 2024.²¹ This oppositional vision was grounded in a rejection of centering the organization of collective life around and through institutions. It did not reject institutions as such; it sought to refocus the driving force of social organization from institutions to the transactions that with respect to which institutions and other actors. While this possible cognitive shift appears at first blush to be one of emphasis, its consequences can be significant.²²

This essay has two objectives. The first is to sketch out the current framework of conceptual transnationalism around which America First is evolving. The second is to consider its application in

¹⁹ Christopher Carrigan & Cary Coglianese, *The Politics of Regulation: From New Institutionalism to New Governance*, 14 ANN. REV. POL. SCI. 107-129 (2011).

²⁰ See, Larry Catá Backer, “Let’s Make a Deal” as Economic Policy, JURIST—ACAD. COMMENT. (Dec. 29, 2016) available at [<https://www.jurist.org/commentary/2016/12/backer-lets-make-a-deal/>].

²¹ Cf. Philip Dandolov, *The Insistence on Transactionalism and Donald Trump’s Foreign Policy—Some Long Term Risks and Disconnects*, 70 KNOWLEDGE INT’L J. 87, 87-93 (2025).

²² See, e.g., Goran Ilik & Artur Adamczyk, *The EU’s Compensatory Power Amid Global Transactionalism*, 1 J. STUDIA EUROPEJSKIE 155-171 (2025); ChuChu Zhang & Sujata Ashwarya, *Rising Asian Transactionalist Players in the Middle East: Deciphering the Roles of China and India in the Persian Gulf*, INT’L REL., available at [<https://doi.org/10.1177/00471178241231719>]; Lak Chansok, *Hegemonic Stability Theory: Trump’s Transactional Hegemony and the Cambodia-Thailand Border Dispute*, E-INT’L REL. (Aug. 8, 2025) available at [<https://www.e-ir.info/2025/08/08/hegemonic-stability-theory-trumps-transactional-hegemony-and-the-cambodia-thailand-border-dispute/>].

the case of the Cuban crisis of 2026. Section 2, which follows, provides a brief discussion of the emerging parameters of the new American transactionalist framework, drawing on recent original sources from Trump Administration officials and what may be key public facing documents. Together with the *National Security Strategy of the United States for 2025* (November 2025),²³ and the U.S. Department of State *Agency Strategic Plan Fiscal Years 2026-2030* (January 2026),²⁴ the *2026 National Defense Strategy*²⁵ rounds out the elaboration of the America First basic political line of the Republic when it comes to the role and focus of the Republic's external relations with its (re) focus on the general contradiction of the Republic in its "new era of historical development" from the now foundational orienting lens of the protection and elaboration of a transactional ordering framework—the fundamental need of ensuring peace (the territorial space of a transactional universe projected outward and directed inward) for the appropriate forward movement along the path to the realization of the Republic's rebirth in its new golden age. These are then rationalized within the discursive framework developed by Secretary of State Rubio in his 2026 Address to the Munich Security Organization 14 February 2026.²⁶

Section 3 then applies these to the Cuban crisis of 2026 and the American response. These are woven around the discourse of confrontation and negotiation between the United States and Cuba after the rendition of Mr. Maduro from Venezuela suggested the character and context of US engagement in the Caribbean. It is one distinctively different from the traditional institutionalist approaches. An example of its advanced discursive elaboration is exemplified by

²³ Donald J. Trump, *National Security Strategy of the United States of America* (2025) [hereinafter *NSS 2025*] [<https://perma.cc/DEA4-MNK5>].

²⁴ U.S. DEP'T OF STATE, *Agency Strategic Plan Fiscal Years 2026-2030* (Jan. 2026) [<https://perma.cc/F9MU-VBQF>] [hereinafter *Agency Strategic Plan Fiscal Years 2026-2030*].

²⁵ U.S. Dep't of War, *2026 National Defense Strategy (NDS)* (Jan. 2026) available at [<https://perma.cc/7UGV-JTHN>].

²⁶ U.S. Dep't of State, Marco Rubio, Secretary of State, Remarks at the Munich Security Conference, (Feb. 14, 2026) available at [<https://www.state.gov/releases/office-of-the-spokesperson/2026/02/secretary-of-state-marco-rubio-at-the-munich-security-conference>].

Secretary of State Marco Rubio's Address to the Munich Security Organization 14 February 2026.²⁷

What appears to be emerging in the United States, and its trajectories or even its longevity remain open questions, but let's assume it is emerging for the moment, is something that in some ways is quite distinct. I have been referring to it as a merchant-type cognitive cage. It is one that is not organized around managing but rather foregrounds transactions, as a consequence of which orderliness is necessary and a certain amount of stability, but stability and order are understood differently by a merchant than by a vanguardist bureaucrat. It is one that accepts territory and categorization, but is indifferent to their character except to the extent they are useful in organizing transactions and maximizing their value. Territories and officials are useful servants as long as they serve the transaction. And the most effective public official is one that is the transactional-protector-in-chief. In this conceptual cage every concept can and must be bent to the transaction and, beyond the transaction, becomes malleable, its character and importance a function of its value in transaction. At the same time there is nothing inherently permanent or distinctive about categories. In this world, experts are useful, but they are commodities whose value lies in their expertness, but who are not understood as capable of driving transactions--just in undertaking them. Managerialism is what is necessary to operationalize the stable platforms maintained for the consumption and production of the "means of production" (of culture, knowledge, society, politics, economics, etc.) the purpose of which (the rules of the game of transactions) is never left to techno-managers but to those whose role it is to drive transactions within and for whatever transactional culture/objective/expectations they operate in (and might transform if they are capable).

The discussion that follows, then, is neither an invitation to love or hate or be indifferent to the cognitive structures within which it is possible to elaborate a reality within which it is possible to organize collective life "naturally." The discussion is an invitation to encounter and understand that relevance and character of these

²⁷ *Id.*

cognitive structures. It is, as well, an invitation to consider the effects of these perspective lenses that these cognitive cages produce and the way they can result in quite different perception (and assessments) of any action, condition, or “fact.”²⁸

II. THE COGNITIVE AND ANALYTICAL AGE THAT IS AMERICA FIRST

Every political society manifests its core “political line” in some way or another. In European Marxist Leninist systems it was encased in and as the Генеральная линия партии (*general'naya liniya partii*; the general line of the Soviet Communist Party and those of its satellites and dominions);²⁹ and in Chinese Leninist systems it is referenced as the “basic or fundamental line”(党的基本路线).³⁰ In liberal democratic states, and more specifically in the United States, the fundamental political line of an elected government as a specific expression of the ruling group within which their politics is located (e.g., the elected representatives of a political party supported by a larger group of elite operatives and supporters in the leading structures of governance--academia, think tanks, the larger enterprises and civil society organizations, and their associated organs

²⁸ See, e.g., Sophie M. A. Wallace-Hadrill & Sunjeev K. Kamboj, *The Impact of Perspective Change as a Cognitive Reappraisal Strategy on Affect: A Systematic Review*, 7 FRONT. PSYCH.. 1715 (2016) available at [doi: 10.3389/fpsyg.2016.01715. PMID: 27867366; PMCID: PMC5095639].

²⁹ In its early more pristine form, see, Samuel N. Harper, *Foreign Governments and Politics: The Communist Party of the Soviet Union*, 23 AM.POL. SCI. REV. 956-971, 968 (1929) (“A whole network of formal educational establishments have been instituted to train the party membership. In these party schools, universities, institutes, and academies the secretaries of local Soviets receive practical training in leadership, or the leaders of the party work out the theory of Leninism, which is the basis of the ‘party line.’”).

³⁰ For a discussion from a Chinese perspective, see, e.g., 军事科学院军队政治工作研究中心, 党的基本路线是党和国家的生命线 (解放军报2012年12月16日08:31) [Center for the Study of Military Political Work, Academy of Military Sciences, The Party’s Basic Line Is the Lifeline of the Party and the State, PLA [People’s Liberation army] Daily (Dec. 16, 2012)] (“如何巩固和发展社会主义的基本问题, 集中概括了党的基本政治主张和基本准则, 是党制定各项具体工作路线和方针政策的总依据” [“It comprehensively encapsulates the Party’s fundamental political propositions and guiding principles; it serves as the overarching basis upon which the Party formulates its specific work guidelines, policies, and measures.”]).

of media) is spread among a number of institutions and documents. These include official state documents (1) speeches like a State of the Union Address, (2) government platforms, budget proposal premises and legislative agendas), (3) official documents and platforms of the elected political party, (4) documents produced by elements of the state administrative apparatus that both describe and apply what they extract as functionally relevant aspects of the fundamental ruling political line, and (5) actions/explanations from the Executive authority (in the United States for example “Executive Orders”). That reality creates a political-normative framework in which the political line can be well understood in its most general terms (through liberal democratic sloganeering, for example) while leaving enough room for substantial operational variation to suit the more granular needs of time, space, and place.

This tension between the articulation of a general or fundamental political line, and the absence of enough of a set of details to provide a basis for assessment, has been particularly evident since 2016 in the birth, evolution and operation of America First. It has had its most valuable use as a slogan that justifies and projects any number of specific policy initiatives, and especially the choices made in advancing “America First” “objectives” without the need to justify either as a function of the ruling ideology itself and its fundamental or basic line, and more importantly without providing a more solid basis in values and objectives against which specific actions may be assessed. This is nothing new to American politics, of course. That has been the great strength and also sometimes a weakness, of what is usually labelled “American political pragmatism” either as a compliment or as a criticism.³¹ And it has generally been viewed as a virtue among the chattering forces of the American elites (and in that way transmitted as general purpose knowledge for the masses) until it became inconvenient in the face of what appears to many to be the great fundamental transformations that became visible after 2016, a transformation that threatened the position,

³¹ Consider as an example, Clarence Crawford, *Opinion: Pragmatism is Part of The American Character. We Need it Now More Than Ever*, ANCHORAGE DAILY NEWS (May 29, 2025) available at [<https://www.adn.com/opinions/2025/05/29/opinion-pragmatism-is-part-of-the-american-character-we-need-it-now-more-than-ever/>].

status, and power of those who had invested lifetimes in what now appeared to be receding into history or at least plausibly threatened to be so “receded.”

These issues have been particularly acute respecting America First, at least from the time of the destruction of old order America with the abandonment of the Trans Pacific Partnership framework for world convergence and the emergence of what, at the time, I called “*let’s make a deal politics*”.³² It is a term that appears to have been of greatest use as slogan. “From this day forward, the foreign policy of the United States shall champion core American interests and always put America and American citizens first.”³³ It has also served well as a shield either to cover action contemplated or transformation of relationships that from the America First ideological lens appear to require adjustment.

What has been clear enough is that whatever it is, *America First was meant primarily and initially as a negative*. It was meant to negative the dominant American fundamental political line as it was formed and projected from about 1990 to about 2016. What was meant to be negative was that era’s World-and-Cold-War-global triumphalism through a process of strategic transformation to a well-managed global hegemon jealously advancing the interests of its own ideological empire. That, in turn, appeared to be the outward shell of a more fundamental transformation from a focus on systems and governance--from the grounding of national relations in and through the lens of an institutionalist/technocrat to that of a merchant, that is to one grounded in transactional relations meant to maximize the value of relations for the parties, each according to their own values.³⁴

³² See Larry Catá Backer, “*Let’s Make a Deal*” as Economic Policy, JURIST (Dec. 29, 2016) available at [<https://www.jurist.org/commentary/2016/12/backer-lets-make-a-deal/>].

³³ Exec. Order No. 13985, 90 FR 88337 (Jan. 20, 2025) available at [<https://www.whitehouse.gov/presidential-actions/2025/01/america-first-policy-directive-to-the-secretary-of-state/>].

³⁴ For a comparison and consequence of these different perspectives, see, e.g., 习近平 深入推进党的自我革命 [Xi Jinping, Deepen the Party’s Self-Revolution] (Part of a speech at the Third Plenary Session of the 20th Central Commission for Discipline Inspection on January 8, 2024), available at [<http://qstheory.cn/20241214/3bbf801151ce4ff48ce176aeba23b862/c.html>]; see

At the same time, and by the end of the first Trump Administration, America First came closer to assuming its contemporary normative form.³⁵ The first Trump Administration appeared to devote a substantial effort to rationalizing America First beyond sloganeering supporting transactional decision making in their specific context. Then Secretary of State Pompeo could elaborate a rationalization that survives in part to the present:³⁶

But here's what this really means. It means that like millions and millions of Americans, President Trump loves this country and wants to see it do well in the world – not at the expense of others, but to the benefit of our people, and by extension, the nations that share our values and our strategic goals. It's really that simple. If there is a natural law of foreign policy, this is it. And while he wishes every country enjoyed the freedoms we enjoy here, he has no aspiration to use force to spread the American model. You can see it in the administration's record of its using force. I can prove it to you. And so – and so importantly – he believes America is exceptional – a place and history apart from normal human experience, the ones that our Founders spoke about. President Trump believes

also *id.* discussed in Larry Catá Backer, *Brief Reflections on 坚定不移把党的自我革命向纵深推进——习近平* [Xi Jinping, *Resolutely Advance the Party's Self-Revolution to a Deeper Level*]; available at [<https://lcbackerblog.blogspot.com/2026/01/bref-reflections-on-xi-jinping.html>].

³⁵ Discussed in Larry Catá Backer, *Building a New American Global Liberal Order?--Reflections on "Restoring the Role of the Nation-State in the Liberal International Order,"* Secretary Pompeo's Speech to the German Marshall Fund 4 December 2018, Coalition for Peace & Ethics Working Paper 12-1 (December 2018); available [<https://www.thecpe.org/wp-content/uploads/2018/12/Building-a-New-American-Global-Liberal-Order.pdf>].

³⁶ Michael P. Pompeo, "A Foreign Policy From the Founding," Speech delivered at the Claremont Institute 40th Anniversary Gala, Beverly Wilshire Hotel, Beverly Hills, California, May 11, 2019. See Walyer Russell Mead, *What 'America First' Means to Pompeo: The Secretary of State Elaborates on Trump's Slogan, Appealing to the Founders' Vision*, *THE WALL STREET JOURNAL* (13 May 2019); available [<https://www.wsj.com/articles/what-america-first-means-to-pompeo-11557788496>].

it is right – indeed more than right – for America to unashamedly advance policy that serves our interests and reflects American ideals. (Applause.) Certainly, our course of action in this administration reflects a gut-level – a gut-level – for love of country. But taking the pursuit of America’s interests up a notch is not just honorable; it’s urgent in this new era of great power competition.

But rationalization is difficult to deny for long-at least enough rationalization to provide an operational blueprint for the development of aligned objectives and the institutional structures best matched to fulfilling those objectives. And it can be messy as it develops.³⁷ The difficulty for rationalization is in the choice of the cognitive baseline, that is in providing a collective semiotics for the imposition of a fundamental political line. Having effectively abandoned the old post-1945 institution building and guiding American global lens driven by intermeshed castes of global techno-bureaucracies in favor of a transactional lens centered on the national “enterprise” led by transactional public/private “entrepreneurs” and fueled through the consumption of (rather than driven by or for) directed expertise and technocracies, it is now possible to proffer some sort of rationalization for America First. That rationalization is not anti-institutional, but it may suggest the forms through which the institution building impulse is subordinated to transaction building structures within an Administration with transformational agendas grounded in “breaking” or undoing the leading role of institutions as the focus of government in favor of (perhaps hierarchically consequential) transactional drivers.

³⁷ See, James Mattis (then Defense Secretary), Remarks By Secretary Mattis at the U.S. Naval War College Commencement, Newport, Rhode Island (June 15, 2018); available [<https://www.war.gov/News/Transcripts/Transcript/Article/1551954/remarks-by-secretary-mattis-at-the-us-naval-war-college-commencement-newport-rh/>]; James Mattis’s Letter of Resignation, *The Atlantic* (20 December 2018); available [<https://www.theatlantic.com/ideas/archive/2018/12/read-text-james-mattis-resignation-letter/578773/>] (“While the US remains the indispensable nation in the free world, we cannot protect our interests or serve that role effectively without maintaining strong alliances and showing respect to those allies.”).

To get at that rationalization this Section first considers the cognitive typologies and embodied archetypes of the core premises of policy, interpretation, and application of the State and its egal instrumentalities. These touch on the differences between the cognitive typologies of what is labelled the merchant-transactional “type” and the warrior/scholar institutional type. Each represents a quite distinct way of understanding the use and character of government and its legal instruments. It then examines three public facing documents produced by the Trump Administration that may suggest the way that the merchant-transactional type has been constructed and deployed by the present administration. Its implementation is then discussed in Section 3 through an examination of merchant/transnationalism in the Caribbean.

A. Cognitive Typologies Need Archetypes: The “Merchant” (商) and the “Bureaucrat” (士).

There are all sorts of cultures.³⁸ People enjoy the culture that can be reduced to fancy dress, *ballet folklorico*, and cuisine. And language, of course, at least since the 19th century when it was used to (re)construct nations as states in Europe and then elsewhere (except perhaps Africa where African nations were treated more like those of the Americas. The propaganda organs built into social collectives, including its intellectuals, artists and informal performative organs now resident to a substantial extent in and as social media reinforce this approach to the essentialization, and objectivization of reductionist culture in forms that then can be aligned with the creation of all sorts of other nations. If the 19th century had its ethno-identitarian moment, the 21st century has seen the triumph of identity nations--some old (religious communities) and some newly emergent.

Nation, culture, identity tend to swirl around each other, amplify each other, and contribute to the architecture of self and

³⁸ Portions of this section drawn from Larry Catá Backer, *The “Merchant” (商), the “Bureaucrat” (士) and the “Tariff War”--The Cognitive Cages of the New Apex Post-Global and the Condition of the U.S. and China in their Folie à Deux*, LAW AT THE END OF THE DAY (Apr. 11,2025) available at [<https://lbackerblog.blogspot.com/2025/04/the-merchant-and-bureaucrat-cognitive.html>].

collective nationality that seems now so common as to be taken for granted. Civilization is sometimes understood as the productive force of collectives; or that civilization is the tangible product of culture(s); in the later sense civilization is to culture as discrete territory is to empire.³⁹ And then, in a form prepared for mass consumption both for the intellectuals and the masses is the notion of clashes of civilization; not just of civilization as meta-culture or the product of aligned cultural production, one encounters the marketplace of civilization, one in which civilization collide, compete, and ultimately seek forms of mutual destruction or alignment.⁴⁰ Globalization could be understood as a means of civilization amalgamation through the quite clever device of consensual (more or less) consensus. Territorial conquest and suppression was the traditional go-to; so was extermination or forced population movements.

All of this is quite interesting; and it helps entertain the masses and the mass of PhD students and their supervisors in the market place of knowledge. But it is hardly relevant to what one confronts today. The globalization experiment of the later part of the late century and the first decades of this one remind one that convergence merely shifts the arena in which cultural forms--types--manifest, compete, and strive to dominate the culture/civilization. This is the age of transnational cultures--not just of civilization and

³⁹ For an interesting discussion, see Ruan Wei, 'Civilization' and 'Culture', 1(1) INT'L REV. SOC. SCI. & HUM. 1-14 (2011); for its quite well-known European antecedent, see FERDINAND TÖNNIES, COMMUNITY AND SOCIETY [GEMEINSCHAFT UND GESELLSCHAFT] (Charles P. Loomis trans., Dover, 2002) (1887)

⁴⁰ See, e.g., the almost cliched meta-interpretive ecologies built around works like SAMUEL HUNTINGTON, THE CLASH OF CIVILIZATION AND THE REMAKING OF WORLD ORDER (Simon & Schuster, 1996). For a taste of the critique from his civilizational peers, see, e.g., Nathan J. Robison, *The "Clash of Civilizations" Thesis Is Still Ignorant Nonsense*, CURRENT AFFAIRS (31 March 2022); available [\[https://www.currentaffairs.org/news/2022/03/the-clash-of-civilizations-thesis-is-still-ignorant-nonsense\]](https://www.currentaffairs.org/news/2022/03/the-clash-of-civilizations-thesis-is-still-ignorant-nonsense). This is not just a Western project. Intellectuals and others from other places also indulged in variations on the theme. See, e.g., Randall Peerenboom, *Beyond Universalism and Relativism: The Evolving Debates About "Values in Asia,"* 14 IND. INT'L & COMP. L. REV. 1-85 (2003); Gören Therborn, *State, Nations, and Civilizations*, 14 FUDAN JOURNAL OF THE HUMANITIES AND SOCIAL SCIENCE 225-242 (2021).

culture in the traditional thick sense.⁴¹ It is the age of virtual cultures and of cultural types tied to all of the difference ways in which, beneath the veneer of unity, diversity emerges. The transnational capitalist class, the transnational identity based culture/nation, etc. points to “nationality” well beyond those of ethnicity or religio-ethnicity that people have grown fond of in developing the cognitive cages of modern political groupings.⁴²

One ordering looks back for inspiration to older notions of caste--not as forms of hereditary position in society (a crude manifestation of the form with its own significant problems) but of caste as cultural types (and perhaps drawing from the Confucian Legalist tradition, the 士农工商 (Shì nóng gōng shāng) the four categories--warrior nobles/scholars, peasants, artisans, and merchants)⁴³ reconsidered through the sociological lens of the post-modern and its consideration of the *habitus*,⁴⁴ the way that humans

⁴¹ See, e.g., Sören Carlson & Karolina Barglowsk, *Theorizing Transnational Class Formation: Novel Approaches to the Study of Transnational Inequalities and Class-Making*, 24 GLOB. NETWORKS, at 2 July 18, 2024 available at [https://doi.org/10.1111/glob.12491] (“Class-making is essentially relegated to the macro sphere, whereas individual and collective action, sense-making and identities are conceptualized as a second-order issue, that is as a result of agents’ structural position in the first place.”).

⁴² For a study of a specific sort of class formation, see LESLIE SKLAIR, *THE TRANSNATIONAL CAPITALIST CLASS* (Wiley-Blackwell, 2000).

⁴³ Xiao Kuang, Guanzi (管子; 770-5th cent. BCE), Chinese Text Project available at [https://ctext.org/guanzi/xiao-kuang] (“桓公曰：「定民之居，成民之事，奈何？」管子對曰：「士農工商四民者，國之石民也。不可使雜處，雜處則其言嘑。其事亂，是故聖王之處士，必於閒燕。處農必就田墅。處工必就官府。處商必就市井。」 [Duke Huan asked: “How should we establish where the people live and complete their duties?” Guan Zi replied: “The four classes of people—scholars, farmers, artisans, and merchants—are the foundation of the state. They must not be allowed to live in mixed communities; if they do, their words will become confused. Their affairs will become chaotic. Therefore, sage kings placed scholars in quiet and peaceful places. Farmers were settled near farmland and villages. Artisans must be located near government offices. Merchants must reside in marketplaces.]. See also, e.g., KUAN-TZU: A REPOSITORY OF EARLY CHINESE THOUGHT (W. Allyn Rickett trans., Hong Kong University Press, 1965) available at [https://archive.org/details/kuantzu0001wall/page/n5/mode/2up].

⁴⁴ See PIERRE BOURDIEU, *THE OUTLINE OF A THEORY OF PRACTICE* 159-182 (Richard Nice trans., CUP 1977); PIERRE BOURDIEU, *PASCALIAN*

perceive and respond to the world around them, both in the sense of individual and collective perception and response.⁴⁵

It is as difficult to be a free marketeer in a local social work department as it is to be a socialist in an investment bank. It follows that if we are to get on with colleagues, win promotions, or achieve status, we have to accept the fundamental values of the workplace--its customs and forms of behaviors . . . This has been the case in many societies throughout history, and it is something the ancients understood. They saw society not as an aggregation of atomized individuals, nor as Marx's economic classes . . . [nor it seems as the product of collective identity], nor as ideological parties, but as occupational groups, each of which, they believed, had its own ethos.⁴⁶

It follows that like the rich have far more in common with the rich of other places, caste archetypes align more outside of their political culture (in terms of *habitus*) than they do with the members of other castes within their own political environment.⁴⁷ Necessary to

MEDITATIONS 96 (Richard Nice trans., Stanford University Press 2000) ("Arbitrariness is also the basis of all fields . . . [each with] its 'fundamental law', its *nomos* (a word that is normally translated as 'law' and would be better rendered as 'constitution', a term that better recalls the arbitrary act of institution.").

⁴⁵ Discussed more generally in Rudolf A. Makkreel, *Husserl, Dilthey and the Relation of the Life-World to History*, 12 *RSCH. IN PHENOMENOLOGY* 39-58 (1982) (the *priori* state form which certainty and subjectivity emerges as possibilities); and David Carr, *Husserl's Problematic Concept of the Life-World*, 7(4) *AM. PHIL. Q.* 331, 331 (1970) ("existing as a cumulative tradition; that is, it is able to proceed by being able to take its origins and its fundamental task for granted").

⁴⁶ DAVID PRIESTLAND, *MERCHANT, SOLDIER, SAGE: A HISTORY OF THE WORLD IN THREE CASTES* (NY Penguin Press 2013).

⁴⁷ Here one encounters the notions of networked governance, discussed *infra* text and notes 16-17, but now as the form of none state actor affinity groups. The impulse may be similar, the constitution of group solidarity, though, is cultural, social, and economic rather than political and institutional as such. One touches here not just on networked frameworks of affinity groups, see, e.g., David A. Hollinger, *From identity to Solidarity*, 135(4) *DÆDALUS*, 23-31 (Fall 2006); but also of economic classes, and most famously the efforts to constitute and study a transnational capitalist class and their multinational corporate instrumentalities. See,

the insight is the further one that social collectives are a cocktail of crossing cultures and that while generally one cannot be expected to adopt the ethos of multiple castes simultaneously, one can juggle multi-cultural affiliation--citizenship, ethnos, religion, sexual identity, age, etc. At the same time, that amalgamation of cultural attributes tends to define the person and their collective (though in different ways). Where things get interesting is in the matter of hierarchy within these cultural amalgams, or rather in the way that they are blended; different blending produce different cocktails of human "nature." Normally this is resolved in context. Work, family, and political environments tend to suggest the ordering of importance of cultural attributes--but it does not change them.

The same, one can assume, applies in political spaces as well. But in those spaces there may be more "play in the joints."⁴⁸ A civilization-culture can, from time to time, manifest a preference one or more aspects of culture to predominate in its forms of organization and governance. These usually are translated into ideological terms--liberal democracy, Marxist-Leninism, absolute monarchy (or whatever type), and aristocratic oligarchy (again of whatever type). But each masks a caste preference attitude, and with it the ruling ethos of a government and social organization. The West has tended to the ethos of the merchant or farmer in times of stability, and of the warrior otherwise; elsewhere the ethos of the bureaucrat, the official, as representative of a hierarch at the apex of a stable apparatus of centralized and coordinated management has tended to prevail in times of stability, in other times chaos or fracture in which the model splits up into smaller subparts until cobbled back

e.g., LESLIE SKLAIR, *THE TRANSNATIONAL CAPITALIST CLASS* (Wiley-Blackwell Publishing, 2001). Sometimes it is referenced more generally as elites of one kind or another. See, e.g., Ian Richardson, *Chantilly Laced: Holding Bilderberg and the Transnational Policy Elite to Account*, HUFFINGTON POST ((May 31, 2012)); available [https://www.huffpost.com/entry/chantilly-laced-holding-b_b_1558425].

⁴⁸ The term originated in the jurisprudence of the U.S. Religion Clauses, see, *Walz v. Tax Commissioner of New York* (1970), but has come to generally reference regulatory or conceptual flexibility within structures of governance or management. See, e.g., Michael C. Dorf, *Play in the Joints Beyond the Religion Clauses*, 59 U.C. DAVIS L. REV. 37-68 (2025).

together (Warring States periods, warlord periods, etc.).⁴⁹ What becomes more interesting is when leadership in either system is held by a person who does not conform to type—a merchant at the head of a bureaucratic administrative order, or a bureaucrat at the head of a warrior order. More interesting still is to understand the importance of these ethos when leaders from rival empires interact. That interaction becomes more complicated in the face of ethos clashes.

That might bring one, at last, to the present. It may be worth pondering the extent to which one sees in the current conflicts and transformations a more fundamental clash—not between liberal democracy and Marxist-Leninist ideologies (though that is always a crowd-pleaser), nor between progressive and conservative elements (however those terms are infused with contextually relevant meaning)—between a merchant/transaction (U.S.) and a bureaucratic/institutional (China) ethos. Acknowledging the critical importance of nuance within each system (for example, if President Trump is an exemplar of the merchant /transactional mentality/type, then he may not represent the central core of that ethos in the U.S. now;⁵⁰ or in an earlier time around the authenticity of nobility among the French *noblesse de robe and d'épée*⁵¹), it might be useful to begin to think about those characteristics that shape and differentiates the merchant from the bureaucrat. It is also important to remember crossovers (e.g. warrior_merchants).⁵² That, in turn, may help better

⁴⁹ In its contemporary forms, see, e.g., Shampa Biswas, *W(h)ither the Nation-state? National and State Identity in the Face of Fragmentation and Globalisation*, 16(2) GLOBAL SOCIETY, 175–198 (2002); Stuart J. Kaufman, *The Fragmentation and Consolidation of International Systems*, 51(2) INT'L ORGS. 173-208 (1997); Romain Malejacq, *Warlords, Intervention, and State Consolidation: A Typology of Political Orders in Weak and Failed States*, 25 SEC. STUD. 85-110 (2016).

⁵⁰ Consider, Hank Johnson, *Under the Maga Movement's Big Umbrella*, 28(4) MOBILIZATION: AN INTERNATIONAL QUARTERLY 409-433 (2024).

⁵¹ Elie Haddad, *Noblesse d'épée, noblesse de robe : espaces sociaux et frontières idéologiques* [*Nobility of the Sword, Nobility of the Robe: Social Spaces and Ideological Boundaries*], in 21 L'ATELIER BIS—FRONTIÈRES, SEUILS, LIMITES: HISTOIRE SOCIALE DES CATÉGORISATIONS [L'ATELIER BIS—FRONTIERS, THRESHOLDS, LIMITS: A SOCIAL HISTORY OF CATEGORIZATIONS] (2020) available at [<https://doi.org/10.4000/acrh.10746>].

⁵² See, e.g., MATTISON MINES, *THE WARRIOR MERCHANTS: TEXTILES, TRADE, AND TERRITORY IN SOUTH INDIA* (Cambridge University Press, 1984).

understand the conceptual difficulties of explaining action (rather than describing them) except by reference to the cognitive cages from which they manifest themselves;⁵³ consider also the “Shi, nō, kō, shō” (士農工商, shinōkōshō) and of communication and negotiation between the two quite distinct caste empires. The latter perhaps may help provide some clarity to at least a portion of the challenges of reordering global collectives between a merchant and a bureaucratic empire.

With that in mind it is possible to sketch the “type”, the habitus of each of these operational incarnations from out of their ordering remises. *The merchant* (商): transactional, risk taking, inductive, reasoning from transactional analogy, non-linear pathways, iterative behaviors, instrumentalization of rules as *factors in production*, production oriented, objectives based, welfare maximizing for the represented collective, instrumentalization also of theory and ideology as *factors in production*, autonomous subject to expectations of collective participants, focus on post facto remedy, the costs of prevention and mitigation are always balanced against the costs of remedy, assessment is measured against an objective, the hierarchy of productivity and wealth, equality among equals and peers, otherwise power relations determines the context of transnational negotiation. They are fundamentally driven by trade irrespective of its direction, with the system emerging from the expectations of trading, transactional stability is necessary but otherwise a risk factor. The merchant views the bureaucrat as a necessity at best and as a source of oppression and mass poverty at their self-serving worst. But bureaucrats are not to be trusted.

The bureaucrat (士): systemic operative, managerial, risk averse, chaos is the enemy, order is the objective and ideology is the guide and the goal, linear decision pathways, deductive, reasoning from principle, system and structural preservation paramount, institutional preservation and solidarity with bureaucratic caste is paramount, transactions are the means of organizing production, people, production, and collective behaviors are both factors of production

⁵³ See, e.g., John Hall, *Rule by Status in Tokugawa Japan*, 1 J. JAPANESE STUD. 39-49 (1974).

and a manifestation of ideology, assessment and compliance based governance grounded in assessment against an ideal, and the ideal is a visualization of an ideological pathway. Where the merchant is invested in transaction and the evolving expectations that emerge from the iterative engagement in transactions over space and time, the bureaucrat is heavily invested in and sometimes merges with the institutions in and through which that “type” can manage and guide individual and collective forces. The institution drives assessment and the constraints of an ordered reality.⁵⁴ It frames the way in which actions and relationships are valued and in the ways in which collective behavioral taboos are constructed. They are fundamentally driven by the needs of managing a system toward proper operation to meet goals and enhance stability. The bureaucrat views the merchant as a necessity but a threat to social stability that needs careful control. But merchants are not to be trusted.

From these reductive essentializations it is possible to ground assessments of outlook, discourse, and action. More importantly, it is possible to anticipate and sketch out pathways to decision making, the range of plausible impulse behaviors, and the ways in which the merchant and the bureaucrat archetypes operate within their respective cognitive cages.⁵⁵ Merchants and bureaucrats do not speak the same language; they do not have the same concerns, they do not share the same loyalties either to structures or operations, they approach challenges from opposite sides--one from principle and the other from action. One builds by doing and then considers what has

⁵⁴ From the 20th century this bureaucrat-institution merger manifested itself increasingly through the lens of what might be called a cognitive Leninism. See, e.g., Larry Catá Backer, Brief Reflections on Rahm Emanuel, "Trump's Research Cuts Play Into China's Hands," *Law at the End of the Day* (22 April 2026); available (<https://lbackerblog.blogspot.com/2026/04/brief-reflections-on-rahm-emanuel-trumps.html>).

⁵⁵ See, generally, CHRISTIAN ROESLER, C. G. JUNG'S ARCHETYPE CONCEPT: THEORY, RESEARCH AND APPLICATIONS 119-161 (Alexander Ulyet and Christian Roesler (trans), Routledge, 2022); Adrian Kuzminski, *Archetypes and Paradigms: History, Politics, and Persons*, 25(3) *HIST. & THEORY* 225-247 (1986); Bo Strath, *Ideology and Conceptual History*, in *THE OXFORD HANDBOOK OF POLITICAL IDEOLOGIES* 3-19 (Michael Freeden, Marc Stears, Lyman Tower Sargent (eds.), OUP, 2013).

been built, the other conceives of the building and then conforms activities to those that advance that vision.

For example, when President Trump imposes tariffs he may be signaling the invitation to negotiate from individuated win-win positions.⁵⁶ That is, President Trump approaches the relationship as the inductively discernable aggregation of the set of transactions between the states considered over time; the accumulation of which then guides the production and negotiation of sequentially ordered sets of transactions now bounded by the expectations extracted from their histories. When General Secretary Xi responds, he is protecting the integrity of a complex model of governance centered on the leadership and guidance of the Chinese Communist Party, and the course of planning for socialist modernization both as theorized and as manifested in near term comprehensive planning in the domestic and transnational spheres. The object is to retain the integrity and value of the institutionalized basic political line and the institutional solidarity of its management both internally and globally.⁵⁷ Their respective responses to each other's moves are necessarily misinterpreted if only because they must be translated into the language of merchants and of bureaucrats respectively.

That suggests the way that the merchant and the bureaucrat “types” are situated within their own oppositional environments. *The merchant* (商) is fundamentally opposed by the bureaucratic elements within the structures in which they operate. Large enterprises approach the bureaucratic ideal, and, when large enough, become almost indistinguishable from a bureaucratic state and its ethos. Both pose the greatest challenge to the merchant type, especially when they have stables of retainers--public intellectuals, media, and others who

⁵⁶ White House, Fact Sheet: President Donald J. Trump Strikes Deal on Economic and Trade Relations with China (Nov. 1, 2025) available at [<https://www.whitehouse.gov/fact-sheets/2025/11/fact-sheet-president-donald-j-trump-strikes-deal-on-economic-and-trade-relations-with-china/>] [<https://perma.cc/K57P-3LQ2>].

⁵⁷ Zichen Wang & Yuxuan JIA, *Full Text: Xi's Speech to Global CEOs: How Xi Woos World Business Leaders as Trump Intensifies Trade War*, PEKINOLOGY (28 March 2025) available at [<https://www.pekingnology.com/p/full-text-xis-speech-to-global-ceos>].

can amplify and legitimate their own ethos. *The bureaucrat* (士) is fundamentally opposed by merchant elements within the structures that have been created and made possible only by the harnessing of well managed merchant power. But it can be a challenge to well manage merchants. They can undo the carefully structured comprehensive systems of coordination and control at the heart of the bureaucratic project. They are a constant threat to the hegemony of the public objective.

When they interact, the possibilities of “win-win” is plausible, especially since the merchant and the bureaucrat measure winning by quite distinct standards. A “lose-lose” is also possible, precisely because each is incapable of understanding the other, and certainly unwilling to consider that in their own internal calculus. This is a manifestation of the semiotics of cognition as it plays out in the field of politics.⁵⁸ It manifests like a *folie a deux*, the transference of (delusional) ideas from a primary to closely associated secondary individuals,⁵⁹ in our case within the communities of “type.” Nonetheless, the concept exhibits its own folie: one might as well be describing virtually every sort of semiotically cohesive interpretive community in the sense that “delusion” is necessarily a term only possible to embrace outside the community “deluded;”⁶⁰ what one encounters is shared belief under conditions of iterative interaction.⁶¹

⁵⁸ LAWRENCE SUSKIND, *GOOD FOR YOU; GREAT FOR ME: FINDING THE TRADING ZONE AND WIN-WION NEGOTIATION* (Perseus Books, 2014); Yang Danzhi, *Win-Win Cooperation*, in *ROUTLEDGE HANDBOOK OF THE BELT & ROAD* (Cai Fang, Peter Nolan (ed.), Routledge, 2019).

⁵⁹ Cf. Danilo Arnone, Anish Patel, & Giles Ming-Yee Tan, The Nosological Significance of Folie à Deux: A Review of the Literature, 5 *ANNALS OF GEN. PSYCHIATRY* 11, 11 (2006) [doi:10.1186/1744-859X-5-11].

⁶⁰ Consider Richard Gipps, *Religious Delusions or Religious Belief?*, 38 *PHIL. PSYCH.* 2289-2309 (2025); Richard Bentall, *Delusional Beliefs and the Madness of Crowds: What Are Beliefs, and Why Are Some of Them Pathological?*, in *DECODING DELUSIONS: A CLINICIAN’S GUIDE TO WORKING WITH DELUSIONS AND OTHER EXTREME BELIEFS* 3-46 (Kate V. Hardy & Douglas Turkington eds., Am. Psychiatric Ass’n Publ’g 2024), available at [https://www.psychiatryonline.org/doi/epdf/10.1176/appi.books.9781615379491.lg01].

⁶¹ Karl J. Friston et al., , *Generative Models, Linguistic Communication and Active Inference*, 118 *NEUROSCI. & BIOBEHAV. REV.* 42, 57 (2020) (“When allowed to question each other in this setting, they simply respond truthfully that they are unsure about the answer . . . However, when we reduce the prior probability of the

From a semiotics perspective this is *necessarily* so, not as a condition of psychosis, but actually also of its opposite, the playing out of collective dialectics on a grand scale.⁶² What emerges, of course, is also the way, now quite popular if unconscious, of philosophizing with a hammer.⁶³

B. The Primary Sources

That “hammer” discussed in the preceding section, one that is revealed in the merchant/transactional type that, in turn, represents the cognitive cage within which it is possible to rationalize both perception and action.⁶⁴ Wielded by the officials of the Trump Administration, it is manifested through its descriptive pronouncements which can be considered for its value in extracting the orienting premises within which its policy can be understood for itself and against others.

‘not sure’ response, both subjects effectively tell each other about what they believe, until they come to hold the same beliefs.. . . At this point, uncertainty is precluded because each can predict the other and their shared understanding. This is an example of neural hermeneutics . . . in the absence of ‘truth pointing.’”) (citations and reference to figures omitted).

⁶² See generally essays in PETER V. ZIMA, SEMIOTICS AND DIALECTICS (Peter V. Zima ed., John Benjamins Publ’g 1981).

⁶³ FRIEDRICH NIETZSCHE, TWILIGHT OF THE IDOLS, OR, HOW TO PHILOSOPHIZE WITH A HAMMER [Götzen-Dämmerung: oder Wie man mit dem Hammer philosophirt], at xviii (Anthony Ludovici trans., TN Foulis 1911) (1888). available at [<https://www.gutenberg.org/files/52263/52263-h/52263-h.htm>] (“There are more idols than realities in the world: this constitutes my “evil eye” for this world: it is also my “evil ear.” To put questions in this quarter with a hammer, and to hear perchance that well-known hollow sound which tells of blown-out frogs. . .”).

⁶⁴ But note the complications raised in Thorolfur Thorlindsson, *Social Organization and Cognition*, 26 HUM. DEV. 289-307 (1983).

i. National Security Strategy of the United States for 2025 (November 2025) [NSS 2025].⁶⁵

Ostensibly, NSS 2025 is another iteration of an annual report to Congress mandated by law.⁶⁶ “The NSS is intended to provide strategic yet prioritized guidance from which national security agencies base their own guidance documents, budgets, directives, and policies.”⁶⁷

Of course, for at least for a few days, the distribution of NSS 2025 had its intended propaganda effects. There was intense examination, and even more intense use of the NSS 2025 release to restate and reinforce positions already held or desired by those moved enough to write something related to NSS 2025. The signification of NSS 2025, and its interpretation, especially its placement within interpretive fields among communities of meaning makers organized in factional spaces, fit nicely into the performative spaces of the politics of transformation, and of the defense of the quickly receding imaginaries of global convergence and the multi-lateral rules based convergence order. In that sense, all parties, and all actors, might be said to have been delighted that NSS 2025 was, indeed, made public.⁶⁸ It was an instrument that anyone could use to their own ends, including, in the end, the members of the Trump Administration.

⁶⁵ See NSS 2025, *supra* note 23. See also Portions first distributed as Larry Catá Backer, *America First as the Essence of National Security and the American Post-Colonial Howl: Reflections on the 2025 National Security Strategy of the United States (2025)*, LAW AT THE END OF THE DAY (22 December 2025), available at [<https://lcbackerblog.blogspot.com/2025/12/the-post-colonial-howl-reflections-on.html>].

⁶⁶ Goldwater-Nichols Defense Department Reorganization Act of 1986, (amending 50 U.S.C. § 404(A)).

⁶⁷ Micah Zenko, *Trump’s National Security Strategy Deserves to Be Ignored*, FOREIGN POL’Y (Dec. 18, 2017) [<https://perma.cc/HUW3-A39L>].

⁶⁸ See especially Robert Zoellick, *White House National Security Strategy Reflects Vance’s Thinking*, WALL STREET J. (Dec. 11, 2025), available at [https://www.wsj.com/opinion/white-house-national-security-strategy-reflects-vances-thinking-f79ef962?reflink=desktopwebshare_permalink]. For a critical discussion see Larry Catá Backer, *America First as the Essence of National Security and the American Post-Colonial Howl: Reflections on the 2025 National Security Strategy of the United States (2025)*, *supra* note 63.

It is in the sense of its underlying realities that NSS 2025 might be usefully understood as the costume that is meant to signal the new conceptual foundation of the way in which the US approaches matters of interactions abroad and their domestic consequences. Its text might be understood as ideas and premises dressed up as other than where or what it appears to be (at least when considered historically in the history of iterative products of National Security Strategies stretching back to the later 20th century).⁶⁹ In this case no attempt has been made to dress up this costuming of NSS 205 and its thrust. President Trump was quite specific when he declared that “Economic security is national security.”⁷⁰

What emerges from NSS 2025, then, is quite helpful. It clarifies that for the Trump Administration, national security is the fancy dress that covers or is the existential core, the “identity” of the United States--economic policy. And that economic policy is bound up in the America First Project. That is to say, one might most usefully approach the NSS 2025 as one of the clearest expressions of America First through the costuming (the lens, the fancy dress) of national security. In the process one begins to better understand the way in which America First is constructed, not as a recipe for foreign relations but as the identitarian core of the United States and its political-economic model, the consequences of which affect, in intimate form, its internal and external relations. And to understand America First, then, one must, at last, confront the nature and form of the cognitive cage from which it arises and through which it is shaped--the cognitive cage of that I have previously called the reality shaping premises of the *merchant (arche)type* and their ordering of the world as a large platform within which transactions--iterative, cumulative, and expressions of the realization of interest--define and order the world and manifest its optimal values. What one is sure of is that in this trans-xistential space one might (collectively) have the luxury of being or belonging, for a moment, in and to a world that is

⁶⁹ See NATIONAL SECURITY STRATEGY ARCHIVE, available at [<https://nssarchive.us/>].

⁷⁰ Donald Trump, Presidential Memorandum on America First Investment Policy, 292 DAILY COMP. PRES. DOC. 1 (Feb. 21, 2025), available at [<https://www.whitehouse.gov/presidential-actions/2025/02/america-first-investment-policy/>].

quite removed from that (other) reality that always threatens to consume us, and then digested again, to project one out and back into the (an) other world.

What makes all of this more than interesting is the extraordinary disruption of this fancy dress party. For generations Americans, and with them the rest of the world, have been guests at an extended party in which the relationship between costume and identity were inverted--the world of the *official/bureaucrat type masquerading as a merchant* from time to time, but one in which the bureaucrat/official/expert was expected to construct an intricate, networked, ordered apparatus for the constitution of layers of protection against instability and chaos, driven by values manifested as what was “best” for the masses, whose role was to show gratitude through obedience.⁷¹ In 2017, The President gave a speech at the unveiling of NSS 2017.⁷²

Our new strategy is based on a principled realism, guided by our vital national interests, and rooted in our timeless values. This strategy recognizes that, whether we like it or not, we are engaged in a new era of competition. We accept that vigorous military, economic, and political contests are now playing out all around the world. We face rogue regimes that threaten the United States and our allies. We face terrorist organizations, transnational criminal networks, and others who spread violence and evil around the globe. We also face rival powers, Russia and China, that seek to challenge American influence, values, and wealth. We will attempt to build a great

⁷¹ This lens is made unavoidably transparent in Secretary of State Rubio’s February 2026 Remarks to the Munich Security Conference, discussed *infra*.

⁷² Erica R. Hendry, *Read Trump’s Full Speech Outlining His National Security Strategy*, PBS NEWS (Dec. 18, 2017) available at [<https://www.pbs.org/newshour/politics/read-trumps-full-speech-outlining-his-national-security-strategy>].

partnership with those and other countries, but in a manner that always protects our national interest.⁷³

Much has changed since 2017. President Trump suggested the difference in his transmittal letter “America is strong and respected again—and because of that, we are making peace all over the world.* * *. This document is a roadmap to ensure that America remains the greatest and most successful nation in human history, and the home of freedom on earth. In the years ahead, we will continue to develop every dimension of our national strength—and we will make America safer, richer, freer, greater, and more powerful than ever before.”⁷⁴ The factors remain virtually unchanged, but the analytic environment now changes their signification and the meaning of their relation to the United States, even as the value system, the premises and vision of the United States changes.

These factors mark the gulf that separates these two National Security Strategies, now the end and starting points of epochs--the receding era of global convergence and the approaching era of post-global non-territorial empire--is only now becoming more apparent, and one that will survive ant change in American leadership, not because the Americans will it but because it is no longer possible to reverse on a global scale. The old order, the *ancien regime*, was on display as late as 2024, as the Americans saw off the old era in the glow of the senescence of the Biden Administration.⁷⁵ In 2025, the glimmerings of the strategy heralded in the middle of the first term of

⁷³ *Id.*

⁷⁴ President Trump, Letter of Transmittal of the NSS 2025 available at [<https://perma.cc/K7EB-Y6F7>].

⁷⁵ Consider the U.S. Army War College Strategic Studies Institute, *2024 Annual Estimate of the Strategic Security Environment*, U.S. ARMY WAR COLL. STRATEGIC STUD. INST. (SSI) (July 24, 2024). See also discussion on *id.* at Larry Catá Backer, *Brief Reflections on the Release of the U.S. Army War College Strategic Studies Institute, “2024 Annual Estimate of the Strategic Security Environment”*, LAW AT THE END OF THE DAY (Aug. 1, 2024) available at [<https://lbackerblog.blogspot.com/2024/08/just-released-us-army-war-collge.html>].

the leadership of President Trump was transformed into that of the merchant president of peace.⁷⁶

What, then, is peace? Perhaps Secretary Marco Rubio describes it best under conditions of transaction framing merchant realities--peace is the absence of war.⁷⁷ War is understood as violent conflict, one that either destroys valuable objects (infrastructure, productive capacity and the like), or human the consumption of whom is the essential element of the process of production (workers, family units, consumers, and operators of economic, social, religious, and cultural productivity) and the object (collectively) of productivity and curated.⁷⁸ Societal self-pleasuring is the ultimate aim--however that is defined and made suitable for the times; and self-pleasuring consists of the proper interaction of objects and people agreeably

⁷⁶ Office of the President of the United States, Press Release, President Trump Brokers Another Historic Peace Deal (Aug. 8, 2025) available at [<https://www.whitehouse.gov/releases/2025/08/president-trump-brokers-another-historic-peace-deal/>]. Discussed in Larry Catá Backer, "President Trump is the President of Peace" *Reflections on the Power of Presidential Self-Revolution (自我革命), the Republic's Social Revolution (社会革命) and the Presidential Message: "President Trump Brokers Another Historic Peace Deal"*, LAW AT THE END OF THE DAY (Aug. 9, 2025) available at [<https://lbackerblog.blogspot.com/2025/08/president-trump-is-president-of-peace.html>].

⁷⁷ U.S. Dep't of State, Telephone Interview: Secretary of State Marco Rubio with Brian Kilmeade of Fox Radio (July 31, 2025) available at [<https://www.state.gov/releases/office-of-the-spokesperson/2025/07/secretary-of-state-marco-rubio-with-brian-kilmeade-of-fox-radio/>]. For a discussion of *id.* see also Larry Catá Backer, *The Phenomenology of Peace and the Price of the Deal--Text of and Reflections on the Interview: Secretary of State Marco Rubio with Brian Kilmeade of Fox Radio*, LAW AT THE END OF THE DAY (Aug. 2, 2025), available at [<https://lbackerblog.blogspot.com/2025/08/text-of-and-reflections-on-interview.html>].

⁷⁸ See Verena Buser, *Targeting History: Anti-Israel Activism Among Progressive Holocaust and Genocide Scholars*, TELOS-PICCONI INST. (1 August 2025) available at [https://insights.telosinstitute.net/p/targeting-history-anti-israel-activism?utm_source=post-email-title&publication_id=2730417&post_id=169353109&utm_campaign=email-post-title&isFreemail=true&tr=16eu40&triedRedirect=true&utm_medium=email]. For a discussion of *id.* see also Larry Catá Backer, *Debating Genocide--Shifting Frameworks for Ordering Facts, Theory, Significance, and Consequence*, LAW AT THE END OF THE DAY (Aug. 1, 2025); available [<https://lbackerblog.blogspot.com/2025/08/debating-genocide-shifting-frameworks.html>].

arranged and ordered in ways that permit a movement toward the maximization of their own self-and social value and that of the collective. This comes in many flavors of course (and ideology provides one of several languages for constituting these “flavors” in form suitable for both consumption and framing the human condition). But at its heart is the fundamental postulate--that without the end of destruction there can be no movement toward.

Nonetheless, peace is not its own object. It is a state of (dis)engagement that permits the fundamental logic of the operation of self and social systems toward the realization of its apex goal and purpose--the regularization of spaces in which transactions may be undertaken for the further fulfillment of self and social revolution. It might be understood as movement toward development (or modernization, however these terms are understood) that improves (or in some systems perfects) things and conditions of life for individuals and collectives. In other words, the object is not peace; the object is the achievement of a state of stable transactions--iterative, perhaps even purposeful beyond the value of the transaction--that then manifest desired states of being. Peace is the predicate condition for the merchant; and the merchant is the predicate actor in development (not either the functionary or the warrior); and the work of the merchant is essential for the operationalization of transactional frameworks deployed to whatever ends suits society engaged in its endless processes of self-actualization, and for some, the attainment of states of perfection (at least until they die and a new generation starts the process again). That provides the framing of reality that serves as the foundation of the peace mission of the Republic with the President at its core.

That, finally, gets one to the beginning of that road that will lead us to the current version of the American Oz. “The questions before us now are: 1) What should the United States want? 2) What are our available means to get it? and 3) How can we connect ends and means into a viable National Security Strategy?”⁷⁹ It is from there

⁷⁹ NSS 2025, *supra* note 23, at1-5, 2.

that the Strategy emerges.⁸⁰ And the answers provide the framework for what comes next. That is not to suggest that it is either good or bad--it is the product of a mindset that rejects, at a fundamental level, the premises and worldview of its predecessors, though as one will see, not the instruments that they used to craft their own ordering.

*1. Defining/ Describing the Cognitive Cage of the National Security
Mask of Economic Policy.*

All cognitive cages require description, the premises and approaches that make it possible to construct and place the bars on the cage within which premise based analysis, and the appropriate conclusions to be drawn from them may be undertaken, NSS 2025 does not disappoint.”A “strategy” is a concrete, realistic plan that explains the essential connection between ends and means: it begins from an accurate assessment of what is desired and what tools are available, or can realistically be created, to achieve the desired outcomes.⁸¹

But of course NSS 2025 means to do more than that. To get to strategy, one must first define the premises within which it is possible to identify ends and then produce the structures within which it is possible to assess the value and possibility of the means that may be used to attain those ends. That is, before a “strategy [can]evaluate, sort and prioritize”,⁸² it must first set out the premises and values necessary to identify and assess fact, conditions, history, desires, and the like from out of which it is possible to develop “ends” that are either consonant with these or that fulfill their expectations. One must, it seems, presuppose an ideology with normative values, because one can go about the task of identifying “ends” and assessing the “best” or “most effective” (values laden terms) “means.” That is the crucial object of the NSS 2025, and with it the identification of the nature and characteristics of America First (the ends; “What Should the US Want?”⁸³ and thus its means,⁸⁴ which

⁸⁰ *Id.* at 6-29.

⁸¹ *Id.* at 1.

⁸² *Id.*

⁸³ *Id.* at 3-5.

⁸⁴ *Id.* at 6-7.

then produce the strategy that is the incarnated manifestation of the America First project realized through the lens of national security.⁸⁵ But all of that requires some expression of an ultimate ruling ideology, or at least a fundamental political line For the U.S. that fundamental line is embedded in the America First Initiative—and the transactional advancement of the interests of the United States protected by the State and realized by its people through markets/platforms of producers and consumers within which individuals compete and which together produce the expectations and behaviors that then guide the trajectories of engagement.⁸⁶

For China that ruling ideology, grounded in the core norms of Marxist-Leninism posits the deployment of all of the nation's productive forces (including human productive forces) led by a revolutionary and then institutional/bureaucratic vanguard toward the ends of realizing a communist society (achieved by proceeding along a "Socialist Road" toward those ends) and requiring highest level production of both material and societal/cultural progress. For the Americans, at least under NSS 2025, that ruling ideology requires now aided by a hierarchically arranged magisterium tasked with the role of shepherding and protecting the merchant flock--but in which the shepherds themselves are meant to be merchant-warriors or merchant-officials protective of the transactional spaces within which material and spiritual satisfaction may be achieved through the cumulative value of economic, social, cultural, and perhaps even political transactions. Where the Marxist-Leninist seeks security for the achievement of communism, the American merchant seeks security for the protection of nationally led transactional vanguardism to the material and moral profit of its participants, the content of which is itself derived from the accumulating iteration of transactions that are themselves in constant motion as participants enter and leave the transactional spaces created and maintained for them.

NSS 2025 is organized that way one would think a ruling ideology that is also to serve as a ordering of reality as a function of

⁸⁵ *Id.* at 7-29

⁸⁶ See Donald Trump, Press Release, President Trump's America First Priorities (20 January 2026); available [<https://www.whitehouse.gov/briefings-statements/2025/01/president-trumps-america-first-priorities/>].

the values and principles that make it possible to both see and understand the world and to distinguish between bad and good--ideology as the fruit of the tree of the knowledge of good and evil (boni et mali; טוב ורע). That is, the NSS 2025 creates its system of valuation and judgment, the principles and ideals against which consequences, actions and policies may be assessed and thus assessed, judged as good or bad. To those ends the NSS organization follows--first the elaboration of the ideals (What *should* the United States want?);⁸⁷ then a pragmatic assessment of the tools available to approach those wants (What are America's means to get what we want?);⁸⁸ These then are followed by the means toward operationalization, the preferred strategy at this stage of the historical development of the United States. These start with foundational principles for manifestation of strategy United States;⁸⁹ then the strategy priorities that follow from these strategic principles themselves drawn from the foundational cognitive premises (the what should the US want ideological baseline);⁹⁰ and finally their application to regions of interest, which in the case of the United States includes substantially all of the world--or at least all of the world encased within the transactional universe of the United States.

Taken all together the vision is not complicated. Its alpha and omega are the United States; and it is dedicated to the proposition that the United States must, from its lair, permit everyone to do as they like as long as American interests are undisturbed. That is, that American policy is built, and its national security lens is shaped, as a function of the cognitive ordering of the merchant-type: as long as the Americans can roam around as they please, to please themselves, then the rest of the world may do as it likes, with the exception of the old colonial homelands, which must be preserved as some sort of historically time locked place protected against both migratory settler colonialism of the Global South and their cultural imperialism--even if the old homelands are quite content (or their ruling vanguards anyway) to see themselves (again) transformed, and the old center displaced, amid a slow settler migration that changes things a bit, as it

⁸⁷ NSS 2025, pp 3-6

⁸⁸ *Id.* at 6-8.

⁸⁹ NSS 2025, pp. 8-11

⁹⁰ *Id.* at 11-15.

has happened periodically in Europe--that sometimes violent mixing bowl of migrations --since at least 1200 B.C. when the Sea People's swept into the Eastern Mediterranean. Here, perhaps, a howl directed toward a parent with whom the post-colonial child continues to have separation issues--as do, ironically the last wave of post-colonial sovereignty constructed out of the last epoch or territorial empire.

2. *What Should the US Want?*

To those ends it must appear that one must rely on one's leaders. That, at least, continues to evidence the normative power of a variation of a *Führerprinzip*⁹¹ of vanguardist government as important to American democratic socialists as it is to their colleagues at the other end of the American spectrum.⁹² So, one starts with what one ought to want.⁹³ This is divided into two parts that themselves frame the ordering premise around which the NSS is built. First one considers overall desire; and then one turns to what the US ought to want "in and from the world." With respect to the former, one a single macro-objective (along with the normative, values giving, basis for the objective), followed by increasingly more specific elaboration from out of the first, macro-desire/objective/normal. "First and foremost, we want the continued survival and safety of the United States as an independent, sovereign republic whose government secures the God-given natural rights of

⁹¹ Traditionally and quite specifically the concept of *Führerprinzip* was intimately associated with the hierarchically organized vanguardism of National Socialism and its National Socialist German Workers' Party. It combined vanguardism with a hierarchy that was premises on the infallibility of the leadership core of the organization in its leader (Führer). From the 1920s that became inexorably entangled with the leader of the German National Socialist Party and the core of its structural ideology. Cf., ALAN BULLOCK, *HITLER AND STALIN: PARALLEL LIVES* 362-364 (Vintage Books, 1991). See generally Archie Brown, *Against the Führerprinzip: For Collective Leadership*, 145(3) *DAEDALUS* 109-123 (2016); Antonio Scalone, *Führerprinzip and Democracy in Weber and Kelsen*, in *THE RECONSTRUCTION OF THE JURIDICO-POLITICAL: AFFINITY AND DIVERGENCE IN HANS KELSEN AND MAX WEBER* 27-43 (Ian Bryan, Peter Langford, John McGarry (eds), Routledge, 2015).

⁹² Considered in Larry Catá Backer, *The Führer Principle of International Law: Individual Responsibility and Collective Punishment*, 21 *PENN ST. INT'L L. REV.* 509 (2003).

⁹³ NSS 2025, *supra* note 23, at 3-5.

its citizens and prioritizes their well-being and interests.⁹⁴ The key terms are “survival and safety,” “sovereign,” “God-given natural rights,” “citizens,” and “well-being and interests.” These describe include and exclude. They measure. They provide the baseline of the ideal State and its function. They operate, as well as physical and intangible subjects.

All of this is then elaborated in what follows. An independent and sovereign republic requires the state to “protect this country, its people, territory, and way of life.” That last bit is likely as important as the first and suggests cultural solidarity of equal weight to the integrity of the other attributes of sovereignty. NSS2025 then suggests the current list of elements against which the Republic requires protecting: “military attack and hostile foreign influence, whether espionage, predatory trade practices, drug and human trafficking, destructive propaganda and influence operations, cultural subversion, or any other threat to our nation.” The listing is important. This is not one’s grandparents’ enemies list: one worries as much about non-state actors with state power as one worries about harm to and corruption of society, culture economics and the like. All of this requires a metrics and it is not clear where one finds this (perhaps in American history and tradition, as the Supreme Court has sometimes alluded) or something else.

Then one gets into the details of what may be understood as current threats and their avoidance, and a wish list: (1) migration as a destabilizing force, (2) an infrastructure that is modern sound and able to withstand enemy action, (3) a military power that is the world’s “most powerful, lethal, and technologically advanced that can be deployed against those working against American interests; (4) nuclear and other deterrents against enemies or threats, (5) an economy that is as dynamic, innovative and advanced as the American military is powerful, lethal and technologically advanced (“The U.S. economy is the bedrock of the American way of life, . . . Our economy is also the bedrock of our global position and the necessary foundation of our military.”)⁹⁵ (6) the world’s most robust

⁹⁴ *Id.* at 3.

⁹⁵ *Id.* at 3-4.

industrial base (“Our economy is also the bedrock of our global position and the necessary foundation of our military”;⁹⁶ (7) world’s most robust energy sector, (8) the maintenance of US “unrivaled “soft power” through which we exercise positive influence throughout the world that furthers our interests”;⁹⁷ (9) and the great rejuvenation of the American nation (corresponding to the Chinese great rejuvenation (中华民族伟大复兴), a key element of New Era Chinese Leninism).⁹⁸

Finally, we want the restoration and reinvigoration of American spiritual and cultural health, without which long-term security is impossible. We want an America that cherishes its past glories and its heroes, and that looks forward to a new golden age. We want a people who are proud, happy, and optimistic that they will leave their country to the next generation better than they found it. We want a gainfully employed citizenry—with no one sitting on the sidelines—who take satisfaction from knowing that their work is essential to the prosperity of our nation and to the well-being of individuals and families. This cannot be accomplished without growing numbers of strong, traditional families that raise healthy children.⁹⁹

One has plenty to work from here. The stability of the nation depends on an “all around” approach to the national project. That national project is built around the great rejuvenation of the American nation, that great rejuvenation consists of a number of element of different character. Some are defensive and protective; others are cultural, spiritual, and social. At the center is the identification of the great contradiction of the current stage of the American nation--the need to return the United States to its traditional political economic model--a nation of autonomous

⁹⁶ *Id.* at 4.

⁹⁷ *Id.*

⁹⁸ *See, e.g.*, Great Rejuvenation of the Chinese Nation [中华民族伟大复兴], CHINA OPEN-SOURCE OBSERVATORY, available at [<https://chinaopen-sourceobservatory.org/glossary/great-rejuvenation-of-the-chinese-nation>].

⁹⁹ NSS 2025, at 4.

merchants sharing a common political culture and common aspirations that is to be used to protect the Republic both defensively and offensively, and to describe what is protected--its infrastructure, economy, industrial base and energy sectors, driven by high quality production and a patriotic citizenry, gainfully employed and properly inserted in appropriate labor markets, each contributing to the nation and in that effort contributing to their own happiness in traditional families charged with raising healthy children.

All of this instructs the ideal United States and its institutional elements, along with its purpose: to constitute a nation that has no object other than to exist in accordance with its traditions, and customs, nor just sovereign, but independent and dedicated to the objective of continuity. In that respect, at least there is no end goal but to be--that is the golden age toward which all this economic and military power is dedicated--to permit the citizens through an investment in the apparatus of state, its military and its connections with infrastructure, the economy and its industrial base, to be whatever it wants to be, guided by those charged with the shepherding of the nation.

And, indeed, that is precisely what the NSS2025 has in mind. “Achieving these goals require marshaling every resource of our national power.”¹⁰⁰ That requires, in turn, the necessity of acting in the world and wanting something from the world. In the process NSS2025 describes the conditions in and of the world necessary to make the United States feel safe--conditions that the United States finds important enough to project its military and soft power, its economic and industrial strength, to protect and perhaps expand. These include the following;

First, a well behaved Western hemisphere of reasonably stable (the US decides what is reasonable and what is stable--fair enough for a hegemon in the near peripheries of its core territories) states whose governments cooperate to rid their territories of annoyances to the United States, in the form of threats to American sovereign rights as the US sees it--a so-called “Trump Corollary” to

¹⁰⁰ NSS2025, *supra*, note 23 at 5.

the Monroe doctrine. Second, halting and reversing naughty states that inflict damage on the American economy (this assumes that this damage is not the result of American business or economic incompetence that one would imagine would be an American problem--fair competition applies to all parties). But that is not what the NSS2025 means, it means efforts to claim ocean spaces for the national benefit of competitor states--"preserving freedom of navigation" though has long been an American position the genesis of which might be thought to go back to the founding of the Republic;¹⁰¹ in that respect it implies reinvigorated means rather than a new initiative, and, indeed, it follows the Biden Administration position in important respect.

Third, helping Europe remain "Western" in the way the Americans understand that term and for which the Americans would be willing to provide "support" (whatever that means). Fourth, protecting MENA oil and gas supplies, including transport routes--all of which the Americans would be willing to protect, though in a ways that avoid what the U.S. calls forever wars (a concept that is quintessentially American given historical practice and conditions in Eurasia and North Africa for the last 2000 years. And fifth, projecting US tech and tech standards "drive the world forward"--or perhaps better put, hardwire American standards and tech trajectories into global innovation in tech. That is an ambitious and not an odd goal, though one that will likely meet opposition from other players who share the goal but with a desire to assert tech hegemony on the basis of their own tech and tech standards. In this way, the NSS2025 defines the American ideal and then the inter-relationships between the ideal and its justification for the way the US would engage with the world beyond its national territories. Together these frame the environment in which a national security strategy can be framed.

¹⁰¹ U.S. Dep't of Defense Freedom of Navigation Program Fact Sheet (Mar. 2015) available at [[https://policy.defense.gov/Portals/11/Documents/gsa/cwmd/DoD%20FON%20Program%20--%20Fact%20Sheet%20\(March%202015\).pdf](https://policy.defense.gov/Portals/11/Documents/gsa/cwmd/DoD%20FON%20Program%20--%20Fact%20Sheet%20(March%202015).pdf)]

3. *What are the Means of Getting There?*

One then attaches pragmatics to ideal.¹⁰² Effectively this section identifies national strengths which are to be directed toward national policy objectives to further national interests as defined by reference to national ideals and goals. These include the US political system, its economic power, its financial system, its tech sector, its military power, its network of treaty based alliances, its geography and natural resources, its soft power and cultural influence, and the “courage, willpower, and patriotism of the American people.”¹⁰³ The NSS2025 also offers up the fruits of robust (positive) changes to the nation: the suppression of DEI and “re-instilling of cultural competence”, the return to more traditional energy production, efforts at re-industrialization in traditional and innovative sectors, enhancing “economic freedom” through tax cuts, and national investment in high quality production and innovation (to use the Chinese term for the same sort of effort emerging from after the Chinese 3rd Plenum in 2024).¹⁰⁴ “The goal of this strategy is to tie together all of these world-leading assets, and others, to strengthen American power and preeminence and make our country even greater than it ever has been.”¹⁰⁵

The parallels with Chinese strategies and core premises for national development might appear noteworthy. There is enough

¹⁰² NSS 2025, *supra* note 23, at 6-7.

¹⁰³ *Id.* at 6.

¹⁰⁴ Full text: Communique of the Third Plenary Session of the 20th Central Committee of the Communist Party of China (July 19, 2024); available [http://en.cppcc.gov.cn/2024-07/19/c_1006186.htm] (“We must fully implement the strategy of invigorating China through science and education, the strategy of developing a quality workforce, and the innovation-driven development strategy, make coordinated efforts to promote integrated reform of institutions and mechanisms pertaining to education, science and technology, and human resources, and improve the new system for mobilizing resources nationwide to make key technological breakthroughs.”). Compare President Trump issued a Press Release: *President Trump Launches the Genesis Mission to Accelerate AI for Scientific Discovery* (4 November 2025), available [<https://www.whitehouse.gov/releases/2025/11/president-trump-launches-the-genesis-mission-to-accelerate-ai-for-scientific-discovery/>].

¹⁰⁵ NSS2025 at 7.

language that echoes key drivers of New Era Chinese Leninist development as the Chinese confront the central contradiction of the current stage of their historical development through the development their five year plans, and their ideological innovation--national rejuvenation and focus on high quality and innovative development while emphasizing the need to protect and enhance the economic and global position of the homeland all resonate, it appears, in similar manner in China and in the U.S. Yet for one, the effort proceeds from the sensibilities of the bureaucrat, for the other the merchant. One seeks transactional enhancement protected by the state apparatus, the other seeks the enhancement of the guiding power of the national apparatus enhanced through the exercise of guided transactions.

4. The Strategy (of the Moment) Revealed.

One can then, on that basis, and within that framework, develop and apply a strategy for getting as close as one can to the ideal by means of available instruments. For the many who might have skimmed through the more abstract theoretical basis for what follows, this is the only part worth reading--that is reading what the Americans are up to now (on the theory that theory is always a post-hoc justification or the fig leaf necessary to tie current desire to normative values). The suggestion in this brief reflection is the opposite is true, that the least interesting and most derivative part of the NSS2025 is in the laundry list of current plans, and it is the least interesting because within the transactional lens of the merchant, all plans and specific objectives are always subject to negotiation in the service of the larger plan, which, in this case, have been revealed in the first 7 pages of NSS2025.

Indeed, that rigidity both explains the fundamental difference between the merchant-type and the institutional/bureaucrat lens but also the way in which the Trump Administration vanguard elite dismisses the institutional/bureaucrat elite and its post 1945 project.

Our elites badly miscalculated America's willingness to shoulder forever global burdens to which the American people saw no connection to the national interest. They overestimated America's ability to fund,

simultaneously, a massive welfare-regulatory-administrative state alongside a massive military, diplomatic, intelligence, and foreign aid complex.¹⁰⁶

NSS 2025 rejected the resulting embrace, by the elites, on “hugely misguided and destructive bets on globalism and so-called “free trade.”¹⁰⁷ These bets may have worked for their benefit; they also “hollowed out the very middle class and industrial base on which American economic and military preeminence depend.”¹⁰⁸ The bet was also a burden; running an apex global regulatory apparatus was expensive, especially when the US chose to subsidize its costs among its allies.¹⁰⁹ But the gravest error was the commitment to a globalism that effectively dissipated sovereign rights of states—which was precisely what the post 1945 project, in effect meant to do, collectivizing the state within international regulatory organs.¹¹⁰ “In sum, not only did our elites pursue a fundamentally undesirable and impossible goal, in doing so they undermined the very means necessary to achieve that goal: the character of our nation upon which its power, wealth, and decency were built.”¹¹¹

The rest follows. First, the principles; these add detail to the outline of principles already described. The other, the priorities, that then order these principles in accordance with some sort of rule of precedence. Finally, the more granular application. Taken together one begins to see the shaping of America First bit as a concept

¹⁰⁶ *Id.* at 1-2.

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *Id.* (“They allowed allies and partners to offload the cost of their defense onto the American people, and sometimes to suck us into conflicts and controversies central to their interests but peripheral or irrelevant to our own.”).

¹¹⁰ See Larry Catá Backer, *The Collectivization of the State is the Essence of Human Social Organization!—Course Concept Note: “Actors, Institutions, and Legal Frameworks in International Affairs”* LAW AT THE ENDO OF THE DAY (Jan. 11, 2026) available at [<https://lbackerblog.blogspot.com/2026/01/the-collectivization-of-individual-is.html>]. In the language of NSS 2025, “And they lashed American policy to a network of international institutions, some of which are driven by outright anti-Americanism and many by a transnationalism that explicitly seeks to dissolve individual state sovereignty.” NSS 2025 *supra* note 23, at 1-2.

¹¹¹ NSS 2025 *supra* note 23, at 1-2.

around which domestic policy is framed, and then as a set of drivers of the projection of American domestic policy outward. National security, in this context, is an instrument of America First. It serves to enforce and ensure that objectives are realized and the core objectives protected from outside interference. It has little to do with law or with territory or global integrity. It has everything to do with the sketching out and protection of the space--the global platform--within which American transactional activities may be undertaken, guided and protected by the State and its military/political power.

One starts with the principles of the strategy. These are second order principles that structure the means by which the ends are to be achieved. The NSS 2025 prattles on about principle and pragmatism in the style of institutional-bureaucrats; perhaps a necessary nod to the institutions that must be prodded to fulfill the vision of NSS 2025,¹¹² and then underscores its single key element--the maximization of the effectiveness of transactional platforms in which American dominance is to be constituted and projected for its consumers internally and worldwide, requires the end of conflict. The President has been styled the “President of Peace,” but as suggested earlier, peace here is understood as the end of violent hostilities that then permit the operation of transactional activity through which merchants may engage in productive (wealth enhancing) activity.¹¹³ Fair enough and as always a President ought to lose no opportunity to remind the people who elected him of the efforts undertaken in the service of peace.¹¹⁴

More important is the synthesis of all of this into a set of operational principles that must drive “American foreign, defense, and intelligence policies.” (Ibid.). These are reduced to Chinese style key descriptors: (1) focused definition of the national interest (in the nation); (2) peace through strength; (3) predisposition to non-interventionism; (4) flexible realism; (5) primacy of nations; (6) sovereignty and respect; (7) balance of power; (8) pro-American worker; (9) fairness (the American win-win strategy); and (10)

¹¹² *Id.*, p. 8.

¹¹³ Office of the President of the United States, Press Release, *supra* note 70.

¹¹⁴ NSS2025, at 8.

competence and merit.¹¹⁵ In one sense one can see that national security now touches on virtually every aspect of American political life, or put differently that the role of the State is to engage in national security protective measures, leaving the rest to the population the security of which it protects. There is, at its limit, nothing that is not national security, or that if it is important enough for the State to intervene, by definition it touches on national security--or at least the national security to protect and enhance the platforms within which it is possible to engage in transactional activity--by a State that uses transactional activity in the service of national security.

From this the State may chose (and modify) priorities that align with conditions at any stage of its historical development. For 2025 and beyond, the priorities are identified as (1) *migration* (political and social stability); (2) *protection of core rights and liberties* (a reset on the scope of the power of expert elites to nudge people into proper behaviors--but not their elimination); (3) *treaties as transactional environments* that further national interests (with a focus on NATO); (4) *the benefit of running away from NATO--"Realignment through Peace"* (there is a mistress waiting in the wings when one finally dumps one's spouse. . . .and these are transactional relationships anyway; and (5) *economic security* (economic security as fundamental to national security--producing a preference for "balanced trade", "ensuring access to critical supply chains and materials"; reindustrialization (taking a page from the Global South of the 1970s), "reviving the US defense industrial base (taking a page from the Soviets); "energy dominance" (oil & gas and AI), and "financial sector dominance" (every state and regional group, especially in Asia is after this prize)).¹¹⁶

Here, of course, things get murky, and the whining reaches a higher level. This is especially the case with the obsession about Europe that has chosen to drive itself to its present place since the late 19th century: "We will oppose elite-driven, anti-democratic restrictions on core liberties in Europe, the Anglosphere, and the rest

¹¹⁵ NSS2025, pp. 9-11.

¹¹⁶ Ibid., 11-15.

of the democratic world, especially among our allies.”¹¹⁷ The merchant-type, as reflected in the core normative constructs of NSS2025 does not interfere as long as others do not threaten transactional spaces and the US enjoyment of those spaces toward its own ends. As such, it should be of no interest to the US that “the continent will be unrecognizable in 20 years or less.” And yet, with respect to “Europe” the opposite seems to be true. Does the merchant indulge in nostalgia for generative origin spaces/nations? Does America First include the obligation to protect the “territory” of democracy within its “homeland”? Those may be the wrong questions, A merchant-type abides by their agreements if they mean to retain their reputation in transactional markets. How then does a merchant achieve a break in contractual relations? They must discover a breach of fundamental terms and expectations. In this case the contract is NATO, and the breach is this cultural etc. *This is the merchant-type ethos par excellence* Put differently, the merchant would argue that the NATO contract has failed of its purpose since the Americans are no longer dealing with the same partners with which they negotiated the original agreements and they did not agree to continue the contractual arrangements with (effectively) successor parties. This is convenient because the Americans are eager to deal with another, one whose fundamental character appears impervious to change. . . . What appears clear is that the Europeans are annoying the current crop of ruling elites in their preferred relationships with Russia and that to correct that they may indulge the rhetoric and projects of a discredited former American ruling elite.

5. *And then. . . the Regions.*

There is a bit of disdain here (“It has become customary for documents such as this to mention every part of the world and issue, on the assumption that any oversight signifies a blind spot or a snub. As a result, such documents become bloated and unfocused—the opposite of what a strategy should be.” NSS2025, p. 15). The reason, as suggested above, is straightforward--the merchant-type tends to apply objectives flexibly--if economic prosperity and security is the

¹¹⁷ NSS2025, p. 12, expanded at *ibid.*, pp. 25-27 under the odd slogan of “Promoting European Greatness”).

object, it doesn't matter how or through what ends that is achieved, and mid-action course corrections, abandonment and re-negotiation are just everyday parts of the palette of the merchant-type, even when undertaken through institutions of State. What that leaves, then, are general indications of where the initial focus is connected to overall objectives (e.g. what can these regions do for us?), and signifiers of possession (Western Hemisphere and Europe) that permits a greater scope of outward projection of national security measures.

Thus, for example, the Western Hemisphere is treated as an American near periphery the national security effects of which are substantial enough to warrant closer "connection." The NN2025 explains: "Our goals for the Western Hemisphere can be summarized as "Enlist and Expand." We will enlist established friends in the Hemisphere to control migration, stop drug flows, and strengthen stability and security on land and sea. We will expand by cultivating and strengthening new partners while bolstering our own nation's appeal as the Hemisphere's economic and security partner of choice."¹¹⁸ The Americans don't want to own them—the merchant prefers to reject territorial empire as a basis for engagement. But the spirit of the Platt Amendment with Cuba might now be generalized within the "American" Hemisphere.¹¹⁹ American national security interests are to be transposed to neighbor states; the rest is transactional. That requires a substantial amount of bargaining under conditions of win-win--that is where the power relationships are such that all parties will have to use quite different metrics to determine how best to value deal making (at the state and private levels); what Fidel Castro and Hugo Chavez, in constructing ALBA, once described as asymmetrical arrangements based on national valuation of its interests.¹²⁰

China is now viewed as just another turnip seller in a medieval Asian marketplace of turnip sellers. As a sharp trader the Chinese must be challenged and their tactics exposed and defeated.

¹¹⁸ *Id.* at 16.

¹¹⁹ Presidential Message on Anniversary of Spanish American War, *supra*.

¹²⁰ Larry Catá Backer & Augusto Molina, *Cuba and the Construction of Alternative Global Trade Systems: Alba and Free Trade in the Americas*, 31(3) U. PA. J. INT'L L. 679 (2010).

The obsession is with “predatory economic practice”--with respect to the rest, the US appears less concerned. But what the merchant understands as predatory practices the official understands as core matters of state-territorial claims, the right to block sea routes, monopolistic control of markets, unfair competition, and subversion of unfriendly governments to ensure friendlier trade terms. The description reads more like an accounting of the old relations between Pepsi and Coca Cola than of the great power Thucydidean drama that had been the narrative since the financial crisis of 2007.¹²¹ But battles between merchants and bureaucrats can be no less deadly than the old traditional types. Vanguards sometimes make mistakes, and they are always so encased in their own imaginaries that they are sometimes incapable of seeing or correctly evaluating relations with others and their consequences.¹²²

ii. U.S. Department of State Agency Strategic Plan Fiscal Years 2026-2030 (January 2026).¹²³

In the U.S. Department of State *Agency Strategic Plan Fiscal Years 2026-2030* (January 2026), one might, at last, have stumbled upon such a coherent statement--one worthy of study, support, or opposition on its own terms and with respect to the guiding ideology the objectives of which it seeks to fulfill. And oddly enough, it is bound up not just in narrative but in the semiotics of systems theory that sets out an architecture within which the transactional revolution that serves as the foundation of the Trump Administration may be embedded, and thus embedded projected inward into the Republic, and outward among the Republic’s friends and not-friends. One may

¹²¹ See, generally, John Hesk, *Thucydides in the Twentieth and Twenty-First Centuries*, in A HANDBOOK TO THE RECEPTION OF THUCYDIDES 218-237 (Christine Lee, Neville Morley (eds.), Wiley, 2014). For a Chinese perspective, see, Yuan Yang, Escape both the ‘Thucydides Trap’ and the ‘Churchill Trap’: Finding a Third Type of Great Power Relations under the Bipolar System, 11(2) *The Chinese J. Int’l. Pol.* (2018).

¹²² NSS 2025, *supra* note 23, at 19-24.

¹²³ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, discussed in Larry Catá Backer, *Reflections on the Normative-Institutional Architecture of America First: U.S. State Department “Agency Strategic Plan: Fiscal Years 2026-2030*, LAW AT THE END OF THE DAY (Jan. 17, 2026) available at <https://lbackerblog.blogspot.com/2026/01/the-institutional-architecture-of.html>.

well avoid institutions, but one cannot evade systems for long. Transactional systems, however, do not manifest the same way as institutional systems; different lens, different values; different objectives; different policy.

The result of all of this is system, wrapped in institution, and manifested in a set of categorical objectives that themselves expose by their systematic organization, the underlying premises that produce their organization and their goals, and that, at their most fundamental also permit a glimpse at the reality ordering lens from which all of this is spun out in ways that, in accordance with their terms, premises, and assumptions, “make sense.” Together the various parts of this plan can be used advantageously to begin to understand the core elements of the outward facing American basic or fundamental political line during the time of the leadership of the Trump Administration. It can be understood in as comprising seven elements: (1) narrative linking external and internal political models; (2) sovereignty as the animating or *grund-norm* of the political model; (3) The inner concentric circle of external relations; (4) the west of the US--Asia and points west; (4) the American “east”, and civilizational parents; (5) the sovereignty of technology; and (8) the triumph of the transactional in inter-governmental relations.

1. Every system needs a narrative.

The narrative is set out in Secretary Rubio’s Foreword, which is actually not a foreword but the elaboration, in orderly form, of the core premises that together constitute at least one version of America First, and from out of which it is possible both to discern a system and from it to build an apparatus through which system goals can be articulated and realized. It starts from the usual starting point at this point of the 2nd Trump Presidency: the President Washington invoking premise of “peace through strength” and what to some might sound like an American version of the Chinese New Era principle of national rejuvenation,¹²⁴ in its American version is

¹²⁴ Xi Jinping, Achieving Rejuvenation is the Dream of the Chinese People, Speech made when visiting the Exhibition. “The Road to Rejuvenation” (29 November 2012); available [https://www.neac.gov.cn/seac/c103372/202201/1156514.shtml]. Compare Press Release, President Trump Celebrates

expressed as “domestic renewal. . . [which] will usher in a new era of American greatness.”¹²⁵

An objective of “domestic renewal” which will “usher in a new era of American greatness” must be measured against something. That something is presented as the consequence of the long term elaboration of an American fundamental political line that did more harm than good to the body of the Republic, indeed, a political line that produced the sort of instability and chaos within which it was both impossible to govern or to engage in transactional relations:

systematic infringements on our sovereignty; the return of multi-faceted great power competition unlike any we have seen since the end of the Cold War; rampant abuse and exploitation in the global trading system; a post-war global order increasingly plagued with anti-Western ideology and weaponized against us; the erosion of our borders and an epidemic of unchecked global mass migration; and global chaos, instability, and armed conflict of a scale not seen in decades.¹²⁶

Perhaps the Republic could have navigated within transnational instability and chaos.

Things became more difficult and dangerous, as this narrative elaborates, when these trajectories were projected inward and deeply embedded in American mass politics and socio-economic relations in ways that causes social and economic weakness. “We have been growing increasingly dependent on foreign supply chains. We have become increasingly ashamed of our own culture, identity, and

America’s New Golden Age on Presidents’ Day (16 February 2026); available [<https://www.whitehouse.gov/releases/2026/02/president-trump-celebrates-americas-new-golden-era-on-presidents-day/>] (“These victories mark the dawn of a new Golden Age of American greatness — where hardworking American citizens are safer, more prosperous, and prouder than ever before.”).

¹²⁵ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24.

¹²⁶ *Id.* at 1.

values. And, in many quarters, there is a creeping fatalism about the future of American power and prosperity.”¹²⁷ This was a set of conditions that might even be thought more advanced within the traditional allies of the Republic with which, at one point at least, there was a unity of values as well as interests. And the “big bang” of all of this was the arrogant triumphalism that infected the Republic’s leading groups—its vanguard elements as vanguardism was deployed in the Republic from the time of Woodrow Wilson at least¹²⁸--from the time of the disintegration of the Soviet empire. That line produced an “agenda committed to multilateralism, globalization, and to remaking—often by force—disparate parts of the world in the image of Western democracies.”¹²⁹

These choices and that post-Soviet American political line put the Republic “on a path towards civilizational and geopolitical suicide.”¹³⁰ It is important to note the twin elements of the suicide formula of the American post-Soviet line—it was both political and societal-cultural. It was rooted in a foreign policy that “consistently elevated the interests of the “global community” and the “rules-based order” above the national interests of the United States and our people.”¹³¹ The Republic’s suicide, then, was a *draught of globalism laced with a multilateral rules based order* that required for its ultimate triumph the obliteration of the United States (and China etc.) as something apart from and autonomous of the global community into which it would sink, except perhaps for things that might matter less—cuisine, language, folkways that were not otherwise offense to the emerging global aggregate.”The original sin of globalism is that it denied American exceptionalism and deluded us into becoming ashamed of our history, strength, and prosperity . . . At our core, we

¹²⁷ *Id.*

¹²⁸ Discussed in Larry Catá Backer, *The American Leninist-Brain Trust Republic: Text of President Trump’s Executive Order, “Launching the Genesis Mission,” and the Press Release “President Trump Launches the Genesis Mission to Accelerate AI for Scientific Discovery”*, LAW AT THE END OF THE DAY (Nov. 28, 2025) available at [<https://lcbackerblog.blogspot.com/2025/11/the-american-leninist-vanguardist.html>].

¹²⁹ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 1.

¹³⁰ *Id.*

¹³¹ *Id.*

are a proud people—proud of our country, our might, and our culture. A truly American foreign policy ought to reflect this indomitable spirit.”¹³²

That is the narrative vision. It was a vision that, like its Chinese counterpart (and one speaks here to the formulation of the basic or fundamental political lines of hegemonic powers that are in no hurry to cede authority or their sense of their place in the world) required a thing against which it could define both danger and possibility. In the case of the Americans (and to some extent the Chinese post 1949), the danger was national obliteration either as a historical reality from out of which a national rejuvenation was necessary or a pathway forward to obliteration from which a national renewal was a necessary antidote. The cure for that would be quite different in each state—but cure there must be to their respective national-civilizational maladies. For the Republic, “Correcting course demands a rapid return to a pragmatic diplomacy committed to advancing the national interests of the United States and our people. In other words, it requires a foreign policy that puts America First.”¹³³ And there it is.

America First has a story; it has a lens; and it has the capacity for self-referencing structuring through systems grounded in a set of core premises from out of which a collective normative structure can be built, its objectives specified and the policies and other tools necessary for its realization marshaled. Cultural and political integrity must be protected—the autonomous body of the Republic must be preserved. Here one comes to a hegemonic version of the post-colonial ideal, now transposed onto the fundamental self-understanding of the hegemon itself. Collective life and its cognitive frameworks provides irony that keeps on giving. Perhaps that, at its most basic, is the human condition.

And so Secretary Rubio then makes the obvious more so for those who have not yet gotten the point: First, that the renewing political line is focused on action rather than theoretical elaboration;

¹³² *Id.* at 3.

¹³³ *Id.* at 1.

that its basis is on the elaboration of the core dual objects that every State must protect: (1) its political sovereignty; and (2) its cultural/societal sovereignty. Left unsaid, of course, is the further duty of a State to constantly consider the meaning nature and expression of those dual sovereignties across time. But that is a second order consideration. First things first--one must get one's sovereignty houses in order. And here again a conflation of America First as a transactional global strategy in protection of the Republic's sovereignty with the Republic's National Security Strategy for 2025,¹³⁴ one that aligns foreign policy with internal objectives built around the protection of the State against challenges, internal and external--that is the essence of and the purpose for the State.

How do we practice America First foreign policy? To start, we must be clear, concrete, and limited in the delineation of our core national interests . . . We cannot hope to solve every issue, or to prevent every global tragedy. Success requires clear-eyed prioritization of the key interests in our diplomatic agenda . . . Moreover, no significant structure can stand without a robust foundation; a safe, secure, and prosperous United States is a prerequisite for a powerful global presence. Domestic renewal begins by reasserting American sovereignty—over our territory, our people and commercial enterprises, and our state.¹³⁵

From these consequential principles (that is from principles that follow from the core premises--preserve and realize political and cultural/societal sovereignty) it is possible to sketch out the initial policy and structural actions/agendas necessary to fulfill the America First basic line: (1) territorial integrity (migration; bandit gangs and “narco-terrorist criminal organizations” and their strongholds markets for suppressed goods and services and within dissident communities); (2) economic autonomy and solidity (independence, perhaps of the sort that was the ideal of the post-colonial States

¹³⁴ NSS 2025, *supra* note 23.

¹³⁵ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 1-2.

through the 1970s, it is not clear); (3) technological independence and supremacy. All of this is wrapped up in Goal 1 of America First.¹³⁶

These three foundational agendas then generate their own derivative agendas which, when aggregated, will constitute the ecology of action/objective that is America First in this first era of its operation. These include a strong market oriented Western Hemisphere (the near periphery of the Republic) elaborated in Goal 2.¹³⁷ It also includes a general principle of promoting “shared prosperity with these friendly states”¹³⁸ and “competition with China or other geopolitical adversaries,”¹³⁹ from one perspective bringing memories of Chinese people’s democratic dictatorship but in a transactional universe in which there is trade for friends and competition for adversaries. It is here that the transactional lens is at its most visible: “Once more, commerce will play a critical role in forging alliances and partnerships. American enterprise is the root of our global power and our domestic prosperity.”¹⁴⁰

Commerce has a public dimension. “[W]e will embrace the President’s dealmaking ethos and forge new ventures, compacts, and trade agreements that will bring about fair and mutually beneficial trade and economic partnerships with our friends and allies.”¹⁴¹ Just as dealmaking can guide the Republic back to prosperity if well managed, so can it serve as a foundation for a sound public policy projected outward.¹⁴² That management, in turn, requires choosing priorities and allocating resources on that basis. And priorities are chosen for its relevance to national rather than global/institutional interests.¹⁴³ “To this end, we will also empower strong and self-sufficient allies, ensuring that our friends are able to contribute their fair share towards collective security and welfare. . . allowing the

¹³⁶ *Id.* at 4-7.

¹³⁷ *Id.* at 2, 7-9.

¹³⁸ *Id.* at 2.

¹³⁹ *Id.*

¹⁴⁰ *Id.* at 3.

¹⁴¹ *Id.*

¹⁴² This has particular resonance, for example, in the area of tech innovation and commercial dominance. See, e.g.,

¹⁴³ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at . at 2.

United States to prioritize strategic imperatives. “¹⁴⁴ It also has an ideological aspect—one that is meant to enhance transactional spaces by ensuring convergence of normative expectations.¹⁴⁵

All of this, of course, is based on an assumption, the continuing relevance of which is the essence if America First: that “the United States is still the indispensable nation.”¹⁴⁶ That is the challenge of America First. And the challenge is to be undertaken in the transactional spirit of pragmatism. That “means deal making in the shadow of first principles. And that translate into the transactional matrix of America First: “rejecting the arrogant paternalism of thinking we can or should change the customs or politics of foreign nations where there is not a direct benefit to doing so. It means dealing in the art of the possible and not wishing away constraints—whether they be natural, geographical, geopolitical, economic, or social.”¹⁴⁷

That is the challenge now better elaborated to the large enterprise of the Republic’s post 1945 vision for a global order by those who now seek to move, in the current era of the Republic’s historical development, to a vision that is, in many respects, impossibly incompatible with that which came before. Whatever happens, and however successful this is, it is unlikely that it will be possible to turn the clock back before 2016. And in that lies the greatest challenge both to the proponents and opponents of the America First era of the Republic.¹⁴⁸

The details follow. These represent the current expression of system manifestation of its global objectives, crafted to maximize value under current circumstances and likely to change as context changes. And that detailing takes up the bulk of the *Agency Strategic*

¹⁴⁴ *Id.* at 3.

¹⁴⁵ *Id.* at 2-3 (“Our allies will also play key roles helping us push back against anti-Americanism in international organizations, protect free and open sea lanes and commercial corridors, and prevent foreign powers from dominating key regional resources and domains.”).

¹⁴⁶ *Id.* at 3.

¹⁴⁷ *Id.*

¹⁴⁸ *Cf.* Zoellick, *supra* note 66.

Plan Fiscal Years 2026-2030. Most of them are further elaborated in the *National Security Strategy for 2025*.¹⁴⁹ The difference is that this is a pragmatic document that seeks, in its own way, to reveal more precisely the scope, form, and prioritization of national public goals projected outward in furtherance of national goals and aspirations. And in that respect, as well, it takes on the character of the core initiative of its fraternal hegemon evidenced in the framework of China's Silk Roads structures; the difference is on the way in which the structures and operations of the international order is to be used. For Chinese institutionalists these are valuable productive forces; for the United States these are impediments to systems of transactional production.¹⁵⁰

2. *The Semiotics of Sovereignty.*

The semiotics of sovereignty is revealed in a fairly straightforward way. The principal task “is to ensure the continued survival of our nation as a self-governing republic that defends the safety and interests of Americans.”¹⁵¹ Continued survival of the nation is both territorial and conceptual. Both are built around the concept of the function of borders.¹⁵² That, in turn requires a focus on citizens, and their economic instruments, and the spaces within which they can achieve their goals—“their safety at home and abroad, and their freedom from foreign efforts to curb their rights—and of our businesses, which are regularly subject to unfair practices around the world.”¹⁵³ And there is a consequence, one directed to the dismantling of the instruments of the bureaucratic/institutional and

¹⁴⁹ Discussed at text at note 57 set seq.

¹⁵⁰ National Comm. of the Chinese People's Pol. Consultative Conf. [中国人民政治协商会议全国委员会], Xi Proposes Global Governance Initiative at Largest-Ever SCO Summit, (Sep. 2, 2025), available at [<https://perma.cc/2F4N-HGG3>]. See also Ministry of Foreign Aff. People's Republic of China, China's Three Global Initiatives: China's Solutions to Addressing Global Challenges—Speech by Chinese Ambassador to PNG Yang Xiaoguang at the “China's Global Initiative and China-PNG Cooperation” Symposium, Chinese Embassy in Papua New Guinea (Mar. 13, 2025) available at [<https://perma.cc/8D7Z-484X>].

¹⁵¹ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 4.

¹⁵² *Id.* (“The Department will advance the sovereignty of our nation, at the core of which is control of our borders.”).

¹⁵³ *Id.*

its rationalizing premises. That requires reducing “deference to multilateralism and global bureaucratic consensus, which too often reflect destructive ideologies and strategic misalignment with U.S. interests.”¹⁵⁴

These structural elements and their relationships are then reduced to three primary objectives: The first is to secure America’s borders and the American people’s right to decide who to admit and on what terms.¹⁵⁵ The second is to ensure all Americans can exercise their rights free from foreign interference.¹⁵⁶ The third is to engage in international organizations only when it advances America’s national interests.¹⁵⁷

¹⁵⁴ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 4.

¹⁵⁵ *Id.* at 4-5 (“In collaboration with the Department of Homeland Security and other relevant U.S. government agencies, the Department will continually improve our screening and vetting policies and procedures for those who seek immigration benefits. This includes ensuring that applicants do not pose any risks to public safety or national security, do not bear hostile attitudes toward our citizens, culture, government, institutions, or founding principles, or show other signs of anti-Americanism. . . . Remigration and border security are central to our diplomatic engagements, especially to those in our hemisphere.”).

¹⁵⁶ *Id.* at 5 (“The Department will oppose efforts by foreign countries, international organizations and NGOs, and activist groups that seek to censor Americans in their own country. We will counter these efforts through all appropriate means including visa and financial sanctions. At the same time, the Department will scrutinize attempts by foreign powers to exercise influence within the United States. These efforts are not new, but now seek to manipulate American public life through a widening spectrum of influence operations. This includes lobbying and lawfare; NGO activities, including through think-tanks, cultural centers, and educational institutions; and media manipulation, including paid media and social media campaigns.”).

¹⁵⁷ *Id.* at 5-6 (“International organizations exist to advance the interests of sovereign nations. They are not global legislatures or independent sources of moral, political, or legal authority. They stray from their proper purpose when they develop their own constituencies and seek to advance agendas that no citizen can approve or reject . . . The Department will no longer fund or support international organizations or conventions that act contrary to America’s interests or that erode our sovereignty. We will no longer defer to unelected international bureaucrats who run them.”).

3. *The Ordering of the Near Periphery (Or Building a Wall Around the Apex Sovereign).*

If the protection of sovereignty is the apex objective, and if that protection assumes a new framing structure, then the maintenance of the advantages of sovereignty are also worth protecting “Our status as a global superpower was built on this foundation: without serious enemies or conflicts at our borders, we have been able to project power abroad unhindered. Over recent decades, however, we have let these pillars of our strength erode.”¹⁵⁸ That is the value of sovereignty is its facilitation of projecting that sovereignty outward to protect sovereign prerogatives inside the national territory and with respect to the interests of its citizens and their economic instrumentalities. “The United States has re-established absolute primacy in our hemisphere—both by bringing anti-American and rogue states to heel, and by forging powerful new security and economic partnerships with likeminded states.”¹⁵⁹

These structural elements and their relationships are then reduced to three primary objectives: (1) an enhanced focus on the expulsion of extra-hemispheric military and political influence, unchecked economic migration, transnational terrorism, criminality and banditry, and malign influences;¹⁶⁰ (2) a strengthening of strategic partnerships in the Western Hemisphere;¹⁶¹ and (3) suppressing narco-terrorist gangs and cartels.¹⁶²

¹⁵⁸ *Id.* at 7.

¹⁵⁹ *Id.*

¹⁶⁰ *Id.* (“Monroe Doctrine focused primarily on the expulsion of extra-hemispheric military and political influence. The Donroe Doctrine expands this principle to purge unchecked economic, migration, and drug interference and to stamp out malign influence from extra-hemispheric powers, trans-national criminal organizations and rogue regional actors alike. by those outside the hemisphere. The United States does not—and has never— sought a closed economic system in the Western Hemisphere, but we will no longer permit foreign adversaries to use commerce and investment as a stalking horse for control of the region’s critical infrastructure and strategic territory. . . .”).

¹⁶¹ *Id.* at 8 (“Our allies will no longer feel isolated against China or any other extra-hemispheric power, . . . no one’s interest would be served were the Western Hemisphere to become a theater of serious great-power competition . . .”).

4. *Protecting the Western flank of the Republic's sovereignty.*

Sovereignty protection and securing the peripheries around the national territory has a special application when deployed against near peers—especially China. “How the United States responds to the rise of China will be the defining story of the 21st century.”¹⁶³ Just as the U.S. traces its origins to European colonization, and its principal interests to its near peripheries, those peripheries include the Pacific. “We are unambiguous that regional peace and stability benefit the United States irrespective of competition with countries such as China. We seek closer economic and military ties with Indo-Pacific allies and partners that benefit U.S. strength, not which come at our expense.”¹⁶⁴ These relations will be used to fulfill the general or principal objective of America First—“we will pursue policies in the Indo-Pacific that support economic strength in our own country and deter aggression abroad.”¹⁶⁵

These structural elements and their relationships are then reduced to two primary objectives. The first is to Strengthen the Indo-Pacific economic system to support U.S. reindustrialization and reinforce ties with allies. The focus are in relationships and deals to promote American re-industrialization “through broad commercial advocacy efforts, the development of secure and resilient supply chains, and the spread of American and trusted alternatives to Chinese-created dependencies.”¹⁶⁶ This is to be undertaken through programs of building and reinforcing regional allies and partners in the region through fair, high-impact bilateral trade deals to advance

we will cooperate on issues of mutual concern, including combatting intra-regional challenges like narcotics trafficking, [prioritizing] trade deals in the Western Hemisphere and near-shore key industries in neighboring countries with comparative advantages—not as charity, but because doing so improves the security of our own supply chains.”).

¹⁶² *Id.* (“We will recognize cartels and gangs as the foreign terrorist organizations that they are. We will continue to apply sanctions and other economic tools against these entities—as well as against any state or non-state actors who provide them succor.”).

¹⁶³ *Id.* at 9.

¹⁶⁴ *Id.*

¹⁶⁵ *Id.*

¹⁶⁶ *Id.*

shared prosperity. Just as China has begun to focus on high quality and innovative production (new quality productive forces) as a core element of its modernization program,¹⁶⁷ so will this US policy “support efforts by innovative American companies to win markets across the Indo-Pacific region and removal of bureaucratic red tape that restrict our companies [that] prioritize innovative deals to secure critical minerals and will work closely with allies and partners to protect our technological advantages and safeguard our innovation from hostile exploitation.”¹⁶⁸

The second then focuses on the protection against aggression by competitors and others. That requires establishing a favorable military balance in the region “to keep the trade routes free and open and to deter aggression.”¹⁶⁹ The focus here is on the preservation of spaces for transactional encounters—the shape and value of which is directed by its participants, guided only by the meta principles of enhancing re-industrialization and advantageous commercial relations.¹⁷⁰

5. *The Eastern Flank; Nostalgia and Impatience.*

The relationship of the U.S. with its original colonial forebearers is complicated.¹⁷¹ It is complicated by substantial reversals of fortune over several centuries and the complications of changing dynamics in the relationship built on autonomy and dependence in

¹⁶⁷ See National Comm. of the Chinese People’s Pol. Consultative Conf. [中国人民政治协商会议全国委员会], 20th Central Committee of the Communist Party of China at its Third Plenary Session, Full text: Communique of the Third Plenary Session of the 20th Central Committee of the Communist Party of China (July 18, 2024), available at [http://en.cppcc.gov.cn/2024-07/19/c_1006186.htm].

¹⁶⁸ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 9-10.

¹⁶⁹ *Id.* at 10.

¹⁷⁰ *Id.* (“We will secure the vital lanes of commerce which run through the region, keeping them open for our ships to navigate unimpeded.”).

¹⁷¹ *Id.* at 11 (“The nations of Europe are America’s oldest allies. The United States was born of Western European parentage and, far beyond mere geopolitics, we are bound to Europe through shared traditions, cultural heritage, political values, and familial ties.”).

shifting forms.¹⁷² For the future, the U.S. is meant to take a reformer's role to the modern version of the term once used to describe the Ottoman Empire as the "sick man of Europe."¹⁷³ The policy is put this way: "To succeed against today's challenges, the United States must help European partners recommit themselves to a new American transatlantic civilizational alliance."¹⁷⁴

Against what is the United States fighting in its efforts to help reform Europe? In a sense it is fighting the same forces that continue to oppose Trump Administration policies and their core premises, in the United States. In both cases the fight targets elites that came "came to espouse increasingly radical conceptions of globalism and pan-humanism that led them to reject and undermine the core tenets of Western civilization: Western faith and values, national sovereignty, free expression, free markets, and belief in the polity."¹⁷⁵ To fight these forces in Europe, and to triumph there, is to do the same thing in the United States.

These structural elements and their relationships are then reduced to three primary objectives. The first touches on the need to transfer primary responsibility for the defense of Europe back to the Europeans. This is an old desire of the Trump Administration revived from the time of the first Trump Administration. But the object isn't solely military; it is also tied to the expansion of joint defense industrial bases. "Without demonstrable progress, the American people cannot continue to care more about the security of

¹⁷² *Id.* On the origin of the term and its broadened use to mean any empire or system in declines, see 'The Sick Man of Europe' – a major power in decline and its contemporary use see, e.g., ASLI CIRAKMANM FROM THE "TERROR OF THE WORLD" TO THE "SICK MAN OF EUROPE": EUROPEAN IMAGES OF THE OTTOMAN EMPIRE AND SOCIETY FROM THE SIXTEENTH CENTURY TO THE NINETEENTH (Peter Lang, 2002). For its modern use, see, e.g., Christian Dustmann, Bernd Fitzenberger, Uta Schönberg, and Alexandra Spitz-Oener, *From Sick Man of Europe to Economic Superstar: Germany's Resurgent Economy*, 28(1) JOURNAL OF ECONOMIC PERSPECTIVES 167-188 (2014); GIULIA BENTIVOGLIO, THE TWO SICK MEN OF EUROPE?: BRITAIN AND ITALY BETWEEN CRISIS AND RENAISSANCE (1976-1983) (Peter Lang, 2018).

¹⁷³ Originally a reference to the Ottoman Empire.

¹⁷⁴ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 11.

¹⁷⁵ *Id.*

far-off nations than the citizens of those nations do themselves.”¹⁷⁶ This shapes the view for the reconstitution of NATO as what the policy calls “a real alliance. As recent conflicts have clearly demonstrated, rhetoric does not win wars.”¹⁷⁷ The repercussions can be evidenced by the tensions around the refusal of NATO and NATO members to aid the United States in its actions to open the Straits of Hormuz during the course of U.S. military operations against Iran in the Spring of 2026.¹⁷⁸

The second focuses on a rebalancing of trade to decrease European dependence on “adversarial powers.”¹⁷⁹ Nonetheless that policy objective also targets major structural reform of European governance—effectively challenging the primacy of Europe’s version of its bureaucratic/institutional structures. “The United States will unapologetically pursue balanced, reciprocal trade with European nations. We will resist the EU’s attempt to cast itself as a “regulatory superpower” and push back on rules which discriminate against U.S. businesses or have extraterritorial effects on U.S. consumers.”¹⁸⁰ It also means challenging European positions on Climate change and petroleum based production. “The export of U.S. energy will be a central pillar in our economic collaboration with European nations.”¹⁸¹ But the larger objective is to steer European trade toward the US and away from Russia and China.¹⁸²

¹⁷⁶ *Id.* at 12.

¹⁷⁷ *Id.*

¹⁷⁸ See, e.g., Alejandra Olmos, Spain Left Out of the G20: US Decision Blamed on Pedro Sánchez’s Actions, *Heraldo USA* (27 April 2026); available [<https://www.heraldousa.com/latestnews/spain-left-out-of-the-g20-us-decision-blamed-on-pedro-sanchezs-actions-20260427-0059.htm>]; US Considers Suspending Spain from NATO, Reported Email Suggests, *Al Jazeera* (24 April 2026); available [<https://www.aljazeera.com/news/2026/4/24/us-weighs-retaliation-against-nato-allies-over-iran-war-divisions-reuters>] (“Spain has refused to let the US wage attacks on Iran from its airspace or bases. Trump called Spain “terrible” and threatened to end all trade with the country.”).

¹⁷⁹ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 12.

¹⁸⁰ *Id.*

¹⁸¹ *Id.*

¹⁸² *Id.* at 12-13.

The third focuses on the defense of what is called “civilizational values.”¹⁸³ The notion is not new to the Trump Administration, though, like values elsewhere, it is recast to suit the times and the administration.¹⁸⁴ This ties the Western Hemispheric goals of migration control and religious freedom in the style of the US to Europe. “Mass migration is a threat to national cohesion, social stability, and civilizational values and we will support European nations’ increasing recognition of this.”¹⁸⁵ What makes it more distinct is its (re)connection to core issues of national solidarity, a subject that has been debated in Europe as well,¹⁸⁶ a perspective lens that is meant to challenge the rise of global migrant solidarity approaches.¹⁸⁷

6. Technology and the new sovereignty.

Here the America First circle is complete. If national security is economic policy, then economic policy is national security.¹⁸⁸ “U.S.

¹⁸³ *Id.* at 13 (“The United States and European nations must be civilizational allies, first and foremost.”).

¹⁸⁴ See, e.g., Joshua Botts, “*Nothing to Seek and . . . Nothing to Defend*”: George F. Kennan’s Core Values and American Foreign Policy, 1938–1993, 30(5) *DIPLOMATIC HIST.* 839-866 (2006); RICHARD W. PAYNE, *THE CLASH WITH DISTANT CULTURES: VALUES, INTERESTS, AND FORCE IN AMERICAN FOREIGN POLICY* (State University of NY Press, 1995).

¹⁸⁵ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 13 (“As such, the United States will condemn anti-democratic actions which restrict free speech or the free exercise of religion and will oppose the use of lawfare to ban political opponents”).

¹⁸⁶ See, e.g., Marianne Tackle, *Is the Migration Crisis a Solidarity Crisis?*, in *THE CRISIS OF THE EUROPEAN UNION: CHALLENGES, ANALYSIS, SOLUTIONS* 116-128 (Andreas Grimmel (ed.), Routledge, 2017); HAROLD BAUDER, *FROM SOVEREIGNTY TO SOLIDARITY: RETHINKING HUMAN MIGRATION* (Routledge, 2022); CHRISTIAN JOOPKE *CITIZENSHIP AND IMMIGRATION* (Polity Press, 2010).

¹⁸⁷ See, e.g., Deanna Dadusc and Pierpaolo Mudu, *Care without Control: The Humanitarian Industrial Complex and the Criminalisation of Solidarity*, 27 *GEOPOLITICS* 1205-1230 (2020); Mariama Awumbila, Faisal Garba, Akosua K. Darkwah & Mariama Zaami, *Migrant Political Mobilisation and Solidarity Building in the Global South*, in *THE PALGRAVE HANDBOOK OF SOUTH-SOUTH MIGRATION AND INEQUALITY* 719-739 (Heaven Crawley and Joseph Kofi Yeye (eds), Palgrave MacMillan, 2024).

¹⁸⁸ The notion was not invented by the current crop of thought leaders, even in its modern forms. Consider, Charles L. Schultze, *The Economic Content of National Security Policy*, 51(3) *Foreign Affairs* 522-540 (April, 1973);

power lies in both our military dominance and our leadership of the global economy. In a geopolitical context driven increasingly by economic statecraft, the future of U.S. supremacy lies in our future productive power.”¹⁸⁹ It applies not just to the domestic power but also the power of projecting power outward, “The United States extends our national power through a confluence of economic productive power, military power, and technological innovation.”¹⁹⁰

These structural elements and their relationships are then reduced to four primary objectives. The first focuses on U.S. domestic reindustrialization. That is an objective that requires foreign markets as well as domestic capacity/investment. It is focused on identified markets that the State views as useful (in the manner of a Marxist Leninist 5 Year Economic Plan):¹⁹¹ “We will identify productivity-enhancing sectors and industries necessary for a vibrant economy . . . including [identifying] dependencies in these areas and take steps to secure our supply chains and bolster our capacities.”¹⁹² The second focuses on disrupting abuse of the global trading system. One needs a stable transactional platform for a system that is driven by transaction.¹⁹³ “In addition to being vital to national security, increasing productive power and market share over strategic sectors

THEODORE H. MORAN, AMERICAN ECONOMIC POLICY AND NATIONAL SECURITY (Council on Foreign Relations Press, 1994); essays in Sheila R. Ronis (ed), ECONOMIC SECURITY: NEGLECTED DIMENSION OF NATIONAL SECURITY (INSTITUTE FOR NATIONAL STRATEGIC STUDIES, NATIONAL DEFENSE UNIVERSITY, 2011); Gerald F. Seib, *In Biden World, Economic Policy is National Security Policy*, THE WALL STREET JOURNAL (15 February 2021); available [<https://www.wsj.com/politics/national-security/in-biden-world-economic-policy-is-national-security-policy-11613403216>].

¹⁸⁹ Agency Strategic Plan Fiscal Years 2026-2030, *supra*, at 13.

¹⁹⁰ *Id.* at 16.

¹⁹¹ See, E. Stuart Kirby, *China's First Five-Year Plan*, 42(3-4) J. ROYAL CENTRAL ASIAN SOC. 269-274 (1955); see also, Scott Kennedy and Christopher K. Johnson, PERFECTING CHINA, INC.: THE 13TH FIVE YEAR PLAN (CSIS, 2016).

¹⁹² *Id.* at 14 (“[E]nergy, critical minerals, advanced manufacturing, robotics, machine tools, shipbuilding, material sciences, critical and advanced infrastructure, telecommunications, pharmaceuticals, medical devices, space and aerospace, semiconductors, compute, artificial intelligence (AI), data storage, transportation logistics, unmanned and autonomous systems, biotechnology, and quantum science.”).

¹⁹³ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 14.

will boost the entire American economy and create synergies with other sectors of the economy, providing tangible benefits to the entire U.S. labor force, financial markets, and the U.S. Treasury.”¹⁹⁴ To those ends commercial diplomacy will serve as the core of US projections of power abroad—unless military intervention is necessary. That diplomacy, in turn, has a primary object: “The Department’s commercial diplomacy strategy will involve identifying American alternatives to Chinese investment.”¹⁹⁵ Most interesting is the preference for self-help measures; the reliance on the World Trade Organization and its structures, so meticulously negotiated and sometimes driven by the U.S. appears nowhere.¹⁹⁶

The third focuses on using US exports and investments as strategic leverage. This is meant to tie other states more closely to the US even as it helps fulfill US reindustrialization. This is almost a self-conscious effort to transpose the Chinese “going out” policies of their era of Reform and Opening Up but now refashioned for the US context and conditions.¹⁹⁷ “To deepen countries’ economic connection to the United States and reduce their dependence on China, we will reindustrialize and become the world’s factory in the most critical sectors that determine the shape of the global economy.”¹⁹⁸ Tech transfer, of course, is another (strategic and national security matter).¹⁹⁹ Lastly, the fourth touches on strengthening tech innovation and industry dominance. Here again, national security is economic policy; and economic policy is at the

¹⁹⁴ *Id.*

¹⁹⁵ *Id.* at 15.

¹⁹⁶ *Id.* (“Working with other agencies, we will work with U.S. businesses to investigate and respond to unfair trade practices that limit market access to other countries. To ensure these measures are effective, we will especially focus on transshipment. . .”).

¹⁹⁷ See generally JUN FU, CHINA’S PATHWAYS TO PROSPERITY: ABDUCTIVE REFLECTIONS ON REFORMS AND OPENING UP (Peking University Press 2025).

¹⁹⁸ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 16 (2026).

¹⁹⁹ *Id.* (“The Department will take leadership of efforts to promote the export and control of the American AI tech stack to trusted partners . . . in exchange, we will ensure that only trusted partners enjoy these technologies, and that untrusted foreign technology does not proliferate at the risk of our security or influence”).

core of national security; the rest becomes consequential. “We must therefore outcompete our rivals in technological development and dominance to win in the economic and military spheres as well. We will accomplish this by protecting our advantages and leadership in the science and tech ecosystem while also promoting U.S. technology exports to lead global market share.”²⁰⁰ And all of this goes back to the engine of transactions, and therefore to the imperative of protecting global transactional spaces—not the institutions that mean to manage either to both. “Protecting U.S. technology will not guarantee industry dominance if we do not also export our technologies abroad in place of adversaries.”²⁰¹ The details of this policy, with respect to AI related technologies was recently elaborated by Michael Kratsios, the Director of the White House’s Office of Science and Technology Policy (OSTP).²⁰²

7. The triumph of the transactional in and as inter-governmental relations.

That leaves the development of policy with respect to the tools available to the State to further or fulfill its objectives. These are now categorized as furthering two distinct objectives; one is lifesaving programs, the other are strategic investments.²⁰³

These are then operationalized in two ways. The first revolves around leveraging assistance as a tool of statecraft. Assistance ought to be targeted to states that advance US interests, and “advance discrete and time-bound objectives and will quickly and effectively

²⁰⁰ *Id.*

²⁰¹ *Id.* at 17.

²⁰² Michael Kratsios, Accelerating American AI Exports: Remarks by Director Kratsios at the APEC Digital and AI Ministerial Meeting Incheon, Korea (Aug. 5, 2025); (transcript available at <https://www.whitehouse.gov/releases/2025/08/remarks-by-director-kratsios-at-the-apec-digital-and-ai-ministerial-meeting/>)

²⁰³ Agency Strategic Plan Fiscal Years 2026-2030, *supra* note 24, at 18. (“Lifesaving assistance includes time-limited health and humanitarian programs . . . Strategic assistance advances longer-term U.S. interests by providing allies with security assistance, foreign military financing and economic support and by promoting commercial and trade ties through programs that facilitate market access and U.S.-led infrastructure development.”)

leverage assistance as a tool to advance discrete U.S. economic, security, and diplomatic objectives.”²⁰⁴ The second adds a transactional layer to assistance. “If done correctly, U.S. investments built on private sector principles of fair exchange, local control and mutual benefit will offer a clear contrast—and more appealing alternative to—exploitative models such as Chinese debt-trap diplomacy.”²⁰⁵ Equally important is the intention to move away from traditional delivery sources centered in the non-profit sector and to use the US business community for these efforts. Non-profit organizations tend to enhance institutionalist perspectives and bureaucratic management grounded in ideological or normative objectives. Reframing these interactions as profit based transactions changes both their focus and character.

iii. The 2026 National Defense Strategy.²⁰⁶

The cauldron of Zhou dynasty China served as the essential incarnation of the State, its organization, and the space into which productive forces were gathered symbolically and on the face of which the basic or fundamental political line as then understood could be etched, engraved, read, and undertaken. Modern society has done away with traditional means of ritual invocations of authority and with it the semiotic power of the imaginaries of the cauldron (鼎 *dǐng*).²⁰⁷ The idea remains current, and in traditions like West African Ifa it serves as the core metaphor for understanding the way

²⁰⁴ *Id.* at 19-20.

²⁰⁵ *Id.* at 19.

²⁰⁶ U.S. DEPT. OF WAR, THE 2026 National Defense Strategy. (2026) (Originally discussed Larry Catá Backer, *Fleshing Out the America First Framework as Peace Through Strength Projections: Brief Reflections on the 2026 National Defense Strategy* (US Department of War January 2026), *Law at the End of the Day* (24 January 2026); (available [<https://lbackerblog.blogspot.com/2026/01/america-first-in-peace-through-strength.html>].))

²⁰⁷ Wei Hua, Cao Yuan, *Ding: Chinese Cultural Artifact Embodying Thought of “Unity between Heaven and Man”*, 5 MEΘEXIS JOURNAL OF RESEARCH IN VALUES AND SPIRITUALITY 13-48 (2025). Cf., Cheng Tong, Yilin Wang and Na Zhu, *Rituals of World Order: Reading Contemporary International Law through Chinese Chunqiu Order*, 24(4) CHINESE JOURNAL OF INTERNATIONAL LAW (2025); available [<https://doi.org/10.1093/chinesejil/jmaf035>].

structures within which all of the human is ordered and contained.²⁰⁸ The images and signification of these ritual objects assume modern form in the documents that are meant to contain “everything”—in this case the State and the state of its societal relations. The concepts are particularly apt when describing the three documents— National Security Strategy of the United States for 2025 (November 2025),²⁰⁹ Agency Strategic Plan Fiscal Years 2026-2030 (January 2026),²¹⁰ and the 2026 National Defense Strategy²¹¹ are the three essential legs of the cauldron of state, of the calabash, that together elaborates and signified the America First initiative, and from them, the conceptual structures that then bind together the core domestic policies of the American new era (“the great national renewal that will usher in a new golden age”) and its external projection (peace through strength).

As analyzed by the US Naval Institute staff in its own consideration of the 2026 National Defense Strategy with reference to their own mission, the core normative elements of the 2026 NDS can be divided into three parts: (1) defend the U.S. homeland first,²¹² (2) Indo-Pacific peace through strength rather than confrontation and focused on access not territory,²¹³ (3) burden sharing among the

²⁰⁸ AFOLABI A EPIGA AND JOHN PHILIP NIEMARK, *THE SACRED IFA ORACLE* (Athelia Henrietta Press, 1995) (Odu Òfúnmeji “everything is contained within the calabash” (Ninu igbá naa ni), pp. 60-61).

²⁰⁹ Discussed text at note 57 et seq.

²¹⁰ Discussed text at note 115 et seq.

²¹¹ Discussed text at note 192.

²¹² U.S. Naval Institute Staff, *2026 U.S. National Defense Strategy*, U.S. NAVAL INSTITUTE NEWS (Jan. 24, 2026, 9:28 AM) (“we will actively and fearlessly defend America’s interests throughout the Western Hemisphere. We will guarantee U.S. military and commercial access to key terrain, especially the Panama Canal, Gulf of America, and Greenland. We will provide President Trump with credible military options to use against narco-terrorists wherever they may be. We will engage in good faith with our neighbors, from Canada to our partners in Central and South America, but we will ensure that they respect and do their part to defend our shared interests.”) [<https://news.usni.org/2026/01/24/2026-u-s-national-defense-strategy>]

²¹³ *Id.* (“our goal is simple: To prevent anyone, including China, from being able to dominate us or our allies—in essence, to set the military conditions required to achieve the NSS goal of a balance of power in the Indo-Pacific that allows all of us to enjoy a decent peace. To that end, as the NSS directs, we will erect a strong

Republic's allies;²¹⁴ and (4) align national defense with national reindustrialization (traditional industries) and innovative production (tech and AI based development).²¹⁵ All of this is intimately tied to the America First superstructure and its national security narrative/normative overlay. They also interweave the core of domestic policy with its expression as national security on the one hand, and international relations on the other. These serve as the core 4 lines of effort that serve as the normative heart of the National Defense Strategy.²¹⁶

All of the core premises of the transactional/merchant lens are here, encased within the America/First policy initiative. The focus is on American interests defined by reference to commercial and military access in key areas. It focuses on impediments to transactions and access to markets, especially actors in the formal economy and criminal elements. The key focus is defensive—to prevent others from distorting, interfering with or dominating markets and markets access of importance to the US. That prevention strategy is built on walls. Territorial barriers against migration that are not sanctioned by and through the State; and physical barriers along the US defense platforms. It respects other states as autonomous and if allies as capable to partnering with the U.S. It rejects notions of institutional or territorial empire—not dependencies but partners in transactions

denial defense along the First Island Chain (FIC). We will also urge and enable key regional allies and partners to do more for our collective defense.”)

²¹⁴ *Id.* (“As the NSS directs, it is one of focused engagement abroad with a clear eye toward advancing the concrete, practical interests of Americans. Through this America First, commonsense lens, America’s alliances and partners have an essential role to play—but not as the dependencies of the last generation. Rather, as the Department rightly prioritizes Homeland defense and deterring China, other threats will persist, and our allies will be essential to dealing with all of them. Our allies will do so not as a favor to us, but out of their own interests.”) *Ibid.*

²¹⁵ *Id.* (“President Trump is leading a once-in-a century revival of American industry, re-shoring strategic industries to the United States and revitalizing the industries previous generations had shipped overseas. We will harness this historic initiative to rebuild our nation’s defense industry, which underpins our defense and that of our allies and partners. We must return to being the world’s premier arsenal, one that can produce not only for ourselves but also for our allies and partners at scale, rapidly, and at the highest levels of quality.”)

²¹⁶ *Id.* at 15-23.

and in the protection of transactional spaces. And it focused on the American capacity to make money by making things and offering services from within the territorial borders of America (中華) as the central splendor (中華) nation—a concept that is built into the name of another “center or middle country (中國). The point made here textually is also conceptual—in both cases perspective is rooted in a place; for one that place is the center of transactions, for the other of guiding institutions.

What, then, is the nature of war in the Republic’s “new era”? The 2026 NDS nicely summarizes it as peace.²¹⁷ “Peace is the highest good. But not a peace that sacrifices our people’s security, freedoms, and prosperity.”²¹⁸ To those ends the essence of relations is to engage in win-win transactions with opponents. “We do not demand their humiliation or submission. Rather, we demand only that they respect our reasonably conceived interests and those of our allies and partners who stand stoutly with us. If we all can acknowledge this, we can achieve a flexible and sustainable balance of power among us, and peace.”²¹⁹ When peace along those lines is rejected then the U.S. goes to war. “Thus, if our potential opponents are unwise enough to reject our peaceful overtures and choose conflict instead, America’s armed forces will stand ready to fight and win the nation’s wars in ways that make sense for Americans. To ensure that is the case, this Strategy will ensure that we see things and the choices we need to make clearly. We will prioritize addressing the most consequential and grave threats to Americans’ interests.”²²⁰

None of this makes sense except as a functionally differentiated piece of the larger puzzle that is America First, and that acquires its normative depth not from the Department of War—they themselves have reconstituted their apparatus as an instrument of peace through the perpetual threat of projections of force to

²¹⁷ U.S. DEPT. OF WAR, THE 2026 NATIONAL DEFENSE STRATEGY (2026), at 24.

²¹⁸ *Id.*

²¹⁹ *Id.*

²²⁰ *Id.* (“We will revamp our network of allies and partners to meet the threats we face. And we will be ready, always carrying the sharpest and most formidable sword but prepared to offer the olive branch.” *Ibid.*).

neutralize threats to peace--from the architecture of the America First. That architecture, in turn, blends the essential elements of “new era” domestic policy ²²¹(re-industrialization in a guided markets driven environment) to augur in the renewal of the Republic that will be manifested in a golden age of the Republic’s social relations (articulated in the form of its customs and traditions) repurposed for the contemporary age. It is shaped, in turn, with the cautions of national security (protection against domestic and external threat) of the 2025 NSS, and the structures for the outward projection of the Republic’s domestic policy (transactions in economic, social, and cultural objects) that are in turn extensions of the manifestation of domestic fundamental objectives.²²² That is the calabash that is America First, grounded in national security and built to realize both public and private sector transaction based benefits.

And with it an effort to repurpose violence projected outward (and inward) in the service of the State and against its enemies and unpatriotic elements. Within the cognitive cages of America First what emerges is their conviction that they will eliminate war --at least war as understood in 19th and 20th century terms, wars for territory, wars for elimination of other states, etc., (“No longer will we squander Americans’ will, resources, and even lives in foolish and grandiose adventures abroad.”)²²³ The Republic, or rather its citizens will certainly bleed, and the national treasury will be used, extensively, to finance capability. What appears to be the idea, though, aligns with the fundamental transactional conceptual baseline of the Republic in its new era--that such blood and booty sacrifices will be undertaken strictly for quantitatively justifiable (or perhaps discursively positive)) domestic ends--either to protect the heartland (at the heartland’s borders or within its essential near peripheries).

²²¹ The reference suggests an alignment of transformative change in the ruling ideology that can be seen contemporaneously occurring in the U.S. and China, though in different directions and with distinct objectives. In both cases the object is the same—in Chinese terms the great rejuvenation of the Chinese nation, in those of the US the return to a golden age.

²²² Developed more directly in the DoS Agency Strategic Plan, *supra* note 24.

²²³ U.S. DEPT. OF WAR, THE 2026 NATIONAL DEFENSE STRATEGY (2026), at 24

What the documents struggle with, then, is an effort to abandon the old conceptual starting points for understanding and perhaps also for creating the legal-managerial structures for war, by reframing violence, as they mean to use it, as force projections in the service of peace (redefined as the absence of war, or managed ceasefire),²²⁴ a condition of social relations understood, in turn, as the apex space (platform—e.g. it need not be physical but may be virtual as well) for social, cultural, economic, etc. transactions and with transactions value added “this Strategy is defined by a realistic, practical approach to clearly understanding the threats Americans face and how realistically and pragmatically those threats can be addressed in ways consistent with American interests.”²²⁵

For Europe (and NATO), the model is Israel. “Israel has long demonstrated that it is both willing and able to defend itself with critical but limited support from the United States.”²²⁶ The foundations of that form of relationship ranges from disquieting to anathema in Europe.²²⁷ Its generalized expression was elaborated in the NDS’s discussion of “burden sharing. (“our allies and partners must shoulder their fair share of the burden of our collective defense. This is the right thing for them to do, especially after decades of the United States subsidizing their defense. But it is also vital from a strategic perspective—both for us and for them.”)²²⁸ The measure is a function of negative impact on the Republic’s interests calculated

²²⁴ Considered at Larry Catá Backer, , Law at the End of the Day (29 September 2025); available [<https://lcbackerblog.blogspot.com/2025/09/america-first-as-template-for-global.html>]

²²⁵ U.S. DEPT. OF WAR, THE 2026 NATIONAL DEFENSE STRATEGY (2026), at 8

²²⁶ *Id.* at 12.

²²⁷ For a quite interesting reading in the context of European wars since 2014, see, Jakub Wondreys, *Comparing radical left parties’ positions on Ukraine and Israel: between Russophilia and anti-Semitism?*, 48 JOURNAL OF EUROPEAN INTEGRATION 289-310 (2016); Hafeez Ullah Khan, *Liberal Institutionalism in Crisis: Reassessing the Iran-West Nuclear Standoff Amid the 2025 Israel–Iran War*, 35(1) DOMES: DIGEST OF MIDDLE EAST STUDIES e70010 (2025); available [<https://doi.org/10.1111/dome.70010>].

²²⁸ U.S. DEPT. OF WAR, THE 2026 NATIONAL DEFENSE STRATEGY (2026), at 13

from their perspective, and an interdiction of substitution effects of U.S. contributions to joint projects of defense (or transactions).²²⁹

That value added and value threatening framework is nicely captured in the 2026NDS approach to China, not as such, but as a threat to the ability of the Republic to do business when and as it likes: “The American people’s security, freedom, and prosperity are therefore directly linked to our ability to trade and engage from a position of strength in the Indo-Pacific. Were China—or anyone else, for that matter—to dominate this broad and crucial region, it would be able to effectively veto Americans’ access to the world’s economic center of gravity, with enduring implications for our nation’s economic prospects, including our ability to reindustrialize.”²³⁰ Russia, on the other hand, is a second order threat and potential a first order platform for the realization of transactional value added. It is a threat to the extent it threatens the value added of old alliances along NATO’s Eastern flank. But it is a secondary threat in the sense that the expectation now arises that the Republic will no longer finance the containment of Russian first order threats, even against its dearest allies.²³¹ There will be room to bargain, certainly--markets for defense and alliance are in essence no different than markets for “widgets”, but it is clear that violence projections against second order threats will have to be made worthwhile. A repudiation of the post 1945 order as it had come to evolve itself after 1989; most likely. Yet in the minds of the architects of this approach it represents not a repudiation but a classic rectification.²³² That then explains the approach to Iran as well--one that recharacterizes the Iranian leadership as a much more potent variant on the Venezuelan model--operating to thwart the Republic’s interests and heading both a state and a criminal apparatus which makes it fair game for force

²²⁹ *Id.* at 13-14

²³⁰ *Id.* at 10

²³¹ *Id.* at 10-11

²³² President Donald J. Trump, Remarks at the World Economic Forum in Davos, Switzerland (Jan. 21, 2026) (*Transcript: President Donald Trump Remarks @WEF Davos 2026*); see also (In Davos, President Trump Outlines Bold Vision for American Prosperity, Transatlantic Strength);

projections in defense of the Republic's win-win transactions platforms.²³³ And so on.

That, at any rate, is one way one might read these documents, and with it, the way in which their authors understand and apply America First in its domestic, international, defense, security and institutional policy manifestations--all now as a unified whole that is both self-referencing (a series of looping conceptual constructs) and interconnected with the greater public and private organizational frameworks of the Republic. And all of this requires a substantial rectification both the policies of the Republic and of the thinking and conduct (the working style) of its own cadres and patriots as well as those of its allies (if they wish to remain so.) That, in the discursive style of Herodotus, was the essence of President Trump's remarks at Davos,²³⁴ coded, in a style infuriating or easily dismissed by his enemies (who in vanguardist terms would be understood and thus flushed out as unpatriotic or reactionary forces). Whether or not this is a good idea, whether it is attainable, or whether it will survive the current administration (the last point appears to be generally accepted if one takes the Canadian Prime Minister's speech at Davos seriously about the threat of the transactional/merchant order to the more traditional (post-1945) institutionalist/techno-bureaucratic order of States and the post-1945 public institutional order.²³⁵

²³³ U.S. DEPT. OF WAR, *THE 2026 NATIONAL DEFENSE STRATEGY* (2026) at 11-12.

²³⁴ President Donald J. Trump, Remarks at the World Economic Forum in Davos, Switzerland (Jan. 21, 2026) (available <https://singjupost.com/transcript-president-donald-trump-remarks-wef-davos-2026/>)

²³⁵ Mark Carney, remarks at the World Economic Forum in Davos, Switzerland, (20 January 2026); the text of which was reprinted in Read Mark Carney's full speech on middle powers navigating a rapidly changing world, CBC (Jan. 20, 2026); (available [<https://www.cbc.ca/news/politics/mark-carney-speech-davos-rules-based-order-9.7053350>])

iv. Remarks of Secretary of State Marco Rubio at the Munich Security Conference (14 February 2026).²³⁶

Secretary Rubio's remarks are at their best as he tries to explain America First as a function of the rebooting of the meaning of the post 1945 order--and to that end, the understanding of revolutionary world remaking itself on the brink of the defeat of the Axis powers, the explosion of vibrant anti-colonialist and anti-imperialist movements targeting the structures of European expansion after the loss of their first colonial empires before the start of the Napoleonic period, and the re-invention of government and governance,²³⁷ but oddly not Russian or other "middle powers" empires,²³⁸ nor the ideology of exporting revolution from and after the Communist International movements.²³⁹ That is, after all, what is

²³⁶ U.S. Dept. of State, Secretary of State Marco Rubio Remarks at the Munich Security Conference in Munich, Germany (Feb. 14 2026); (available [<https://www.state.gov/releases/office-of-the-spokesperson/2026/02/secretary-of-state-marco-rubio-at-the-munich-security-conference>].) (Portions first published as Larry Catá Backer, *Law at the End of the Day* (Feb. 17, 2026); (available [Reflections on Friendship, the Power of National Self-Actualization, and the Defining Baseline of 1963 in and as America First--Text of Secretary of State Marco Rubio at the Munich Security Conference]))

²³⁷ See, e.g., SOLAR MOHANDESI, *RED INTERNATIONALISM: ANTI-IMPERIALISM AND HUMAN RIGHTS IN THE GLOBAL SIXTIES AND SEVENTIES*, (Cambridge University Press, 2023).

²³⁸ For an old order view, see, e.g., Peter Meyer, *The Driving Force Behind Soviet Imperialism: Is it a New Menace or the Old Bear Reawakened?*, COMMENTARY (March 1952); available [<https://www.commentary.org/articles/peter-meyer/the-driving-force-behind-soviet-imperialism-is-it-a-new-menace-or-the-old-bear-reawakened/>]; Mark R. Bessinger, *Soviet Empire as "Family Resemblance,"* 65(2) SLAVIC REV. 294-303 (2006). But see, Sabelo J. Ndlovu-Gatsheni, *Triple internationalism: Imperialism, Marxism, and decolonization*, in *MARXISM AND DECOLONIZATION IN THE 21ST CENTURY: LIVING THEORIES AND TRUE IDEAS* (Sabelo J. Ndlovu-Gatsheni, Morgan Ndlovu (eds.), Routledge, 2021).

²³⁹ See, e.g., Linda Khatib, *The Degradation of Iran's Proxy Model* (Harvard Kennedy School Belfer Center, April 2026); available [https://www.belfercenter.org/sites/default/files/2026-04/Belfer_%20Degradation%20of%20Irans%20Proxy%20Model_2.1.pdf]; RICHARD LOWENTHAL, *WORLD COMMUNISM: THE DISINTEGRATION OF A SECULAR FAITH* (OUP, 1964); essays in Oleksa Drachewych and Ian McKay (eds.), *LEFT TRANSNATIONALISM: THE COMMUNIST INTERNATIONAL AND THE*

at play--the meaning and practice of the revolution of 1945 as recast in 1963, and the place within that of the accretions that came after. Secretary Rubio reaches back to 1963; others might reach back to 1945. And it is from this cognitive starting point that political collectives must decide (1) how to identify important data at the moment of snapshot; (2) how to vest these with significance; and (3) how to build a cognitive cage around those data and that signification that can then be articulated, safeguarded, protected; or projected elsewhere and mostly forward in time.

It is to a more considered understanding of those remarks that is the focus of the remainder of this essay. It is divided into seven parts: (1) temporal starting points; (2) the foundational binary; (3) the betrayal; (4) the price of folly in a city of fools; (5) America First and the great reboot; (6) pitching revolution; (7) the rebooted world order; (8) putting the State back in the state system; and (9) it's all about self-actualization

1. Temporal Starting Points.

Secretary Rubio emphasizes starting points throughout the address. And, indeed, if one read the remarks carefully, it becomes clear that analytically, starting points are not historical markers but markers that frame structure, values, goals. He could have chosen 1945, the starting date of the new global ordering led by the Americans at the vanguard of leading States victorious in war against (1) the extra-moral forces of an amoral ethno-racial-religious managerial eugenics and human value hierarchy and (2) unconstrained militarism as the principal language of international relations. Their task was to reboot a global order, the manifestations of which emerged in the decade or so following, at least as to form and values.

But the Secretary did not. One cannot get in his head, of course, but it is plausible to consider that context dictated a starting point connected to the origins and context of the Munich Security Conference. And so the Secretary's speech is framed around 1963 as

NATIONAL, COLONIAL, AND RACIAL QUESTIONS (McGill-Queen's University Press, 2020).

a starting point. 1963 was a momentous year in some respects.²⁴⁰ It started in the shadow of the so-called Cuban Missile crisis of October 1962. The American adventure in Vietnam intensified, intensified by the assassination of Ngo Dinh Diem, as did its sanctions regimes against the revolutionary government in Cuba. George Wallace was inaugurated as Alabama's governor promising segregation forever, the federal government sent troops in to enforce desegregation, while the Rev. Dr. Martin Luther King wrote his letter from the Birmingham Jail and the march on Washington where his "I Have a Dream Remarks" were delivered, and the Civil Rights Act was enacted. France and Germany continued a process of alignment, while France vetoed the UK's admission into what was to become the EU. Patsy Kine is killed in a plane crash and Beatlemania starts with the release of their new album. John XXIII dies and with the event the shaping of Vatican II, and the US and Soviets established the now famous "hotline" and sign a Partial Nuclear Test Ban Treaty. Computer programming language standardization draws institutional attention and the synthesizer received its first public demonstration. President John F. Kennedy was assassinated in Texas, as was the person who was facing charges in that murder. There was more of note as well.

That is a lot of data and a reminder of the complexities of contextualization and essentialization multiple data streams parallel, intermeshing, and multi-directional. But data can be "activated" by acquiring signification (or being vested with it--that is what people chose to consider as the data "set" from out of which analysis is to be undertaken). And with that signification one can develop a framework for rationalizing the world as a function of an issue, objective, or state of being that is central to an analysis.

All of these events no doubt started out in the mix that was 1963. But its essence, for Secretary Rubio, was shaped by a view of the context in which 1963 presented itself as the relationship between Europe and the U.S. The parsing and data selection, then, might be

²⁴⁰ A Year in History: 1963 Timeline, Historic Newspapers website; available [https://www.historic-newspapers.com/blogs/article/a-year-in-history-1963-timeline?srsId=AfmBOoqgrhyQKHXdv-Od8ekZmEb69mMJovLAcEPf6mGnyHq3b4ssJQS9].

thought more direct, and perhaps brutal--that by 1963 it was apparent that there was unfinished business from what had started in the 1930s. Having defeated the forces of the radical and immoral political right--it was by then clear that those efforts would have to be redirected toward achieving the same ends against the radical left. But now those efforts would be constrained by the normative architecture of human rights and the anti-militarism that served as the core templates of the post-1945 order. That, for Secretary Rubio is both the temporal starting point, and the touchstone for the essence of world ordering that he now seeks to apply in the present, but with contemporary characteristics. The spirit of 1963 is invoked to move forward the project that is America First: "It will restore to us a clearer sense of ourselves. It will restore a place in the world, and in so doing, it will rebuke and deter the forces of civilizational erasure that today menace both America and Europe alike."²⁴¹ That, at any rate, appears to be the plan.

2. The Foundational Binary.

Leibniz²⁴² reminded us centuries ago that binary code may be a useful way of reducing complexity to its simplest forms. Cognition and its representation might be usefully organized as binaries--zeros and ones, black and white, Western democracies and Soviet Marxist Leninist totalitarianism. Secretary Rubio organizes the world of 1963 along what for the post-1945 world was its principal binary, or in the language of Marxist Leninism, as its general contradiction and the essence of its dialectics:

When this conference began in 1963, it was in a nation – actually, it was on a continent – that was divided against itself. The line between communism and freedom ran through the heart of Germany. The first barbed fences of the Berlin Wall had gone up just

²⁴¹ Secretary of State Marco Rubio, Remarks at the Munich Security Conference in Munich, Germany (Feb. 14, 2026) (transcript available at <https://www.state.gov/releases/office-of-the-spokesperson/2026/02/secretary-of-state-marco-rubio-at-the-munich-security-conference>)

²⁴² See, LLOYD STRICKLAND & HARRY LEWIS, *LEIBNIZ ON BINARY: THE INVENTION OF COMPUTER ARITHMETIC* (2002)

two years prior. And just months before that first conference, before our predecessors first met here, here in Munich, the Cuban Missile Crisis had brought the world to the brink of nuclear destruction. Even as World War II still burned fresh in the memory of Americans and Europeans alike, we found ourselves staring down the barrel of a new global catastrophe – one with the potential for a new kind of destruction, more apocalyptic and final than anything before in the history of mankind.²⁴³

Thus, it seems, 1945 might have provided the setting for the rebooting of the global order in the wake of victory against great manifestations of two distinctive forms of internal and external state organization, conduct, and with that, their value systems. Yet all that did was clear away the debris from the great underlying contradiction on the basis of which the old world order was engaged in sometimes violent “dialectic” and oftentimes engagement at odds with the values either side purported to advance. It solved the problem of the 19th century well into the 20th; but it now made it possible to see that this was only half the equation--ridding the planet of 19th century apex state values made confronting its 20th century incarnation unavoidable. And that moves the dial from 1945 to 1963. Or to put it in the language of Deng Xiaoping²⁴⁴--while the 2nd World War effectively rectified “right error,” it left a potentially equally disturbing “left error” not just infect but able to corrupt the center in the absence of its old countervailing force.

This dialectic then, served as the basis for continued alliance. Gratitude, as many know, is a great burden, and tends to build resentment almost as much as it builds positive connection. And in 1963, certainly for critical elements of the elites, one might surmise, the world and world ordering of 1863 might have been far closer to their sensibilities intellectually than was that of 1917 or 1945, much

²⁴³ RUBIO, *supra* note 239.

²⁴⁴ DENG XIAOPING, ON OPPOSING WRONG IDEOLOGICAL TENDENCIES (1981), *reprinted in* THE SELECTED WORKS OF DENG XIAOPING (available at <https://dengxiaopingworks.wordpress.com/2013/02/25/on-opposing-wrong-ideological-tendencies/>).

less 1963. Threat, on the other hand, especially fresh off of the disasters of 1914-1945, can be a great motivator. It is here that the fundamental binary takes on its normative character.

At the time of that first gathering, Soviet communism was on the march. Thousands of years of Western civilization hung in the balance. At that time, victory was far from certain. But we were driven by a common purpose. We were unified not just by what we were fighting against; we were unified by what we were fighting for. And together, Europe and America prevailed and a continent was rebuilt. Our people prospered. In time, the East and West blocs were reunited. A civilization was once again made whole²⁴⁵.

And there it is, nicely packaged. For Secretary Rubio, 1963 is decisive because it marked not the transformation of the global rebooting conceived in 1945. It was decisive because it marked the first, and fundamental, shift in the conflict binary, the resolution of which produced the mid-20th century international framework. That shift moved the center of conflict from its 19th century moorings, from the defeated 19th century visions of internal and external imperium, in the form of the German Reich and the Japanese Empire, to an equally critical binary oppositional conflict with 20th century moorings between the liberal democratic West and its allies and the Soviet world order in a form that it would take through the dissolution of the Soviet world ordering.²⁴⁶

What was a stake was the normative (human rights centered) and anti-militarist foundations of the post-1945 international ordering. Where those structures in 1945 were directed at defeating what came to be called the fascist right and the constitution of a

²⁴⁵ RUBIO, *supra* note 239.

²⁴⁶ GRAHAM T. ALLISON, *ESSENCE OF DECISION: EXPLAINING THE CUBAN MISSILE CRISIS* (Little Brown, 1971); Matthew Draper, and Stephan Haggard, *The Authoritarian Challenge: Liberal Thinking on Autocracy and International Relations, 1930-1945*, 15(2) INT'L THEORY 208-233 (2023).

spectrum of orthodox and comprehensive “left,”²⁴⁷ after 1963 it became clear that the fight continued, this time against the totalitarian left. Conceptually, what stood between them was the values and worldview that infused the commo terms of 1945 with distinct meanings, the unavailability of which became apparent after 1963.²⁴⁸ Standing between them in a more tangible way, but to similar effect, was allied states bound by a roughly unified sense of the meaning and values of the post-1945 order, now deployed against what in the 21st century would be called the radical (fascist) left by factions within the U.S.,²⁴⁹ but which in the 20th century would be incarnated with and into the Soviet Empire.²⁵⁰ Nonetheless by the 21st century those divisions would give way to a fracturing that was also regional and conceptual, and which divided the political-ideological world, roughly into three camps, camps which John Ikenberry recently labeled the East, the West and the South.²⁵¹

3. *The Betrayal.*

For Secretary Rubio, then, 1963 serves as an excellent point for the distillation of the great project of the spirit of 1945, and its post-1945 reboot, the normative and structural expectations of which remained substantially uncontested as they shifted from a conflict against the 19th century radical right and refocused on the 20th century radical left. That was a process effectively completed by 1963

²⁴⁷ See JOSEPH FRONCZAK, *EVERYTHING IS POSSIBLE: ANTIFASCISM AND THE LEFT IN THE AGE OF FASCISM* (Yale University Press, 2023).

²⁴⁸ This is continued in some respects between the US and the People’s Republic of China. See, e.g., Yitian Zhang, *Making Sense of the Idea of ‘Human Rights with Chinese Characteristics’* (2025) (unpublished Ph.D. dissertation, Lancaster University (U.K.); available [<https://www.proquest.com/openview/21e5cae5d3a342347459971d0f438bc3/1?pq-origsite=gscholar&cbl=2026366&diss=y>].

²⁴⁹ See, e.g., JONAH GOLDBERG, *LIBERAL FASCISM: THE SECRET HISTORY OF THE AMERICAN LEFT, FROM MUSSOLINI TO THE POLITICS OF MEANING* (Doubleday, 2008); Allen Gindler, *Fascism: Left, Right, or Neither?*, 27(1) *THE INDEP. REV.* 75-98 (202)..

²⁵⁰ Mark Kramer, *Ideology and the Cold War*, 25 *REV. INT’L STUD.* 539-576 (1999).

²⁵¹ See, G. John Ikenberry, *Three Worlds: the West, East and South and the Competition to Shape Global Order*, 100(1) *INT’L AFF.* 121-138 (2024).

and evidenced by the structures of binary relations between the Soviet and Liberal democratic camps. This produced the stable state necessary to focus on the fulfillment of the promise of the normative systems that the post-1945 ordering put in place and the refinement of the promise of de-centering militarism as the first reflex of international relations.

But what happens after the great dialectic is resolved? What happens when Soviet totalitarian “left” error is defeated, at least in its 20th century forms? Secretary Rubio offers a distillation in the form of betrayal:

But the euphoria of this triumph led us to a dangerous delusion: that we had entered, quote, “the end of history;” that every nation would now be a liberal democracy; that the ties formed by trade and by commerce alone would now replace nationhood; that the rules-based global order – an overused term – would now replace the national interest; and that we would now live in a world without borders where everyone became a citizen of the world.²⁵²

Secretary Rubio contextualizes the betrayal within the psychology of delusion; perhaps arrogance and disconnection might also have worked in context, but both would have been less polite; Secretary Rubio prefers the suggestion of naivete. And indeed, betrayal might be better understood not as delusion but as efforts at mitigation by those elements within the western liberal democracies that had been, since the 1920s, sympathetic to the other side of the binary and now appeared to have been working not on the resolution of the binary but in its convergence. In effect, what Secretary Rubio suggests as the fundamental delusion was the idea that with the defeat of radical right error in 1945 and of radical left error (in Europe) in 1989ish, the only thing left for the victors to do was to disappear into the world they made possible.²⁵³ From the perspective

²⁵² RUBIO, *supra* note 239.

²⁵³ The disappearance of the state within globalized international institutions that exercised the authority of the collective of states might have been understood as the liberal democratic answer to the elusive premise first advanced

of those globalists, the “betrayal” was on the other foot as they watched their belief and operational orthodoxy shattered visibly after 2015 in both Asia and the U.S., a perspective nicely developed in the Davos Remarks of Canadian Prime Minister Mark Carney.²⁵⁴ For Secretary Rubio, on the other hand, it was the very mindset that the Canadian Prime Minister defended that was itself the fundamental betrayal of the spirit of 1945 and of 1963.

4. *The Price of Folly in a City of Fools.*

Secretary Rubio moves from the delusion of a set of assumptions that set the cognitive baseline of great states and their international institutional instrumentalities, (the post 1989 world (re)reordering) along with the interlocking public and private bureaucracies constituted to a consideration of the realization of the expectations of delusion, to the assessment of its project: foolishness. “This was a foolish idea that . . . has cost us dearly.”²⁵⁵ The era of liberal democratic vanguard foolishness, is a function of dogmatic blindness, of the rejection of responsibility for undertaking the duties of democratic power, and a sense that the only way forward was by creating circumstances in which the state itself would wither away. It is divided by Secretary Rubio, into three categories.

The first touches on what the Secretary describes as a detached and rigid ideology of trade.

In this delusion, we embraced a dogmatic vision of free and unfettered trade, even as some nations protected their economies and subsidized their companies to systematically undercut ours – shuttering our plants, resulting in large parts of our societies being

by Friedrich Engels, of the state withering away that had been, if only for an instant, within the operational conceptual universe of newly triumphant Bolsheviks in Russia. See, e.g., Edgar Hardcastle, *The Withering Away of the State—From Marx to Stalin*, SOCIALIST STANDARD (March 1946); available [https://www.marxists.org/archive/hardcastle/1946/wither_away.htm]. In its form as one of the pathways of globalization, see discussion in Larry Catá Backer, *Economic Globalization Ascendant and the Crisis of the State: Four Perspectives on the Emerging Ideology of the State in the New Global Order*, BERKELEY LA RAZA L.J. 141, 145-153

²⁵⁴ CARNEY, *supra* note 233.

²⁵⁵ RUBIO, *supra* note 239.

deindustrialized, shipping millions of working and middle-class jobs overseas, and handing control of our critical supply chains to both adversaries and rivals.²⁵⁶

While at first blush this appears to be a reprise of variations of the Global South's New International Economic order, it lacks the ideological rigidity of that now ancient effort. The issue, for the Secretary, is the protection of efficiency capacity and the protection of markets.

The second touches on the system of public international institutions. It is not just the system of public international institutions that appears to be the target, but the emergence of a global internationally centered web of public and private technobureaucratic functionaries with what of the Secretary might be understood as a slim and indirect connection to the structures of democratic accountability (though in fairness democratic accountability of their own administrative apparatus remains a bit of a work in progress.)

We increasingly outsourced our sovereignty to international institutions while many nations invested in massive welfare states at the cost of maintaining the ability to defend themselves. This, even as other countries have invested in the most rapid military buildup in all of human history and have not hesitated to use hard power to pursue their own interests.²⁵⁷

The terminology is interesting, and while odd to the ears of those heavily invested in the world view Secretary Rubio critiques--one which might have been understood as the triumphantly orthodox vision post 1989²⁵⁸--the terminology now serves as the critical language of America First. Not that sovereignty, at least among

²⁵⁶ RUBIO, *supra* note 239.

²⁵⁷ RUBIO, *supra* note 239

²⁵⁸ For a sense of that critical lens, see, e.g., Jan Wouters, *The EU's efforts to Uphold the International Rules-Based Order: Mission Impossible?*, 15(58) GLOBAL POLICY 75-81 (2024); John Dugard, *The Choice Before Us: International Law or a 'Rules Based International Order'?*, 36(2) LEIDEN J. INT'L L. 223-232 (2023).

Americans, had entirely disappeared. But it was balanced by a convergence imperative, one that might be understood as trading the indicia of sovereignty for forward movement in convergence through delegation of authority to international institutions operating under international legal regimes that now could be understood as special even within domestic legal orders. The Secretary also noted not just the delegation of sovereign authority, but perhaps more importantly, the hijacking of politics from the domestic sphere with people at the center, to the institutional sphere, with officials representing entities at the center. This last produces a self-defeating effect: “To appease a climate cult, we have imposed energy policies on ourselves that are impoverishing our people, even as our competitors exploit oil and coal and natural gas and anything else – not just to power their economies, but to use as leverage against our own.”²⁵⁹

The third touches on migration. If trade policy hollowed out states, and if the project of constructing a system of international organizations transposed sovereignty from state to international actors, then migration, if undertaken fully and properly, would sweep away the state itself. That, anyway, is the view: “And in a pursuit of a world without borders, we opened our doors to an unprecedented wave of mass migration that threatens the cohesion of our societies, the continuity of our culture, and the future of our people.”²⁶⁰

These three then shape not only the Munich remarks of the Secretary but provide a nice summary of the three core values of America First: the rejection of the idea of trade as another form of politics, the rejection of supra national governance institutions, and the rejection of open borders. These “three rejections”²⁶¹ then have a

²⁵⁹ RUBIO, *supra* note 239.

²⁶⁰ RUBIO, *supra* note 239.

²⁶¹ For the Secretary the three rejections work like a “three strikes” rule that augment the force of response like the U.S. three strike rule as interpreted during the 1st Trump Administration; 1032. Sentencing Enhancement—“Three Strikes” Law, CRM 1000-1499; available [<https://www.justice.gov/archives/jm/criminal-resource-manual-1032-sentencing-enhancement-three-strikes-law>], or suggest the core essence of national threat requiring strong response embedded more generally as a cultural notion of failure grounded in risk and threat. Tom R. Tyler and Robert J. Broeckmann, *Three Strikes and You Are Out, but Why? The*

positive side--the three modernizations: efficient re-industrialization; inter-governmentality as the basic structure of international governance; and robust national control of migration.

5. America First and the Great Reboot.

Having distilled the essence of the fool and the foolishness of that asylum that was the global ordering after 1989 slowly chocking on its own contradictions enough that even the subalterns began to see in the project an easier target, Secretary Rubio offers the America First alternative. In the process Secretary Rubio distills the essence of America First: trade (efficient re-industrialization); sovereignty (returning to inter-governmental at the international level); and migration (political solidarity of states). “Under President Trump, the United States of America will once again take on the task of renewal and restoration, driven by a vision of a future as proud, as sovereign, and as vital as our civilization’s past.” This is a project that the United States is willing to undertake alone, but would prefer the company of like-minded peers. “And while we are prepared, if necessary, to do this alone, it is our preference and it is our hope to do this together with you, our friends here in Europe.”

6. Pitching Revolution.

If, indeed, the U.S. is to undertake this re-framing, in the company of its sovereign peers, then it needs to pitch them. That is, the United States must suggest why it may make sense for a Europe that had invested heavily in the post-1989 framework and is deeply and ideologically committed to a much deeper techno-bureaucratic institutional ordering of politics, may find it more in its interests to scrape away at least enough of the barnacles of post-1989 internationalism to make partnership satisfying, viability, and positive (however ones inclined to measure that).

To that end, Secretary Rubio starts with an argument grounded in socio-cultural solidarity.

Psychology of Public Support for Punishing Rule Breakers, 31(2) *LAW & SOC. REV.* 237-266 (1997).

For the United States and Europe, we belong together. America was founded 250 years ago, but the roots began here on this continent long before. The man who settled and built the nation of my birth arrived on our shores carrying the memories and the traditions and the Christian faith of their ancestors as a sacred inheritance, an unbreakable link between the old world and the new. We are part of one civilization – Western civilization.²⁶²

What is interesting here is the alignment of faith and civilization. At a time when that view has been fractured and reconstructed in an infinitely varied way by politicians, ideologues, social scientists, religious divines, and others, Secretary Rubio pulls on an ancient trope, and in this way picking up a thread of argument that had been advanced, with decreasing success by John Paul II.²⁶³

Secretary Rubio then makes the argument from shared history, and with it blood sacrifice for mostly common ends. “We are bound to one another by the deepest bonds that nations could share, forged by centuries of shared history, Christian faith, culture, heritage, language, ancestry, and the sacrifices our forefathers made together for the common civilization to which we have fallen heir.”²⁶⁴ This is wrapped in as close to a self-reflection of the political psychology that separates the Americans from their European cousins.

And so this is why we Americans may sometimes come off as a little direct and urgent in our counsel. This is why President Trump demands seriousness and reciprocity from our friends here in Europe. The reason why, my friends, is because we care deeply. We care deeply about your future and ours. And if at times we disagree, our disagreements come from our profound sense of concern about a Europe with which we are connected – not just economically, not

²⁶² RUBIO, *supra* note 239.

²⁶³ Pope John Paul II, *Ecclesia in Europa*, ¶ 120 (2003).

²⁶⁴ RUBIO, *supra* note 239.

just militarily. We are connected spiritually and we are connected culturally.²⁶⁵

And he offers the consolation of family, of peoples who may quarrel but cannot become estranged. “We have fought against each other, then reconciled, then fought, then reconciled again. And we have bled and died side by side on battlefields from Kapyong to Kandahar.”²⁶⁶ But he offers no apologies; context makes that impossible from his way of thinking. But beyond that it is meant as a challenge to generations of culture makers and intelligentsia that have, from his pint of view, made it their business to bring something up by tearing other things down. It is not critique that annoys the Secretary it is the cognitive cages within which critique is undertaken.

7. *The Rebooted World Order is, at its Core a National Security Order.*

Where does all that inspirational and analytics language lead? It leads Secretary Rubio to the nub of the problem--the emerging alignment and perhaps fusion, of national security with the core issues that serve as the heart of the Secretary’s critique of the international *ancien regime*--de-industrialization, sovereignty transfers, and open migration. National security cannot be reduced to technical questions that are quarantined off from the core elements of social organization.²⁶⁷

The fundamental question we must answer at the outset is what exactly are we defending, because armies do not fight for abstractions. Armies fight for a people; armies fight for a nation. Armies fight for a

²⁶⁵ RUBIO, *supra* note 239.

²⁶⁶ RUBIO, *supra* note 239.

²⁶⁷ The consequences and effects of this shifting has produced a variety of views from beyond the perspectives of the major powers. See, e.g., Felix Heiduk, Melanie Müller, Yaşar Aydın, Janis Kluge, Tobias Scholz, Angela Stanzel and Johannes Thimm, *Multipolarities – The World-Order Visions of Others*, Stiftung Wissenschaft und Politik German Institute for International and Security Affairs SWP Research Paper 8 (April 2026, Berlin); available [https://www.swp-berlin.org/publications/products/research_papers/2026RP08_Multipolarities.pdf].

way of life. And that is what we are defending: a great civilization that has every reason to be proud of its history, confident of its future, and aims to always be the master of its own economic and political destiny.²⁶⁸

Like the Chinese position in its own approach to national interests under contemporary conditions of globalization, the U.S. position appears to have moved to the premise that national security is a central element of global engagement, and the central premise of national development.²⁶⁹ That adds context to the critical approach to and the connection with trade (de-industrialization) and migration. None of these policies were inevitable--except perhaps as inevitable from the premises and goals embraced by elites after the 1980s. And that returns the Secretary to the theme of the fool. De-industrialization was a long term foolish choice. "It was a foolish but voluntary transformation of our economy that left us dependent on others for our needs and dangerously vulnerable to crisis."²⁷⁰ Of course some might think that what was foolish was the unwillingness of those who embraced this orthodoxy to ruthlessly undertake all measures necessary to attain their goals. Secretary Rubio then seeks to recenter migration--not around individuals but about the internal stability of states. "Controlling who and how many people enter our countries; this is not an expression of xenophobia. It is not hate. It is a fundamental act of national sovereignty. And the failure to do so is not just an abdication of one of our most basic duties owed to our people. It is an urgent threat to the fabric of our societies and the survival of our civilization itself."²⁷¹

At its root, of course, are the ordering premises through which the world can be rationalized, values constructed and actions judged against them. There is a lot to chew there:

²⁶⁸ RUBIO, *supra* note 239.

²⁶⁹ State Council Information Office of the People's Republic of China, Hong Kong: Safeguarding China's National Security Under the Framework of One Country, Two Systems (February 2026); available [http://english.scio.gov.cn/whitepapers/2026-02/10/content_118326409.html].

²⁷⁰ *Id.*

²⁷¹ RUBIO, *supra* note 239.

An alliance ready to defend our people, to safeguard our interests, and to preserve the freedom of action that allows us to shape our own destiny – not one that exists to operate a global welfare state and atone for the purported sins of past generations. An alliance that does not allow its power to be outsourced, constrained, or subordinated to systems beyond its control; one that does not depend on others for the critical necessities of its national life; and one that does not maintain the polite pretense that our way of life is just one among many and that asks for permission before it acts. And above all, an alliance based on the recognition that we, the West, have inherited together – what we have inherited together is something that is unique and distinctive and irreplaceable, because this, after all, is the very foundation of the transatlantic bond.²⁷²

Those values are constructed from out of what the Republic ought not to be. First the Republic is not meant to isolate—to stand alone and apart. But it is to be allied with the like-minded. That like-mindedness eschews delegations of its sovereign prerogatives, and it takes care of itself—at least to the extent it can. It is the trying that counts—in the sense of a reluctance to embrace dependency on others—a core premise of the specialization at the heart of globalization.²⁷³ Like-mindedness also wraps itself around the idea of self-love, that the nation and its national characteristics are worth defending, preserving and developing as a basis of democratic solidarity. If this sort of solidarity is not possible then what is left is purely transactional—engagement without obligation other than self-interest and the unity of shared efforts to extract satisfactory value. Within this notion of alliance are both the idea of the self-interest at the heart of America First’s overarching transactionalism and suspicion of institutionally driven bureaucracies as well of the idea of

²⁷² RUBIO, *supra* note 239.

²⁷³ Christian O. Fjäder, *Interdependence as Dependence: Economic Security in the Age of Global Interconnectedness*, in *GEO-ECONOMICS AND POWER POLITICS IN THE 21ST CENTURY: THE REVIVAL OF ECONOMIC STATECRAFT* 28-42 (Mikael Wigell, Sören Scholvin, Mika Aaltola (eds), Routledge, 2018).

closer ties with like-minded States dedicated to the proposition of self-sufficiency and shared values.²⁷⁴

8. Putting the State back in the State system.

The Secretary suggested what a rebooted international ordering might look like. The object of challenge is the international techno-bureaucracy. Left alone are the uses of these communal fora for state to state discussions.

And finally, we can no longer place the so-called global order above the vital interests of our people and our nations. We do not need to abandon the system of international cooperation we authored, and we don't need to dismantle the global institutions of the old order that together we built. But these must be reformed. These must be rebuilt.²⁷⁵

Secretary of State Rubio then offers the evidence--all well-known: Gaza, Ukraine, Iranian (and North Korean for that matter) nuclear ambitions. Also proffered was the effective indifference of the international institutional apparatus to critical non-state actors--for the Americans now most pressing the Hemispheric narco-trafficking enterprises. And behind all of this is a barely concealed indictment of international law and lawyering, one that, to the Secretary appears to take pride in its self-suffocation on its own internal affectations, histories, practices and conceits; "we cannot continue to allow those who blatantly and openly threaten our citizens and endanger our global stability to shield themselves behind abstractions of international law which they themselves routinely violate."²⁷⁶ International lawyers would strongly object of course.²⁷⁷

²⁷⁴ Cf., Paul Tucker, *Global Discord: Values and Power in a Fractured World Order* (Princeton University Press, 2022) (seeking to align an institutionalist perspective with the realities of interest driven international relations).

²⁷⁵ RUBIO, *supra* note 239.

²⁷⁶ *Id.*

²⁷⁷ The issue played a role in the debates about U.S. military action against Iran in 2026. See, e.g., Brian Finucane, *On the State Department Memorandum 'Operation Epic Fury and International Law* (24 April 2026); available

Secretary Rubio then ends with a full throated defense of, a robust panegyric to, the West. That might, at first blush, be understood as directed to outsiders. Perhaps it makes more sense when understood as internal critique. One might then reasonably consider that this defense, this praise statement, was directed as a challenge and warning to the elites, so comfortably ensconced within the systems of privilege and control within the post-1980s order, that, as far as the Secretary was concerned, and with him the President, their time was, if not up, then facing what Secretary Rubio would hope to be a fatal challenge.

Secretary Rubio looks at the spectrum of criticism of America First and sees something quite different: weakness is a choice; self-denial is a choice, suicide is a choice, dissipation is a choice; decline is a choice.

And this is why we do not want our allies to be weak, because that makes us weaker. We want allies who can defend themselves so that no adversary will ever be tempted to test our collective strength. This is why we do not want our allies to be shackled by guilt and

[<https://www.justsecurity.org/137097/state-department-epic-fury-international-law/>]. But the issue has also surfaced in the context of the U.S. extraction of Mr. Maduro from Venezuela in early 2026, and U.S. engagement with Cuba in the Spring of 2026. For the former see, e.g., David J. Scheffer, *Maduro's Capture and International Law: The Noriega Precedent*, Council on Foreign Relations (6 January 2026); available [<https://www.cfr.org/articles/maduros-capture-and-international-law-noriega-precedent>]; Adrien Ajeno, *Which Immunity for Nicolás Maduro? Personal immunity, Inviolability, and the Implausible Exceptions the US Might Claim*, EJIL: TALK! (22 January 2026); available [<https://www.ejiltalk.org/which-immunity-for-nicolas-maduro-personal-immunity-inviolability-and-the-implausible-exceptions-the-us-might-claim/>]. For the latter see, Comunicado conjunto sobre la situación en Cuba Brasil, España y México [Joint Statement on the Situation in Cuba: Brazil, Spain, and Mexico], Secretaría de Relaciones Exteriores de Mexico (18 April 2026); available [<https://www.gob.mx/sre/prensa/comunicado-conjunto-sobre-la-situacion-en-cuba>], discussed in Larry Catá Backer, *Comunicado conjunto sobre la situación en Cuba Brasil, España y México [Joint Statement on the Situation in Cuba] Issued by the La IV Cumbre en Defensa de la Democracia [IV Summit in Defense of Democracy] Barcelona el 16-17 Abril*, Law at the End of the Day (18 April 2026); available [<https://lcbackerblog.blogspot.com/2026/04/comunicado-conjunto-sobre-la-situacion.html#more>].

shame. We want allies who are proud of their culture and of their heritage, who understand that we are heirs to the same great and noble civilization, and who, together with us, are willing and able to defend it.²⁷⁸

And what Secretary Rubio sees, specifically, when he encounters those who dismiss him and America First is this--an intense disdain for managed decline.

9. It's all About Self-Actualization.

Where does all of this lead states? Well, for Secretary of State Rubio, perhaps it leads to national self-actualization.²⁷⁹ We have reached the point where the notion of self-actualization, once considered the domain of the individual, now moves into the domain of the collective, and more specifically the State.²⁸⁰ "Acting together in this way, we will not just help recover a sane foreign policy. It will restore to us a clearer sense of ourselves. It will restore a place in the world, and in so doing, it will rebuke and deter the forces of civilizational erasure that today menace both America and Europe alike."²⁸¹ That includes, not necessarily a defense, but an acknowledgement of the actualities of history--from expansion, to conquest, to revolution, to settlement, to displacement. Not candy coated, certainly, it is too late in the day for that, but clear eyed and honest. One celebrates advances and confronts and learns from mistakes; one does not use mistakes as the sort of indictment, which has become fashionable, of the cognitive bases of the social and political order, and on that basis seek to sweep it aside or perhaps, overwhelm it through the early 21st century project of de-industrialization, sovereign displacement by techno-bureaucratic internal institutions, and the withering the state in the constancy of

²⁷⁸ RUBIO, *supra* note 239.

²⁷⁹ Cf., Stephen Woolpert, *A Comparison of Rational Choice and Self-Actualization Theories of Politics*, 22(3) J. HUM. PSYCHOLOGY 55-67 (1982);

²⁸⁰ Cf., Michael Lortz, *Modifying Maslow to Analyze Nation-State Development*, MEDIUM (April 16, 2025); available [<https://medium.com/hybrid-analyst/modifying-maslow-to-analyze-nation-state-development-969c1b327a77>].

²⁸¹ RUBIO, *supra* note 239.

migration. That is what Secretary Rubio appears to believe, and that is what he appears to state.

And that is how Secretary Rubio ends his remarks: “We should be proud of what we achieved together in the last century, but now we must confront and embrace the opportunities of a new one – because yesterday is over, the future is inevitable, and our destiny together awaits.”²⁸² It is all about the self-actualization of states--functioning optimally in one’s environment to fulfill one’s potential, “to become more and more of what one is!”²⁸³

C. The Parameters of Perception, Analysis and Policy.

Putting these together one gets a better sense of how the merchant/transactional type is refined as a analytic (perception) tool and the way that policy is thereby produced and perhaps even applied. One way to understand that manifestation is through the lens of borders, that is of the relation of borders to a merchant/transactional interpretive universe. These are perhaps most usefully extracted from two additional documents. The first is President Trump’s Memorandum announcing the withdrawal of the US from certain International Organizations,²⁸⁴ The second is the text

²⁸² RUBIO, *supra* note 239.

²⁸³ Cf., MARK A. RUNCO, SELF-ACTUALIZATION IN ENCYCLOPEDIA OF CREATIVITY 335-336. (2nd ed. 2011),

²⁸⁴ Donald Trump, Presidential Memorandum: Withdrawing the United States from International Organizations, Conventions, and Treaties that Are Contrary to the Interests of the United States, 91 Fed. Reg. 2281 (Jan. 7, 2026); (available <https://www.whitehouse.gov/presidential-actions/2026/01/withdrawing-the-united-states-from-international-organizations-conventions-and-treaties-that-are-contrary-to-the-interests-of-the-united-states/>) (The Memorandum was accompanied by a Fact Sheet: *President Donald J. Trump Withdraws the United States from International Organizations that Are Contrary to the Interests of the United States* (Jan. 7, 2026), available <https://www.whitehouse.gov/fact-sheets/2026/01/fact-sheet-president-donald-j-trump-withdraws-the-united-states-from-international-organizations-that-are-contrary-to-the-interests-of-the-united-states/>)

of Secretary Marco Rubio's assessment of his first 100 days as Secretary of State.²⁸⁵

i. Donald Trump, Presidential Memorandum: Withdrawing the United States from International Organizations.

In early January 2026 President Trump advised the nation of the intention to withdraw the United States from membership in a number of international organizations. Not all of them; just those that no longer served the national interest. It is in that decision and its transactional rationalization that one can better understand the way that America First's transactional merchant lens is applied to the US's engagement with the old multilateral rules based order.

Three principal reasons were provided, each of which contributed to the emerging meta-narrative of America First, and so contributing help reshape the core ordering premises of the President's framework for understanding and responding to the world around the U.S.²⁸⁶ The first is one based on strategy and avoidance of contribution to American self-destruction. This is a consequence of the long standing policy of shouldering the financial responsibility of international organizations that appear to have tended to use the money to oppose and U.S. interests, actions, principles, ideals, the welfare of the people. "American taxpayers have spent billions on these organizations with little return, while they often criticize U.S. policies, advance agendas contrary to our values, or waste taxpayer dollars by purporting to address important issues but not achieving any real results."²⁸⁷

²⁸⁵ Marco Rubio, U.S. Sec'y of State, 100 Days of an America First State Department, U.S. DEPT. OF STATE (Apr. 30, 2025); (available [<https://statedept.substack.com/p/100-days-of-an-america-first-state-department>].)

²⁸⁶ THE WHITE HOUSE, *Fact Sheet: President Donald J. Trump Withdraws the United States from International Organizations that Are Contrary to the Interests of the United States* (Jan. 7, 2026) (<https://www.whitehouse.gov/fact-sheets/2026/01/fact-sheet-president-donald-j-trump-withdraws-the-united-states-from-international-organizations-that-are-contrary-to-the-interests-of-the-united-states/>)

²⁸⁷ *Id.*

There is a broader element to this as well. “These withdrawals will end American taxpayer funding and involvement in entities that advance globalist agendas over U.S. priorities, or that address important issues inefficiently or ineffectively such that U.S. taxpayer dollars are best allocated in other ways to support the relevant missions.”²⁸⁸ The normative enemy, one that the United States appeared ready to find, was labelled, and not entirely incorrectly, the “globalist agenda.”²⁸⁹ That used to mean the old approach to globalization that was favored by liberal democratic elites especially from the time of the Soviet invasion of Czechoslovakia. But the Trump Administration might also mean it in perhaps another sense--in the sense of Chinese lead globalist agenda, one in which the Chinese hijack the rhetoric of globalism to infiltrate international organizations and then to use them as a cover to advance their own agendas. These are represented by initiatives like 全球治理倡议概念文件[Global Governance Initiative Concept Paper].²⁹⁰ That is, that the globalist agenda is, to some extent now, a Socialist international agenda but in ways that go beyond the usual debates about framing internationalism to the sort of capture that the Trump Administration views as inimical to its interests and which it will not pay for.²⁹¹

The second touches on substance. In this case the substance is constituted through the “sovereignty” lens but focuses on the normative projects of “globalist” international bodies. This is not the “China problem” but the problem of the ambitions of globalist

²⁸⁸ *Id.*

²⁸⁹ Marco Rubio, U.S. Sec’y of State, Remarks delivered by Secretary Rubio at the American Compass 5th Anniversary Gala (June 3, 2025) (transcript available <https://www.state.gov/releases/office-of-the-spokesperson/2025/06/secretary-of-state-marco-rubio-at-the-american-compass-fifth-anniversary-gala/?cmplz-force-reload=1749150598021>)

²⁹⁰ 全球治理倡议概念文件[Global Governance Initiative Concept Paper] (discussed, Institute of Geoeconomics, Beijing’s ‘Globalist’ Agenda Under Trump 2.0, available <https://instituteofgeoeconomics.org/en/research/2025120101/>).

²⁹¹ *See, e.g.*, Shanghai Cooperation Organization Remarks of Xi Jinping: “Staying True to SCO Founding Mission and Ushering in a Better Future” [牢记初心使命 开创美好未来]” (25th Meeting Heads of State Council) and “Pooling the Strength of the Shanghai Cooperation Organization to Improve Global Governance” [凝聚上合力量完善全球治理] .

techno-bureaucracies and their dependent intellectual narrative factories. “President Trump is ending U.S. participation in international organizations that undermine America’s independence and waste taxpayer dollars on ineffective or hostile agendas. Many of these bodies promote radical climate policies, global governance, and ideological programs that conflict with U.S. sovereignty and economic strength.”²⁹² These are then tied to the America First agenda that in this context assumes the role of the outward projection of inward national sovereignty.

The third foregrounds elements of America First, especially its anti-globalist spirit. The *Withdrawal Fact Sheet* undertakes this through iterate pragmatics.²⁹³ It constructs the framework of America First’s anti-globalism through an amalgamation of President Trump’s acts since the start of his second administration. “He has prioritized American interests by redirecting focus and resources toward domestic priorities such as infrastructure, military readiness, and border security, and acting swiftly to protect American companies from foreign interference.”²⁹⁴ That makes this justification particularly interesting. It represents an expression of the rejection of the communication styles of the public/official/techno-bureaucrat in favor of that of transactionally driven merchant type. One frames the articulation of policy from an accumulation of the transactions undertaken within its aegis, rather than starting with a theory to which action is bent.

The essence of that perspective lies in the granularity of the strategic withdraw--the President did not entirely withdraw from the international scene nor from the hothouse world of self-referencing international organizational environments. The withdrawals were strategic, always conditional, and meant to produce “value” larger than the cost/value of continued formal engagement. Will it work? Who knows; is it inevitable through a transactional lens suspicious of the “territorial/spatial” homelands of the bureaucrat/public official-type. Absolutely. That, anyway, is one way of looking at this. And it might come closer to the way the Administration of President Trump

²⁹² THE WHITE HOUSE, *supra* note 282.

²⁹³ *Id.*

²⁹⁴ THE WHITE HOUSE, *supra* note 282.

prefers to see it, and the world from a perspective that is quite different from that which came before.²⁹⁵

ii. Marco Rubio, 100 Days of an America First State Department.

For those who came of age during the Presidencies of Messrs. Bush (Sr), Clinton, Bush (Jr), Obama, and to some extent Biden, Secretary Rubio offers nothing but disdain and rebuke. There is little here that could possibly resonate with the generation that came of age under the tutelage of an intelligentsia, and their progeny larded into the highest levels of public and private power, whose orienting premises, world views, values and objectives were trashed by Secretary Rubio. Not just trashed but characterized as a fundamental betrayal that requires substantial rectification. That rectification might be structural, but also personal. One might think the temptation to engage and criticize would be difficult to overcome. But that sort of critique is unlikely to happen--other than to dismiss the entire enterprise as unworthy of serious engagement. To criticize Secretary Rubio's assertions might be viewed as acknowledging that they are weighty enough to merit criticism. The harshest punishment is to trivialize them (e.g. Secretary Rubio was nice to the Europeans and made them happy; we can work around that), or to pretend they were just never uttered. Still, one has at last a much clearer picture of America's new era ideology, a long step forward from the relative incoherence of the first Trump Presidency on that score. More fundamentally, of course, it is difficult to critique in the absence of a common language. The two camps each rejects the formative premises of the other; without a common conceptual base, what is there to argue about?

The borders around which America First is constructed are physical, transactional, systemic, and conceptual. Secretary Rubio

²⁹⁵ See in that respect the quite interesting essay of Gustavo Fuchs, *Against the "Globalist Agenda": Right-Wing Populism and Discourses Against the SDGs and the 2030 Agenda During the Presidential Elections of Costa Rica and Guatemala*, in 258 REVUE INTERNATIONALE DES ÉTUDES DU DÉVELOPPEMENT 47-80 (2025); see also Carla Tomazini, *Politiques de backlash et développement durable en Amérique latine* in 258 REVUE INTERNATIONALE DES ÉTUDES DU DÉVELOPPEMENT (2025).

starts with the bureaucratic/institutionalist baseline, one which he rejects.

One hundred days ago, America's borders were open, while China could close the Panama Canal at a time of Xi Jinping's choosing. Our leaders seemed content to allow violence to become the permanent norm, from Ukraine to Gaza, to our own college campuses and southern border. From every post abroad, and office in Washington, memos poured in describing what we must do, what we couldn't do, but not what it was possible to do.²⁹⁶

This he contrasts to the conceptual starting points of America First policy manifestations of a different analytical lens.

Only one hundred days later, change has come. From reorganizing the Department to meet the challenges of the 21st Century, to bringing transparency to foreign assistance, to ensuring Panama's exit from the Belt and Road Initiative, and working hand in hand with regional partners to deport illegal immigrants and designate vicious cartels as Foreign Terrorist Organizations, our team has proven it is possible not merely to admire problems, but to solve them.²⁹⁷

Encased within those sentences are the entirety of the action-border *operational coding* of America First both in its internal and external dimensions. The first touches on physical borders. The project of moving from the 1920's closed to the 2020's open border generative premise is rejected. The physical border aligns with the territorial borders of the Republic (plus its dependencies). Those can be sealed, or opened at the discretion of the State, but they must exist, and to exist they must have meaning, and to have meaning they must exclude, control, manage, and shape movement around, in and out of them. Transactions around borders, then, becomes the

²⁹⁶ RUBIO, 100 Days of an America First State Department, *supra* note 281.

²⁹⁷ RUBIO, 100 Days of an America First State Department, *supra* note 281.

physical manifestation of America First, at least in the sense of (re)defining the physical “meaning” of the nation defined in territorial space. Those transactions are to be (re)conceived in light of contemporary realities that affect everything from the old 18th century notions of invasion.²⁹⁸ Borders are the fundamentally defining “Belt” of the America First Belt & Road Initiative.

The second touches on the borders of control, in physical and virtual spaces, of the pathways in and through which America First manifests its transactional character between borders. These are the pathways that make the newly reformulated standard of reciprocal trade possible. These are the American Silk Roads--pathways that must be protected in physical and virtual spaces (and which require the building of necessary narrative, that is narrative that “sells” around the objective). Secretary Rubio mentioned the Panama Canal. He might as well have mentioned the Suez Canal, the South China Sea and the pathways marked by cables, pipelines, and signal based routes, all of which support and through which it is possible to engage in economic, social, and cultural transactions around which America First is built. These are the “Silk Roads” of the America First Belt & Road Initiative.²⁹⁹

The third embraces the premise that those pathways, like the physical borders of the Republic, must be defended. The defense of those borderlands require a different sort of transactional interaction. On the inside it requires a (re)framing of notions of invasion, an issue deeply intertwined with re-imaginings of the concept of border and borderlands, as well as of the nature of warfare, projection into the State, and ultimately of the old

²⁹⁸ This was something that was already on the minds of the judiciary in the 1950s in the dicta to the *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952) case.

²⁹⁹ See, Xi Jinping, Speech in Astana, Kazakhstan, on Building a Silk Road Economic Belt with Central Asian Nations, September 7, 2013; available [<https://china.usc.edu/node/21218>] (“To forge closer economic ties, deepen cooperation and expand development space in the Eurasian region, we should take an innovative approach and jointly build an “economic belt along the Silk Road”. This will be a great undertaking benefitting the people of all countries along the route. To turn this into a reality, we may start with work in individual areas and link them up over time to cover the whole region.”).

performances that once upon a time were meant to distinguish the State from other institutions of power through which performances the State was positioned at the top of the institutional hierarchy of power. On the outside it requires something old and something new. The old is the well-worn efforts to protect trade routes and access to markets through military force (from cooperation to mutual defense and friendship arrangements, to something more intrusive), or by threats of annexation the theatricality of which appears to have produced its own counter performances that have further accelerated on a global basis the (re)framing of the notion and protection of physical/virtual borders. This is the *security architecture* element of America First.

The fourth touches on the *great patriotic campaigns* deeply aligned with notions of borderlands and conceptual national autonomy.³⁰⁰ That great patriotic campaign is built, in part, on the (re)creation of distinctions based on citizenship. The distinction of citizenship imposes on non-citizens an “abuse of hospitality” standard as the basis for physical presence within the Republic’s borders, and attaches great consequence to law breaking of any kind. “Critically, the State Department has now made clear that a visa is a privilege, not a right. . . . The time of contemptuously taking advantage of our nation’s generosity ends. This extends to the thousands of foreign students studying in the United States who abuse our hospitality.”³⁰¹ The “abuse of hospitality” standard extends significantly to the speech-acts of visitors, especially where these may have “effects” on citizens.

³⁰⁰ For context in the history of the United States, see, e.g., Meghan Tinsley, “*The opposite of nationalism? Rethinking patriotism in US political discourse*,” 29(6) IDENTITIES: GLOB. STUD. IN CULTURE AND POWER 807-826 (2022); *An American and Nothing Else: The Great War and the Battle for National Belonging; Let’s All Be Americans Now: Performing Patriotism*, YALE UNIV. LIBR. ONLINE EXHIBITIONS (2022); available [<https://onlineexhibits.library.yale.edu/s/american-and-nothing-else/page/be-americans-now>]; Contrast the approach of the Chinese, Suisheng Zhao, *The Patriotic Education Campaign in Xi’s China: The Emergence of a New Generation of Nationalists*, 75 CHINA LEADERSHIP MONITOR, (Mar. 1, 2023); available [<https://www.prcleader.org/post/the-patriotic-education-campaign-in-xi-s-china-the-emergence-of-a-new-generation-of-nationalists>].

³⁰¹ RUBIO, 100 Days of an America First State Department, *supra* note 281.

The fifth brings Secretary Rubio back to the complementary nature of America First as an architecture for something far more significant--the space within which it is possible to project the fundamental imperative of transactions. Everything is a transaction. Everything is a bargain. The notion of reciprocity, though, has developed a decidedly fractured approach, at least in the sense that both sides of any bargain may be measured by quote different standards--standards that are relevant to each of the parties, but which may have little relation to the measure of the other. This transactional strategy applies to all aspects of America First--from borders, to markets, to pathways, to visitors (individuals and investment). "While in Europe, I also made clear that while we are bound by a common history, faith, culture, and economic interests, friendship is not a one-way street. It requires honesty when reciprocity is lacking, and not just in the realm of defense spending."³⁰² This suggests the character and nature of the *win-win strategy* of the America First Belt & Road Initiative.³⁰³ For the Chinese the strategy is institutional; for the Americans it is transactional. For the Chinese the measure is grounded in the value of transactions to institutional programs for national development; for the Americans it is grounded in the value of transactions to those engaging in them in markets within which value is determined.

And the last, the last brings Secretary Rubio to the heart of the matter for the Department of State--its role in ensuring that border protected pathways to win-win strategies maintain, open, and expand, *private markets*. State aid appears increasingly characterized as

³⁰² RUBIO, 100 Days of an America First State Department, *supra* note 281.

³⁰³ See, MINISTRY OF FOREIGN AFFAIRS OF THE PEOPLE'S REPUBLIC OF CHINA, *Build a New Type of International Relations Featuring Win-Win Cooperation* (June 20, 2016); available at https://www.mfa.gov.cn/eng/wjb/wjzb/jh/202405/t20240527_11312136.html ("The vision of building a new type of international relations featuring win-win cooperation rises above the zero-sum mentality of the Cold War and maintains that the social system and development path independently chosen by a country should be respected, that countries must have an enlightened view of its moral responsibility and national interests, and that every country, while pursuing its own development, should be sensitive to the interests of all sides and strive for win-win outcomes for all."). See, also Yang Danzhi, *Win-Win Cooperation*, in *Routledge Handbook of the Belt & Road* (Cai Fang, Peter Nolan (eds), R, Routledge, 2019).

domestic sinecures and foreign bribery (that is the (re)framing of foreign aid in its pre-2025 form one suspects from the text of the Secretary's essay.) These must be re-coded in the sense that the algorithm of State engagement around transactions must be updated or perhaps folded into a new App. The internal target for the Secretary of State appears to have been the subsidy of NGOs and the privatization of aid. "Gone are tens of billions of dollars in contracts to NGOs at home and abroad that often undermined the interests and foreign policy of the United States. And gone are the days when merit took a back seat to radical, anti-American ideologies." The external target appears to have been the officials on the receiving end of aid. It was the system of aid as a transactional device with little by way of "win" for the Republic that appears to have targeted it for elimination within the cognitive framework of a transactional presidency. "In Africa, America needs a policy of trade, not aid, and over the past hundred days the State Department has replaced handouts with firm diplomatic engagement aimed at ending conflicts and expanding opportunities for American companies . . . In Africa, and around the world, our message is that while USAID may be closed, America is open for business."³⁰⁴

III. THE MERCHANT/'TRANSACTIONAL APPROACH TO THE PROBLEM OF CUBA IN 2026.

One always ought to worry when a merchant attempts the role of the official/bureaucrat; or when the warrior seeks to play the role of merchant; or when the Bureaucrat/official attempts the governance of warriors. None of them ever seem to get it right, if only because the cognitive lens of each is distinct enough to make rationalizing the world difficult for a merchant playing at war, a warrior playing at business or bureaucrats and merchants attempting to play the role of the other. The imaginaries of the merchant, warrior and bureaucrat are based on distinct ways of identifying and assessing the things that are significant and the way they might be valued against their own sense of the appropriate ordering of things. ways of seeing the world.

³⁰⁴ RUBIO, 100 Days of an America First State Department, *supra* note 281.

When these distinct cognitive cages are ordered within hierarchies of values, they might well produce useful synergy--assuming a dominant imaginary to rule them all. That is so as long as the inherent tensions among them can be managed successfully. Merchants and warriors sometimes find it hard to get along precisely because they cannot see the world and identify the significance of actions, issues, in the same way.³⁰⁵ The contradictions become more acute, and significant enough to threaten the stability of a political-economic model, when ruling/rationalizing archetypes, taking for example, the forms described here, attempt to wield the cognitive referents of another. It works sometimes: the warrior merchant, the yeoman official; but contemporary functional differentiation of governance spaces suggest that this effort is more difficult to sustain in the current environment.

Such is the state of the world that our global leaders, all true archetypes of the old divisions among merchants, warriors, officials, and peasants, appear ever more desperately to act “out of character.” This is especially relevant when a merchant empire (or rather a post-global empire now run by merchant types who sometimes style themselves bureaucrats or warriors, though perhaps their foundations resonate more with the yeomanry from which they emerged) celebrates its generative moment, or better (since that generative moment occurred decades before in the sort of trade based diplomacy that opened Asian markets in the wake of European territorial imperial ambitions of an *ancien regime* sort) when it celebrates the idea that a merchant empire or a post-global empire of merchants can actually presume the role of bureaucratic/institutional empire while retaining its fundamental transactional merchant character, though often the will for it does not survive.³⁰⁶ Yet

³⁰⁵ In the United States, the shift to a transactional lens overseen by the sensibilities of merchants have been hard to translate into the institutional structures of military cognitive lenses. See Donald Trump, Address to the Military Leadership in Quantico, Virginia (Sept. 30, 2025), available [<https://rollcall.com/factbase/trump/transcript/donald-trump-speech-department-of-defense-leaders-quantico-september-30-2025/>].

³⁰⁶ An ancient central tenet at the sociology of history, see ABD AL RACHMAN IBN KHALDUN, THE MUQADDIMAH: AN INTRODUCTION TO HISTORY

temptation runs deep, and flirtation across cognitive spaces may be irresistible in ways that may ultimately undo the best laid plans of merchant empire. Or it may be that even merchant empires require a base, and we are only now being treated to a description of its breadth. The US engagement with Cuba suggests temptation and the manifestation of the application of merchant/transactional ordering premises to that problem in its geo-spatial context.

A. Prelude: The Merchant/Transactional Approach to the Cuban Problem Projected Back into History

It was with this in mind that one might better appreciate a recent Presidential Message: *America 250: Presidential Message on the Anniversary of our Victory in the Spanish-American War*.³⁰⁷ The Presidential Message was quite inspiring. The Presidential message focused on the relations between the United States and Spain, the relationships between which was marked by a short war and the Spanish cession of a number of its colonies--some transferred to the control of the United States and others--principally Cuba, granted independence from Spain. For the President, those changing relations between the merchant empire of the United States and the old colonial Empire of Spain incarnated the best features of the co-called Monroe Doctrine that emerged from an 1823 address by President Monroe opposing further European colonization of the Americas but also protective of U.S. national territorial aspirations in the Northern

(Franz Rosenthal trans. Princeton Univ. Press (1967) [before 1406]) (roughly three generations).

³⁰⁷ Donald Trump, Presidential Statement: *America 250: Presidential Message on the Anniversary of our Victory in the Spanish-American War* (Dec. 10, 2025); available [<https://www.whitehouse.gov/briefings-statements/2025/12/america-250-presidential-message-on-the-anniversary-of-our-victory-in-the-spanish-american-war/>]. (Portions of this section first appeared as Larry Catá Backer, Reflections on President Trump: “America 250: Presidential Message on the Anniversary of our Victory in the Spanish-American War”, *Law at the End of the Day* (Dec. 11, 2025), available [<https://lcbackerblog.blogspot.com/2025/12/reflections-on-president-trump-america.html>].)

Hemisphere and then morphed into a more protean concept of American protective influence in the Western Hemisphere.³⁰⁸

The Monroe Doctrine has had its share of advocates and detractors, architects and those devoted to its demolition.³⁰⁹ That is a matter of politics and the values in which it is sometimes encased or at least encased in some sort of vision that can be articulated in ideology-principle. In this case, and with President Trump's well-known concern about the state of Europe and its relationship with the U.S., its emphasis in the Presidential Message also suggests some sort of time travel backwards to the generative period of American antebellum development projected forward to contemporary times. President Trump is not the only leader time traveling these days, at least discursively; there are others who are well known but not worth taking the time to mention for their own pathos, or better bathos. But having traveled back and forth into the 19th century, the President then offers sometimes of value that might be extracted from those perambulations: "Today, we honor the unwavering courage, conviction, and sacrifice of every hero of liberty who fearlessly confronted forces of tyranny to defend our honor, our sovereignty, and our birthright of freedom."³¹⁰ In Cuba, the loss of life on the *Maine*, which had been sent to Havana to protect American economic interests that were threatened during the course of the Wars of Cuban Independence that had started far earlier in the 19th century and sputtered on sporadically for the greater art of that century, "propelled the United States toward a momentous struggle for justice and ignited our Nation's righteous determination to defend our interests and maintain our dominance in the Western Hemisphere."³¹¹

³⁰⁸ Office of the Historian, *Monroe Doctrine*, 1823; available [<https://history.state.gov/milestones/1801-1829/monroe>].

³⁰⁹ Albert Bushnell Hart, *The Monroe Doctrine and the Doctrine of Permanent Interest*, 7(1) *THE AM. HIST. REV.* 71-91 (1901). (For the contemporary version, see Juan Pablo Scarfi, *The Monroe Doctrine in the Americas: Towards a Hemispheric Intellectual History*, 47(5) *DIPLOMATIC HIST.* 738-763 (2023).)

³¹⁰ Donald Trump, Presidential Statement: *America 250: Presidential Message on the Anniversary of our Victory in the Spanish-American War* (Dec. 10, 2025).

³¹¹ *Id.*

A *merchant* might have said that, after decades of sitting on the sidelines the intervention of the projection of the United States into Cuba to protect its interests made inevitable an intervention against the Spanish colonial administration for Cuban independence. Viewed in that way one might have seen in the Maine tragedy the necessary predicate for an America First style action to protect U.S. interests which in that case tilted against a competing (and increasing obsolete form of) empire and (at last for Cuban nationalists) in favor of independence from Spain. But for the nascent warrior and bureaucrat castes in the United States a distinctive narrative of the events emerged, one which the President (or his writers) nicely captured: "The war swiftly unfolded as American troops and sailors advanced with decisive strength, securing victories from Cuba to the Philippines. . . . These triumphant victories across land and sea brought the Spanish Empire to its breaking point and solidified the United States of America as the greatest military force in the world."³¹²

One might recast this in the language perhaps more appropriate to the merchant/transactional cognitive lens. That recasting might emphasize the way that Cuban independence from Spain was in some respects a brilliant example of the power of merchant thinking projected outward for inward reward with collateral benefits to the population whose interests aligned with those of the merchant empire (the classical win-win strategies of the merchant led America First Initiative and the Bureaucrat/official centered Belt & Road Initiative). Even as independence *from Spain* was achieved, through the intervention of the U.S. (and approval of another old Empire, the British one which had its own geopolitical reasons for the silence/approval), American merchants created a Cuban sovereignty that was dependent on American forbearance.

Indeed, the Platt Amendment that framed the relationship between an independent Cuba and a sovereign U.S. suggested a much more acutely merchant approach--one that was less interested in the bureaucrats more ancient desire for territory and more focused not on control per se but on control of the circumstances within which

³¹² *Id.*

transactions and economic relations on a favorable basis could be managed and augmented.

As chair of the Senate Committee with Relations on Cuba, [Platt] sponsored the amendment as a rider attached to the Army Appropriations Bill of 1901. Cubans reluctantly included the amendment, which virtually made Cuba a U.S. protectorate, in their constitution. The Platt Amendment was also incorporated in a permanent treaty between the United States and Cuba * * * under [the terms of] which the United States intervened in Cuban affairs in 1906, 1912, 1917, and 1920.³¹³

Politics and its shifting from a merchant to a bureaucratic/vanguardist elite between the end of the 19th and the middle of the 20th century is reflected in this history. None of this is either good or bad, empire has been undergoing a tremendous transformation in the last several decades and what had once morphed into a vanguardist loosely cobbled together empire of expertise has again broken up into empires of management of productive forces but now in quite distinct ways. The Trump Administration, robustly embedded in the cognitive cages of the merchant and merchant empire, appears tempted to entirely avoid detachment from action that makes sense through the lens of a merchant/transaction or Warrior/control archetype. But one also sees it in the construction of a Chinese empire--in the former case the merchant must deploy but control the warrior caste; in the later the bureaucrat/official must develop but also control its own warrior case; not the caste themselves but the cognitive frameworks from out of which they rationalize the world.³¹⁴ But the danger is that

³¹³ U.S. NATIONAL ARCHIVES, Milestone Documents, *The Platt Amendment* (1903), available [https://www.archives.gov/milestone-documents/platt-amendment]. (The Platt Amendment was repealed in 1934 as part of President Roosevelt's "Good Neighbor" Policy and as a response to rising Cuban nationalism and widespread criticism.)

³¹⁴ Xi stresses enhancing political loyalty in military to advance defense modernization, Xinhua (Mar. 8, 2026); available [https://en.qstheory.cn/2026-03/08/c_1165736.htm] ("It is essential to fully strengthen the Party's leadership

pragmatics may overcome the generative cognitive approach that holds a system, including a system of empire together. That contradiction marks the discourse of the end of the Presidential Message:

On this day 127 years ago, the Treaty of Paris formally ended the conflict . . . Above all, we renew our commitment to a simple truth: Peace is maintained through strength. My Administration is proudly upholding this America First vision through our negotiations of historic peace deals in regions marked by decades of conflict—proving to nations around the world that we can turn the page on the days of endless wars and usher in a future defined by everlasting peace.³¹⁵

It is also a warning to those in whose hands the development of the American “vision” is entrusted. One can try but might find it challenging to have it all ways. Peace through strength requires strength for peace. And strength may not always be secured through accommodation with competing Empire--a Spanish one in the 19th century and others in the 21st. Peace; for the merchant, that approach may not embody an absence of war but rather a space within which transactions are possible that produce win-win use of the productive forces controlled by a community of transaction makers. Peace for the merchant, in the 21st century, requires not just strength but a steady protection against the bureaucrat and the warrior states that are also the key elements in shaping or constraining a transactional platform in favor of one that advances the interests and sensibilities of the institutions that seek to manage and profit from transactions. Therein lies the great contradiction for the American merchant--a contradiction that viewed through the

and Party building in the military, and make Party organizations at all levels even stronger, Xi said, stressing the need to translate the Party’s leadership strength into development momentum. It is important to consolidate the ideological foundation that ensures officers and soldiers follow the Party and its guidance, and ensure that modern weaponry and equipment are placed in the hands of politically committed personnel, Xi said.”).

³¹⁵ Donald Trump, *supra* note 302.

transactional lens of the merchant has produced a certain amount of inconsistency (though that too may be the essence of merchant governance): “As we commemorate this anniversary of our victory in the Spanish-American War, we stand united in our unwavering commitment to peace, military strength, and the enduring principles that define the American spirit.”³¹⁶

B. The Template: Venezuela 2026.

In his address delivered to the World Economic Council at Davos in 2026 President Trump provided a succinct analysis of the Venezuelan situation through the lens of the merchant transactionalist:

Venezuela has been an amazing place for so many years, but then they went bad with their policies. Ten years ago, it was a great country, and now it's got problems. But we're helping them. And those 50 million barrels, we're going to be splitting up with them, and they'll be making more money than they've made in a long time. Venezuela is going to do fantastically well. We appreciate all of the cooperation we've been giving. We've been giving great cooperation. Once the attack ended, the attack ended, and they said, “let's make a deal.” More people should do that.³¹⁷

On 3 January 2026 the United States forcibly extracted Nicholas Maduro and his wife from Venezuela to face a variety of criminal indictments in the United States.³¹⁸

During his news conference on Saturday, Trump announced that the US would “run” the country until a new leader was chosen. “We're going to make sure

³¹⁶ Donald Trump, *supra* note 302.

³¹⁷ Donald Trump, *supra* note 230.

³¹⁸ *Trump's Attack on Venezuela Could Change the World. Here's How*, POLITICO MAGAZINE (Jan 4, 2026); available [<https://www.politico.com/news/magazine/2026/01/04/us-venezuela-maduro-predictions-analysis-00710030>].

that country is run properly. We're not doing this in vain," he said . . . Trump also, somewhat surprisingly, ruled out working with opposition figure and Nobel Peace Prize winner Maria Corina Machado, who had dedicated her prize, which he so wanted to win himself, to the US president. . . .³¹⁹

Instead, the Trump Administration appeared to have no substantial objection to the action of the Constitutional Chamber of Venezuela's Supreme Court which ordered Vice President Delcy Rodriguez in the wake of the rendition to the United States of Mr. Maduro. The Constitutional Chamber reserved to itself the to "determine the applicable legal framework to guarantee the continuity of the State, the administration of government, and the defense of sovereignty in the face of the forced absence of the President of the Republic."³²⁰ Again this was undertaken without blocking objection by the United States. "Trump had said earlier on Saturday that the US would not occupy Venezuela, provided Rodriguez "does what we want".³²¹

Here one sees an application of the merchant transactionalist lens to policy and to its use of law. It is one that is not organized around managing but rather foregrounds transactions, as a consequence of which orderliness is necessary and a certain amount of stability, but stability and order are understood differently by a merchant than by a vanguardist bureaucrat. It is one that accepts territory and categorization but is indifferent to their character except to the extent they are useful in organizing transactions and maximizing their value. Territories and official are useful servants as

³¹⁹ Julio Blanca, *How the US attack on Venezuela, abduction of Maduro unfolded*, AL JAZEERA (Jan. 4, 2026), <https://www.aljazeera.com/news/2026/1/4/how-the-us-attack-on-venezuela-abduction-of-maduro-unfolded>. On the running of the country quoted above, see *Trump says US will 'run' Venezuela after Nicolas Maduro seized: Trump says the US will 'run the country until such time as we can do a safe, proper and judicious transition'*, AL JAZEERA (Jan. 3, 2026); available [<https://www.aljazeera.com/news/2026/1/3/trump-says-us-will-run-venezuela-after-nicolas-maduro-seized>].

³²⁰ Blanca, *How the US attack on Venezuela, abduction of Maduro unfolded*, SUPRA, NOTE 314.

³²¹ *Id.*

long as they serve the transaction. And the most effective public official is one that is the transactional-protector-in-chief. In this conceptual cage every concept can and must be bent to the transaction and, beyond the transaction, becomes malleable, its character and importance a function of its value in transaction.

At the same time there is nothing inherently permanent or distinctive about categories, nor their relationships, even if these might be conceived and mapped.³²² In this world, experts are useful but they are commodities whose value lies in their expertness, but who are not understood as capable of driving transactions--just in undertaking them. Managerialism is what is necessary to operationalize the stable platforms maintained for the consumption and production of the “means of production” (of culture, knowledge, society, politics, economics, etc.) the purpose of which (the rules of the game of transactions) is never left to techno-managers but to those whose role it is to drive transactions within and for whatever transactional culture/objective/expectations they operate in (and might transform if they are capable).

The Venezuelan strike provides an excellent illustration both of the merchant-type approach to analytics and action, as well as the difficulty it is for merchant-types to communicate with the old-guard inhabitants of the cognitive cages of reality shaping that marked the old era of vanguardist, institutional (nomenklatura) types--and vice versa. The challenge was brought out today in the interview given by Secretary of State Rubio on the CBS television Network show (popular with old school influencers and their supported) “Face the Nation with Margaret Brennan,” with Margaret Brennan, a well-

³²² This premise underlies semiotics, for example, which distinguishes between iconic signs (sign sets sharing similarities of appearance), index signs (sign sets that are relational, for example cause and effect), and symbolic signs (sign sets the connection between which are a function of interpreted and applied cultural knowledge, for example traffic lights). Cf., Albert Atkin, *Peirce's Theory of Signs*, THE STANFORD ENCYCLOPEDIA OF PHILOSOPHY (Edward N. Zalta & Uri Nodelman (eds.), Spring 2023; available (<https://plato.stanford.edu/archives/spr2023/entries/peirce-semiotics/>)). There is a mathematics to this as well. See Jean-Pierre Marquis, *Category Theory*, THE STANFORD ENCYCLOPEDIA OF PHILOSOPHY (Edward N. Zalta & Uri Nodelman (eds.), Fall 2023); available [<https://plato.stanford.edu/archives/fall2023/entries/category-theory/>].

known and well-respected person.³²³ A summary was prepared for CBS Television Network by Kaia Hubbard.³²⁴

A significant difference between traditionalist institutional lenses and the transactionalist lens affected the way in which one understands military interventions.³²⁵ Margaret Brennan representing the older techno-bureaucratic institutionalist lens understands the analysis in terms of territory. If one State inserts itself in another then the orienting factor is territory and its control. That is the orienting starting point for a public official/bureaucrat type. Secretary Rubio, however, is disoriented by the question. He is not thinking territory at all, except as a factor in the attainment of what he IS looking at-- transactions in natural resources and its use and misuse. To “run the country” then is to produce an environment in which transactions and the rules of the transactional order tilt in the favor of the US, or perhaps better put, tilt in a way that transactions cannot have a secondary (or primary effect) of undermining the US or its interests.

³²³ Interview with Marco Rubio, U.S. Sec’y of State on “Face the Nation with Margaret Brennan,” CBS News (Jan. 4, 2026) available [<https://www.cbsnews.com/news/marco-rubio-secretary-of-state-face-the-nation-transcript-01-04-2026/>].

³²⁴ Kaia Hubbard, *Marco Rubio says* “the president always retains optionality” to occupy Venezuela, CBS NEWS (Jan. 4, 2026, 2:43 PM), <https://www.cbsnews.com/news/marco-rubio-venezuela-occupation-trump-maduro/>

³²⁵ Here is the exchange:

MARGARET BRENNAN: President Trump said that the United States will run the country and that Venezuela will be largely run by, he pointed to you and some of the other cabinet members when he spoke to the public yesterday. He said, The U.S. retains all military options, including boots on the ground until U.S. demands have been fully met. How do you plan to run the country?
 SECRETARY RUBIO: Well, first of all, I think the important thing to point out is that the key to what that regime relies on and is the economy fueled by oil. And right now, it is an oil industry that is backwards and really needs a lot of help and work in terms of, not only that, but it doesn’t help the people. None of the money from the oil gets to the people. It’s all stolen by the people that are on the top there, and so that’s why we have a quarantine.* * * We continue with that quarantine, and we expect to see that there will be changes, not just in the way the oil industry is run for the benefit of the people, but also so that they stop the drug trafficking, so that we no longer have these gang problems, so that they kick the FARC and the ELN out, and that they no longer cozy up to Hezbollah and Iran in our own hemisphere.

What Venezuelans otherwise do in pr with their territory is of no concern, nor is Venezuelan territory as such. It is in this sense that many of the statements produced by States, for example that of Mexico, are conceptually at odds with the way the Americans approached the attack and its aftermath. There is, from that perspective, no issue of Venezuelan territorial integrity, nor of Venezuelan governance. The issue is, in the language of international business and human rights--the effort to prevent, mitigate, and remedy adverse impacts to the United States. Territory and governance may be consequential, but they are not the objectives. Regime change may occur but that is a secondary effect.

The same disconnect applies to notions of intervention and regime change.³²⁶ The techno-bureaucracy speaks to regime change. They speak to the integrity and coherent operation of the basic building block of organizational structure--the State. The merchant-type does not. Ms. Brennan from her perspective is right to focus in on what would have been of greatest concern to techno-

³²⁶ Here is the exchange:

MARGARET BRENNAN: Okay, the opposition leader María Corina Machado and Edmundo González won that 2024 election, by your own account. They were some of the first people you called when you were Secretary of State, you said, Edmundo González is the rightful president of Venezuela. Is that still the U.S. policy? And if so, are you working on a transition to have those elected leaders run the country?

SECRETARY RUBIO: Well, I think a couple things I have tremendous admiration for María Corina Machado. I have admiration for Edmundo. We have all those views about what the election that happened the last time, and not only us, but many other countries around the world, there's that. And there's and then- but there's the mission we are on right now. We have been very clear from the beginning, because I still think that a lot of people analyze everything that happens in foreign policy through the lens of what happened from 2001 through you know 2015 or 16. The whole, you know, foreign policy apparatus thinks everything is Libya, everything is Iraq, everything is Afghanistan. This is not the Middle East.

MARGARET BRENNAN: Right, but that regime is still in place--

SECRETARY RUBIO: --also having an impact on us, that is what we are addressing now.

MARGARET BRENNAN: When you spoke yesterday--

SECRETARY RUBIO: Well, again that- but we're not just addressing the regime. We are addressing the factors that are a threat to the national interest of the United States.

bureaucracies--regimes and regime change in the construction and preservation of stable state organs (and therefore of States). Secretary Rubio finds the question excruciating precisely because that is y the type of thinking that is foreign both to the analysis of action in Venezuela and its objective. For Secretary Rubio, the integrity and governmental structures of Venezuela are secondary to the effects of the current State apparatus (and the decisions of their leaders) on the United States. Venezuelan chaos is, in effect Venezuela's problem . . . unless its effects are externalized (and therefore the burdens of its own failures are shared with other States). That is the case with both migration and narco-trafficking. The former exports excess productive forces from Venezuela to be taken care of elsewhere, potentially destabilizing other places. Narco-trafficking represents both a means of destabilizing a State and, when it is undertaken through or with a State apparatus, of doing so for the benefit of that State or its allies. Those negative impact transactions required response.

And that is the essence of the transactionalist lens at the heart of America First. What drives Venezuela is up to it, to the extent that its externalities do not impact the U.S. transactional interaction, it is thought here, might be the bridge to prosperity, transactional advantage and eventually a prosperous and more contextually democratic state, if that is what is domestically on order. That, anyway, is the theory and justification offered. In the meantime, it is for those who manage and have the capacity to exploit the relevant means of production that get pride of place--and it is for the State to ensure that whatever wealth is produced more transactional wealth. Otherwise, one might also be engaging in the stealing that, Secretary Rubio suggests, brought the present Venezuelan government to its present predicament. That is the framework within which it is possible to frame both the nature of the US interest and the analytics lens that will drive policy decisions about the situation in Cuba.

C. Cuba Within the Transactional Institutional Lens.

On February 18, 2026, *Axios* reported on the conversations between Secretary of State Marco Rubio and key elements of the Cuban military establishment--the Fuerzas Armadas Revolucionarias

(FAR).³²⁷ On March 13, 2026 Cuban President Miguel Díaz-Canel confirmed that the bilateral negotiations were ongoing.³²⁸ By 16 March 2026 the Trump administration had indicated its preference for a Venezuelan style predicate to successful negotiations.³²⁹ “The move would topple a key figurehead while keeping in place the repressive Communist government that has ruled Cuba for more than 65 years. The Americans have signaled to Cuban negotiators that the president must go but are leaving the next steps up to the Cubans, the people said.”³³⁰

FAR, of course is the more or less intact remnant of what had been the revolutionary government of Cuba between 1959 and 1976 when the present political-economic model was formally instituted. It has remained autonomous enough, its relationship with the state apparatus mimicking that between the brothers Fidel and Raul Castro. “More than a traditional military institution, the FAR functions as a political, economic, and administrative pillar of the state. It mediates regime continuity, oversees strategic sectors of the economy, and would shape the parameters of any eventual transition.”³³¹ The Cuban nomenklatura³³² remains committed to the

³²⁷ Marc Caputo, *Exclusive: Rubio’s secret squeeze on Raul Castro’s Cuba*, AXIOS, (Feb. 18, 2026), available [<https://www.axios.com/2026/02/18/marco-rubio-cuba-secret-talks>]

³²⁸ Orlando Matos and Carmen Sesin, *Cuban President Miguel Díaz-Canel confirms talks with the U.S.*, NBC NEWS (Mar. 13, 2026 9:08 AM), available [<https://www.nbcnews.com/world/cuba/cuba-president-miguel-diaz-canel-talks-us-trump-blackout-oil-rcna263323>].

³²⁹ On the Venezuelan formula for transition, see Laura Christina Dib, *Two months without Maduro in Venezuela: Democratic transition or authoritarian adaptation?*, WOLA, (Mar. 11 2026), available [<https://www.wola.org/analysis/two-months-without-maduro-in-venezuela-democratic-transition-or-authoritarian-adaptation/>].

³³⁰ Frances Robles, Edward Wong & Annie Correal, *Trump Administration Said to Tell Cuba That Its President Has to Go*, THE NEW YORK TIMES (Mar. 16, 2026), available [<https://www.nytimes.com/2026/03/16/world/americas/trump-cuba-president-diaz-canel.html>].

³³¹ Brian Fonseca, *Cuba’s Military: The Institution Washington Cannot Ignore*, AMERICAS QUARTERLY (Mar. 5, 2026), available [<https://www.americasquarterly.org/article/cubas-military-the-institution-washington-cannot-ignore/>]

³³² The term nomenklatura can be translated roughly as a list of positions and the names of the people filling them in in Soviet style Leninist institutional

vision of Fidel Castro and the protection of the temporally stagnant purity of Caribbean Marxist-Leninism.³³³ They have been key elements in suppressing reforms within Cuba within its Marxist-Leninist parameters, including those of Raul Castro himself at the end of the first decade of the 21st century. The FAR has been Raul's bailiwick almost from the beginning.³³⁴ FAR tends toward a more pragmatic and transactional approach with closer ties to their counterparts in China. But both are extremely sensitive to issues of sovereignty and territorial integrity. In that respect they follow the discursive pattern of Mexico.

The reporting follows an old pattern in Cuban legal-political analytics, one in which the essence of analysis is no more than its own essence--reading the signs from hints and whispers that are being dropped . . . strategically . . . *including the reporting of the current situation and its resolution.* The field was well developed during the ascendancy and decline of the Soviet Empire which was marked by the use of the media as a means of developing systems of "active

framework. Further discussion at Nomenklatura, Internet Encyclopedia of Ukraine, available [https://www.encyclopediaofukraine.com/display.asp?linkpath=pages/%5CN%5CO%5CNomenklaturaIT.htm]. See generally, BOHDAN HARASYMIW, POLITICAL ELITE RECRUITMENT IN THE SOVIET UNION (London 1984). The term is now commonly used both to describe an entrenched and controlling bureaucratic apparatus and its self-serving and self-preserving corruption. In the Cuban context see, e.g., Angry GenXer, Cuba: Social Classes Without Masks or Disguises, Havana Times (25 July 2025), available [https://havanatimes.org/opinion/cuba-social-classes-without-masks-or-disguises/] ("With the minister's outrageous remarks and the aftermath, the Cuban nomenklatura took off its mask. It fully revealed itself as an oligarchy detached from the rest of the people."); Carl Gershman and Orlando Gutierrez, Can Cuba Change? Ferment in Civil Society, 20 (1) JOURNAL OF DEMOCRACY 36-54 (2009) ("With the nomenklatura and its minions benefiting from special privileges and cronyism, workers express their anger by tardiness, moonlighting to earn hard currency, and stealing or destroying government property.").

³³³ See LARRY CATÁ BACKER, CUBA'S CARIBBEAN MARXISM: ESSAYS ON IDEOLOGY, GOVERNMENT, SOCIETY, AND ECONOMY IN THE POST FIDEL CASTRO ERA (Little Sir Press, 2018).

³³⁴ Antoni Kapcia, *The Legacy of Raul Castro*, JACOBIN (Apr. 30, 2021), available [https://jacobin.com/2021/04/raul-castro-fidel-che-guevara-cuba-history].

measures” to shape the “story” that had to be projected outward,³³⁵ its study, as well as that of the internal politics of the soviets involving reading past official media projects was sometimes popularly known as Kremlinology or Sovietology.³³⁶ That story itself, when received, is also shaped by the politics of those interpreting (or “reporting”) it for broader consumption.³³⁷ The fundamental story line though is likely accurate enough and might be elaborated further this way:

First, the signaling about negotiating a Venezuelan resolution to the problem posed by a Cuban State of Misery,³³⁸ a state now beyond the effective management of a Cuban nomenklatura that for internal political reasons cannot be displaced is now overwhelming.³³⁹ It also signals that nomenklaturas might be reformed or redirected, with the application of sufficient force and with sufficient incentives (job security for example). In that sense, the U.S. like the Soviets before them, suggest the instrumental character

³³⁵ Nicholas J. Cull, Vasily Gatov, Peter Pomerantsev, Anne Applebaum & Alistair Shawcross, *Soviet Subversion, Misinformation and Propaganda: How the West Fought Against it*, LSE CONSULTING (LSE Institute of Global Affairs, August 2017); available [https://www.lse.ac.uk/iga/assets/documents/arena/2017/Jigsaw-Soviet-Subversion-Disinformation-and-Propaganda.pdf].

³³⁶ Zachary Jonathan Jacobson, *On the ‘arcane modern science of Kremlinology’ or the case of the vanishing birthdays*. 16(2) COLD WAR HIST. 141–158 (2016); Aryeh L. Unger, *On the Meaning of “Sovietology”* 31(1) Communist and Post-Communist Studies 17–27 (1998).

³³⁷ Salim Lamrani, *Cuba, the Media, and the Challenge of Impartiality* (Monthly Review Press, 2015). Cf., Mikael Wolfe and Jessica Femenias, “U.S. Media Provides Biased Coverage of Cuban and Colombian Protests: An analysis of how two major U.S. newspapers presented the civil unrest in Latin America this year demonstrates how corporate media favors political allies and blames enemies,” NACLA (Nov. 15, 2021); available [https://nacla.org/us-media-provides-biased-coverage-cuban-and-colombian-protests/].

³³⁸ Larry Catá Backer, *Cuba and the Constitution of a Stable State of Misery: Ideology, Economic Policy, and Popular Discipline Economic Policy, and Popular Discipline*, 13 PENN ST. J.L. & INT’L AFF. 1-84 (2025).

³³⁹ BACKER, *supra* note 261.

of the nomenklatura, but one the ideology of which can be repurposed, though not without risk.³⁴⁰

Second, the Cuban nomenklatura has stood in the way of reform from within for decades. And to some extent they are NOT irrevocably tied to FAR.³⁴¹ The Cuban military revolutionary government preceded the nomenklatura, they can serve as a bridge toward the future, the way they did in the 1960s, but this time in a more pragmatically beneficial direction for the Cuban people. Separating the two might not be perceived as a drastic shift if it under appropriate discursive cover. And it provides for internal rectification along lines that resonate with the Cubans themselves.

Third, the Mexican government might play a critical role in this discussion of the future.³⁴² Mexico can serve as a sort of guarantor of good faith, and perhaps a mediator for safe harboring those people whose exits might be necessary to move Cuba forward, especially given the way Mexico has managed to mediate its relations with both states.³⁴³ That may produce benefits in two ways, first facilitating good faith and trust relationships and secondly strengthening potentially the bonds between the US and Mexico.

³⁴⁰ Eva Sørensen and Jacob Torfing, *The ideational robustness of bureaucracy*, 43(2) POL'Y AND SOC'Y 141–158 (2024). But consider, Adrienne LaFrance, *The Rise of Techno-Authoritarianism*, THE ATLANTIC (March 2024), available [<https://www.theatlantic.com/magazine/archive/2024/03/facebook-meta-silicon-valley-politics/677168/>].

³⁴¹ See, e.g., Pedro Campos, *Las FAR, un estado dentro de otro estado*, HAVANA TIMES (Jan. 17, 2014), available [<https://havanatimesenespanol.org/pedro-campos/las-far-un-estado-dentro-de-otro-estado/>].

³⁴² See, e.g., Megan Messerly, *'What the hell do we do with this issue': Mexico confronts Trump's Cuba pressure*, POLITICO (Jan. 31, 2026, 12:00 PM), available [<https://www.politico.com/news/2026/01/31/trump-is-pressuring-cuba-its-putting-mexico-in-a-tough-spot-00758516>].

³⁴³ See, e.g., *Mexico's Sheinbaum welcomes US-Cuba talks after years of 'injustice'*, YAHOO NEWS (Mar. 14, 2026, 2:59 AM) available [<https://www.yahoo.com/news/articles/mexicos-sheinbaum-welcomes-us-cuba-065924325.html>]; on the Cuban side, see *Sheinbaum subraya relación histórica entre México y Cuba*, MINISTERIO DE RELACIONES EXTERIORES REPUBLICA DE CUBA (Dec. 22, 2025), available [<https://cubaminrex.cu/es/sheinbaum-subraya-relacion-historica-entre-mexico-y-cuba>].

Fourth, the Venezuelan pathway underscores the need to start from the premise that no group is going to get everything they want. Nonetheless, to be successful, every stakeholder group is going to have to positively value the pathways forward whatever their framework of measurement producing something that, from the perspective of any form of unified measuring system, asymmetric value transactions.³⁴⁴ That means that every stakeholder group is going to have to be persuaded that the overall deal will provide them positive value in whatever way that group measures value.³⁴⁵ That includes internal Cuban constituencies, the Cuban diaspora and its elites in Miami, and the Caribbean regional actors. That is tricky but not impossible and much of it can be postponed. The reality is that no one feasts until the kitchen is built. And everyone's rigidity has made kitchen building impossible.

Fifth, the focus is likely most advantageously transactional. That is natural for the Trump Administration.³⁴⁶ Ironically, and if framed correctly, aligned with the experiences and operations of FAR. The key is to get the language right--initially that may require working with the FAR's economic enterprises and negotiating a slow and well managed opening of transactional spaces within Cuba. That builds the meta-spaces for economic activity; consumer level activity and the legal structures for its development might have to start with a

³⁴⁴ This has been the well-known cornerstone of the Chinese win-win strategy. Ministry of Foreign Affairs of the People's Republic of China, *Toward a New Type of International Relations of Win-Win Cooperation* (Mar. 25, 2015); available [https://www.fmprc.gov.cn/eng/xw/zyjh/202405/t20240530_11340848.html]. (This approach was predated by over a decade in the Caribbean region within the ideology of the Cuban-Venezuelan relations in the ALBA.); see, Larry Catá Backer & Augusto Molina, *Cuba and the Construction of Alternative Global Trade Systems: Alba and Free Trade in the Americas*, 31(3) U. PENN. J. INT'L L. 679-752 (2010).

³⁴⁵ See, generally Silviu Petre and Ella Magdalena Ciupera, *Transactional International Relations: Producers and Consumers of Security Defining Hierarchies*, INTERNATIONAL CONFERENCE RCIC'18 (May 17-18, 2018), available [https://www.afahc.ro/ro/rcic/2018/rcic'18/volum_2018/102-106%20Petre%20Ciuperca.pdf].

³⁴⁶ Discussed in Larry Catá Backer, The "Merchant" (商), the "Bureaucrat" (士) and the "Tariff War"--The Cognitive Cages of the New Apex Post-Global and the Condition of the U.S. and China in their Folie à Deux), *Law at the End of the Day* (11 April 2025), available [<https://lbackerblog.blogspot.com/2025/04/the-merchant-and-bureaucrat-cognitive.html>].

reboot built up from and through the so-called informal economy. If everyone means what they say about “people-centered” forward movement then that is essential. Anything else, especially coming from above would severely undermine any pretense that there is any interest in Cuban people, in Cuba, driving changes to their transactional environment. Guidance and capacity building for the long term, of course. And the old *Lineamientos* projects can serve as a rationalizing structure.³⁴⁷

Sixth, there is already a basis for a democratic organization of the State without abandoning its “socialist” ideals and centering markets driving economics. All you have to do is look--and look beyond the labels.³⁴⁸ All that is then left is money (lots of it); and patience--and infrastructure and development--the sort of transactional positives that may, in their own way provide a space for diaspora and mainland Cubans to begin better relations, and for regional development with synergies benefiting all participants.

The Cuban situation provides a quite useful space within which it is possible to understand the consequences and behaviors driven by bureaucratic/institutional cognitive frameworks and those driven by the merchant/transactional one. This story line, and its manifestation in the context of Cuban transitions, aligns with the Trump Administration’s transactional approach as an essential element of the Trump Administration’s America First policy. From that perspective, then, all the pieces are here: (1) internal actors ready for reform; (2) the possibilities of reform without chaos and within the current structures of political organization, (3) the framework for economic organization that serves as a nuclear of reform going forward; (5) the development of an informal sector that can serve as

³⁴⁷ Larry Catá Backer, “Order, Discipline and Exigency”: *Cuba’s VI Party Congress, the Lineamientos (Guidelines) and Structural Change In Education, Sport and Culture?*, Annual Proceedings, 21 THE ASSOCIATION FOR THE STUDY OF THE CUBAN ECONOMY, (2011).

³⁴⁸ Larry Catá Backer and Flora Sapio, Popular Consultation and Referendum in the Making of Contemporary Cuban Socialist Democracy Practice and Constitutional Theory, 27 U. MIA. INT’L & COMPAR. L. REV. 37 (2020). Available at: <https://repository.law.miami.edu/umiclr/vol27/iss1/4>.

the driver and foundation for consumer and end product indigenous economic operations, and (6) potential key regional partners who can facilitate what can be organic movement in ways that provide a (socialist) democratic transition that may be sufficient to end the current state of relations between the US and Cuba.

i. American Transactionalism in Action.³⁴⁹

Now the United States has weighed in. On 29 January President Trump issued an executive order: Addressing Threats to the United States by the Government of Cuba.³⁵⁰ That Executive Order was accompanied by a companion “Fact Sheet.”³⁵¹: President Donald J. Trump Addresses Threats to the United States by the Government of Cuba.

In the style of Executive Orders during the second Administration of Donald Trump, the Executive Order starts by describing the factual situation supporting a determination that Cuba presents a national security threat to the United States.³⁵² Highlighted were Cuba’s alignment with “numerous hostile countries, transnational terrorist groups, and malign actors adverse to the United States, including the Government of the Russian Federation (Russia), the People’s Republic of China (PRC), the Government of Iran, Hamas, and Hezbollah.”³⁵³ The nature of the connections were then described along with a conclusion that from this interconnected network of relations Cuba formed part of a transnational apparatus for the support of terrorism and the destabilization of lawful

³⁴⁹ Parts of this section drawn from Larry Catá Backer, *Law at the End of the Day* (Jan. 31, 2026); available [<https://lbackerblog.blogspot.com/2026/01/on-brink-or-blip-cuba-prepares-for.html>].

³⁵⁰ Exec. Order. No. 14380, 91 Fed. Reg. 5085 Jan. 29, 2026) (Executive Order: Addressing Threats To The United States By The Government Of Cuba) available [<https://www.whitehouse.gov/presidential-actions/2026/01/addressing-threats-to-the-united-states-by-the-government-of-cuba/>] (Hereafter Cuba EO)..

³⁵¹ The White House, *Fact Sheet: President Donald J. Trump Addresses Threats to the United States by the Government of Cuba* (Jan. 29, 2026); available [<https://www.whitehouse.gov/fact-sheets/2026/01/fact-sheet-president-donald-j-trump-addresses-threats-to-the-united-states-by-the-government-of-cuba/>].

³⁵² Cuba EO, *supra*, Section 1.

³⁵³ *Id.*

governments in the region. The United States would hold “holding the Cuban regime accountable for its malign actions and relationships, while also remaining committed to supporting the Cuban people’s aspirations for a free and democratic society.”³⁵⁴

To those ends the Cuba EO sought to initiate a new tariff system around Cuba.³⁵⁵ The new system effectively allows the United States to impose additional tariffs on imports from any country that directly or indirectly provides petroleum to Cuba.³⁵⁶ It authorizes the Secretary of State and Secretary of Commerce to take all necessary actions, including issuing rules and guidance, to implement the tariff system and related measures to those ends. The imposition of the additional tariffs are not necessarily automatic: In cases where the tariff may be imposed a recommendation to that effect is to be made to the President. “I will then consider the recommendation and finding, among other relevant things, in determining whether and to what extent to impose an additional ad valorem rate of duty on goods that are products of the country in question.”³⁵⁷

The also President reserved the authority to modify the Order if Cuba or affected countries take significant steps to address the threat or align with U.S. national security and foreign policy objectives.³⁵⁸ That provision suggested a means of providing Cuba with a Venezuelan solution that could, effectively, allow it to keep the substance of its governance system (at least for a little while). The transactional element also suggested the use of the tariffs here as a bargaining tool for deal making, rather than for either institutional changes or claims to control or territory.³⁵⁹ To those ends it was left

³⁵⁴ *Id.*

³⁵⁵ *Id.* at §2.

³⁵⁶ *Id.* at §2(a) (“Beginning on the effective date of this order, an additional ad valorem rate of duty may be imposed on goods imported into the United States that are products of any other country that directly or indirectly sells or otherwise provides any oil to Cuba”).

³⁵⁷ *Id.* at §2(b)(ii).

³⁵⁸ *Id.* at § 3

³⁵⁹ *Id.*, “Should the Government of Cuba or another foreign country affected by this order take significant steps to address the national emergency declared in this order and align sufficiently with the United States on national security and foreign policy matters, I may modify this order.” §3(c).

to Marco Rubio's State Department to monitor the situation. The key, then, is in the "deal"—if Cuba's government takes "significant steps to address the threat or align with U.S. national security and foreign policy objectives" then the Executive Order can be modified (likely along with other measures). The opening negotiating stance is roughed out in the 1 May 2026 *Factsheet* explaining the imposition of additional sanctions on Cuban officials.³⁶⁰ As in Venezuela, the object was to counter "the national security threats posed by the communist Cuban regime by taking decisive action to hold the Cuban regime, and those that perpetuate it, accountable for its support of hostile actors, terrorism, and regional instability that endanger American security and foreign policy."³⁶¹

The choke point, of course, is petroleum, and for that it was necessary to eliminate petroleum exports from Venezuela.³⁶² The first phase eliminated Venezuelan supplies; the second the traditional handout by the Mexican government.³⁶³ And Secretary Marco Rubio suggested the contours of the situation from the U.S. perspective: US Secretary of State Marco Rubio stopped short of confirming whether the Trump administration would actively pursue regime change. Testifying before the Senate Foreign Relations Committee, Rubio when pressed on whether Washington would rule out a US-backed

³⁶⁰ WHITE HOUSE, *Fact Sheet: President Donald J. Trump Imposes Sanctions on Cuban Regime Officials Responsible for Repression and Threats to U.S. National Security and Foreign Policy* (1 May 2026); available (<https://www.whitehouse.gov/fact-sheets/2026/05/fact-sheet-president-donald-j-trump-imposes-sanctions-on-cuban-regime-officials-responsible-for-repression-and-threats-to-u-s-national-security-and-foreign-policy/>).

³⁶¹ *Id.*

³⁶² The White House, *supra* note 282 (Fact Sheet: "This is not the first time President Trump has taken a tough stance against hostile regimes—in just the past few months, he has ordered strikes on Iran's nuclear infrastructure and authorized operations to remove Venezuela's Nicolas Maduro from power, making clear that dictators and state sponsors of terrorism will be held to account.")

³⁶³ Associated Press, Mexican president says her country has paused oil shipments to Cuba, NPR (Jan. 28, 2026 2:44 AM) ("'Pemex makes decisions in the contractual relationship it has with Cuba,' Sheinbaum said in her morning news briefing. 'Suspending is a sovereign decision and is taken when necessary.'") <https://www.npr.org/2026/01/28/nx-s1-5691086/mexico-oil-shipments-cuba>

effort to remove Cuba's current leadership noted that, indeed, that was an agenda set by Congress a generation ago.³⁶⁴

The Cuban government's response was necessary and predictable, condemnation and ideological stonewalling.³⁶⁵ Cuba is now preparing for what its current leadership may believe to be an end game. Cuban authorities have already taken public steps to put the Republic on a wartime footing, expecting a total war of the people.³⁶⁶ Of course it need not be; but the leadership has, as it has for a long time, been driven relentlessly by the inevitabilities built into its way of looking at the world and from it constructing the alternatives which its values present to it.

Now. . . let's make a deal!³⁶⁷

ii. Cuban Bureaucratic/Institutionalism.

A decade ago, in a stunningly magnificent obeisance to the past, in the performance of the "three kneelings and nine kowtows" (三跪九叩) to the ancestors (even those not yet quite dead), the Cuban Party apparatus adopted its *Conceptualización del modelo económico y social Cubano de desarrollo socialista*.³⁶⁸ That is, to badly misquote Marx,

³⁶⁴ The Economic Times, "Won't rule out . . .": Marco Rubio stuns Dem Senator, rejects 'no-regime-change' pledge on Cuba, YOUTUBE (Jan. 29, 2026) <https://www.youtube.com/watch?v=ISqAySGekUk>

³⁶⁵ Ministerio de Relaciones Exteriores, Cuba condena y denuncia nueva escalada del cerco económico de Estados Unidos, REPÚBLICA DE CUBA (Jan. 30, 2026) <https://cubaminrex.cu/es/cuba-condena-y-denuncia-nueva-escalada-del-cerco-economico-de-estados-unidos>

³⁶⁶ Larry Backer, *Al imperio que nos amenaza le decimos: ¡Cuba somos millones!* "Discurso pronunciado por Miguel Mario Díaz-Canel Bermúdez, Primer Secretario del Comité Central del Partido Comunista de Cuba y Presidente de la República, LAW AT THE END OF THE DAY (Jan. 19, 2026) <https://lbackerblog.blogspot.com/2026/01/al-imperio-que-nos-amenaza-le-decimos.html>

³⁶⁷ Backer, "Let's Make a Deal" as Economic Policy, *supra*, note 32.

³⁶⁸ 7th Congress of the Communist Party of Cuba, *Conceptualización del modelo económico y social Cubano de desarrollo socialista* (2016); available [<https://www.thecepe.org/wp-content/uploads/2016/05/Conceptualizacion-del-modelo-economico-PCC-Cuba-2016.pdf>]; see discussion in Larry Catá Backer, Background Brief, *Conceptualización del modelo económico y social Cubano de desarrollo socialista* available [<https://www.thecepe.org/larry-cata-backer-background-brief>]

the specter that is haunting Cuba. A specter that, in 2026 was neither exorcised nor confronted but one into whose thrall the state and the Party appear to have been consumed.

The Conceptualización was most notable as an retrenchment that effectively paused the movements toward reform or development, within a Marxist Leninist framework, of the Cuban economic-political model, and underscored its alignment with the operating model first put forward by the 1st Cuban Communist Party Congress in 1976. To suggest disappointment among those who remained committed to the Cuban Marxist-Leninist model but sought its reform to conform to the then current realities of the historical stage of development in which Cuba found itself was an understatement. But the elites, officially at least, recoiled at the possibility of “newfangled” (and mostly “oriental”) change--and they certainly would have nothing to do with markets or Asian style Marxist Leninist operational structures.

That turn to markets, even well managed Marxist-Leninist markets, was considered a direct route toward the corruption of Marxism and with it the undoing of the Leninist project as they saw it. As late as 2012, Fidel Castro made it clear in his “Reflections” that it was the model elaborate by Erich Honecker (East Germany) rather than that elaborated by Deng Xiaoping (PRC) that was the apex model of a properly organized Marxist Leninist system;³⁶⁹ “More than anything else, these short reflections are likely to be as close as we will come to understanding the reasons that Cuba finds itself in its particular current predicament. It is one based perhaps on a nostalgia for what could have been, East Germany, and a fear and loathing for what may be: Chinese style” markets Marxism).

conceptualizacion-del-modelo-economico-y-social-cubano-de-desarrollo-socialista/].

³⁶⁹ Larry Backer, Fidel Castro on Deng Xiaoping and Erich Honecker-- Understanding the Foundations of Cuban Political and Economic Policy, *LAW AT THE END OF THE DAY* (Aug. 19, 2012) <https://lbackerblog.blogspot.com/2012/08/fidel-castro-on-deng-xiaoping-and-erich.html>

Fidel Castro had consistently viewed Deng's opening up with substantial suspicion³⁷⁰, a position that was hard wired into the State and Party apparatus conceptual cages (again in 2019, and now 2026) and especially its insistently Soviet ideological expression--not just Soviet in sensibility and outlook but an ossified Soviet-ism imperious to the realities of the flow of time (among other things). This suspicion, and its architecture was not shared to the same degree by his brother.³⁷¹ The result was, at least within the economic sectors over which the military was given authority, a more or less (by Cuban standards anyway) vibrantly markets ready State owned enterprise sector metastasizing under the leadership of the military (to manage a sizeable chunk of the formal Cuban economy) and a stubbornly Soviet style orthodox central planning apparatus within the State sector, one that viewed markets with great suspicion and was loathe to tolerate it except at the margins and especially during periods of emergency.

2026 has seen the flowering of catastrophe for the Cuban economy, its infrastructure and whatever passes for its formal economy. It is a crisis of its own making, one that makes the current version of Cuban Stalinist Marxist Leninism particularly vulnerable to the transactional engagements with the Trump Administration's America First Policy as applied by Secretary of State Marco Rubio, someone with a substantially more refined interest in the affairs of Cuba. In times of crisis like this, the Cuban State-Party tends to move quickly especially with respect to concessions around the core of its Soviet operational structures. These have tended to please the intelligentsia and policy makers outside of Cuba, especially in the US, and cost the government virtually nothing in terms of pressure to effect even the changes that its own Marxist-Leninist technobureaucrats have been urging for years. That well-worn pattern

³⁷⁰ Larry Backer, *The UnRepentant: Fidel Castro Confronts Cuban Globalization*, LAW AT THE END OF THE DAY (Sept. 15, 2007), available [<https://lbackerblog.blogspot.com/2007/09/unrepentant-fidel-castro-confronts.html>].

³⁷¹ Larry Backer, *On the Anniversary of the Attack on the Moncada Barracks: Cuba Moves Forward towards its Chinese Future*, LAW AT THE END OF THE DAY, (July 27, 2007) [<https://lbackerblog.blogspot.com/2007/07/on-anniversary-of-attack-on-moncada.html>]

appears again to some extent as the Cuban State has appeared to suggest a greater tolerance of markets based activity, but again only around the edges and in ways that do not threaten the core of its State sector (or for that matter, the business of the military through GAESA).

On the other hand, in the way that the (in retrospect tragic) State visit of President Obama³⁷² was connected to the political retrenchment that was the *Conceptualización del modelo económico y social Cubano de desarrollo socialista* delightfully described at the time by Ann Louise Bardach,³⁷³ so it appears that, in mirror reverse, the current state of US-Cuba relations produces the same sort of reaction--retrenchment ideologically with a sensation of reform. In the face of the Trump Administration's America First Policy applied in a more robust way to the Caribbean region (starting perhaps with the end of the leadership of Mr. Maduro in Venezuela) and not focused on Cuba,³⁷⁴ the Cuban State-Party apparatus has again produced what amounts to an updated clone of the 2016 *Conceptualización del modelo económico y social Cubano de desarrollo socialista* now with a few marginal

³⁷² Remarks by President Obama to the People of Cuba, Gran Teatro de la Habana, Havana, Cuba (22 March 2016); available (<https://obamawhitehouse.archives.gov/the-press-office/2016/03/22/remarks-president-obama-people-cuba>) (“And, yes, I believe voters should be able to choose their governments in free and democratic elections. . . Many suggested that I come here and ask the people of Cuba to tear something down -- but I’m appealing to the young people of Cuba who will lift something up, build something new”).

³⁷³ Ann Louise Bardach, *Backlash in Cuba*, POLITICO MAGAZINE, (June 10, 2016) <https://www.politico.com/magazine/story/2016/06/cuba-fidel-castro-raul-castro-barack-obama-us-cuban-relations-foreign-policy-213953/> (and reposted by Arch Ritter to his blog site)

³⁷⁴ For the early indications of the shaping of this policy see, U.S. Department of State, On-the-Record Briefing on Secretary of State Marco Rubio’s First Trip to the Western Hemisphere (31 January 2025); available [<https://www.state.gov/on-the-record-briefing-on-secretary-of-state-marco-rubios-first-trip-to-the-western-hemisphere/>]. (Discussed in Larry Catá Backer, *S Secretary of State Marco Rubio is “Flying Down to Rio” to Dance the Carioca with an “An Americas First Foreign Policy”* (With text of Secretary Rubio’s Essay, State Dept. Press Briefing of Trip, and Brief Reflections), LAW AT THE END OF THE DAY, (Jan. 31 2025); available [<https://lbackerblog.blogspot.com/2025/01/us-secretary-of-state-marco-rubiflying.html>].)

tidbits to suggest the need to appease the architects (on the outside) of the current crisis (understanding of course that the Cuban State itself has been the master of its own disasters for quite a long period of time). That cloned and updated retrenchment (including in the choices of quotations from Fidel Castro that now aligns with present political need) has been distributed under the title *Programa Económico y Social del Gobierno (2026)*.³⁷⁵ So; the appearance of changes at the margins and a hearty reaffirmation of the permanence of a 1970s ideological position--this time without the seemingly endless subsidies of the Soviet empire.

The Economic Program outlined consists of a 10 point plan, which in the style of such things in liberal democratic as well as Marxist-Leninist techno-bureaucracies sound like vague exhortations to generalized goals of sorts: General Objective 1: Foster a macroeconomic environment that favors productive activity and the growth of external revenues; General Objective 2: Increase and diversify the country's external revenues.; General Objective 3: Increase national production, with an emphasis on food; General Objective 4: Transform, modernize, and develop the Cuban enterprise system by strengthening the role of the socialist state enterprise, with an emphasis on integration among all economic actors; General Objective 5: Advance the improvement of strategic management for territorial development; General Objective 6: Advance the improvement of Government management, National Defense, and Security; General Objective 7: Consolidate and develop social policies, guaranteeing protection for individuals, families, households, and communities in vulnerable situations.; General Objective 8: Advance the implementation of general directives aimed at the prevention and reduction of crime, corruption, illegalities, and social indiscipline; General Objective 9: Advance the recovery of the National Electric Power System, driving energy sovereignty.; and General Objective 10: Manage science and innovation, natural resources, social communication, and digital transformation to drive the spheres of sustainable development.³⁷⁶ This is the essence of

³⁷⁵ GOVERNMENT OF THE REPUBLIC OF CUBA, *Programa Económico y Social del Gobierno 2026* (2026); available [https://www.presidencia.gob.cu/static/assets/gpdf/1_prog_gob.pdf].

³⁷⁶ *Id.*

institutional techno-bureaucratic cognitive approaches to challenges; It is incomprehensible to merchants as a type. It suggests that to overcome a challenge one must enhance the capacity of the institution to do what it has done. For the merchant, that approach lacks any connection between a problem/goal and the transactional activities, deal making, contracts, pacts, settlement necessary to get closer to an objective that suits the interests of those undertaking this deal making.³⁷⁷

This works in good times; it lacks the clarity and intensity often required in times of crisis. None of this is new; much of it is a tease; and all of it lacks any effective pathways other than hope . . . and misery—for hope, in the hands of those who live solely in the realm of ideas, never finds the time to discern how a population might be sustained by anything other than spiritual nourishment³⁷⁸--other than at the point of a gun. And, indeed, at its core is the fundamental determination to re-embrace, with renewed vigor the core of the ideological choices, and their necessary consequences, that brought the Cuban State to its present situation; *that* is the banquet feast laid before the Cuban people moldy now having been exposed to the elements since the 1970s in a hot and humid tropical climate; and now, without Russian, Chinese, or Venezuelan financial services:

La Conceptualización del Modelo Económico y Social Cubano, los Lineamientos de la Política Económica y Social del Partido y la Revolución, el Plan Nacional de Desarrollo al 2030, el Programa Económico y Social del Gobierno, el Plan de la Economía Nacional y el Presupuesto del Estado para el 2026, constituyen los documentos rectores que rigen la dirección del desarrollo del país. La correcta comprensión de la

³⁷⁷ See, e.g., Bach Nguyen, Hai-Anh Tran, Ute Stephan, Ha Nguyen Van, Pham Thi Hoang Anh, “I can’t get it out of my mind” - *Why, how, and when crisis rumination leads entrepreneurs to act and pivot during crises*, 39(4) J. BUS. VENTURING 106395; available [https://www.sciencedirect.com/journal/journal-of-business-venturing/vol/39/issue/4].

³⁷⁸ Larry Catá Backer, *Cuba and the Constitution of a Stable State of Misery: Ideology, Economic Policy, and Popular Discipline*, 13 PENN. ST. J.L. & INT’L AFF. 1 (2025).

naturaleza y funciones de cada documento y, sobre todo, de su interrelación, es crucial para evitar desviaciones en el logro de las metas previstas.³⁷⁹

Dressed up around operational reform, the suggestion that they will, after a decade or more, now properly approach the operationalization of the key documents of retrenchment (and get it right this time), is precisely what tends to be embraced by those looking for any sort of movement (even in the wrong direction) that suggests Cuban “cooperation” or “reform”—words that lose much of their usual meaning in this context. They suggest as well that it is the failure to properly understand these documents that is the cause (along with the American embargo) of the present state of catastrophe, or better put, the current State of Misery in which Cuba finds itself.³⁸⁰ That is the tragedy. A pity really but it fits that patterns of response adopted in this early part of the 21st century. Lamentably, more the same is precisely what is not now needed. Even if revolutionary transformations of the sort hungered for in some quarters would be disastrous as well.

And over all of this the ghost of Fidel Castro continues to haunt both State and Party—not revolutionary Fidel, but the Fidel that became the embodiment of the Stalinist turn in European Marxist-Leninism. Unlike his idol Erich Honecker, Fidel did not live to copy that fate of that fallen leader—extradition back to the place of his leadership and trial for his crimes cut short only by an advanced fatal illness. What happens to those others who remain is impossible to predict.

³⁷⁹ GOVERNMENT OF THE REPUBLICA OF CUBA, *supra* note 364 (*Introduction* [The Conceptualization of the Cuban Economic and Social Model, the Guidelines for the Economic and Social Policy of the Party and the Revolution, the National Development Plan through 2030, the Government’s Economic and Social Program, the National Economic Plan, and the State Budget for 2026 constitute the guiding documents that govern the direction of the country’s development. A proper understanding of the nature and functions of each document—and, above all, of their interrelationship—is crucial to avoid deviations in the achievement of projected goals.]

³⁸⁰ Larry Catá Backer, *Cuba and the constitution of a Stable State of Misery: Ideology, Economic Policy, and Popular Discipline*, 13 PENN. ST. J.L. & INT’L AFF. 1 (2025).

And thus: when on the edge of the abyss, consider jumping in. In this case the Cuban authorities appear well tempted to do just that, holding tightly onto a playbook scripted for the middle decades of the last century and utterly convinces that, at least within the national territory of Cuba, time has, indeed, stopped. And that may well be the final lesson for this variation of Caribbean Leninism born of a military revolution that sought to stop time at the moment of its triumph; only to discover that time stopped has another meaning; and in that they may, in time, come to the realization that Emily Dickinson suggested about such efforts: “A Clock stopped - ; Not the Mantel’s -; Geneva’s farthest skill; Can’t put the puppet bowing -; That just now dangled still.”³⁸¹

Cuba’s clock, indeed, may well have stopped. That was the specter of an *ossified Soviet Caribbean Marxism* whose principal undoing was its unwillingness to understand what the Chinese Leninists have long known (and which was incomprehensible to the Soviets themselves)--that Marxist Leninism is inherently a temporally embedded theory grounded in the core premise of a progress through time along a socialist path toward communism, and that the triumph of a revolution was not the end but the starting point.

IV. CONCLUSIONS.

How does one reboot the now traditional discursive tropes of sovereignty and the state system, one deeply embedded in the culture of States and memorialized initially in the Montevideo Convention of 1933, and one grounded in the protection of the internal affairs by states by others, sovereign equality, territorial integrity, and self-determination; how does one engage in this sort of reboot in a context where the discursive tropes of sovereignty, have been dissipated by globalization--everyone, multinational enterprises (economic and societal, Apple Inc., and Amnesty Int’l), perhaps now have varying “rights” to auto-determination, if not territory; how does one do that rebooting where those old discursive tropes may now be perhaps dispositively displaced by the discourse of the

³⁸¹ Emily Dickinson, *A Clock Stopped*, available [<https://allpoetry.com/poem/13630758-A-Clock-stopped--by-Emily-Dickinson>].

transformation of the ordering premises of the global from one foregrounding institutions, management, and bureaucratic ordering within hierarchically arranged systems, to one embedded within an ethos of transactional discourse and the values that discourse represents?

These are, indeed, a longish set of questions. They are perhaps also better understood as a challenge (for states and others) as the primary contradiction of international relations shifts from one grounded in the perfection of States, their system and their language/values (through Rule of Law infused tropes, to one in which merchants rather than bureaucrats might be more comfortable. It is made more difficult because even the old terms acquire ambiguity in the contemporary Cuban context (auto-determination including the Cuban diaspora?; for example).

In the face of a rules based multilateral order, the United States appears to be shifting toward a publicly guided but privately fulfilled, and in the fulfilling driven, multilateral order. It is grounded in values proper to transactional world ordering: (1) autonomy, at least autonomy within contextual and temporal constraints (bound up in its public institutional narratives of “sovereignty”); (2) values based transactional rule making that furthers interest with echoes of the Caribbean socialist variation of public driven “complementarity” in intergovernmental relations (now bound up in the narratives grounded in the ordering premise of iterative “transaction”, of requiring value (an internal measure) for effort, from NATO membership, to the need to project power into territorial spaces used against interests); and (3) that, like the automated decision making systems that are increasingly coded into all aspects of collective life, and like the basic cognitive framework for artificial intelligence (AI) based systems that public regulation and the theories used to drive, global engagement is meant to be framed within an endless iterative inductive process driven by pragmatics and guided though not

directed from the articulation of vision of “meaning” of temporally shifting aggregations of action.³⁸²

That is, one might approach an understanding of this sort of multilateral activity, and especially those sub-national and transnational actions that manifest and realize these activities, at least subconsciously (modern political administrations, nor their techno-bureaucratic vanguardists, are particularly good at theory), (a) as block chain temporal sequences of aggregated individuated economic transactions (tariffs, natural resources, exploitation of labor and production), (b) the blockchain nodes, the aggregation of data (activity) from which they are constructed, their housing (institutional organs, for example), and their inter-actions, serve as the data ecologies from out of which self-referencing but constantly changing generalized observations, sometimes passing for theories of this or that, may be extracted as a guide for rationalizing (for the ambitious managing, for the truly ambitious bending these flows to their rationalizations), and (c) this self-referencing dialectic then produces the “signal” or for others a “flow” of data that feeds and becomes its own analytics, and the premises extracted from which can guide choices in future engagements that flow with, against, around, or beyond.³⁸³

These changes and contradictions were exposed both in the policy toward Venezuela and the extraction of Mr. Maduro, and then in the way that the US approached its policy in Cuba. In both cases the object was interest based analysis rather than politics; it was in transactional spaces rather than ideological or institutional spaces; and it was in interaction that produced positive impact rather than in control or management. Dominance remains an important element of the transactional lens. But where dominance was driven by politics and normative orders under the olde institutionalist framework, what

³⁸² Cf., Nidesh Lawtoo, *Mimetic Posthumanism: An Introduction*, in MIMETIC POSTHUMANISM: HOMO MIMETICUS 2.0 IN ART, PHILOSOPHY AND TECHNICS 1-36 (Nidesh Lawtoo (ed.), Brill, 2025).

³⁸³ On the nature of “signal” and “flow” see e.g. Larry Catá Backer, *The Soulful Machine, the Virtual Person, and the “Human” Condition: An Encounter with Jan M. Broekman, Knowledge in Change: The Semiotics of Cognition and Conversion* (Cham, Switzerland: Springer Nature, 2023), 37 INT J SEMIOT LAW 969–1083 (2024).

is becoming clear is that dominance is now a function of transactional productivity and production opportunities, In this the effect has been to bring China and the US closer in effective functional operation, even as China continues to embrace the rhetoric of public ordering (grounded in its strong alignment with political-institutionalist lens) while the United States embraces the rhetoric of interest analysis driven by transactional interactions rather than institutional ones.