### 1

#### Interpretation: The affirmative may only generate offense from an action that makes the appropriation of outer space by private entities illegal.

**“Appropriation” means to take as property – prefer our definition since it’s contextual to space**

**Leon 18** (Amanda M., Associate, Caplin & Drysdale, JD UVA Law) "Mining for Meaning: An Examination of the Legality of Property Rights in Space Resources." Virginia Law Review, vol. 104, no. 3, May 2018, p. 497-547. HeinOnline.

Appropriation. The term "appropriation" also remains ambiguous. Webster's defines the verb "appropriate" as "to take to oneself in exclusion of others; to claim or use as by an exclusive or pre-eminent right; as, let no man appropriate a common benefit."16 5 Similarly, **Black's Law Dictionary describes "appropriate" as an act** "[t]o make a thing one's own; **to make a thing the subject of property**; to exercise dominion over an object to the extent, and for the purpose, of making it subserve one's own proper use or pleasure."166 Oftentimes, appropriation refers to the setting aside of government funds, the taking of land for public purposes, or a tort of wrongfully taking another's property as one's own. The term appropriation is often used not only with respect to real property but also with water. According to U.S. case law, a person completes an appropriation of water by diversion of the water and an application of the water to beneficial use.167 This **common use** of the term "appropriation" with respect to water **illustrates** two key points: (1) **the term applies to natural resources-**e.g., water or minerals-**not just real property**, and (2) mining **space resources** and putting them to beneficial use-e.g., selling or manufacturing the mined resources **could reasonably be interpreted as an "appropriation" of outer space**. While the ordinary meaning of "appropriation" reasonably includes the taking of natural resources as well as land, whether the drafters and parties to the OST envisioned such a broad meaning of the term remains difficult to determine with any certainty. The prohibition against appropriation "by any other means" supports such a reading, though, by expanding the prohibition to other types not explicitly described.168

#### This means affs can only affect the taking of property in outer space by private entities.

#### Violation- So many violations

#### Only 1 of 5 tenets in the CHP is about appropriation. The plan’s full defense of the common heritage of manking exceeds that. Our ev has an intent to define each tenet as legally distinct.

**Oduntan 05**, (Gbenga Oduntan is a sociolegal scholar and critical legal studies academic. His recent major research works include: International Law and African Boundary Disputes London: Routledge (2015); Sovereignty, Jurisdiction, in the Airspace and Outer space: Legal Criteria for Spatial Delimitation. Routledge-Cavendish (October 2011). Imagine There Are No Possessions: Legal And Moral Basis Of The Common Heritage Principle In Space Law. Manchester Journal of International Economic Law, 2 (1). pp. 30-59. ISSN 1742-3945. (2005))

Furthermore, due to the fact that the primary subjects of international law are independent states, it is logical that they should decide together and as a singular community, inclusive of all, fundamental matters that concern all. This is, therefore, what is legalistically referred to as mankind.47 It has, therefore, become possible to identify some **basic elements** **of** the **CHM** principle:

(a) That the **areas** constituting a CHM **cannot be subject to appropriation**.

(b) That the use of such area and the resources thereof shall be subject to a common management system.

(c) That the concept in question implies an active sharing of the benefits derived from the exploration and exploitation of those areas;

(d) That the area be used exclusively for peaceful purposes;

(e) That **the area be preserved for future generations** in perpetual succession.48

#### The CHM also constrains states in addition to private entities.

#### Vote Neg:

#### Limits- Explodes topic mechanisms to include any action that modifies space treaties because it could affect appropriation and opens the floodgates to every possible state cooperation advantage. Future gens, weaponization, Law of Armed Conflict, burden sharing, and regime construction all become viable aff ground which explodes the neg prep burden.

CI

No rvis

Comes before

Fairness > edu

### 2

#### CP: : **States ought to adopt a global commons as per the aff** except for private entities registered within The Republic of India.

#### The Republic of India should limit the Indian Space Research Organization’s market share to 7.5%

#### Private appropriation for Indian private entities is key for investor confidence.

**Sen 20** [Nilanjan Sen, who is an experienced lawyer, specialising in International Law and Arbitration, 07-26-2020,Business Insider,https://www.businessinsider.in/science/space/news/the-fault-in-our-stars-indias-bid-at-privatizing-space/articleshow/77182064.cms, 12-7-2021 amrita]

With the creation of the Indian National Committee for Space Research (now ISRO) in 1962, India has been an active patron to mankind’s space efforts. From Aryabhata to Chandrayaan-2, India has launched 113 satellites, including the first privately built and funded satellite ExceedSat-1 which was launched from USA, as a part of Elon Musk’s Space X project Falcon-9. Up **until 2016, India’**s space activities **have been the exclusive domain of the State, however, the launch of the IRNSS-1H** in 2017 was the herald of a new era in India’s Space endeavours. The IRNSS-1H **marked the** beginning of **privatisation in this area** by being the first Indian satellite, to be designed in collaboration with the private parties. In the following year, the ExseedSat-1 was to become the first privately funded and built satellite launched in collaboration with the private Space X project. Interestingly, **up until now**, all **missions have been conducted for** purposes of research, reconnaissance as well as for augmenting communication systems since there wa**s a substantial State monopoly**. With the recent announcement ofthe creation of the Indian National Space Promotion and Authorization Centre or IN-SPACeby the Government of India as part of its atma nirbhar Bharat scheme, which aims at providing a “level playing field” and a supportive regulatory regime to allow Indian private enterprises to grow and carve their own niche in the so-called “fast-growing global space sector”**, India has** in fact **shown an inclination to capitalise** on the US strategy of opening up the avidly touted space “sector” to private participation. While the initiative **sounds exhilarating** and will definitely go a long way in defining India’s image as an emerging global technology powerhouse**, it is** extremely **difficult to fathom why private players, would** be willing to readily come forward and **invest billions,** by confining their activities for research purposes alone, **without any expectation of commercial gains** or simply, return on their investment. This is so because, matters concerning space and space exploration are subject of a special branch of customary international law, that are mainly centred around five treaties and eleven agreements. The most significant of these is the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies or the Outer Space Treaty (OST) which India ratified in 1967, and which specifically lays down under Article I that outer space and space exploration including that on the moon and other celestial bodies, are to be carried out solely for, and in the interest of all countries, and that they are the province of all mankind. **Article II restricts** claims of sovereignty and national **appropriation** by any means whatsoever, Article VI **places international responsibility on all activities carried on by** governmental or by **non-governmental entities**, as well as mandates authorization and continuing supervision by the appropriate State Party. While there is considerable debate surrounding the applicability of the OST especially Article VI to private parties, since the US Supreme Court ‘s ruling in Medellin v Texas (2008) which held that Article VI is not self-executing in nature, regard must be had to the fact that these are domestic Court rulings and the fact that Space law is part of Customary International law which is affirmed by decades of State practise, cannot be denied, and neither can the fact that it is settled principle of international law that a State cannot, under the excuse of changes in domestic law, including subsequent Court rulings, renege from treaty obligations once ratified. In effect, the OST places strict checks upon the objectives behind exploring this uncharted territory by State and Non-State actors, far less allowing the possibility of even claiming rights of any kind. Moreover, it is no secret that **private corporations operate predominantly with** the object of individual gains **and** unless driven by the zeal to serve mankind and share profits with all countries, **chances are** that the **investments** made by private parties **will have little** to nil **returns,** far less any substantive protection**.**

#### Investor confidence is necessary for strong Indian private space-tech—that spills over, boosts Indian military heg, and turns case.

**Prasad 16** [Narayan Prasad has a Master of Space & Telecommunications Law, May 2016, National Academy of Legal Studies and Research University of Law Hyderabad, https://www.researchgate.net/publication/305402089\_A\_POLICY\_REVIEW\_TOWARDS\_THE\_DEVELOPMENT\_OF\_A\_SPACE\_INDUSTRY\_ECOSYSTEM\_IN\_INDIA/link/578dbd2908ae5c86c9a65d05/download, 12-8-2021 amrita]

As India ramps up its space defence capabilities, **lack of a mature space industrial base will** potentially **hurt** its ambitions**.** **India** counts among the top nations in the world in terms of government space investment 4 , but **is far behind** when it comes to **creating successful private industry** that is globally reputed. India’s space budget has increased in size (Figure 2) and is one of the largest space budgets in the world; however, the lack of an active space industry at turnkey level might have an immense opportunity cost for India in manufacturing satellites and launch vehicles to service the global market.5 This in effect is also due to absence of a single Indian company among the top space companies in the world (which in itself is an alarming statistic) that needs to be addressed urgently through policy push under the several grand schemes announced by the current government, such as ‘Make in India’ and ‘Digital India’. Most of **the apprehensions** for private investment in space industry **come from** the **requirements** of high capital investment, **and** the long gestation periods of space projects to get substantial Return on Investment (RoI) for the investors. These trends have been put aside by a new breed of space companies calling themselves ‘NewSpace’, which thrive on new business models of low cost access to space by capitalising on the advancements made in recent years in small satellite technology, consumer electronics, and computing power. Tiny modular satellites called ‘CubeSats’, weighing 1-4 kgs and costing under $100,000 have revolutionised the way space products and services are delivered to end users. The movement began in Europe and US simultaneously as a by-product of university and space agency collaborated research, but it was the US which took the lead in successfully commercialising these technologies developed in laboratories. Figure 3 shows the forecast of nano satellites weighing between 1-50 kg, which are scheduled to be launched during 2014-16 globally.6The high number arises from the fact that such nano satellites have short development timelines, and provide the necessary agility for satellite operators to develop large constellations that can cater to a larger customer base with high service quality. These NewSpace companies have ushered in widespread changes in the traditional satellite manufacturing and launch services industry, with companies like RocketLabs and Firefly Systems building new launchers cheaply using innovative techniques like additive manufacturing, to reduce the cost to orbit for these satellites. The impact of these companies has been felt within the space industry, as practices from these ‘NewSpace’companies have been adopted to keep the costs low and have a factory type approach in building systems in order to cater to the increasing demand. The NewSpace revolution has now led to companies such as Google, Virgin, and Qualcomm investing in small satellite-based communication technologies. India, however, has remained shielded from the rapid changes that have happened in the global space industry over the past decade. **ISRO** has been **slow to respond on** both **commercial** and academic **fronts,** with only a handful of university-level small satellite missions being launched during the same period, none of which could transform into a full-fledged commercial opportunity for the people involved in these projects. Lack of clarity on space policy in India is to blame, and partly the lack of willingness of DoS to take up additional responsibility of creating an ecosystem that disrupts their own traditional one, without any visible incentives. In the following sections, the need and motivation to develop a strong private industry ecosystem is detailed with necessary arguments. 1.2 Motivations to Develop a Private Industry Ecosystem in India Presently, **India has inherent advantages** over other countries **due** the availability of **skilled workforce**, a stable and business friendly **government,** positive investor climate and low cost of operations**.** Because India was an early mover in space technology, it is **poised to become a major space power albeit** slight policy push towards **greater commercialisation** of the industry. Table 1 shows the PESTLE analysis of India, in lieu of the motivation to develop a strong private space industry. The PESTLE analysis shows high suitability for services-based business models to operate out of India. The government’s encouragement for private space industry within the country to develop capacity and capability in pursuing space activities should thereby be directed to both the spectrums across the industry value chain. A focused space policy mandate can have multiple direct and fringe benefits to the government, especially in the defence sector which has been the current government’s area of interest through its ‘Make in India’ initiative. Some of the direct and indirect benefits of space technology include: Civilian and Commercial **Space industry has the potential to emerge as the third** technological **success** front following the successes of the Information Technology (IT) and Biotechnology in the country. Space **has an important role in** the overall **economic development** of the country **and** in the success of the government initiatives such as Digital India and Make in India. The development of the private space industry shall **aid in rural connectivity, e-governance and** setting up of **manufacturing facilities** base for products of high technology in India, creating headways in the overall emergence of the country at the world stage. The success of the space industry will enhance capacities within the country and complement the government-driven programme, which has been historically proven in advanced space faring countries such as the US. Capacity building in the private industry at a turnkey level for both upstream and downstream shall assist theeconomic development of the country by keeping up to the pace of requirement of the marketplace (e.g. Direct-to-Home TV, Broadband Internet), while reducing the inherent dependence on foreign assets. For example, as per a recent Comptroller and Auditor General (CAG) report, only one among the seven DTH providers is leasing transponder from the INSAT system**. The** primary **reason for this disparity is** the **slow pace** at which **ISRO has added** satellite transponders **to the commercial market.** The net effect is that the DTH providers are incurring higher transponder costs on foreign satellites when INSAT could have been an equally reliable, and more cost efficient, alternative. Space has its bearings over the imagination of youth and a strong emerging local industry can revolutionise the mindset of the national talent pool and can potentially aid in reversal of brain drain from the country. Public outreach, awareness, and STEM education are some of the intangible impact that investment in space technology produces. The capacity built up within the industry shall foster Business-to-Business (B2B) collaborations within the country and with enterprises across the globe and create also a strong focus on Business-to-Customer (B2C) applications which moves from the traditional Government-to-Government (G2G) flow of development of capacity and application of technology. The B2B, B2C ecosystem in the space industry has immense potential of tapping the much successful IT infrastructure of the country and extending the IT knowledge base to core software based applications of spacebased information such as Geographical Information Systems (GIS).It shall create an environment of technological innovation which when supported and encouraged can sustain to create a secondary source of development of high-tech hardware, software and applications for the government. An ecosystem of technological innovation in space technology has the potential of creating the next generation Small and Medium Scale Enterprises (SMEs) in India which shall 17 leverage the frugal nature of engineering and can create products and services independently for local and global requirements. Military **In the development of space technology with several dual use capabilities, there exists a case for the building up a sustained indigenous industry ecosystem that shall support the safety and security apparatus of the country**. These range **from development of capabilities in upstream** such as satellite, launch vehicle development **to** creating specific downstream applicationssuch as Automatic Identification of Ships (AIS), Electronic Intelligence (ELINIT), Communication Intelligence (COMMINT) and other Command, Control, Communications, Computers, Intelligence, Information, Surveillance, and Reconnaissance (C4I2SR) applications. Space Situational Awareness (SSA) is **the ability to view, understand and predict the physical location of natural and man-made objects orbiting the Earth. SSA is a prominent concern for both military and commercial systems, mainly because of the increasing military reliance on space assets**. The debris created by the anti-satellite testing by China in 2007 and the Kosmos-Iridium collision in 2009 has raised additional concerns about the safety of space assets. India currently relies on NASA’s data, and will operationalise its own system of Multi Object Tracking Radar (MOTR) by 2017.7 Meanwhile in the US, commercial operators have established the Space Data Association (SDA) for providing satellite operators reliable and efficient data for increased safety of satellite operations; this is in addition to the Department of Defense’s (DoD) own surveillance network. **The changing space security environment and the rising international concerns over the rapid growth of military assets in space makes space security one of the most important issues to address.** The need to have a space security policy is being 7 increasingly debated in India **and** the IDSA Task force in 2009 produced a report which attempted to conceptualise such a policy. However, there is reluctance to talk about use of space for national security needs including its military applications. Though efforts are being made to synchronize the activities of ISRO which is responsible for India’s civilian space programme and the Defence Research and Development Organisation (DRDO) which works on the use of space for national security needs, **the lack of a strong private industry that can meet heightened needs for such sophisticated missions hampers the progress in this direction,** apart from the bureaucratic delay that is normally associated when two high security government agencies interact. Capacity building within the space industry shall not only drive commercial applications, but shall aid the government in situations of emergencies (e.g. natural disasters, intelligence gathering for fighting against terrorism) and can eventually develop into a foundation that could potentially contribute as a part of a strong foreign policy drive. Studying the impact of space technology on civilian life is a complicated task, especially when it comes to quantifying the tangible and intangible impact. **The spill-over of space technology is in sectors as varied as defence, agriculture and education.** There exist many ways to show the impact of investment in space technology; some of them illustrated above. **Thus, the technological and knowledge backbone for space technology creates opportunities**

**in the marketplace to create and explore commercial applications on a global scale, which** traditionally might not be the fundamental focus a governmental space agency, as well as **create multiple intangible impacts** across various sectors such as defence, education, agriculture, energy, transportation and environment**.** India has made substantial investment in its government space programme over the years, but it is **a sustained policy push towards investments in the private space industry ecosystem that will create commercial space applications**, complementing the societal benefits motivation currently being pursued by the government.

#### Indian space military heg checks and limits Chinese heg in the Indo-Pacific.

**Bommakanti 7-15-20**[Kartik Bommakanti is a Fellow with the Strategic Studies Programme. Kartik specialises in space military issues and his research is primarily centred on the Indo-Pacific region. He also works on emerging technologies as well as nuclear, conventional and sub-conventional coercion, particularly in the context of the Indian subcontinent and the role of great powers in the subcontinent’s strategic dynamics. He has published in peer reviewed journals., The enduring significance of space weapons for India, 7-15-2020,ORF,https://www.orfonline.org/expert-speak/the-enduring-significance-of-space-weapons-for-india/, 12-8-2021 amrita]

Regardless of the Americans protestations about the Russian test**, there are important underlying implications for India particularly in the context of Chinas’ growing space and counterspace capabilities as well as the repercussions that are likely to ensue if New Delhi were to pursue a weak response to Chinese space military power.** India will need a whole set of additional KEW tests. This author made the case for sea-launched and air launched KEWs in an extensive analysis. However, it was focused mostly on earth to space KEW systems and Directed Energy Weapons (DEWs). Confining India to the acquisition of KEWS and Directed Energy Weapons (DEWs) or cyber and electronic weapons can be expanded to include co-orbital KEWs. The Russian test also illustrates why co-orbital KEWs are also critical. Investment in additional KEW capabilities assumes considerable importance especially for India because of the long-term defence related challenges presented by the People’s Republic of China (PRC). **The ongoing boundary crisis should only lend greater urgency to India’s space weapons programme, simply because space assets in India’s inventory are vital to the prosecution of a potential military campaign whether on land, sea or air against the People’s Republic China (PRC).** The PRC is known to have developed the accoutrements necessary to conduct co-orbital test. For instance, in 2008 the Chinese BX-1 microsatellite while orbiting in close proximity to its mother satellite, executed a maneuver within 45 kilometers of the International Space Station (ISS). While BX-1 did not definitively establish a PRC co-orbital ASAT capability, it did indicate the PRC’s latent capability to conduct co-orbital kinetic tests and mount attacks against a potential adversary’ space assets. India must avoid what one leading Indian space analyst prior to India’s March 2019 KEW test observed: “To date, India’s interests in space have been restricted to using space assets for reconnaissance, navigation and communication. However, China’s ASAT test could influence India’s policies in the field of counter-space capabilities. To address the concerns raised at the regional and global level about this Chinese bravado, the best option for India could be to follow the disarmament and arms control route.” The statement is a non-sequitur, **while India has conducted only but one direct ascent KEW test, it has not matched China** in developing and executing non-destructive earth to space KEW tests, let alone fully match Chinese KEW, DEW, electronic and cyber weapon capabilities to target space assets. **Pursuing the arms control and disarmament route by India will be premature** in response to the PRC’s extensive development of space **and** counterspace capabilities**.** Reinforcing this point is that the PRC’s current and evolving space weapons programme deserve a sustained response. Bringing closure to the development of space and counterspace capabilities **would imply surrender that is completely unwarranted in light of Beijing’s recent and ongoing aggressiveness,** which India is evidently bearing the brunt. Very likely Beijing will be emboldened even more in deducing that India’s skittish response to its space weapons programme should be treated as weakness **and India subjected to further aggression, not just terrestrially, but equally in space.** The External Affairs Minister S. Jaishankar stated there is an imperative for India and China to achieve some “equilibrium”, although he never fully elaborated what exactly it would look like. However, if equilibrium or more precisely a stable balance of power is to be achieved in the Indo-Pacific, military power is crucial. **Space military power has grown in importance** from reconnaissance, navigation and communications to space weapons **and will be crucial to generating an equilibrium.** Ignoring the eventual deployment of weapons in space would be foolhardy for a state such as India when pitted against the PRC**. Consequently, space military power is a key constituent element in India’s capacity to contribute to the Asian balance of power**. Thus, **investing in a direct ascent and co-orbital KEWs as well as DEWS and cyber and electronic weapons geared for destroying or disabling spacecraft is crucia**

**l**. If India were to deprive itself of offensive space weapons to take Chinese or other enemy spacecraft, New Delhi would be putting itself at a considerable disadvantage by leaving it at the mercy of a wide variety of Chinese counterspace capabilities and measures against its Imagery Intelligence (IMINT), Communications (COMMINT), Electronic Intelligence (ELINT) and Synthetic Aperture Radar (SAR) satellites. Indeed, it is perplexing to see arguments that call for India to restrain itself, strive for disarmament and arms control when China makes no significant effort to do so beyond rhetorical commitments. The Russian co-orbital test has underlined the importance of space borne weapons despite entreaties for the non-weaponisation of space. The Modi government must see the emerging space military competition as an opportunity to bolster India’s counterspace capabilities. **It will help cement India as a major space military power and prevent Chinese hegemony over the Indo-Pacific.** Chinese hegemony on the other hand will become a certainty, if New Delhi lapses into self-doubt and remains unduly restrained in the testing, integration and deployment of space weapons.

#### China heg is revisionist and offensive-- in the Indo-Pacific that causes draw-in.

**Brands 19** [Hal Brands is the Henry A. Kissinger Distinguished Professor of Global Affairs at the Johns Hopkins School of Advanced International Studies, a senior fellow at the Center for Strategic and Budgetary Assessments. Zack Cooper is a research fellow at the American Enterprise Institute, an associate at Armitage International, and an adjunct assistant professor at Georgetown University, "After the Responsible Stakeholder, What? Debating America’s China Strategy." Texas National Security Review. Volume 2, Issue 2. February 2019k <https://tnsr.org/2019/02/after-the-responsible-stakeholder-what-debating-americas-china-strategy-2/> 12-10-2021 amrita]

The responsible-stakeholder paradigm offered a coherent “theory of victory”: It identified a desired outcome and employed all elements of American power to bring about that outcome. Over time, the strategy produced greater Sino-American cooperation on a range of issues, from counter-piracy to climate change. **It is increasingly clear, however, that the responsible-stakeholder strategy failed. Two of its core assumptions now appear misplaced: the idea that China’s intentions would become more benign over time, and the belief that Washington had the power to keep Chinese ambitions in check until that shift occurred.** What happened instead was that, as China rose, the Chinese Communist Party became more willing to use its newfound power in coercive and disruptive ways.3 Confounding Western hopes that China would liberalize, **the Chinese Communist Party embraced more repressive policies**, especially after Xi Jinping became general secretary in 2012. **Meanwhile, Beijing sought to control the Indo-Pacific region by** coercing its neighbors, undermining U.S. alliances, practicing mercantilist policies, steadily **increasing its presence** and influence in the South China Sea**, and modernizing its military. In the Indo-Pacific and beyond, moreover, China has engaged in a range of behaviors that challenge American interests: supporting authoritarian regimes, engaging in widespread corruption, pursuing predatory trade practices and major geo-economic projects meant to project Chinese influence further afield,** seeking to stifle international criticism of its human rights abuses, practicing massive intellectual property theft, and striving for technological dominance in critical emerging fields such as artificial intelligence.Recently, China’s confidence has been on display, with Xi stating in 2018 that “no one is in a position to dictate to the Chinese people,” after declaring in 2017 that China is ready to “take center stage in the world.”4 Rather than becoming a responsible stakeholder in a U.S.-led system, **China appears increasingly determined to compete with Washington for primacy in the Indo-Pacific and beyond.** These more assertive policies have been made possible by China’s surprisingly rapid growth**.** Between 1990 and 2016, China’s constant-dollar gross domestic product increased roughly twelve-fold and its military spending grew tenfold.5 The People’s Liberation Army rapidly developed the tools — anti-ship missiles, quiet submarines, advanced fighter aircraft, and integrated air defenses — needed to contest American supremacy in the Western Pacific and give China greater ability to shape events in its region and beyond. Surging national wealth also led to an explosion of Chinese trade, lending, and investment abroad, which enabled far more ambitious geo-economic statecraft**.** All told, **this expansion of Chinese national power is unprecedented**

**in modern history.** It has dramatically narrowed the gap between China and the United States and made it far more difficult for Washington to shape Beijing’s behavior. No strategy can survive the invalidation of its central premises: By the end of the Obama presidency, the responsible-stakeholder concept was living on borrowed time. The Trump administration drove the final stake through the concept in its 2017 National Security Strategy. The document slammed Beijing for attempting to “shape a world antithetical to U.S. values and interests” and declared the failure of China’s “integration into the post-war international order.”6 In particular, **China’s behavior increasingly threatens three enduring U.S. interests. First, the United States seeks to maintain a favorable balance of power in the Indo-Pacific region** and to deter a military conflict — over Taiwan, Korea, or maritime Asia — that could undermine the regional order and cost American or allied lives. Second, **U.S. leaders have an interest in ensuring an open international economy conducive to American prosperity and competitiveness.** Third, **the United States seeks to preserve an international environment in which democracy, human rights, and the rule of law can** flourish, and it seeks to **strengthen** — where possible — the prevalence of those practices abroad. As Chinese power has grown and Chinese behavior has become more assertive, U.S. policymakers have come to see all three of these interests as being imperiled.

#### That goes nuclear-- extinction :/

**Hayes 18** [Peter John Hayes is the Executive Director of the Nautilus Institute for Security and Sustainability, a non-governmental policy-oriented research and advocacy group. He graduated from the University of Melbourne with a degree in History, and from University of California, Berkeley with a Ph.D. in energy and resources. #gobears, Trump and the Interregnum of American Nuclear Hegemony, November 8, 2018. [https://www.tandfonline.com/doi/full/10.1080/25751654.2018.1532525 recut 12-10-2021](https://www.tandfonline.com/doi/full/10.1080/25751654.2018.1532525%20recut%2012-10-2021) amrita]

During a post-hegemonic era, long-standing **nuclear alliances are** likely to be **replaced by** ad hoc nuclear **coalitions**, aligning and realigning around different congeries of threat and even actual nuclear wars, **with** much **higher levels of** uncertainty and **unpredictability** than was the case in the nuclear hegemonic system. There are a number of ways that this dynamic could play out during the interregnum, and these dynamics are likely to be inconsistent and contradictory. In some instances, the sheer momentum of past policy combined with bureaucratic inertia and the potency of political, military service and corporate interests, may ensure that residual aspects of the formerly hegemonic postures are adhered to even as formal nuclear alliances rupture. Even as they reach for the old anchors, these **states may be forced to adjust** and retrench **strategically, or start** to take their own nuclear risks by **making** increasingly explicit **nuclear threats** and deployments **against nuclear-armed adversaries** – as Japan has begun to do with reference to its “technological deterrent” since about 2012.9 This period could last for many years until and **when** nuclear **war breaks out** and leads to a post-nuclear war disorder; or **a** new, post-hegemonic strategic **framework is established** to manage and/or abolish nuclear threat. Under full-blown American nuclear hegemony, fewer states had nuclear weapons, the major nuclear weapons states entered into legally binding restraints on force levels and they learned from nuclear near-misses to promulgate rules of the road and tacit understandings. The lines drawn during full-blown collisions involving nuclear weapons were stark and concentrated the minds of leaders greatly. In a nuclear duel, it was clear that only one of two sides could fire first; the only question was which one. **Now, with nine** nuclear weapons **states, and conflicts** conceivably **involving** three, four or **more of them**, no matter how much leaders concentrate, **it will not be evident** who is aiming at who, **who may fire**

first, and during a volley, who fired first and even who hit whom. In a highly proliferated world, **nuclear-armed states** may **feel driven to obtain larger** nuclear **forces** able **to deter multiple adversaries** at the same time, sufficient to conduct not only a few nuclear attacks but **configured to fight more than one** protracted **nuclear war at a time, especially in** nuclear **states torn apart by civil war** and post-nuclear attack reconstruction. The first time nuclear weapons are used since 1945 will be shocking, the second time, less so, the third time, the new normal.

### 3

#### Threats are constructed – their security discourse creates a self fulfilling prophecy that makes true understanding of structural causes behind “threats” impossible.

**Mack 91:** Dr. Mack, professor at Harvard Medical School, 1991, (John E., “The Psychodynamics of International Relationships” Vol 1 p. 58-59)

Attempts to explore the psychological roots of enmity are frequently met with an argument that, reduced to its essentials , goes something like this: “It’s very well to psychologize but my enemy is real. The Russians (or Germans, Arabs, Israelis, Americans) are armed, threaten us, and intend us harm. Furthermore, there are real struggles between us and them and differing national interests: competition over oil, land or scarce resources and genuine conflicts of values between our two nations (or political systems) It is essential that we be strong and maintain a balance of superiority of (military and political) power, lest the other side take advantage of our weakness.” This argument is neither wrong nor right, but instead simply limited. It fails to grapple with a critical distinction that informs the entire subject. Is the threat really generated by the enemy as it appears to be at any given moment, or is it based on one’s own contribution to the threat, derived from distortion of perception by provocative words and actions in a cycle of enmity and externalization of responsibility? In sum, the enemy IS real, but we have not learned to identify our own role in creating that enemy or in elaborating the threatening image we hold of the other group or country and its actual intentions or purposes. “we never see our enemy’s motives and we never labor to asses his will with anything approaching objectivity.”

#### Fear of nuclear war assigns blame to an “unstable” enemy.

**Mack:** John E. Mack, M.D. "The Enemy System (Short Version)" johnemackinstitute.org/1988/08/the-enemy-system-short-version/

**The** extraordinary **dimensions of the nuclear threat have** also **spawned** examples of **apocalyptic thinking**, **in which the world is divided into forces of good and evil**, and the belief that, **in the event of a nuclear holocaust, the good would be saved and the evil would perish**. In such thinking the primitive, polarizing tendencies of the child’s mind are all too evident. Creating a Safer World Hesse’s finding that even older children do not perceive their own country’s responsibility for states of enmity is in accord with those of psychologists and social scientists – that **there is no self-awareness or self-responsibility at the political level which corresponds to the awareness of personal responsibility with which we are familiar in a clinical setting**.” In political life, **the assignment of blame, disclaiming of responsibility, and the denial of one’s own nation’s contribution to tensions and enmity are the norm.[**23] The first task, therefore, is to apply the insights of the behavioral sciences to create a new expectation of political self-responsibility. Nuclear weapons have connected all the peoples of the earth. **Not only the nuclear superpowers but also all peoples are now interdependent and mutually vulnerable**. **Nations may have conflicting values but they cannot afford to have enemies.** Education in elementary and secondary schools that reflects this new reality should be our highest priority. **Instead of constant blaming of the other side, we need to give new attention to the adversary’s culture and history, to his real intentions as well as his hopes, dreams, and values**. To understand is not to forgive, but awareness and knowledge could lead to a more realistic appreciation of who has contributed what to the problems and tensions that exist in the world. Young people should be taught in their homes and schools how to identify and resist ideological propaganda. **In the nuclear age we need to redefine hackneyed ideas such as national security or the national interest**. just as we can no longer afford enemies, there is no longer such a notion as national security. **The security of each depends on the other, and the communication of this reality must become a major focus of our educational system**. Similarly, **the national interest can no longer be defined unilaterally but exists in a context of mutual interests and dependencies.** Physicians who understand the physical realities of nuclear technology, and are gaining a greater awareness of these psycho-political dynamics, can play a vital part in educating their patients and the general public about the basic requirements of planetary safety in the nuclear age. Political self-responsibility can begin at an early age. Nancy Condee asked Tolya, a nine-year-old Russian boy, “What kinds of solutions should be sought to reduce tensions between our two countries?” The boy replied: “I would tell Reagan that the thing he’s building in space is going to cause war. I’d tell him ‘Build it slowly! Take your time! Don’t rush!’ If he could spend a million years building it, we would have a million years of peace. And only afterwards, as soon as it was already built, then we would have war”.

#### Their security discourse causes genocide and interventionism in the name of cleansing the world of violent “others”

Friis 2k - Friis, UN Sector at the Norwegian Institute of International Affairs, 2k, (Karsten, Peace and Conflict Studies 7.2, “From Liminars to Others: Securitization Through Myths,” <http://shss.nova.edu/pcs/journalsPDF/V7N2.pdf#page=2>). NS

The problem with societal securitization is one of representation. It is rarely clear in advance who it is that speaks for a community. There is no system of representation as in a state. Since literately anyone can stand up as representatives, there is room for entrepreneurs. It is not surprising if we experience a struggle between different representatives and also their different representations of the society. What they do share, however, is a conviction that they are best at providing (a new) order. If they can do this convincingly, they gain legitimacy. What must be done is to make the uncertain certain and make the unknown an object of knowledge. To present a discernable Other is a way of doing this. The Other is represented as an Other -- as an unified single actor with a similar unquestionable set of core values (i.e. the capital “O”). They are objectified, made into an object of knowledge, by representation of their identity and values. In other words, the representation of the Other is depoliticized in the sense that its inner qualities are treated as given and non-negotiable. In Jef Huysmans (1998:241) words, there is both a need for a mediation of chaos as well as of threat. A mediation of chaos is more basic than a mediation of threat, as it implies making chaos into a meaningful order by a convincing representation of the Self and its surroundings. It is a mediation of “ontological security”, which means “...a strategy of managing the limits of reflexivity ... by fixing social relations into a symbolic and institutional order” (Huysmans 1998:242). As he and others (like Hansen 1998:240) have pointed out, the importance of a threat construction for political identification, is often overstated. The mediation of chaos, of being the provider of order in general, is just as important. This may imply naming an Other but not necessarily as a threat. Such a dichotomization implies a necessity to get rid of all the liminars (what Huysmans calls “strangers”). This is because they “...connote a challenge to categorizing practices through the impossibility of being categorized”, and does not threaten the community, “...but the possibility of ordering itself” (Huysmans 1998:241). They are a challenge to the entrepreneur by their very existence. They confuse the dichotomy of Self and Other and thereby the entrepreneur’s mediation of chaos. As mentioned, a liminar can for instance be people of mixed ethnical ancestry but also representations of competing world-pictures. As Eide (1998:76) notes: “Over and over again we see that the “liberals” within a group undergoing a mobilisation process for group conflict are the first ones to go”. The liminars threaten the ontological order of the entrepreneur by challenging his representation of Self and Other and his mediation of chaos, which ultimately undermines the legitimacy of his policy. The liminars may be securitized by some sort of disciplination, from suppression of cultural symbols to ethnic cleansing and expatriation. This is a threat to the ontological order of the entrepreneur, stemming from inside and thus repoliticizing the inside/outside dichotomy. Therefore the liminar must disappear. It must be made into a Self, as several minority groups throughout the world have experienced, or it must be forced out of the territory. A liminar may also become an Other, as its connection to the Self is cut and their former common culture is renounced and made insignificant. In Anne Norton’s (1988:55) words, “The presence of difference in the ambiguous other leads to its classification as wholly unlike and identifies it unqualifiedly with the archetypal other, denying the resemblance to the self.” Then the liminar is no longer an ontological danger (chaos), but what Huysmans (1998:242) calls a mediation of “daily security”. This is not challenging the order or the system as such but has become a visible, clear-cut Other. In places like Bosnia, this naming and replacement of an Other, has been regarded by the securitizing actors as the solution to the ontological problem they have posed. Securitization was not considered a political move, in the sense that there were any choices. It was a necessity: Securitization was a solution based on a depoliticized ontology.10 This way the world-picture of the securitizing actor is not only a representation but also made into reality. The mythical second-order language is made into first-order language, and its “innocent” reality is forced upon the world. To the entrepreneurs and other actors involved it has become a “natural” necessity with a need to make order, even if it implies making the world match the map. Maybe that is why war against liminars are so often total; it attempts a total expatriation or a total “solution” (like the Holocaust) a

nd not only a victory on the battlefield. If the enemy is not even considered a legitimate Other, the door may be more open to a kind of violence that is way beyond any war conventions, any jus in bello. This way, securitizing is legitimized: The entrepreneur has succeeded both in launching his world-view and in prescribing the necessary measures taken against it. This is possible by using the myths, by speaking on behalf of the natural and eternal, where truth is never questioned.

#### The alternative is to reject securitization – this opens up space for emancipatory political engagement.

**Neocleous:** [Mark, Professor of the Critique of Political Economy; Head of Department of Politics & History Brunel Univ, Critique of Security, 185-6]

The only way out of such a dilemma, to escape the fetish, is perhaps to eschew the logic of securityaltogether **-** to reject it as so ideologically loaded in favour of the state that any real political thought other than the authoritarian and reactionary should be pressed to give it up. That is clearly something that can not be achieved within the limits of bourgeois thought and thus could never even begin to be imagined by the security intellectual. It is also something that the constant iteration of the refrain 'this is an insecure world'and reiteration of one fear**,** anxiety and insecurity after **another** will also make it hard to do**.** But it is something that the critique of security suggests we may have to consider if we want a political way out of the impasse of security. This impasse exists because security has now become so all-encompassing that it marginalises all else, most notably the constructive conflicts, debates and discussions that animate political life. The constant prioritising of a mythical security as a political end - as the political end constitutes a rejection of politics in any meaningful sense of the term. That is, as a mode of action in which differences can be articulated, in which the conflicts and struggles **t**hat arise from such differences can be fought for and negotiated, in which people might come to believe that another world is possible - that they might transform the world and in turn be transformed. Security politics simply removes this; worse, it remoeves it while purportedly addressing it. In so doing it suppresses all issues of power and turns political questions into debates about the most efficient way to achieve 'security', despite the fact that we are never quite told - never could be told - what might count as having achieved it. Security politics is, in this sense, an anti-politics,"' dominating political discourse in much the same manner as the security state tries to dominate human beings, reinforcing security fetishism and the monopolistic character ofsecurity on the political imagination. We therefore need to get beyond security politics, not add yet more 'sectors' to it in a way that simply expands the scope of the state and legitimises state intervention in yet more and more areas of our lives. Simon Dalby reports a personal communication with Michael Williams, co-editor of the important text Critical Security Studies, in which the latter asks: if you take away security, what do you put in the hole that's left behind? But I'm inclined to agree with Dalby: maybe there is no hole**."**' The mistake has been to think that there is a hole and that this hole needs to be filled with a new vision or revision of security in which it is re-mapped or civilised or gendered or humanised or expanded or whatever. All of these ultimately remain within the statist political imaginary, and consequently end up reaffirming the state as the terrain of modern politics, the grounds of security. The real task is not to fill the supposed hole with yet another vision of security, but to fight for an alternative political language which takes us beyond the narrow horizon of bourgeois security and which therefore does not constantly throw us into the arms of the state. That's the point of critical politics: to develop a new political language more adequate to the kind of society we want. Thus while much of what I have said here has been of a negative order, part of the tradition of critical theory is that the negative may be as significant as the positive in setting thought on new paths. For if security really is the supreme concept of bourgeois society and the fundamental thematic of liberalism, then to keep harping on about insecurity and to keep demanding 'more security' (while meekly hoping that this increased security doesn't damage our liberty) is to blind ourselves to the possibility of building real alternatives to the authoritarian tendencies in contemporary politics. To situate ourselves against security politics would allow us to circumvent the debilitating effect achieved through the constant securitising of social and political issues, debilitating in the sense that 'security' helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms. It would also allow us to forge another kind of politics centred on a different conception of the good. We need a new way of thinking and talking about social being and politics that moves us beyond security. This would perhaps be emancipatory in the true sense of the word.What this might mean**,** precisely, must be open to debate. But it certainly requires recognising that security is an illusion that has forgotten it is an illusion; it requires recognising that security is not the same as solidarity; it requires accepting that insecurity is part of the human condition, and thus giving up the search for the certainty of security and instead learning to tolerate the uncertainties, ambiguities and 'insecurities' that come with being human; it requires accepting that 'securitizing' an issue does not mean dealing with it politically, but bracketing it out and handing it to the state;it requires us to be brave enough to return the gift."'

#### Representations must precede policy discussion – they determine what is politically thinkable.

Crawford 02 — Neta, PhD MA MIT, BA Brown, Prof. of poli sci at boston univ. Argument and Change in World Politics, p. 19-21

Coherent arguments are unlikely to take place unless and until actors, at least on some level, agree on what they are arguing about. The at least temporary resolution of meta-arguments- regarding the nature of the good (the content of prescriptive norms); what is out there, the way we know the world, how we decide between competing beliefs (ontology and epistemology); and the nature of the situation at hand( the proper frame or representation)- must occur before specific arguments that could lead to decision and action may take place.

Meta-arguments over epistemology and ontology, relatively rare, occur in instances where there is a fundamental clash between belief systems and not simply a debate within a belief system. Such arguments over the nature of the world and how we come to know it are particularly rare in politics though they are more frequent in religion and science. Meta-arguments over the “good” are contests over what it is good and right to do, and even how we know the good and the right. They are about the nature of the good, specifically, defining the qualities of “good” so that we know good when we see it and do it. Ethical arguments are about how to do good in a particular situation. More common are meta-arguments over representations or frames- about how we out to understand a particular situation. Sometimes actors agree on how they see a situation. More often there are different possible interpretations. Thomas Homer-Dixon and Roger karapin suggest, “Argument and debate occur when people try to gain acceptance for their interpretation of the world”. For example, “is the war defensive or aggressive?”. Defining and controlling representations and images, or the frame, affects whether one thinks there is an issue at stake and whether a particular argument applies to the case. An actor fighting a defensive war is within international law; an aggressor may legitimately be subject to sanctions. Framing and reframing involve mimesis or putting forward representations of what is going on. In mimetic meta-arguments, actors who are struggling to characterize or frame the situation accomplish their ends by drawing vivid pictures of the “reality” through exaggeration, analogy, or differentiation. Representations of a situation do not re-produce accurately so much as they creatively re-present situations in a way that makes sense. “mimesis is a metaphoric or ‘iconic argumentation of the real.’ Imitating not the effectivity of events but their logical structure and meaning.” Certain features are emphasized and others de-emphasized or completely ignored

as their situation is recharacterized or reframed. Representation thus becomes a “constraint on reasoning in that it limits understanding to a specific organization of conceptual knowledge.” The dominant representation delimits which arguments will be considered legitimate, framing how actors see possibities. As Roxanne Doty argues, “the possibility of practices presupposes the ability of an agent to imagine certain courses of action. Certain background meanings, kinds of social actors and relationships, must already be in place.” If, as Donald Sylvan and Stuart Thorson argue, “politics involves the selective privileging of representations, “it may not matter whether one representation or another is true or not. Emphasizing whether frames articulate accurate or inaccurate perceptions misses the rhetorical importof representation- how frames affect what is seen or not seen, and subsequent choices. Meta-arguments over representation are thus crucial elements of political argument because an actor’s arguments about what to do will be more persuasive if their characterization or framing of the situation holds sway. But, as Rodger Payne suggests, “No frame is an omnipotent persuasive tool that can be decisively wielded by norm entrepreneurs without serious political wrangling.” Hence framing is a meta-argument.

### 4

#### The plan requires clarifying international space law---causes strategic bargaining to extract concessions

Alexander William Salter 16, Assistant Professor of Economics, Rawls College of Business, Texas Tech University, "SPACE DEBRIS: A LAW AND ECONOMICS ANALYSIS OF THE ORBITAL COMMONS", 19 STAN. TECH. L. REV. 221 (2016), https://law.stanford.edu/wp-content/uploads/2017/11/19-2-2-salter-final\_0.pdf

V. MITIGATION VS. REMOVAL

Relying on international law to create an environment conducive to space debris removal initially seems promising. The Virginia school of political economy has convincingly shown the importance of political-legal institutions in creating the incentives that determine whether those who act within those institutions behave cooperatively or predatorily.47 In the context of space debris, the role of nation-states, or their space agencies, would be to create an international legal framework that clearly specifies the rules that will govern space debris removal and the interactions in space more generally. The certainty afforded by clear and nondiscriminatory48 rules would enable the parties of the space debris “social contract” to use efficient strategies for coping with space debris. However, this ideal result is, in practice, far from certain. To borrow a concept from Buchanan and Tullock’s framework,49 the costs of amending the rules in the case of international space law are exceptionally high. Although a social contract is beneficial in that it prevents stronger nation-states from imposing their will on weaker nation-states, it also creates incentives for the main spacefaring nations to block reforms that are overall welfare-enhancing but that do not sufficiently or directly benefit the stronger nations.

The 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (more commonly known as the Outer Space Treaty) is the foundation for current international space law.50 All major spacefaring nations are signatories. Article VIII of this treaty is the largest legal barrier to space debris removal efforts. This article stipulates that parties to the treaty retain jurisdiction over objects they launch into space, whether in orbit or on a celestial body such as the Moon. This article means that American organizations, whether private firms or the government, cannot remove pieces of Chinese or Russian debris without the permission of their respective governments. Perhaps contrary to intuition, consent will probably not be easy to secure.

A major difficulty lies in the realization that much debris is valuable scrap material that is already in orbit. A significant fraction of the costs associated with putting spacecraft in orbit comes from escaping Earth’s gravity well. The presence of valuable material already in space can justifiably be claimed as a valuable resource for repairs to current spacecraft and eventual manufacturing in space. As an example, approximately 1,000 tons of aluminum orbit as debris from the upper stages of launch vehicles alone. Launching those materials into orbit could cost between $5 billion and $10 billion and would take several years.51 Another difficulty lies in the fact that no definition of space debris is currently accepted internationally. This could prove problematic for removal efforts, if there is disagreement as to whether a given object is useless space junk, or a potentially useful space asset. Although this ambiguity may appear purely semantic, resolving it does pose some legal difficulties. Doing so would require consensus among the spacefaring nations. The negotiation process for obtaining consent would be costly.

Less obvious, but still important, is the 1972 Convention on International Liability for Damage Caused by Space Objects, normally referred to as the Liability Convention. The Liability Convention expanded on the issue of liability in Article VII of the Outer Space Treaty. Under the Liability Convention, any government “shall be absolutely liable to pay compensation for damage caused by its space objects on the surface of the Earth or to aircraft, and liable for damage due to its faults in space.”52 In other words, if a US party attempts to remove debris and accidentally damages another nation’s space objects, the US government would be liable for damages. More generally, because launching states would bear costs associated with accidents during debris removal, those states may be unwilling to participate in or permit such efforts. In theory, insurance can partly remediate the costs, but that remediation would still make debris removal engagement less appealing.

A global effort to remediate debris would, by necessity, involve the three major spacefaring nations: the United States, Russia, and China.53 However, any effort would also require—at a minimum—a significant clarification and—at most —a complete overhaul of existing space law

.54 One cannot assume that parties to the necessary political bargains would limit parleying to space-related issues. Agreements between sovereign nation-states must be self-enforcing.55 To secure consent, various parties to the change in the international legal-institutional framework may bargain strategically and may hold out for unrelated concessions as a way of maximizing private surplus. The costs, especially the decision-making costs, of changing the legal framework to secure a global response to a global commons problem are potentially quite high.

#### The US will use that opportunity to push Artemis Accords and bilateralization – undermines multilateral space law.

Wall 20 – Senior Space Writer with Space.com, former herpetologist and wildlife biologist, Ph.D. in evolutionary biology from the University of Sydney, Australia; citing Boley (Department of Physics and Astronomy, University of British Columbia, Vancouver) and Byers (Department of Political Science, University of British Columbia, Vancouver)

Mike Wall, 10-8-2020, “US policy could thwart sustainable space development, researchers say,” Space.com, https://www.space.com/us-space-policy-mining-artemis-accords DD

The United States' space policy threatens the safe and sustainable development of the final frontier, two researchers argue.

The U.S. is pushing national rather than multilateral regulation of space mining, an approach that could have serious negative consequences, astronomer Aaron Boley and political scientist Michael Byers, both of the University of British Columbia in Vancouver, write in a "Policy Forum" piece that was published online today (Oct. 8) in the journal Science.

Boley and Byers cite the 2015 passage of the Commercial Space Launch Competitiveness Act, which explicitly granted American companies and citizens the right to mine and sell space resources. That right was affirmed this past April in an executive order signed by President Donald Trump, they note.

The researchers also point to NASA's announcement last month that it intends to buy moon dirt and soil collected by private companies, and its plan to sign bilateral agreements with international partners that want to participate in the agency's Artemis program of crewed lunar exploration.

Artemis, one of NASA's highest-profile projects, aims to return astronauts to the moon in 2024 and establish a long-term, sustainable human presence on and around Earth's nearest neighbor by the end of the decade. Making all of this happen will require the extensive use of lunar resources, such as the water ice that lurks on the permanently shadowed floors of polar craters, NASA officials have said.

Boley and Byers take special aim at the planned bilateral agreements, known as the Artemis Accords. In promoting them, the U.S. "is overlooking best practice with regard to the sustainable development of space," the researchers write.

"Instead of pressing ahead unilaterally and bilaterally, the United States should support negotiations on space mining within the UN [United Nations] Committee on the Peaceful Uses of Outer Space, the same multilateral body that drafted the five major space treaties

of the 1960s and '70s," they write in the Science piece. (The most important of the five is the 1967 Outer Space Treaty, which forms the basis of international space law.)

"Meanwhile, NASA’s actions must be seen for what they are — a concerted, strategic effort to redirect international space cooperation in favor of short-term U.S. commercial interests, with little regard for the risks involved," Boley and Byers add.

The researchers worry that the U.S. is setting an unfortunate precedent for other countries to follow, and that space mining and other exploration activities may therefore proceed in a somewhat careless and chaotic fashion in the not-too-distant future.

#### That returns space to might-makes-right imperial conflict.

O’Brien 20 – member of the International Institute of Space Law and founder of The Space Treaty Project, retired attorney and former member of the NASA-Hastings Law Project

Dennis O’Brien, 6-29-2020, “The Artemis Accords: repeating the mistakes of the Age of Exploration,” *The Space Review*, https://www.thespacereview.com/article/3975/1 DD

In the spring of 1493, the King and Queen of Spain sent an envoy to the Pope in Rome. Along with Portugal, Spain had just used its advanced sailing and navigation technology to reach “new worlds,” areas of the Earth that had not been previously discovered by Europeans. But they had a problem: they wanted to establish sovereign property rights in the lands they had discovered, but they weren’t sure they could do so under their own authority. So, they turned to the only international authority in Europe at that time, the Catholic Church, which held sway over governments from Portugal to Poland, from the Arctic to the Mediterranean. If the Church would establish a legal framework that granted them sovereignty, then those nations would be bound to recognize it.[2]

This is the first lesson that the current governments of the world can learn from the Age of Exploration & Empire that began five centuries ago. Even then, the most powerful nation in Europe, with the largest army and most advanced technology, realized that it could not unilaterally establish property rights or any other kind of sovereignty without the approval of an international authority. After the Church granted that authority, Spain was able to create one of the greatest empires in history. Spain and Portugal formalized the arrangement with a binding international agreement, the Treaty of Tordesillas, whose purpose was to ensure peaceful cooperation between their nations, primarily by establishing a line of demarcation that separated their areas of activity.[3]

Unfortunately, the legal framework so established was based on national dominance, not multilateral international cooperation. The grant of sovereignty was exclusive, made only to Spain and Portugal, and it required them to subjugate the “savages” in the lands they discovered by taking along Church missionaries. This exclusivity did not sit well with other nations as they also developed the technologies of exploration; it was one of the reasons many northern European nations joined the Protestant Reformation and rejected the authority of the Pope in Rome. Without a fair and equitable international agreement that honored the interests of emerging states, the Church lost its ability to act as an arbiter between nations.

Even worse, the dominance model set up centuries of conflict among the major powers in Europe. Militant nationalism and economic colonialism became the principles guiding national policy. The result was centuries of war, suffering, and neglect among the major powers and the nations they subjugated. This pattern did not end until the 20th century, when the major powers fought two world wars and finally dismantled their colonial empires: sometimes peacefully, sometimes by force.

By the mid-1960s, most countries on Earth were independent or on their way to becoming so. But a new conflict had started, one that threatened to repeat the mistakes of five centuries earlier. The great powers were once again using their advanced technology to explore new worlds, and the race was on to plant their flag on the Moon first. Under the ancient traditions, the country that did so would have a claim against all others for possession and use of the territory. The Cold War was about to expand into outer space.

But then something wonderful happened. In 1967, the United Nations proposed, and the world’s space powers accepted, an international agreement known as the Outer Space Treaty.[4] The treaty was an intentional effort to avoid the mistakes of the Age of Exploration & Empire. Article I states, “The exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.” Article II is even more specific: “Outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.” Because of this treaty, the United States carried a plaque to the Moon that said, “We came in peace for all mankind.”[5] When the Apollo 11 astronauts planted the US flag, they did so out of pride, but did not establish any claim or national priority.

This legal framework worked well initially, but people soon started wondering about what to do when countries or private entities wanted to start commercial activity on the Moon, or build settlements. The solution was the Moon Treaty, proposed by the United Nations and adopted by enough nations to come into force in 1984.[6] But it has not yet been adopted by any major spacefaring nation. The United States, by a recent executive order, has specifically renounced the treaty and stated its intentions to extract materials from the Moon without any international agreement.[7]

The newly announced Artemis Accords go even further. Although the actual Accords have not been released pending consultation with possible partners, the summary provided by NASA[8] indicates that the United States will unilaterally interpret the Outer Space Treaty to allow “space resource extraction,” despite the prohibition against appropriation in Article II of the Treaty. There will also be “safety zones” to avoid “harmful interference” with such operations. The effect is to establish exclusive economic zones, especially if “harmful interference” is defined to include economic harm, not just safety. Will the new Space Force be used to protect such economic interests? Will other nations be excluded if they support the Moon Treaty?[9] Will private actors be required to follow the same rules as states, as recommended in the recently drafted Moon Village Principles?[10] This is the slippery slope of using unilateral action to establish economic rights rather than an international agreement.

The Artemis Accords acknowledge many beneficial agreements and policies: The Outer Space Treaty, Rescue Agreement, and Registration Convention (though not the Liability Convention); peace, transparency, interoperability, protecting heritage sites and sharing scientific information. But its unilateral authorization of space mining is a continuation of the Trump Administration’s underlying foreign policy strategy: unilateral dominance over international coop

eration. The United States has withdrawn from the Paris Accords, the Iranian nuclear deal, and, in the middle of a pandemic, the World Health Organization. Dominance has even become the theme of the administration’s domestic policy, with President Trump recently telling governors, “If you don't dominate, you're wasting your time… You have to dominate.”[11] That core philosophy is now being applied to outer space, as Vice President Mike Pence proudly announced in 2018. Despite the lessons of history, the United States is going full speed ahead with the “dominance” model of space development rather than working with the nations of the world to develop a “cooperation” model. Outer space, which so far has been preserved for peace and cooperation, is about to be spoiled, perhaps forever.

#### Goes nuclear – space conflict is uniquely escalatory.

Farley 22 – PhD, Senior Lecturer at the Patterson School at the University of Kentucky

Robert Farley, 1-9-2022, “Does A Space War Mean A Nuclear War?” 1945, https://www.19fortyfive.com/2022/01/does-a-space-war-mean-a-nuclear-war/ DD

The recent Russian anti-satellite test didn’t tell the world anything new, but it did reaffirm the peril posed by warfare in space. Debris from explosions could make some earth orbits remarkably risky to use for both civilian and military purposes. But the test also highlighted a less visible danger; attacks on nuclear command and control satellites could rapidly produce an extremely dangerous escalatory situation in a war between nuclear powers. James Acton and Thomas Macdonald drew attention to this problem in a recent article at Inside Defense. As Acton and MacDonald point out, nuclear command and control satellites are the connective tissue of nuclear deterrence, assuring countries that they’re not being attacked and that they’ll be able to respond quickly if they are.

For a long time, these strategic early-warning satellites were akin to a center of gravity in ICBM warfare. Nuclear deterrence requires awareness that an attack is underway. Attacks on the monitoring system could easily be read as an attempt to blind an opponent in preparation for general war, and could themselves incur nuclear retaliation. Thus, the nuclear command and control satellites are critical to the maintenance of nuclear deterrence. They make it possible to distribute an order from the chief of government to the nuclear delivery systems themselves. Consequently, their destruction might lead to hesitation or delay in performing a nuclear launch order.

It was only later that the relevance of satellites for conventional warfare became clear. Satellites could reconnoiter enemy positions and, more importantly, provide communications for friendly forces. Indeed, the expansion of the role of satellites in conventional warfare has complicated the prospect of space warfare. States have a clear reason for targeting enemy satellites which support conventional warfare, as those satellites enable the most lethal part of the kill chain, the communications and recon networks that link targets with shooters. Thus, we now have a situation in which space military assets have both nuclear and conventional roles

. In a conflict confusion and misperception could rapidly become lethal. If one combatant views an attack against nuclear command and control as a prelude to a general nuclear attack, it might choose to pre-empt.

Nuclear powers have dealt with problems in this general category for a good long while; would a conventional attack against tactical nuclear staging areas represent an escalation, for example? Would the use of ballistic missiles that can carry either conventional or nuclear weapons trigger a nuclear response? Do attacks against air defense networks that have both strategic and tactical responsibilities run the risk of triggering a nuclear response? There’s also the danger that damage to communications networks designated for conventional combat could force traffic onto the nuclear control systems, further confusing the issue.

No one has ever fought a nuclear war, and no two nuclear powers have engaged in a prolonged, high-intensity conventional conflict. Now that conventional systems have become implicated in space technologies for reconnaissance, targeting, and communications, leaders will have to make very difficult, very careful decisions on what enemy capabilities they want to disrupt. Acton and MacDonald propose a straightforward ban on attacks against nuclear satellite infrastructure, which would also require agreement to keep nuclear and conventional communications networks separate. This is the little ask; countries should plan to fight more carefully. The big ask is for a multilateral ban to prevent future anti-satellite weapons tests in space. This would reduce the danger that debris could close off, temporarily or permanently, human access to certain locations in earth orbit. But given that countries use satellites for the conduct of conventional military operations, it’s a lot to ask for warfighters to consider critical military infrastructure off-limits in any particular conflict.

### 5

#### States ought to:

#### --Announce that appropriation of outer space by private actors violates the Outer Space Treaty and that this is a settled matter of customary international law

#### --Announce that this action is taken pursuant to *opinio juris* (the belief that the action is taken pursuant to a legal obligation) and that non-compliant actors are in violation of international law

#### --Fully comply, not appropriating outer space in a manner inconsistent with these proclamations

#### Solves the Aff.

[Fabio](https://kluwerlawonline.com/journalarticle/Air+and+Space+Law/33.3/AILA2008021) **Tronchetti 8**. Dr. Fabio Tronchetti works as a Co-Director of the Institute of Space Law and Strategy and as a Zhuoyue Associate Professor at Beihang University, “The Non–Appropriation Principle as a Structural Norm of International Law: A New Way of Interpreting Article II of the Outer Space Treaty,” Air and Space Law, Volume 33, No 3, 2008, <https://kluwerlawonline.com/journalarticle/Air+and+Space+Law/33.3/AILA2008021>, RJP, **DebateDrills**.

The non–appropriation principle represents the fundamental rule of the space law system. Since the beginning of the space era, it has allowed for the safe and orderly development of space activities. Nowadays, however, the principle is under attack. Some proposals, arguing the need for abolishing it in order to promote commercial use of outer space are undermining its relevance and threatening its role as a guiding principle for present and future space activities. This paper aims at safeguarding the non–appropriative nature of outer space by suggesting a new interpretation of the non–appropriation principle that is based on the view that this principle should be regarded as a customary rule of international law of a special character, namely ‘a structural norm’ of international law.

#### That competes --- they defend a treaty as normal means

#### We solve better, since CIL is far superior to treaties for space AND causes follow-on.

Koplow, 9 – Professor of Law, Georgetown University Law Center.

David A. Koplow, “ASAT-isfaction: Customary International Law and the Regulation of Anti-Satellite Weapons,” Michigan Journal of International Law. Volume 30, Summer 2009. <http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1452&context=facpub>

Finally, the Article concludes with some policy recommendations, suggesting mechanisms for the world community to press forward with autonomous efforts to promote stability and security in outer space, even in the face of recalcitrance from the leading space powers. I would certainly support the negotiation and implementation of a comprehensive new treaty to prevent an arms race in outer space, and a carefully drafted, widely accepted accord could accomplish much, well beyond what customary law alone could create. But the treaty process, too, has costs and disadvantages, and the world need not pursue just one of these alternatives in isolation.

If the absence of global consensus currently inhibits agreements that countries could already sign, perhaps the world community can nevertheless get some "satisfaction" via the operation of CIL, constructing a similar (although not completely equivalent) edifice of international regulation of ASATs based simply on what countries do.

## Case

### Underview

#### The standard is maximizing expected wellbeing for actor specificity – governments have obligation to maximize pleasure of their people and minimize pain – means extinction comes first and takes out all of this nonsense

#### 1] Compound probability goes both ways – they have a bunch of link chains too AND they’re wrong bc our link chains are lengthy – there’s like one step max

#### 2] Probability \* magnitude should be used to evaluate impacts – it’s the only impact frame that allows us to maximize most moral value

#### 3] Complexity goes both ways – their four aff cards can’t explain all of neolib, but we can exlpain things like why the US would need to go to war

#### 4] Decision gridlock isn’t true – extinction analysis has to come first in order to prevent infinite pain AND empirically denied – policymakers can make decisions in the squo even if they think abt extinction

### Collisions

#### Empirically denied – we’ve had rocket laucnehs etc all increase debris ubt no impact

#### Nothing about private entities in the Dovey evidence – just says that there is already a bunch of satellites – should have triggered the impact

#### There’s no space debris impact

Park 18

Ye Joo Park, citing NASA studies on orbital debris, How Dangerous is Space Debris?, Research Association for Interdisciplinary Studies, RAIS Conference Proceedings, November 19-20, 2018, DOI: 10.5281/zenodo.1572516, <https://ssrn.com/abstract=3303541>

Other factors to consider concerning collisions in Space

While it’s true that there are thousands of space objects directly above Earth in an 800-kilometer band, space is so vast that it’s helpful to pause for a moment and reflect... in the area directly above the entire continental U.S., there are typically only three or four items orbiting above 3.1 million square miles. Therefore, the likelihood of collisions between satellites, spacecraft and orbiting objects is very small (NASA 2018).

In fact, in 2013 it was reported that the probability of a collision between an orbiting asset and space debris larger than 1 cm (0.4in.) will be once every 1.5-2 years, according to the Head of the Russian Hall/ History of Space Debris 8 Figure 5 [NASA] Space Agency. This compares with a 2010 estimate giving the likelihood of once every 5 years (Sorokin 2013).

The Feasibility of Practically Reducing Space Debris

Reducing orbital debris is incredibly difficult. Therefore, the most important action that space experts and policy makers currently recommend is to prevent the unnecessary creation of additional orbital debris. This can be done through prudent vehicle design and operations ((UNOOSA 2014).

The International Academy of Astronautics or IAA is a significant, global organization of scientists and space experts from many countries who meet regularly to discuss the importance of space debris as a policy issue. The subject-matter experts of the IAA published their fifth update Situation Report on Space Debris in August 2017 (Bonnal and McKnight 2017). In the executive summary, the IAA reported that if an orbiting satellite impacts with small bits of debris - even as small as 5 mm - the result will be grave, e.g. the collision would likely disrupt or terminate a satellite’s operations (Bonnal and McKnight 2017, 5).

The serious warnings expressed in this conclusion are offset by the positive findings of the IAA that there has been a reduction of the space debris created from the two extraordinary satellite destruction events (2007 and 2009) cited earlier in this paper. According to the IAF report, a large amount of debris from the satellite explosions were frictionally burned when reaching the Earth’s atmosphere after gradually sinking due to the scientific principle of atmospheric drag (in the science of Physics), which is a deterioration in the strength of an orbit because of an object hitting gas molecules in space. Small bits of space junk sink as the orbit gets weaker... then they burn. This is a positive trend “for keeping the short-term collision hazard under control at the lower altitudes (i.e., less than 650 km)” (Bonnal and McKnight 2017, 7).

#### Kessler’s Syndrome wrong and super long timeframe---he’s adjusted it recently

Kurt 15 – JD-William & Mary

Joseph Kurt, JD- William & Mary School of Law, BA-Marquette University, NOTE: TRIUMPH OF THE SPACE COMMONS: ADDRESSING THE IMPENDING SPACE DEBRIS CRISIS WITHOUT AN INTERNATIONAL TREATY, 40 Wm. & Mary Envtl. L. & Pol'y Rev. 305 (2015)

A. Practical Considerations: Feasible Solutions to the Space Debris Problem Are on Their Way

One key question in assessing whether an international treaty is a requisite for solving the space debris problem is just how difficult it will be to fashion a remedy. The more complex and costly are feasible solutions, the more likely it is that a comprehensive regime is necessary to bind the various actors together. 93Link to the text of the note

A good place to begin is to determine just how imminent is the onset of the cascade of exponentially more frequent debris-creating collisions, known as the Kessler Syndrome. 94Link to the text of the note To be certain, no one can be sure--this phenomenon being subject to highly complex probabilities. 95Link to the text of the note Indeed, experts' estimates of when such a cascade will become irreversible vary [\*316] widely. 96Link to the text of the note The National Research Council produced a report in 2011 that suggested that "space might be just 10 or 20 years away from severe problems." 97Link to the text of the note In fact, the cascading effect has already begun, albeit at a modest pace. 98Link to the text of the note However, Donald Kessler, who first described the eponymous effect in 1978, has significantly recalibrated his own outlook over the years. 99Link to the text of the note Originally, Kessler predicted that catastrophe would result by the year 2000. 100Link to the text of the note That date long passed, Kessler now speaks of a century-long process that "we have time to deal with." 101Link to the text of the note

### Neolib

#### Can’t solve neolib – the aff is a drop in the bucket b/c they conceded that space isn’t that big – they can’t weigh the sum total of capitalism

#### Empirically denied – private corporations expand like crazy rn – Amazon, apple tesla etc prove – no real impact means no risk of impact

#### We’re impact turning it – Capitalism is good

#### Capitalism is self-correcting and sustainable – war and environmental destruction are not profitable and innovation solves their impacts

Kaletsky ’11 (Anatole, editor-at-large of *The Times* of London, where he writes weekly columns on economics, politics, and international relationsand on the governing board of the New York-based Institute for New Economic Theory (INET), a nonprofit created after the 2007-2009 crisis to promote and finance academic research in economics, Capitalism 4.0: The Birth of a New Economy in the Aftermath of Crisis, p. 19-21)

Democratic capitalism is a system built for survival. It has adapted successfully to shocks of every kind, to upheavals in technology and economics, to political revolutions and world wars. Capitalism has been able to do this because, unlike communism or socialism or feudalism, it has an inner dynamic akin to a living thing. It can adapt and refine itself in response to the changing environment. And it will evolve into a new species of the same capitalist genus if that is what it takes to survive. In the panic of 2008—09, many politicians, businesses, and pundits forgot about the astonishing adaptability of the capitalist system. Predictions of global collapse were based on static views of the world that extrapolated a few months of admittedly terrifying financial chaos into the indefinite future. The self-correcting mechanisms that market economies and democratic societies have evolved over several centuries were either forgotten or assumed defunct. The language of biology has been applied to politics and economics, but rarely to the way they interact. Democratic capitalism’s equivalent of the biological survival instinct is a built-in capacity for solving social problems and meeting material needs. This capacity stems from the principle of competition, which drives both democratic politics and capitalist markets. B

ecause market forces generally reward the creation of wealth rather than its destruction, they direct the independent efforts and ambitions of millions of individuals toward satisfying material demands, even if these demands sometimes create unwelcome by-products. Because voters generally reward politicians for making their lives better and safer, rather than worse and more dangerous, democratic competition directs political institutions toward solving rather than aggravating society’s problems, even if these solutions sometimes create new problems of their own. Political competition is slower and less decisive than market competition, so its self-stabilizing qualities play out over decades or even generations, not months or years. But regardless of the difference in timescale, capitalism and democracy have one crucial feature in common: Both are mechanisms that encourage individuals to channel their creativity, efforts, and competitive spirit into finding solutions for material and social problems. And in the long run, these mechanisms work very well. If we consider democratic capitalism as a successful problem-solving machine, the implications of this view are very relevant to the 2007-09 economic crisis, but diametrically opposed to the conventional wisdom that prevailed in its aftermath. Governments all over the world were ridiculed for trying to resolve a crisis caused by too much borrowing by borrowing even more. Alan Greenspan was accused of trying to delay an inevitable "day of reckoning” by creating ever-bigger financial bubbles. Regulators were attacked for letting half-dead, “zombie” banks stagger on instead of putting them to death. But these charges missed the point of what the democratic capitalist system is designed to achieve. In a capitalist democracy whose raison d’etre is to devise new solutions to long-standing social and material demands, a problem postponed is effectively a problem solved. To be more exact, a problem whose solution can be deferred long enough is a problem that is likely to be solved in ways that are hardly imaginable today. Once the self-healing nature of the capitalist system is recognized, the charge of “passing on our problems to our grand-children”—whether made about budget deficits by conservatives or about global warming by liberals—becomes morally unconvincing. Our grand-children will almost certainly be much richer than we are and will have more powerful technologies at their disposal. It is far from obvious, therefore, why we should make economic sacrifices on their behalf. Sounder morality, as well as economics, than the Victorians ever imagined is in the wistful refrain of the proverbially optimistic Mr. Micawber: "Something will turn up."

#### Cap key to peace – prefer 40 years of empirics

Mousseau 2009 [Michael, associate professor of International Relations at Koc University in Istanbul, “The Social Market Roots of Democratic Peace,” International Security Vol 33 No 4, Spring, Muse]

One of the most important achievements in the study of international security has been the arrival and broad acceptance of the “democratic peace,” that is, the statistically significant absence of war between democracies. This discovery has produced a broader acceptance of domestic factors in the study of international conflict. It has also influenced public policy: since the early 1990s, U.S. policymakers have widely embraced democracy as a cause of peace. The extent to which scholars and practitioners can be convinced that democracy causes peace, however, depends on how confident they are in explaining it. Numerous studies have identified democracy as a cause of democratic peace, but none have yielded much meaningful, clear-cut, and nontrivial predictive power—achievements that lie at the heart of scientifically identifying causality. On the contrary, it appears increasingly likely that existing explanations for how democracy causes peace may be incomplete. Several studies have shown that the impact of democracy on peace may depend on the level of economic development.1 No compelling challenges to these findings have been offered, and some scholars who once confirmed the democratic peace now acknowledge the role played by economic conditionality.2 It follows that [End Page 52] democracy, alone, may not be the cause of the peace. Instead, some factor related to economic development either causes the peace or qualifies the impact of democracy on peace. This article advances the understanding of the democratic peace by demonstrating how a particular kind of economic development, contract-intensive development, appears to account for this peace. The economic conditionality of the democratic peace was originally predicted by economic norms theory, which identifies how liberal values may be rooted in the decisionmaking heuristics of a social market economy—that is, one where most people have the opportunity to choose, as individuals in the market, their sources of income and where to spend it.3 In this economy, sometimes called “advanced capitalism,” individuals habitually trust strangers in making contracts and depend on the state to enforce them impartially. They learn to prefer free choice and the equal application of law, and they expect their government to behave accordingly in foreign affairs. As a consequence, contract-intensive societies tend to agree on the preservation of the Westphalian order of sovereign states and the primacy of international law over power politics, and they are in natural alliance against any entity—state or nonstate—that seeks to challenge this order. This study demonstrates that from 1961 to 2001 not a single fatal conflict occurred among nations with contract-intensive economies. In contrast, democracies without contract-intensive economies engaged each other in several fatal conflicts during this period, about the number to be expected if democracy in states without a contracting economy has no impact on foreign policy. These results are highly robust after consideration of many competing causes, few of which have any significant impact on war and peace once the role of the contract-intensive economy variable is considered. The existence of this variable, in contrast, has the strongest impact of all nontrivial variables normally observed in studies of international conflict. Several implications follow from this study. First, this research supports the claims of some critics of the democratic peace who have long argued that a third variable may cause both democracy and peace:4 that variable is a [End Page 53] contract-intensive economy. Second, although challenging the role of democracy as a cause of democratic peace, this study shows that a zone of peace does exist among democratic nations, but it is one that appears to be caused by economic rather than governing institutions. Third, whether or not shared democracy contributes to international peace is an important issue because U.S. leaders’ belief in this proposition has influenced their conduct of foreign policy. President Bill Clinton, for example, supported the United States’ “democratic enlargement” policy because he believed that “democracies don’t attack each other.”5 His successor, George W. Bush, explained that his administration promoted democracy because “democracies don’t go to war with each other.”6 President Barack Obama has asserted that “we benefit from the expansion of democracy” because democracies are “the nations with which we share our deepest values.”7 Although support for democracy may be good for a variety reasons, this article presents compelling evidence that the promotion of peace among nations is not one of them. The article is organized as follows. First, I review the emergence of the democratic peace literature and the evidence linking this peace to economic development. Next, I present several explanations for the role of economic conditionality. I draw out the implications of economic norms theory for explaining stable democracy and peace among nations. After discussing the test conditions, reporting the results, and exploring alternative explanations, I offer a case study of the economic peace involving Greece and Turkey to illustrate the usefulness of the theory. I conclude with several policy implications that follow from the analysis. Two pioneers in the study of the democratic peace were Dean Babst in the 1960s and Rudolph Rummel in the 1970s.8 Key articles by Michael Doyle and [End Page 54] Jack Levy brought increased attention to the concept.9 By the early 1990s, a large number of highly rigorous studies had widely confirmed the proposition that democracies do not go war with each other.10 There are two primary sources of continuing skepticism, however. First, because most explanations for the democratic peace were created after it was first observed—the primary exception being Immanuel Kant in 179511—empirical confirmation for any of them can come only with the observation of novel empirical facts.12 To my knowledge, there are few confirmed, clear-cut, nontrivial, and novel facts that have been explicitly deduced from any explanation for the democratic peace. The closest candidate is the war-winning hypothesis, an expectation deduced from several accounts. The weight of the evidence is mixed as to whether democracies tend to win their wars.13 [End Page 55] Second, the finding that the democratic peace may be conditioned on some level of economic development indicates that democracy, alone, is probably not an independent cause of the peace. The most compelling study in this regard appeared in 2003, when several scholars came together to examine their contending expectations.14 The following four hypotheses were tested: (1) the democratic peace holds firm without any conditions; (2) the democratic peace is conditioned by economic development;15 (3) the democratic peace is conditioned by trade;16 and (4) the interaction of trade and development accounts for the democratic peace.17 The test failed to support hypotheses (1), (3), and (4), and robustly reconfirmed hypothesis (2). Most other studies that have examined the role of economic conditionality have confirmed it, including those of some scholars who had once supported the democratic peace thesis.18 Some scholars have responded to this finding by stressing that the level of economic development at which democracy becomes significant is low enough that, at least in recent years, most democracies are included among [End Page 56] those nations that do not engage in war with each other.19 But in a previous study, I argued that the exact level at which democracy becomes significant is not important, for two reasons. First, the question probably cannot be answered to everyone’s satisfaction. The precise level is highly sensitive to the researcher’s choice of control variables, sample, and measure of economic development.20 Second, without theory, the predicted level of development at which democracy becomes significant poses the danger of the fallacy of induction. Scholars can be much more confident in predictions grounded in theories with established predictive and explanatory power. Not only have all theories of democracy acting alone in causing the peace been unable to produce compelling novel facts, but the economic conditionality of this peace strongly suggests that all of these theories are, at best, incomplete. The issue is not the level of economic development at which democracy becomes a significant force for peace: it is how development causes the peace. Economic Conditionality and Economic Norms Theory Following the first report of the economic conditionality of the democratic peace, several studies sought to explain it. Azar Gat offered a list of factors potentially associated with what he calls economic “modernization,” including industrialization, which has delinked territory from the production of wealth, and a cultural “feminization” of men caused by urbanization and the service economy.21 Erik Gartzke argued that openness of markets may be the cause of the economic peace: nations with freer capital markets are more dependent than others on international investors, who are likely to divest from a country about to engage in war. Policymakers first recognize which nations have free capital markets and which do not, and then give greater credibility to threats made by those with freer capital markets than those with controlled ones. In theory, this can cause countries with freer capital markets to be more peaceful than others. The role of development in the democratic peace is based, presumably, on the assumption that development and capital openness are related.22 [End Page 57] My explanation for the economic peace integrates two long-standing findings in social science.23 First, research in economics and sociology has established the notion of bounded rationality: that is, individuals economize on the costs of decisionmaking by forming cognitive habits—heuristics—for situations they repeatedly encounter.24 Second, studies in economic history and sociology have documented that dependency on ties with friends and families—clientelism—often constitutes significant portions of trade and services in middle- and lower-income countries.25 It follows that divergent everyday routines of individuals in clientelist and contract-intensive societies should give rise to divergent decisionmaking heuristics. In a previous study, I showed how these divergent heuristics can affect political culture and institutions.26 In clientelist economies, individuals depend on group leaders, called “patrons,” who promote loyalty by providing economic and physical security in the form of gifts. To obtain these gifts, clients learn to habitually signal their willingness to abide by all of their patron’s commands with alacrity. When clientelist societies face rapid change and leadership is fluid, political entrepreneurs offer themselves as new group patrons. To increase the demand for security, these political entrepreneurs promote fear of outsiders. This may explain why societies in civil anarchy or in transition between clientelism and advanced capitalism—when high unemployment rates often coexist with clientelist traditions in large cities—tend to give rise to extremist dogmas that fit in-group worldviews, such as nationalist, Marxist, fascist, and militant Islamist ideologies.27 In contract-intensive societies, in contrast, making contracts with strangers promotes loyalty not to patrons but to a state that enforces these contracts with [End Page 58] impartiality and equal application of the rule of law. Because bigger markets offer more contracting opportunities than smaller ones, and because contracts cannot be arranged unless all parties explicitly state their preferences, individuals habitually perceive it as in their interest to respect the preferences and rights of strangers. Compared with voters in clientelist-integrated societies, voters in contract-intensive societies are more likely to support candidates for office who stress individual freedoms, at home and abroad, and who advocate government transparency and equal enforcement of the law. Discussion of the causes of a nation’s transition from a clientelist to a contract-intensive economy is largely beyond the scope of economic norms theory. Exogenous factors include those that make the benefits of trusting strangers in the market greater than the benefits of personalized ties. The theory identifies political factors as the primary cause of economic changes because a contract-intensive economy cannot exist unless government authorities make the decision to enforce contracts with impartiality. But this decision does not guarantee a contract-intensive economy: geographic factors, such as poor harbors or an absence of neighbors with contract-intensive economies, can constrain markets. 28 There is also a likely feedback loop from an emerging market culture to greater opportunities in the market. As increasing numbers of individuals decide to accept the risk of contracting with strangers—as a society approaches the “tipping point”29—the division of labor must grow increasingly complex. This in turn enhances opportunities in the market, causing more individuals to accept the risk of trusting strangers and their states. The shift in loyalty from group leaders to impartial states is not monotonic, however. Acontract-intensive economy can collapse for a variety of reasons, as the nascent capitalist and quasi-liberal political cultures of Classical Athens and Renaissance Italy did after defeats in foreign wars. In the modern era, the feedback loop seems to have started anew in Holland in the fifteenth century (possibly triggered by climate change), and was soon entered into by its neighbors with good harbors: England, northern France, northwestern Germany, and Scandinavia. Over time, contract norms reached more deeply into these societies. By the eighteenth century, however, in only two societies were [End Page 59] these norms in all likelihood highly institutionalized: possibly Switzerland and almost certainly the northern colonies of British North America, led foremost by the Massachusetts Bay Colony.30 By extrapolating from economic history and global migration patterns (because emigration can inversely reflect the level of opportunities in the market), I was able to determine that by the early twentieth century contract-intensive economies were highly institutionalized in all of the previously mentioned regions, as well as in the settler communities of the American West, Australia, Canada, and New Zealand. But between World Wars I and II, global economic troubles stalled the diffusion of contracting, causing it to decline in northwestern Germany when hyperinflation wiped out the middle class. Drawing on data discussed below, I found that by the 1960s contract norms were institutionalized throughout much of West Germany, rural France, the southern United States, and northern Italy, as well as Austria, Finland, and Japan.31 By the end of the Cold War, much of the rest of Italy, as well as Portugal, Singapore, South Africa, South Korea, Spain, and Taiwan seemed to have reached the tipping point. Since the end of the ColdWar, the peoples of Argentina, Chile, the Czech Republic, Greece, Hungary, Malaysia, Poland, and Slovenia may have reached it as well. A broad range of research documents the crucial role of economic norms in influencing political and social phenomena. Karl Polanyi’s book The Great Transformation highlights the transition from clientelist to contractual modes of exchange in Europe from the sixteenth to twentieth centuries.32 Studies in anthropology and archaeology document how economic conditions influence political and institutional preferences.33 As predicted by economic norms theory, there exists a correlation between high income and contracting and between low income and clientelism. Experimental studies have confirmed sizable differences in the way individuals from low- and high-income countries react in tests involving economic preferences.34 Studies in comparative politics have confirmed a strong linkage between economic development and stable, liberal [End Page 60] democracy.35 Survey and case studies in sociology and economics have linked in-group norms with collectivist preferences, and economic development with individualist preferences and higher levels of trust among strangers.36 The contract-intensive economy represents only one form of economic development. In the twentieth century, noncapitalist forms of development included fascism, communism, and petro-clientelism. Nations with these forms of development included totalitarian states (command economies—e.g., the Soviet Union), bureaucratic clientelist states (where authorities distributed wealth with an eye toward promoting and maintaining loyalty—e.g., Saudi Arabia), and “hybrid” states involving a mix of clientelism and totalitarianism (e.g., Nazi Germany). To test whether individuals in contract-intensive, higherincome economies think differently from those in other higher-income economies, I obtained data on levels of trust in nations from the World Values Survey project.37 Recall that contract-intensive economies are thought to foster the expectation that strangers will fulfill their contractual commitments, so a crucial prediction of economic norms theory is that, comparatively speaking, nations with contract-intensive economies should tend to have higher levels of impersonal trust than other nations. There are forty-four countries in 1997 with data on all variables. I regressed trust on gross domestic product (logged) and contract-intensive economy (see measure below). The result confirms this expectation: the contract-intensive economy variable, not higher income per se, is associated with higher levels of trust in nations.38 Both economic norms theory and classical liberal theory focus on the role of markets. But their assumptions and implications differ. Classical liberalism assumes that Adam Smith’s “propensity to truck, barter, and exchange” is ingrained [End Page 61] in human nature, and that freer markets (less state regulation and more foreign trade) promote economic development.39 Economic norms theory suggests that the propensity to truck, barter, and exchange is learned from the sustained presence of market-based opportunities, and that these opportunities have geographic and political origins. In this way, economic norms theory identifies the origins and popularity of classical liberal and social contract theories in the sustained presence of market-based opportunities. When contracting in the market becomes the way of life, people begin to think of it as natural and conceive of democratic governance too as a “social” contract or as embedded in “natural” law.40 Economic norms theory thus offers an explanation for why the classical liberal, social contract, and natural law traditions emerged when and where they did: in the areas of northwestern Europe that were developing contract-intensive economies in the seventeenth and eighteenth centuries. In fact, in contrast to what classical liberalism advocates claim, heavy state regulation of the economy may well be a prerequisite for countries to build and sustain a social market economy. Examples include the Scandinavian countries that have both contract-intensive economies and extensive state redistribution and regulation policies. Economic norms theory predicts that the leaders of contact-intensive nations will be less likely than other leaders to visibly challenge the sovereign rights of other states. This is because the modern interstate system is itself based on contract norms of legal equality: the Protestant Reformation was the consequence of the initial rise of contract norms in northwestern Europe in the sixteenth century; and the Treaty of Westphalia, which settled the Thirty Years’ War in 1648, institutionalized these norms across nations.41 Leaders of contract-intensive nations thus tend to view the continuation of the [End Page 62] Westphalian system of legally equal sovereign states, and the supremacy of international law over brute power politics, as consistent with the values and interests of their domestic populations. At first glance, economic norms theory may seem to imply the monadic expectation that contract-intensive nations should be less likely than other nations to engage in militarized conflict. But nothing in this theory suggests this to be true: rather, it is how they perceive their interests that makes contract-intensive nations different from other nations. Because contract-intensive nations consider the preservation of the Westphalian order to be in their interest, they may engage in wars with non-contract-intensive nations that challenge this order: for example, they may oppose states that threaten other states for economic gain in ways that violate international law. Economic norms theory predicts instead two hypotheses, one dyadic and one conditionally monadic. The dyadic hypothesis predicts a peace among contract-intensive nations; the monadic hypothesis predicts that contract-intensive nations, which are almost always highly democratic, will refrain from fighting other democratic nations. Starting with the dyadic hypothesis, the theory predicts that contract-intensive nations not only will be at peace with each other but are in a natural alliance. The alliance is the result of their fundamental agreement across a range of global issues and their consequent tendency to be on the same side in militarized confrontations.42 When the comparatively rare militarized dispute does occur between two contract-intensive nations, they are more likely than others to settle short of deadly force because their domestic audiences— and domestic opposition leaders—are more likely than their counterparts in non-contract-intensive nations to accept resolution through legal arbitration. The monadic hypothesis is conditioned by democracy. Recall that economic norms theory identifies how a contract-intensive economy can cause a population to value liberal democratic government. It follows that voters in contract-intensive democracies expect their leaders to refrain from fighting other democracies, regardless of the latters’ actions or economic conditions. This expectation accords with Spencer Weart’s view that liberal ideology causes [End Page 63] democratic nations to refrain from attacking other democratic nations.43 The key difference between Weart’s thesis and mine is that I predict that liberal ideology originates in contract-intensive economies, and thus only contract-intensive democracies—not other democracies—are so constrained. In this way, economic norms theory offers an explanation for why the promotion of human rights and democracy abroad appears on the agendas of contract-intensive democracies, but seemingly not on those of democracies that lack contract-intensive economies, or nations with other kinds of political systems. If this monadic thesis is correct, then democratic dyads where at least one state has a contract-intensive economy will be peaceful. Tests that do not control for this pattern would yield misleading results. Constructing the Test Conditions To test my hypotheses, I closely followed the analytic procedures used in a previous study.44 I included all fatal militarized disputes and wars as identified in the Correlates of War Militarized Interstate Dispute data set over the years 1961 to 2001.45 I made one modeling change to this previous study by [End Page 64] controlling for the development level of the more developed state in the dyad and its interaction with geographic distance.46 To my knowledge, two sources of direct contracting data across nations are available: investments in stocks and bonds and life insurance policies. Of all economic sectors to gauge, economic securities and life insurance are probably the most informative because it is the essential need for economic security that compels individuals to form loyalties to patrons or liberal states. Unfortunately, national-level data on stocks and bonds include foreign investment, and foreign investment does not reflect a society’s norms. Life insurance contracts, however, are not affected in this way. These contracts should also serve as an accurate indicator of contracting heuristics because, in predominantly clientelist societies, individuals normally protect their families in the event of death through ties with friends and extended families, as children inherit the debts of their parents as well as the favors owed them. In this type of society, few individuals are likely to trust strangers and the state enough to place their family’s welfare in an insurance contract; prevailing heuristics prevent most from even considering it. In societies where contracting is highly institutionalized, in contrast, comparatively few will have the personalized ties that are sufficiently strong and reliable that they will place their family’s security in them; comparatively larger numbers will act on prevailing heuristics and trust their family’s welfare to strangers in the form of life insurance contracts.47 [End Page 65] I gathered cross-national data on active life insurance contracts collected under the auspices of the World Bank from 1960 to 2000.48 Only sixty-five nations are included in the data, however, and many of these only after 1978. It is possible, however, to expand the data to most countries for this period by adopting a binary threshold and assuming that missing data reflect zero contract norms. This assumption follows from economic norms theory: contract-intensive societies are comparatively reliable providers of economic data because contracts must be enforced, and enforcement requires written records. States that promote markets also have an interest in collecting data on contractual transactions, so that they can monitor and promote contractual economic activity as well as tax it. In contrast, recording and tallying clientelist transactions are difficult tasks because they are framed as favors, which is why much more economic data exist on contract-intensive societies than on others, past and present. For instance, we know that in the eleventh and twelfth centuries, merchants in Cairo engaged in extensive contracting with merchants in Spain, North Africa, the Levant, and even India, because many of these contracts were later discovered in a repository of Old Cairo called the Geniza.49 The insurance data are most comprehensive for the years 1979 to 2000, so I identified the contract-intensive nations as those with existing insurance policies above the median level over this period. Additional tests show that the choice of threshold has no effect on the results. I also obtained identical results, unreported, using the original continuous data with missing values treated as missing.50 Model 1 in table 1 confirms the findings of previous studies regarding the relationship between democracy and fatal militarized disputes from 1961 to 2001. The coefficient for DemocracyL (−0.10) is negative and highly significant, confirming the expectation of democratic peace when the presence or absence of contract-intensive economy is not considered. The performance of most of the control variables is similar to that found in these earlier studies.51 To test the dyadic hypothesis that contract-intensive nations refrain from engaging in militarized disputes with each other, I constructed a binary indicator for both states having contract-intensive economies, which I call “Both States CIE.” As can be seen in table 1, the test yields a startling result: the Both States CIE variable must be dropped from the estimate because it predicts peace perfectly; that is, in the sample from 1961 to 2001, no fatal militarized disputes occurred between two nations with contract-intensive economies. A bivariate chi-square test indicates that this peace cannot be reasonably attributed to chance (p < 0.001). In contrast, with the binary measure “Both Coherent Democracies,” as defined by Edward Mansfield and Jack Snyder,52 ten fatal militarized disputes took place between democratic nations that lacked contract-intensive economies. A bivariate chi-square test suggests that this is about the expected number if democracy in countries without a contract-intensive economy does not cause peace among nations (p < 0.715). To test the monadic hypothesis, I distinguished democratic dyads where one state has a contract-intensive economy from those where neither state has one by including the variable “One State CIE” and its interaction with [End Page 68] DemocracyL. As can be seen in model 2 in table 1, the coefficient for the interactive term DemocracyL x One State CIE (−0.20) is negative and significant. This confirms the supplemental monadic hypothesis of a conditional relationship between contract-intensive economy and democracy. Because the coefficients for constituent terms (DemocracyL) in interactive models are meaningful only for cases where the other constituent term (One State CIE) equals zero, the coefficient for DemocracyL (−0.03) in model 2 confirms the results of the bivariate chi-square tests: in countries without a contract-intensive economy, democracy does not cause peace among nations.53 Models 3 and 4 in table 1 repeat the analyses for the onset of war, defined by convention as militarized interstate disputes that include more than 999 battle deaths. The coefficient for DemocracyL (−0.15) in model 3 is negative and highly significant. This confirms the findings of previous studies regarding the relationship between democracy and war from 1961 to 2001. In model 4 all cases where Both States CIE equals one are excluded because this variable predicts peace perfectly. A bivariate chi-square test indicates that this absence of war among contract-intensive nations is probably not the result of chance (p < 0.10). In contrast, the data yield two wars among coherent democracies where both lacked contract-intensive economies over the sample period: Cyprus and Turkey in 1974 and the Kargil war fought between India and Pakistan starting in 1993 (this dispute continued to 1999 when it reached the war level while both countries were still democratic). A chi-square test indicates that this is approximately the number to be expected if democracy without a contract-intensive economy does not prevent wars among nations (p < 0.857).54 The remaining coefficients in model 4 are substantially identical to the results for fatal militarized interstate disputes in model 2. The coefficient for [End Page 69] DemocracyL x One State CIE (−0.30) confirms the supplemental monadic hypothesis of a conditional relationship between a contract-intensive economy and democracy at the war level; the coefficient for DemocracyL (−0.03) confirms that democracy without a contract-intensive economy does not cause peace among nations. Identical results also appear, for fatal militarized disputes and wars, using the dyadic dummy variable for Both Coherent Democracies. One possible explanation for the insignificance of democracy may be that there are too few cases of democracies without contract-intensive economies. The data, however, do not support this conclusion. Economic norms theory predicts that a contract-intensive economy will cause and stabilize democracy: it is thus no surprise that 88 percent of contract-intensive nation-years from 1960 to 2000 are also coherently democratic.55 But non-contract-intensive nations can experiment with democratic government for a host of reasons, and 49 percent of coherent democratic nation-years do not have contract-intensive economies during this period. Because there are about as many democratic nation-years without contract-intensive economies as there are with them, a dearth of non-contract-intensive democratic cases cannot explain the insignificance of the democratic peace. Could the causal arrow point in the opposite direction, with democracy the ultimate cause of contract-intensive economies and peace? The evidence does not support this conclusion. Correlations among independent variables are not calculated in the results of multivariate regressions: coefficients show only the effect of each variable after the potential effects of the others are excluded. If democracy was a direct cause of both contract-intensive economy and peace, then there would be some variance remaining, after its moderate correlation with contract-intensive economy is excluded, that links democracy directly with peace.56 The insignificance of the DemocracyL coefficients in models 2 and 4 in table 1 indicates that no such direct effect exists. In addition, the scholarly consensus is that higher income per capita, which correlates with the contract-intensive economy variable, is far more likely to cause democracy [End Page 70] than democracy is to cause development.57 Still, the analysis here is not designed to test for reverse causation, though performance of such a test would be a valuable addition to the literature. Robustness tests indicate that in analyses of wars, democracy remains highly insignificant under any examined circumstance. In analyses of fatal disputes, on the other hand, the removal of some control variables can cause democracy to reach significance at the 0.10 level, which is the lowest threshold statisticians normally assign significance. Further tests show that democracy is not significant with the removal of all control variables.58 Nor does democracy become significant under any circumstance when observing only bordering nations. This suggests that if peace exists among non-bordering democracies, it is because non-contract-intensive democracies usually have weak economies and thus refrain from fighting each other because they do not have the capability to do so. The results in table 1 support both aspects of the economic peace: the dyadic unconditional peace and the supplemental monadic peace conditioned by democracy. These patterns conform with the economic norms expectation that a contract-intensive economy promotes liberal values and consolidated liberal democracy. Common preferences and interests cause foreign policy agreement and peace among contract-intensive nations, whereas liberal ideology causes contract-intensive democracies to refrain from using force against other democracies, including those without contract-intensive economies. Democracies that lack contract-intensive economies, on the other hand, have no such constraints and do not perceive common interests within the Westphalian order; thus they tend to fight each other about as often as other nations do. Further calculations indicate that a contract-intensive economy is a powerful force for peace. I could not directly estimate the substantive impact of Both States CIE because it predicts peace perfectly, so I reestimated model 2 after combining the dyadic and monadic measures into a single “super” variable: “One or Both States CIE.” I then included the product of this variable and Both Coherent Democracies to identify cases where both states are democracies and at least one has a contract-intensive economy. The results—unreported for reasons [End Page 71] of space—indicate that, among bordering democracies, a change from neither to one or both states with a contract-intensive economy causes a 97 percent reduction in the probability of fatal dispute onset. None of the remaining variables has an impact of this magnitude.59 Exploration of Alternative Explanations This section examines the possibility that the results discussed above may be explained by variables that I have excluded thus far because economic norms theory predicts that they are at least partly caused by the contract-intensive economy variable. Because correlations among independent variables are not credited to any variable in a multivariate regression, economic norms theory predicts that inclusion of the variables below will reduce the impact of the contract-intensive economy variable. Therefore, this section cannot serve as a test of economic norms theory. Instead, it departs from the theory and examines the possibility that competing theories may account for the results discussed above. Economic norms theory identifies contract norms as a cause of economic development. It is also likely, however, that wealthier individuals are better positioned than poorer ones to engage in contracts. To ensure that the results of model 2 in table 1 are not a function of wealth, I added a control for economic development (see model 1 in table 2). The coefficients for the contract-intensive economy variables hold firmly, and the coefficient for DevelopmentL (0.05) is not significant. This means that the results of this study cannot be attributed to the fact that contract-intensive nations tend to be wealthier than other nations.60 Economic norms theory predicts that individuals in contract-intensive societies will be more likely than individuals in other societies to seek profitable contracts wherever they may find them. Because the nature of governance in contract-intensive nations is expected to reflect the contractualist worldview that good government abets the private pursuit of wealth, it predicts that governments of contract-intensive nations will be more likely than others to encourage foreign trade. Trade per capita is not the same as trade interdependence (trade/gross domestic product), however, and economic norms theory does not predict trade interdependence per se. But contract-intensive nations prefer law over brute force, and thus they are more likely to prefer trade over imperialism in foreign economic policy.61 Richard Rosecrance has argued that the decision to trade rather than to fight is a key factor in explaining peace among trading nations.62 Economic norms theory thus complements Rosecrance’s insights, and the contract-intensive economy variable can potentially account for the pacifying role of trade interdependence in international relations. But the reverse is also possible: trade interdependence may account for peace among contract-intensive nations. This is the view of economic liberals: interstate trade promotes market development, democracy, and peace.63 As can be seen in model 2 in table 2, the coefficient for Trade Interdependence (−0.59) is not significant. It thus appears that contracting is the more likely cause of both trade interdependence and peace among nations. Still, caution must be exercised: the trade variable is close to significant, and this regression model was not designed for resolving this issue. Also, scholars have not settled on how best to gauge trade interdependency.64 Further examination of the impact of trade in conflict is thus warranted. Some explanations for the democratic peace suggest that only democracies with mature or consolidated institutions might be peaceful. In addition, mature democracies may promote contract-intensive economies, suggesting the potential reversal of causation. In model 3 in table 2 the coefficient for Democratic MaturityL (−0.09) is not significant.65 It thus appears that even mature, consolidated democracies are not more peaceful with each other than [End Page 74] other nations. Rather, a contract-intensive economy is the more likely cause of both democratic maturity and the prevailing peace. Economic norms theory predicts that contract-intensive nations will perceive common security interests in the primacy of international law over power politics, causing them to form alliances. Common interests can develop for other reasons, however, and it is possible that alliances may account for the economic peace.66 In model 4 in table 2, the coefficient for Alliance (0.16) is not significant. The evidence thus favors the conclusion that contract-intensive economy partially accounts for the existence of both alliances and peace. As discussed above, Gat has offered several explanations for the peace among developed democratic nations.67 Most of these are broad and unfalsifiable, but he does offer urbanization and size of the service sector as variables, which he suggests make individuals less accustomed to the suffering of war and therefore opposed to it. But a service economy may be a function of contract norms, which encourage the commodification of services as well as of labor and capital. I gauge the variable Service Economy as the proportion of gross domestic product in the service sectors.68 In model 5 in table 2, the coefficient (0.01) is not significant. Analyses of urbanization show that dyads where both states are highly urbanized are significantly more likely than other dyads to engage in fatal disputes. Neither urbanization nor a service economy is thus a likely explanation for the economic peace. Also discussed above, Gartzke argues that free capital markets might explain the developed democratic peace. But these markets could be caused by contract norms, as states promote foreign trade and financial markets diffuse within, as well as across, international borders. Model 6 in table 2 reports the results using Gartzke’s measure. 69 The coefficient for Capital OpennessL (−0.15) is negative and significant, and coefficients for the contract-intensive economy variable also hold firmly. This suggests that, even if there is some causality stemming from the contract-intensive economy variable, free capital markets have an independent impact on the onset of fatal disputes. In short, the data support both Gartzke’s theory and economic norms theory. This result is reasonable, as the theories do not contain incompatible assumptions and are [End Page 75] not mutually exclusive.70 Further tests show that contract-intensive economy is the far stronger variable, with an impact about twice that of capital openness. Subsequent tests for war onsets produced identical results for all variables except Capital OpennessL, which is not significant at the war level. The Greek-Turkish Case An examination of a case study of recent changes in Greece’s economy and its relations with its neighbor Turkey illustrates how economic norms affect the domestic and foreign politics of nations. I chose this case because both countries have experienced many years of “coherent” democracy as defined above: Greece since 1975, with eighty-four years of democracy previously; and Turkey since 1983, with twenty-five years of democracy previously.71 Nevertheless, from 1960 to 2000, twenty militarized interstate disputes occurred between the two countries, five of which resulted in fatalities. If economic norms theory is correct, these tensions were a function of nationalist and xenophobic attitudes of voters on both sides. In 1990 Greece transitioned from a clientelist to a contract-intensive economy. This offers a direct opportunity to test the economic norms expectation that Greece’s transition to a contract-intensive economy should have been followed by substantial moderation and rationalization of Greek domestic and foreign politics, including Greece’s relations with Turkey. As discussed earlier, an increase in the use of contracts is thought to have political and geographic root causes. For Greece, the political roots stem from a desire to join the European Community (EC) and the role played by the EC in giving politicians an “excuse” to make institutional changes, such as the equitable enforcement of banking and trade laws, which favors the transition to a market economy. Geographically, Greece’s entry into the EC was followed by a substantial increase in foreign investment into the country from 1980 to 1995.72 Starting in 1986, the rate of growth in life insurance contracting in Greece increased dramatically; it crossed the global median into contract-intensive status in 1990. Still, in the year 2000 Greece’s level of per capita life insurance [End Page 76] contracting was only one-twenty-fifth that of the contract-intensive standard-bearers Japan, Switzerland, and the United Kingdom. Most observers agree that the mid-1990s was a turning point in Greek politics. Before then, the two main parties, the Panhellenic Socialist Movement (PASOK) and New Democracy (ND), were primarily agents of bureaucratic clientelism. As economic norms theory would expect, both parties were highly personalist and centered on charismatic leaders prone to populist and ideological bombast.73 Interparty relations were tense and based on opposing social identities and systems of patronage.74 The rule of law was weak,75 and distrust of the state ran deep76; in addition, the people identified with “the political parties rather than governments.”77 In foreign policy there was an “exclusivist notion of ‘Greekness.’”78 In the 1980s and early 1990s, PASOK won elections with the xenophobic, anticapitalist, anti-American, and anti-European rhetoric of its populist leader, Andreas Papandreou. In 1976 Greece confronted Turkey on issues in the Aegean over which the International Court of Justice later ruled the Greeks had no case. When a similar issue arose in 1987, Prime Minister Papandreou asserted that it was time to “teach the Turks a hard lesson.”79 The two countries came close to war in 1976, 1987, and 1996.80 Although during this period Greek and Turkish leaders made frequent attempts to resolve their differences, “these initiatives were not sustainable in the face of an adverse political climate, limited social contacts, high level of biases, and sensationalist press.”81 The watershed moment in Greek politics came in 1996, when Papandreou died and PASOK elected Costas Simitis to replace him. The gulf separating the two leaders was vast. Simitis was elected largely on the platform of [End Page 77] Eksynchronismos (modernization). In the words of Kevin Featherstone, “Simitis and his supporters advocated a greater separation of party from the state” and a break from the “bureaucratic clientelism of the recent past.” Whereas Papandreou “exercised a dominant authority over his party,” Simitis was “more managerial and technocratic.”82 As economic norms theory would expect, PASOK’s choice of a reformer reflected deep-seated changes in Greece’s political culture. The opposition ND also moved to the center, with the nationalist posturing and ideological bravado of both parties largely disappearing from Greece’s political discourse.83 A “cultural shift” occurred,84 as the new rhetoric of reform struck a strong chord with the electorate, which increasingly viewed the leaders of the country’s oldstyle politics as “dinosaurs.”85 Voters began to distance themselves from Greece’s political parties; legal institutions became more central to everyday life; and a “new sense of security changed the way ordinary citizens viewed public life.”86 Reflecting an increased respect for the rule of law, the two leading parties agreed on new protections for individual rights in the constitution. 87 Still, a minority continued to vocalize opposition to what many Greeks called Greece’s growing “Europeanization,” led by Archbishop Christodoulos. Both leading parties also backed fundamental changes in Greece’s foreign policy.88 For Europe, the country that was once viewed as the “black sheep” of European foreign policy had evolved into a more consensual partner.89 Prior to the late 1990s, Greece maintained an uncompromising approach in its relations with Albania, Bulgaria, and Macedonia, and was widely viewed in Europe as the “bully of the Balkans.” In the late 1990s, however, a more cooperative attitude emerged, and Greece’s relations with these countries greatly improved.90 This realignment with other contract-intensive countries following Greece’s own transition to a contract-intensive economy, and its more cooperative attitude toward other democracies, accords with expectations of economic norms theory. [End Page 78] Greece’s foreign policy toward Turkey also underwent fundamental change in the late 1990s.91 Reflecting a change in Greek attitudes, foreign minister Theodoros Pangalos—considered a hard-liner—asserted that “we Greeks must get over the old knee-jerk reaction that if something is bad for Turkey it is good for us.”92 The most significant change occurred in 1999, when Greece moved from perennial obstructer to supporter of Turkey’s membership bid to join the European Union (EU). In all likelihood, this move was not strategic but an outcome of deep-seated shifts in Greeks’ perceptions of their national interest.93 Greek scholars and think tanks have stressed that it is in Greece’s interest to have Turkey in the EU as a partner.94 From 2000 to 2004, Greece and Turkey signed twenty-five major agreements; from 1970 to 2000 there were none.95 It must be recalled, however, that fundamental differences remain over the division of Cyprus and exploitation of the Aegean seabed.96 Resolution of the deeper issues in Greek-Turkish relations would also require change in how Turkish leaders perceive their interests. Unlike Greece, Turkey has not transitioned to a contract-intensive economy. If economic norms theory is correct, then Turkish politics should appear similar to Greek politics before Greece’s transition; this would include strong party loyalties, intense identity issues, and fear of outsiders in the country’s political discourse. In foreign policy, compromise should be difficult, as opposition parties seeking to garner the nationalist identity seize any reason to criticize the government for “giving in” to outsiders. Most observers agree that the above description characterizes Turkish politics today. There is no significant liberal party concerned with individual rights, equal enforcement of the law, or transparency in government. The left is characterized as favoring the elite-led modernization project, which increasingly includes “an intensifying nationalism with an underlying xenophobia”; the right emphasizes communitarian religious identity and social conservatism.97 [End Page 79] Turkey’s national identity includes a strong ethnoreligious dimension, and communitarianism remains a prominent feature: it continues to be a criminal offense to insult Turkishness. The political parties are weakly institutionalized and headed by strong, charismatic leaders who compete over state rents with ideological and populist appeals. Voters identify with parties, and the parties offer competing images of national identity.98 Although Turkey has contributed in many ways to the rapprochement with Greece, domestic core values continue to place constraints on further progress. For instance, Turkey could grant more religious freedom to its Orthodox community. 99 But with the international community, Turks feel that they can rely only on themselves, and the EU concern over Turkey’s human rights record is widely viewed “as part of a design to undermine Turkish national unity.”100 Engagement with Greece is considered risky for any incumbent government because it tends “to generate widespread nationalist sentiments.”101 The opposition can easily brand concessions, even if mutual, as giving in to outsiders and contrary to Turkish interests. Public opinion surveys in Turkey show that there continue to be very low levels of trust in the society, and “popular sentiment towards Greeks tends to be quite negative.”102 Turkey may have engaged with Greece in part due to the “earthquake diplomacy” that occurred after the catastrophic earthquake that struck Turkey in August 1999.103 Consistent with the economic norms expectation of a new universalism in Greek identity, many Greek individuals, nongovernmental organizations, and local authorities, in addition to the Greek government, offered substantial help to the Turks in their time of need. This opened a temporary window of good feeling toward Greece in Turkey that allowed Ankara to sign a number of confidence-building measures with Athens. [End Page 80] An alternative explanation for the improvement in Greek-Turkish relations might be the constraining and moderating role of the EU. It is true that Turkey’s constructive responses to Greek initiatives have been at least partly aimed at satisfying EU conditions for full membership. For instance, after refusing for decades to allow an international solution to the Cyprus dispute, Ankara acquiesced after the EU made doing so a condition of Turkey’s candidacy. In this way, the carrot of the EU acts as political cover for Turkish politicians, just as the EC once did for Greek politicians, offering leaders an “excuse” for “giving in” to the foreigners. Given Greece’s full membership in the EU since 1981, however, EU incentives do not offer a satisfying account for the changes in Greek politics and foreign policy in the 1990s. Recognition of the EC’s role in Greece’s transition to a contract-intensive economy suggests some promise for a more stable peace between Greece and Turkey in the years ahead. Like Greece in the 1980s, after Turkey became an official EU candidate, it experienced an explosion of foreign direct investment. 104 In the 1990s Turkey also experienced a rise in per capita life insurance contracting. If the rate of growth of the 1990s continues, the country will pass the contract-intensive threshold in the year 2019. If the time lag for political change after the economic transition in Turkey is the same as it was in Greece (seven years), significant moderation and individualization of Turkey’s political culture may occur around 2026. If the EU continues to act as an incentive for institutionalizing the market and as a source of foreign investment, Turkey’s change could come sooner.105 Economic norms theory would predict that when this happens, all of Turkey’s security-related issues with Greece will be positively and permanently settled; the enduring rivalry will end; and fatal militarized confrontations in this dyad will be a thing of the past. Conclusion Many policymakers and scholars of international relations believe that the promotion of democracy abroad will enhance global order and the security of the United States and its allies. Yet since the terrorist attacks on New York and [End Page 81] Washington on September 11, 2001, efforts to promote democracy as part of U.S. grand strategy in the Muslim Middle East only increased the influence of anti-U.S. factions in the region, including in Egypt, Lebanon, and the Palestinian territories. This study challenges the strategic assumptions of U.S. policymakers by showing that democracy is not a likely cause of peace among nations. Rather, domestic economic conditions appear to be the main factor in promoting peace. Scholars have erroneously linked democracies with peace because most contract-intensive nations are democratic. But this study showed that about half of all democratic nations lack contract-intensive economies, and these democratic countries are not peaceful. Indeed, all the potential exceptions to the democratic peace—such as the Spanish-American War, the Continuation War of Finland against the Allies during World War II, and the Kargil war between India and Pakistan—are easily accounted for in this study because in each of these wars the democracy on at least one of the sides lacked a contract-intensive economy. This article examined the implications of economic norms theory, which integrates the insights of bounded rationality with research by economic historians to show how voter preferences for democracy and respect for individual rights and equal protection under the law may be rooted in the conditions unique to social market economies, where individuals trust both strangers in making contracts and a state that enforces them with impartiality. In many middle- and low-income countries, in contrast, high structural unemployment encourages dependence on the patronage of friends and family. This dependency can promote the heuristics of identifying and trusting in-groups and their leaders, and distrusting strangers from out-groups and state institutions. The study traced the path of causation from economic norms to interstate peace across levels of analysis and methodologies and found that contract-intensive societies are associated with higher levels of trust. It is not this trust, however, that causes peace among contract-intensive nations: peace is the result of a fundamental agreement among voters and elites in these countries on the Westphalian order of sovereign states, including the primacy of international law over power politics and imperialist bullying. This agreement emerges from the heuristics of their common economic way of life. Leaders of states with contract-intensive economies thus perceive common security interests in defending the global status quo and are in natural alliance against any state or nonstate entity that seeks to challenge it. Although democracies are not inherently peaceful, there is a conditional role for democracy in the economic peace: Because contract-intensive economy [End Page 82] promotes the heuristics that value individual freedom and equitable government, most contract-intensive nations have liberal democratic governments. Valuing democracy, voters and elites in contract-intensive democracies tend to value the promotion of individual rights and democracy abroad. They therefore restrain themselves from fighting other countries perceived as democratic, regardless of their economic or foreign policy behavior. These patterns were confirmed in the quantitative analyses and in a case study of Greece and Turkey.