
The Need for Norms in Outer Space

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Space: beyond territorial control

- Structure of International Regulation
 - Sovereign states control over its territory
 - International rules binds behavior of states
 - Complying to international rules brings order in international relationship
- Non-territorial nature of space governance
 - No state can control space territorially
 - Space is truly “Global Commons”
 - Anyone can enter and take benefit from activities in space

Tragedy of Commons

■ Definition

- Depletion of a shared resource by individuals, acting independently and rationally according to each one's self-interest, despite their understanding that depleting the common resource is contrary to their long-term best interests

■ How to avoid “tragedy of commons”

- Setting up rules to limit self-interest
 - Rational understanding that the compliance to the rule is the best interest in a long-run
- Institutionalization of the rule
 - Members behave not just consciously understand the benefit of complying to the rules, but also take the rules as a norm

Role of Norms

- What is “norm”?
 - Informal guideline about what is considered normal (what is correct or incorrect) social behavior in a particular group
 - Norms form the basis of collective expectations that members of a community have from each other, and play a key part in social control and social order by exerting a pressure on the individual to conform.
- Norms play important role where there is no fixed rules or treaty
 - Norms provides order which meets the expectations of how others behave

Space: Law and Norms

- Space related treaties
 - Constitutional rules for the benefit of all
 - Lack of rules to define the behavior of actors
 - Law of Physics
 - Law of physics does not discriminate actors
 - Norms play crucial role in space
 - Since it would be difficult to form consensus for international treaty in a short time, norm (informal guideline) on how to behave in outer space (e.g. mitigating space debris) is crucial
 - It is everyone's benefit to accept the norm and behave accordingly because it will create the "tragedy of commons" if everyone behaves only for its self-interest
 - At the end of the day, no one can beat the law of physics
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