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EXTRATERRESTRIAL LAW AND ORDER

Abstract

My paper explores the potential legal frameworks and potential legal implications as to future extraterrestrial human settlements and colonies. In observing the historic evolutions of various legal regimes with respect to different European polities and their corresponding colonies during the “Age of Discovery” and the “Colonial Era,” the ongoing socioeconomic and sociopolitical effects of globalization, and the rapidly progressing system of international space law in the context of modern-day space exploration and the dawn of the private space sector, the goal of my paper is to draw upon these three broad areas in order to offer a reasonable prediction as to what kinds of legal systems and structures may take root within the first human settlements and colonies in outer space, along with the legal ramifications that would come with their existence and continuing development. In doing so, my paper seeks to show that initially, such extraterrestrial systems of law and governance, irrespective of the locations, national makeups or attributes of their respective colonies, would each likely function through the lens of a uniform, Earth-based international legal regime necessarily entrenched within a single well-established “globalized” union or federation of highly developed countries, being a prerequisite for the meaningful propagation of mass-scale deep space exploration and colonization; given the extreme isolation and highly limited capacity for long-term self-sustainability that any of these otherworldly outposts would unavoidably possess in relation to the Earth-based communities that they would need to depend on for their short-term growth and survival, the dynamism of their systems of law and governance would remain largely static at the outset out of necessity. That said, it is not until these outer space colonies and settlements reach a certain threshold of size, infrastructural integrity and self-sustainability that we can begin to see independent evolutions and divergences in their respective legal and governmental schemes based on their unique locations, functions and attributes; such a scenario could lead to the development of wholly separate and distinct systems of laws among and between extraterrestrial settlements and, potentially, even grounds for conflict. This paper sheds light on a significant subject of law that will inevitably have to be addressed by humanity as mankind reaches ever deeper into the cosmos with dreams of populating it.