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THE LEGAL IMPLICATIONS OF BELONGING TO AN EXTRATERRESTRIAL POLITY

Abstract

Under the premise that advanced technological extraterrestrial civilizations have been discovered, this paper will address the political implications regarding further discovery that Earth belongs to an interstellar polity with several hundred extraterrestrial civilizations. The larger political implications of such a discovery must be discussed and analyzed to the extent possible because despite our effort to become a multiplanetary species such discussion is not commonplace in the community of international relations. The introduction of this paper explains two presumptions this paper takes liberty with in order to present a thorough analysis regarding the political implications of belonging to an interstellar polity. The first presumption is the anthropocentric nature of how the politics of outer space, astropolitics, function in an extraterrestrial community. This section briefly addresses the philosophical and legal realities such as, *de lege lata* and *de lege ferenda*, that favor an anthropocentric view of how the universe is governed. The second presumption is that an extraterrestrial civilization more technologically advanced than humanity is likely to be more culturally and ethically advanced, and as a result would not harm human civilization. The first section of analysis begins by discussing whether the five main space treaties of the United Nations are consistent with what is the most famous post detection policy, the First SETI protocol of 1989. While contact with extraterrestrial civilizations is not mentioned in any of the five main space treaties, Article IX and Article XI of the Outer Space Treaty are the most congruent with the First SETI protocol because they are guided by the principles of international co-operation, mutual assistance, and due regard. The second section of this analysis continues to analyze the First SETI protocol of 1989 and looks for a possible role for establishing a permanent SETI presence in the United Nations while calling for the UN to formally adopt a post-detection policy. To conclude, this paper finds that what could result in the collaboration of the principles and norms that govern relations between the international community of Earth for the purpose of co-existing with extraterrestrial civilizations in the universe is a new dimension to the present body of outer space law that could be beneficial on the micro and macro level of Earth.