

The Possible Martian Order: Extension or Rejection of Earth's Systems?

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PRATEEK RAJ JOSHI, OCT 3 2021

Sending humans to the Red Planet has been a long-term ambition of national space agencies, private organizations, and even state governments. Expanding the reach of the Earthlings beyond Earth is now considered to be the next big validation of human ability and cognition. The ongoing COVID-pandemic has even bolstered the urgency to establish humans as multi-planet species. Even though humans have made it to the Moon and back, the belief that Mars could sometimes be transformed to sustain human life makes its colonization a more popular topic. Humans have spared no pains to gradually transform this belief into reality. NASA has successfully sent robots like Perseverance and Curiosity on the surface of the planet (Crouch, 2020). Moreover, SpaceX building and successfully testing fully reusable launch vehicles to cut the cost of space exploration significantly (Drake, 2021). These events bolster the claim that the long-term aim to establish multi-planetary civilization is gradually turning into reality. Given that this progress and continuous success persist, building a colony on the surface of the Red Planet is not even ambitious. While this would be an unprecedented thing that humans could gift to humanity, there are myriad grey areas that need to be developed. As a result, Mars presents an excellent opportunity to investigate the major question of creating a new international order and political system in the contemporary era.

The discourse regarding establishing a human settlement on the Red Planet is often used with the vocabulary "colonization." However, a big question arises regarding the ownership of this colony and establishing an international order in it. Unlike the conventional concept, "colonization" here does not necessarily mean supplanting the existing system by the other, but it entails the creation of a system in a vacuum. Furthermore, the control of the colony will not be vested into a single state since no state is able to claim its ownership based on its military or economic power in the region. Moreover, given the involvement of private enterprises and their progress in space, the government's hold on space travel and ownership has been eroded. In the new Space Age, private companies have aggressively entered the exploration domain, and with their impeccable technology, working culture, and diversification, the sole preserve of government agencies no longer exists. Therefore, it is undoubted that the formation of an international political system on Mars would not be free from private interventions and their claims based on ownership. Furthermore, the political ideologies that are dominant on Earth might not persist on Mars, given the complexity of societal process and a new lifestyle.

The paper, therefore, focuses on elucidating some of the probable political and international systems in the future Mars colony. It aims to present the possible scenarios of Mars colonization, backed up by the relevance of different international relations theories. There is a myriad of good reasons that back up the possible evolution of the international system and relations on Mars, which this paper aims to present. However, before moving to the thesis of the probable international system and relations on the Red Planet, one needs to understand why the Earth laws could not be exactly extrapolated or extended on the Martian territory.

Why Earth Laws Cannot be Entirely Exercised

One of the major basics of the formation of governing systems and laws is elements of human lives and the social and cultural processes. The theory of constructivism in international relations states, "the world that we know right now is socially constructed, and rather than having a dominant focus on states, the actions of the people shape the

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international realm" (Theys, 2018, p.1). The constructivists have emphasized the social dimensions of international relations and have underscored the significance of rules, social norms, values, and experiences as an essential factor in world-making. "According to the constructivists, far from an objective reality, international politics is a world of our making,' and people tend to make choices in the process of interacting with others" (Dunne, Kurki & Smith, 2013, p. 189). The aforementioned arguments from constructivists delineate the differences that would arise in the international system of the two planets.

Living on Mars would not only be characterized by complex social processes but will also be inundated with existential anxiety and high levels of stress. "The limited situations of survival, along with the actual "struggle for existence" would result in a different evolutionary pattern for the human being as compared to the human evolution on the Earth" (Szocik et al., 2016, p. 1). As a result, the nature of reality and the nature of knowledge, i.e., ontology and epistemology, would differ significantly as compared with the Earth. This gives a strong corroboration to the claim that even though states would leave no stones unturned when it comes to establishing their dominance in the newly colonized territory, it would depend upon the behaviours, beliefs, and opinions of the Martians to decide the fundamental system and laws in Mars, which will be contingent upon their survival criteria. Therefore, with these factors into consideration, it is difficult to imagine that the legal systems currently being practiced on Earth could be extrapolated in the case of Mars.

The Western Ideology Might Not Be Dominant

Most of the Neo-Marxists, Post-Colonialists, and other critics of the Western dominance assert that the state system was never the choice of the Eastern nations. The sovereign state, which is a dominant paradigm in contemporary world politics, was based upon the sole decision of the Westerners, or Europeans, to be specific. Marxists and Neo-Marxists have argued for abolishing the basic concept of the state system and have made various comments and statements against the capitalists profiting from territorial demarcation. According to Pal (2018) "The most important contribution of Marxism offers to IR is their statement that the modern state system (that emerged roughly at the same time) are not natural or inevitable events" (p. 1). They have been vocal against the simultaneous emergence of the sovereign state system and capitalist mode of production, considering them as the two sides of the same coin.

Creating a new world system on Mars would provide these critical theorists with a myriad of opportunities to exercise their vision of the world. Rather than in the capitalism dominated Earth, practicing these visions would be way swifter and more comfortable on Mars, where there are many grey areas to be developed. They might view capitalism as a failure on Earth, making humans expand their settlement towards Mars. "Capitalism to Mars would be a tragedy since it has ruined Earth and created immense human suffering with half the world's population living in poverty" (Morrow, 2018). Given the living conditions on Mars and the nascent stage of settlement, one needs to ensure that every Martian would have access to high quality and healthy lifestyle, along with equal access to every resource, which inclines towards Marxism. Furthermore, the presence of Marxist and Communist proponents like China would also bolster the stance of these political systems, which are still repudiated on Earth.

In terms of the state system, previously, the creation of a sovereign state system was solely devised under the influence of the European leaders. "The Peace Treaty of Westphalia was the hour of need for the European Kingdoms undergoing 30 years of religious war" (Patton, 2019, p. 91). However, the concept of Westphalian sovereignty gradually proliferated to the East and then engulfed the whole globe. The Westphalian state system, if viewed analytically, has primarily worked for the people who created it, i.e., the Europeans and the Westerners. Numerous failed, and quasi-states have not been able to exercise sovereign equality that the sovereign state system promises. "The concept of a failed state can only be viewed in terms of the Westphalian model; the international order in which states co-exist is challenged by the degradation of the fundamental principles of sovereignty which failed states represent" (Bingham, 2014). Therefore, exercising the same state system and letting the state with the maximum power have a hegemonic authority has high chances of being disregarded in the Martian system.

Cooperative Sovereignty

One area where the Martian System could be compared with the international system is in the context of cooperative

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sovereignty. Here, sovereign nations work together to eradicate any chances of conflict and achieve a common goal. The idea of cooperative sovereignty inclines towards the Liberalist school of thought, which provides an optimistic view on the world system by advocating "the theory of preference formation through interstate bargaining" (Moravcsik, 1992, p. 13). This concept of states working together for common goods has some contemporary examples as well: the Antarctic Treaty System (ATS) and the United Nations Convention on the Law of the Sea (UNCLOS).

"The Antarctic Treaty System (ATS), ratified in 1959, ensures that Antarctica stays unexploited and lets the resources of the region be used solely for peaceful or scientific purposes" (Watts, 1992, p. 12). It provides a constructive model of nations working in cooperation to preserve the serenity and the originality of the region, which would otherwise have been destroyed. It not only prohibits all the possible military activities inside the region but also encourages peaceful settlements of disputes and sharing of scientific information among the signatories. "The focus of the treaty is clear: peaceful governance of the exclusively scientific activities on Antarctica for the mutual benefit of all" (Bruhns & Haqq-Misra, 2015, p. 3). Similarly, the United Nations Convention on the Law of the Sea (UNCLOS) also provides another example of cooperative sovereignty on Earth. The treaty has a predefined territorial distance, i.e., 12 nautical miles beyond a country's coast, till which a country can exert its sovereignty. Further than that, countries are allowed to utilize the resources available. However, they are prohibited from laying sovereign claims on the waters, i.e., if a country fishes a fish, it is owned by that country but the area where the fish was found is not.

The Outer Space Treaty (OST) concept is the prime legal framework that governs international cooperation regarding space and other celestial bodies, which also falls under the domain of cooperative sovereignty. Drafted in 1967, its main points focus on the prohibition of exercising Weapons of Mass Destruction (WMD), along with military activities within space. Furthermore, one of the major aspects of this treaty is the prohibition of claiming national sovereignty in celestial bodies. "Outer space is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means" (Conley, 2014). Even though this treaty has played an essential role in space exploration till now, with the rapid advancement of humans in outer space, this would undoubtedly require a revision. In the context of colonizing the Red Planet, the prohibitory provision of the OST would have to be revisited.

Despite the current form of cooperative sovereignty that has existed until now on Mars or any celestial body, the diversification and the growth of the Martian colony would make it harder for cooperative sovereignty to persist. "As the colony grows and becomes more diverse concerning customs, beliefs, traditions, and ways of thinking, the success of the concept of cooperative sovereignty will be more and more questionable" (Levchenko et al., 2019, p. 3). OST serves as the only law that is currently being followed in Mars and is comparatively similar to some of the existing Earth Laws such as the ATS and UNCLOS. However, if humans are to settle on Mars, an idea must be built to supplant the restrictive provisions of the treaty, which again widens the gap between the systems that exist on Earth and the Mars.

Private Companies against Government Entities

The Treaty of Westphalia signed in 1648 provided an unprecedented and unwavering power to states and ultimately to the governments having control over those states. Since their formation, states have been considered to be the prime and sometimes even the sole actors of the international system, which gave rise to the concept of anarchy. Kenneth Waltz mentions in his 1979 book of *Theory of International Politics*, "the broad patterns of the state behaviour can be understood as a consequence of states pursuing incentives provided by the anarchic structure of the international system" (Waltz, 1979). These same patterns and behaviours of states act as a pipeline to create the layout of international politics. Even though critics of the Realist school of thought argue the dissolution of the idea due to the proliferation of Liberalism, they accept the notion of states being essential actors. "Neo-liberal institutionalists accept the view that states are the most important actors but maintain that we should also account for the role international institutions have in shaping outcomes" (Weenink, 2001, p. 1). Even though the great forces of technology, along with globalization, have bolstered the importance of private companies and institutions in the contemporary era, they are far from challenging a state and have no standing in front of national interest and state decisions. However, this phenomenon is less likely to be replicated on Mars.

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In terms of Mars, the space race that was initiated during the cold war between two governments of the U.S. and the U.S.S.R. has entirely transformed into a private race. After the private companies entered the domain of the space race, humans have achieved a significantly greater leap forward due to their sophisticated technology and vigorous attitude of private firms. Furthermore, the competition of these private enterprises against each other and even against the governmental entities has helped them almost supplant the role and power of states and governments. Their contribution in creating non-governmental space exploration is due to the private passion for "private space exploration," which addresses numerous hindrances present when government-funded agencies carried out the same missions. "The new environment for private space companies were never so vigorous comprising by events like the rise of new visionary investors, changes in the government space policies, global economy, and the increasing concerns about the limited resources and, space debris" (Gomes et al., 2013, p. 4). Based on this, one can undoubtedly state that rather than states, private entities would be the ones colonizing Mars. These entities would, without a doubt, assert their ownership on the Martian territory, making them essential actors in charting the political or legal system of Mars. As a result, the multinational corporations and private agencies would demand increasing power in their recognition as important actors in the formation of Martian Law.

For instance, Elon Musk, who is considered the tech tycoon having an extremely ambitious yet plausible plan of colonizing Mars through SpaceX, believes that his company would be making its own laws on Mars, disregarding any universal ones. The CEO of Tesla and SpaceX was reported saying, "SpaceX will not be recognizing any international law on Mars and will instead follow a set of "self-governing principles" that will be laid down during the Martian settlement" ("Elon Musk's SpaceX...", 2020). While SpaceX has been comparatively more successful in fulfilling its promise of advancing to Mars, these statements blatantly elucidate that the private entities are not in the mood to settle with the same status as they have on the Earth. As a result, unlike Earth, privately-owned space agencies may be the major actors with a strong influence in charting, executing, and governing the Martian Law. This would question the entire state-centric system, and the Martian Sphere would not just have state sovereignty but might also practice the concept of private sovereignty.

Conclusion

The difference in the evolutionary process and the variation regarding humans' social procedure and actions in the two planets result in a different set of ontologies and epistemologies for Earthlings vs. the Martians. This primary change is in the formation of societal structure, which ultimately influences a significant deviation of the Martian System compared to the Earth's System. Furthermore, the emergence and rising contribution of private entities in Mars exploration have raised an unprecedented question of private sovereignty. There is a high probability of states and private entities existing hand-in-hand; however, unlike Earth, both need to be considered equally important and influential. Similarly, the chance to formulate a new political system in a vacuum would provide immense opportunity for the critical theorists to exercise their ideologies resulting in a weakened western philosophy.

All in all, establishing a colony on the Red Planet seem to be a domain in which ample research regarding installing a legal and political system seems to be lacking. Inspecting the idea of forming a new colony on Mars and contemplating on the Martian International system may be a vague approach; however, this paper compares how different the Mar's political system might be when compared with that of the Earth, backing them up with different theories of international relations and their interpretations.

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