

SpaceX's Declaration of Space Independence is Just Common Sense

Sooner or later, absent some kind of mass extinction event, humankind will establish itself there: On the Moon. On Mars. Among the asteroids. Someday even on planets orbiting distant stars.

There isn't — or at least shouldn't be — anything controversial about that prediction. We have the technology to get to some of those places already, and we're developing the technology to support ourselves there too.

Related questions that are already stirring controversy, though they also shouldn't: What will the rules look like out there? Who will make them? Who will enforce them?

There's a simple, correct, and obvious answer to those questions, and the beta terms of service for Starlink, SpaceX's satellite-powered Internet Service Provider, openly state it:

"For Services provided on Mars, or in transit to Mars via Starship or other colonization spacecraft, the parties recognize Mars as a free planet and that no Earth-based government has authority or sovereignty over Martian activities. Accordingly, Disputes will be settled through self-governing principles, established in good faith, at the time of Martian settlement."

Quick disclaimer: The above was posted on Reddit and is cited/quoted in a number of "mainstream media" stories. The terms of service link previously indexed in search engines at Starlink.com returns a "404 page not found" error. "Fake news?" Maybe. But still worth thinking about.

Earth's (tentatively) space-faring governments, as well as the United Nations, consider it obvious that they can and should govern human settlements in space.

The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, aka "The Outer Space Treaty," entered into force in 1967 and boasts 110 signatory regimes. "The activities of non-governmental entities in outer space, including the Moon and other celestial bodies," it says, "shall require authorization and continuing supervision by the appropriate State Party to the Treaty."

That's not how it's going to work.

Starting in the 18th century and to this very day, Earth's governments have learned how hard it is to control distant colonies, or even to hold them as colonies at all. Great Britain

lost control of the United States in 1783 and of India in 1947. Both colonies were located less than 5,000 miles from London.

The Moon lies nearly 240,000 miles from Earth. Mars averages about 140 million miles away, about 36 million miles at the closest point in the two planets' continuing orbital dance.

Like settlers departing Independence to start down the Oregon Trail — or for that matter, young adults moving out of Mom and Dad's house — humans leaving Earth will immediately start making their own rules, to deal with their unique situations.

The worst mistake Earth's governments can make is to pretend otherwise. Attempting to preemptively bind the solar system's settlers to Earth rule will only delay humanity's journey to the stars, and attempting to enforce such rule on distant "colonies" will lead to war and end in failure.

Earth's space settlers will, for better or worse, do things their own way. Earth's regimes shouldn't resist that reality.