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Relationships with Inhabitants of Celestrial Bodies

Relationships with extraterrestrial men presents no bascially new problem from the standpoint of international law; but the possibility of confronting intelligent beings that do not belong to the human race would bring up problems whose solution it is difficult to conceive.

In principle, there is no difficulty in accepting the possibility of coming to an understanding with them, and of establishing all kinds of relationships. The difficulty lies in trying to establish the principles on which these relationships should be based.

In the first place, it would be necessary to establish communication with them through some language or other, and afterwards, as a first condition for all intelligence, that they should have a psychology similar to that of men.

At any rate, international law should make place for a new law on a different basis, and it might be called "Law Among Planetary Peoples," following the guidelines found in the Pentateuch. Obviously, the idea of revolutionizing international law to the point where it would be capable of coping with new situations would compel us to make a change in its structure, a change so basic that it would no longer be international law, that is to say, as it is conceived today, but something altogether different, so that it could no longer bear the same name.

If these intelligent beings were in possession of a more or less culture, and a more or less perfect political organization, they would have an absolute right to be recognized as independent and soverign peoples, we would have to come to an agreement with them to establish the legal regulations upon which future relationships should be based, and it would be necessary to accept many of their principles.

Finally, if they should reject all peaceful cooperation and become an imminent threat to the earth, we would have the right to legitimate defense, but only insofar as would be necessary to annul this danger.

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Another possibility may exist, that a species of homo sapiens might have established themselves as an independent nation on another celestrial body in our solar system and

evolved culturely indenpendently from ours. Obviously, this possibility depends on many circumstances, whose conditions cannot yet be foreseen. However, we can make a study of the basis on which such a thing might have occurred.

In the first place, living conditions on these bodies lets say the moon, or the planet Mars, would have to be such as to permit a stable, and to a certain extent, independent life, from an economic standpoint. Much has been speculated about the possibilities for life existing outside of our atmosphere and beyond, always hypothetically, and there are those who go so far as to give formulas for the creation of an artificial atmosphere on the moon, which undoubtedly have a certain scientific foundation, and which may one day come to light. Lets assume that magnesium silicates on the moon may exist and contain up to 13 per cent water. Using energy and machines brought to the moon, perhaps from a space station, the rocks could be broken up, pulverized, and then backed to drive off the water of crystallization. This could be collected and then decomposed into hydrogen and oxygen, using an electric current or the short wave radiation of the sun. The oxygen could be used for breathing purposes; the hydrogen might be used as a fuel.

In any case, if no existence is possible on celestrial bodies except for enterprises for the exploration of their natural riches, with a continuous interchange of the men who work on them, unable to establish themselves there indefinitely and be able to live isolated life, independence will never take place.

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Now we come to the problem of determining what to do if the inhabitants of clestrial bodies, or extraterrestrial biological entities (EBE) desire to settle here.

1. If they are politically organized and possess a certain culture similar to our own, they may be recognized as a independent people. They could consider what degree of development would be required on earth for colonizing.

2. If they consider our culture to be devoid of political unity, they would have the right to colonize. Of course, this colonization cannot be conducted on classic lines.

A superior form of colonizing will have to be conceived, that could be a kind of tutelage, possibly through the tacit approval of the United Nations. But would the United Nations legally have the right of allowing such tutelage over us in such a fashion?

(a) Although the United Nations is an international organization, there is no doubt that it would have no right of tutelage, since its domain does not extend beyond relationships between its members. It would have the right to intervene only if the relationships of a member nation with a celestrial body affected another member nation with an extraterrestrial people is beyond the domain of the United Nations. But if these relationships entailed a conflict with another member nation, the United Nations would have the right to intervene.

(b) If the United Nations were a supra-national organization, it would have competency to deal with all problems related to extraterrestrial peoples. Of course, even though it is merely an international organization, it could have this competence if its member states would be willing to recognize it.

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It is difficult to predict what the attitude of international law will be with regard to the occupation by celestrial peoples of certain locations on our planet, but the only thing that can be foreseen is that there will be a profound change in traditional concepts.

We cannot exclude the possibility that a race of extraterrestrial people more advanced technologically and economically may take upon itself the right to occupy another celestrial body. How, then, would this occupation come about?

1. The idea of exploitation by one celestrial state would be rejected, they may think it would be advisable to grant it to all others capable of reaching another celestrial body. But this would be to maintain a situation of privilege for these states.

2. The division of a celestrail body into zones and the distribution of them among other celestrial states. This would present the problem of distribution. Moreover, other celestrial states would be deprived of the possibility of owning an area, or if they were granted one it would involve complicated operations.

3. Indivisible co-sovereignty, giving each celestrial state the right to make whatever use is most convenient to its interests, independently of the others. This would create a situation of anarchy, as the strongest one would win out in the end.

4. A moral entity? The most feasible solution it

seem would be this one, submitt an agreement providing for the peaceful absorbtion of a celestrial race(s) in such a manner that our culture would remain intact with guarantees that their presence not be revealed.

Actually, we do not believe it necessary to go that far. It would merely be a matter of internationalizing celestrial peoples, and creating an international treaty instrument preventing exploitation of all nations belonging to the United Nations.

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Occupation by states here on earth, which has lost all interest for international law, since there were no more res nullius territories, is beginning to regain all its importance in cosmic international law.

Occupation consists in the appropriation by a state of res nullius.

Until the last century, occupation was the normal means of acquiring sovereignty over territories, when explorations made possible the discovery of new regions, either unihabited or in an elementary state of civilization.

The imperialist expansion of the states came to an end with the end of regions capable of being occupied, which have now been drained from the earth and exist only in interplanetary space, where the celestrial states present new problems.

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Res nullius is something that belongs to nobody such as the moon. In international law a celestrial body is not subject to the sovereignty of any state is considered res nullius. If it could be established that a celestrial body within our solar system such as our moon was, or is occupied by another celestrial race, there could be no claim of res nullius by any state on earth (if that state should decide in the future to send explorers to lay claim to it). It would exist as res communis, that is that all celestrial states have the same rights over it.

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And now to the final question of whether the presence of celestrial astroplanes in our atmosphere is a direct result of our testing atomic weapons?

The presence of unidentified space craft flying in our atmosphere (and possibly maintaining orbits about our planet) is now, however, accepted de facto by our military.

On every question of whether the United States will continue testing of fission bombs and develop fusion devices (hydrogen bombs), or reach an agreement to disarm and the exclusion of weapons that are too destructive, with the exception of chemical warfare, on which, by some miracle we cannot explain, an agreement has been reached, the lamentations of philosophers, the efforts of politicians, and the conferences of diplomats have been doomed to failure and have accomplished nothing.

The use of the atomic bomb combined with space vehicles poses a threat on a scale which makes it absolutely necessary to come to an agreement in this area. With the appearance of unidentified space vehicles (opinions are sharply divided as to their origin) over the skies of Europe and the United States has sustained an ineradical fear, an anxiety about security, that is driving the great powers to make an effort to find a solution to the threat.

Military strategists foresee the use of space craft with nuclear warheads as the ultimate weapon of war. Even the deployment of artificial satellites for intelligence gathering and target selection is not far off. The military importance of space vehicles, satellites as well as rockets is indisputable, since they project war from the horizontal plane to the vertical plane in its fullest sense. Attack no longer comes from an exclusive direction, nor from a determined country, but from the sky, with the practical impossibility of determining who the aggressor is, how to intercept the attack, or how to effect immediate reprisals. These problems are compounded further by identification. How does the air defense radar operator identify , or more precisely, classify his target?

At present, we can breath a little easier knowing that slow moving bombers are the mode of delivery of atomic bombs that can be detected by long-range early warning radar. But what do we do in lets say ten years from now? When artificial satellites and missiles find their place in space, we must consider the potential threat that unidentified space craft pose. One must consider the fact that mis-identification of these space craft for a intercontenental missile in a re-entry phase of flight could lead to accidental nuclear war with horrible consequences.

Lastly, we should consider the possibility that our atmospheric tests of late could have influenced the arrival of celestrial scrutiny. They could have been curious or even alarmed by such activity (and rightly so, for the Russians would make every effort to observe and record such tests).

In conclusion, it is our professional opinion based on submitted data that this situation is extremely perilous, and

measures must be taken to rectify a very serious problem are very apparent.

Respectfully,

/s/

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/s/

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Myself and Marshall have read this and I must admit there is some logic. But I hardly think the President will consider it for the obvious reasons. I understand Oppenheimer approached Marshall while they attended ceremony at As I understand it Marshall rebuffed the idea of Oppenheimer discussing this with the President. I talked to Gordon, and he agreed.