

# Viewpoint

## 23 Million Square Miles, Earth View

by Alan Wasser

Would Europeans have settled America yet if no one could claim the land they settled on?



Land ownership, including all the rights, mineral and otherwise,

in perpetuity, and the right to sell part or all of the property for whatever the market will bear, is one of our most basic forms of wealth and historically one of the most common roads to riches.

With land eliminated from our thinking as an economic justification for exploration and settlement of space we are reduced to trying to find something that can be mined or manufactured in space (and only in space) and brought back to Earth, at great profit, even after subtracting the tremendous shipping costs. Not surprisingly, that has been an impossible assignment.

On the other hand, a valid title to land on the Moon, or to a mineral-rich asteroid, costs nothing to transport home, not even travel time. An investor could recapture his outlay, and potentially make a tremendous profit, by selling part of his ownership rights the day his claim became a legally accepted fact.

The only reason land is not a reward for space exploration is a treaty that, by grim irony, was signed on Jan. 27, 1967, only hours before the Apollo 1 fire killed Grissom, White and Chaffee.

It is called the "Treaty on Principles Governing the Activities of States in the Exploration and Use of

Outer Space, Including the Moon and Other Celestial Bodies." Article 2 states "Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means." Not subject to appropriation by use or occupation presumably means if you empty your national treasury to build Luna City, you don't even own the land it stands on.

What if, for example, (and I'm sure we can come up with a still better rule than this) Article 2 said: "Any nation, corporation or person that establishes a permanent manned settlement on the Moon or other celestial body can claim all the land for 100 miles around, (or 500 or 1,000)."

I believe there would never have been a slowdown in the space race. There would probably already be several rapidly expanding settlements on the Moon, and several competing scrambles underway to settle the best asteroids before they're all gone. Undignified, but that's how our species grows.

Fortunately, the treaty has a very easy exit. Article 16 says, "Any state . . . may give notice of its withdrawal and "Such withdrawal shall take effect one year from the date of receipt of this notification." Amendments are also permitted, but harder to achieve. Any state can propose one, but a majority of the signatory nations must agree.

How did that treaty come to exist in the first place?

On Feb 3, 1966, the Soviet Union's Luna 9 made mankind's first "soft" landing on the Moon. There was speculation in the United States about whether the Soviets might attempt to claim the Moon, but the general feeling was that no unmanned landing was enough for that. The United States could not manage its first soft landing until Surveyor 1

on June 2, four months later.

However, on May 8, a month before Surveyor, Lyndon Johnson proposed a treaty to prohibit weapons of mass destruction on the Moon or weapons tests or military maneuvers in space and he included a proposal to prohibit any claim of sovereignty to the Moon and other celestial bodies.

Johnson's motivation wasn't just fear that the Soviets would beat us to it. The Vietnam War was escalating, which created a need to cut other expenditures. Johnson was also, as the *New York Times* put it at the time, "eager to find as many areas of agreement as possible with the Soviet Union . . . drawing a contrast with the bellicosity of the Chinese communists, in the hope that Moscow . . . [would] eventually help find a peaceful settlement of the war."

Johnson "invited the Soviet Union today to help end the waste of competitive spacemanship" and the *Times* added, "recent statements by the Soviet Union's leading space scientist, Professor Leonid Sedov, indicate that the Russians too may be coming around to the conclusion that the costs of going it alone to the Moon and beyond outweigh the dimming propaganda magic."

I submit that the best thing NSS could do for mankind's future in space would be to get Congress and the President to pass a resolution saying the United States proposes amending Article 2 to permit limited claims of land as a reward for space exploration and development, and will exercise its right to withdraw if the amendment is not adopted. \*

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