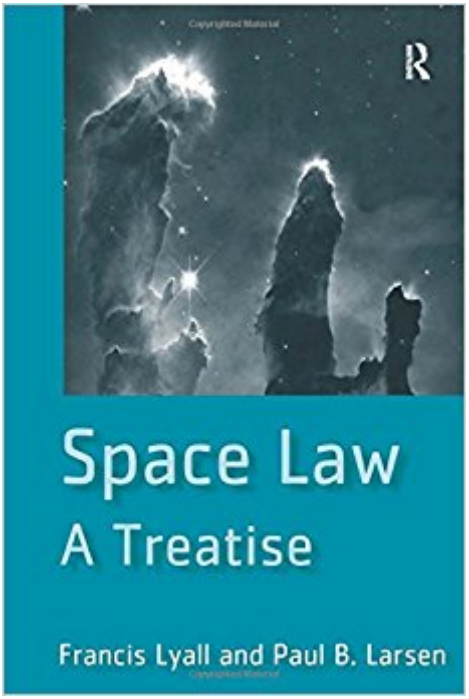
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Space Law: A Treatise



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Synopsis

Space law is an area of International Law that has developed massively in the last fifty years.Ã Â Francis Lyall, Emeritus Professor of Public Law at the University of Aberdeen, Scotland, and Paul B. Larsen, Adjunct Professor at Georgetown Law Centre, Washington DC, and formerly lawyer for the Office of the US Secretary of Transportation, have been involved with it since their days at the Institute of Air and Space Law, McGill University, Montreal, in 1963-4 and both teach Space Law at their respective Universities. This book gathers together their experience in readable form, and, with an extensive citation of the literature of space law, its discussion provides an excellent source for both student and practitioners.

Book Information

Hardcover: 610 pages

Publisher: Routledge; 1 edition (May 25, 2016)

Language: English

ISBN-10: 0754643905

ISBN-13: 978-0754643906

Product Dimensions: 1.8 x 6.5 x 9.5 inches

Shipping Weight: 2.8 pounds (View shipping rates and policies)

Average Customer Review: 4.0 out of 5 stars 3 customer reviews

Best Sellers Rank: #1,050,736 in Books (See Top 100 in Books) #47 inÃ Â Books > Law > Specialties > Air & Space #1107 inÃ Â Books > Law > Foreign & International Law #10244 inÃ Â Books > Textbooks > Law

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’Space Law: A Treatise contains a font of knowledge. It is not only an ambitious work but one that makes good reading. It will become a standard reference work for those consulting and interacting with the space community. Its title is truly reflected by its content.’ Space Policy ’Fundamental knowledge of the subject and vast experience of the authors make this treatise a valuable source of information for students, practitioners and all those interested in the origins and development of this exciting legal discipline. Readers will gain a good insight into the current state and many challenges facing the legal regulation of outer space activities.’ V.S. Vereshchetin, Honorary Director of the International Institute of Space Law and Former Member of the International Court of Justice ’Brilliant treatise, written by two outstanding scholars, covering the entire gamut of issues involved in space law. It is written with clarity necessary for comprehension of the complex issues covered from

the speculative beginnings of space law to its practical applications in governmental and commercial space activities. An outstanding educational and reference tool that may well be used by generations of scholars and practitioners.' Nandi Jasentuliyana, International Institute of Space Law, The Netherlands 'This treatise, authored by two of the leading experts in the complicated and rapidly-developing field of outer space law, is a unique asset. It is both comprehensive (covering a wide swath of public and private law issues) and current (providing both the historical background and the up-to-the-minute details of contemporary controversies), and its many footnotes provide citations to documents that are both obscure and important. It is sure to become an indispensable component of any space lawyer's bookshelf.' David A. Koplow, Georgetown University, USA 'Throughout their work, the authors maintain a clear presentation of the issues facing space exploration today, both in the public and private sectors...it offers a strong foundation for any student of space law who wishes to explore new avenues that might lead to the successful resolution of the issues facing space law, clearing the way for the future of man's exploration of his universe.' Uniform Law Review 'It is a great book - bravo Frank and Paul!' Zeitschrift fur Luft und Weltraumrecht 'This book is not only an essential tool for space law practitioners in particular but will also be of interest to those working in the space industry in general. The extensive citations provide useful and insightful explanations and, more importantly, they provide the necessary basis from which to undertake further research.' The Aerospace Professional '... a comprehensive, authoritative yet straightforward and rare book covering the key topics in the field of space law. ... plain English, clear non-technical explanations ... without a shadow of a doubt increases the reader's understanding of space law. This excellent book will no doubt inspire a new generation of space lawyers. Ian Shield of the UK Ministry of Defence states that it is the best and most complete explanation of space and its uses that any would require and deserves a wider audience.' Nottingham Law Journal

Professor Lyall is Emeritus Professor of Public Law at the University of Aberdeen, Scotland. Paul B. Larsen is Adjunct Professor of Law at Georgetown University Law Center, USA.

This is an excellent book. Not only is it a richly-annotated reference that one can dip into about specific topics, but it's very readable straight through. I read it from cover-to-cover over several days, in preparation for an introductory space law course I'll be teaching for the first time, and I didn't get bored. (Well, almost: some details of the history and governance of INTERSPUTNIK and other telecommunications organizations (Chap. 9) are no doubt more fascinating when, if ever, you

actually need to know them.) The authors are especially helpful in pointing out gaps and inconsistencies between various treaties and other instruments of public international space law, and more generally in mentioning concrete examples of where gaps in the law could become problematic in the future. While this is important to practitioners, it was also a tremendous help to me as a novice teacher: my students can probably expect an exam question someday about, for example, who has jurisdiction over a space tourist who commits a crime aboard the International Space Station, if that person isn't a national of an ISS participant state. (Hint: the law's not clear on this point.)The authors are refreshingly supportive of public international law, and from time to time at least nod towards legal traditions outside the common law. They're also admirably level-headed about both the legality and the the wisdom of indulging Silicon Valley millionaires' fantasies of mining asteroids and the rest of the Solar System. These attitudes are all in marked contrast to the flood of law student notes and even scholarly treatises encouraging unbridled economic exploitation, based on a universal cosmogony fashioned from modern libertarian caricatures of Adam Smith and John Locke, occasionally spiced up with 19th Century American mining and homesteading statutes and the teleology of Gordon Gecko. American readers younger than a certain age may also be put off by the frequent references to the prescience of Arthur C. Clarke and the relative scarcity of Star Trek allusions: e.g., I don't recall the "final frontier" clichÃƒÂ© popping up anywhere outside a citation to other authors' work. (Until you start reading the broader space law literature, you might not realize how exceptional that is.) And dour readers of any age might think Chapter 17 about the legal implications of the Search for Extraterrestrial Intelligence (SETI) is a waste of paper; but I appreciated learning about the draft Post-detection and Reply-communication protocols, which are not only interesting in their own right but might be very fun to use for a practice negotiation session in a class.As the authors explain, there are many political reasons why the key space treaties, all dating from the 1960s and 1970s, are unlikely to be superseded any time soon. This helps keep the book's substance, which speaks as of 2008 (with a few footnotes as of 2009), less stale than it might have become by the time I write. Still, there are many aspects of recent legal and business practice that readers will need to research on their own. From email correspondence with one of the authors, I understand a new edition might appear as early as 2015. I hope it will include a table of authorities so that one can easily find, say, all references to a specific article of a particular treaty. But if you have either the need or interest to learn about space law before that date uncertain, you can learn a tremendous amount from even this first edition of the book.

This thoughtful and highly informative treatise will intrigue lawyers and nonlawyers alike.Most of us

are unfamiliar with the current debate over the evolving law of space. And yet, representatives of the nations of the world are now deciding how to regulate this newest of all new (and wild) frontiers. Could our future be sealed without public awareness or involvement?The greatest threat to Earth from outer space arises from the activities of human beings. Has the U.S. been constructive in the debate over how to contain those activities? Or have U.S. positions helped assure the militarization of space for the indefinite future? What are the implications of decisions being reached today through Unitied Nations efforts to impose order on outer space?Mssrs. Larsen and Lyall have been on or near the front lines of efforts to impose some degree of responsible regulatory control over the actions of humans in and affecting outer space. Their expertise and wisdom is evident throughout this thought provoking book.For those who are (or want to be) experts in the field of space law, this treatise is required reading and a valuable reference. For the rest of us, it offers a way into a new field worth investigating. The imagination takes flight as we look seriously at space as a new territory for extensive human endeavor. And surely this is what it has become.

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