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Space Law Guide

Georgia State University College of Law Student

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Cases

Seminal cases on space law issues are sparse. Many of the major areas of the field are theoretical, and have not yet been litigated.

All links provided are to WestlawNext.

- Florida Coalition for Peace and Justice v. George Herbert Walker Bush
<https://next.westlaw.com/Document/15cd943565d911e99729e0c0289031?viewFullText.html>
<https://next.westlaw.com/Document/15cd943565d911e99729e0c0289031?viewFullText.html>
Examined the application of NEPA/National Environmental Policy Act) to whether NASA could launch nuclear powered spacecraft into orbit.
- Nemitz v. U.S.
<https://next.westlaw.com/Document/14e4c008739111e99c48420324141?viewFullText.html>
Alleged private property rights on an asteroid.
- U.S. v. One Lucite Ball
<https://next.westlaw.com/Document/16171d37540711e99959c83a602020a?viewFullText.html>
Stolen Moon rock was forfeited after being purchased in Honduras.
- Berg v. Reaction Motors Division
<https://next.westlaw.com/Document/106669836e3111e9961a30207e09810?viewFullText.html>
Examined issues of governmental immunity for damages when rocket test firings caused property damage.

[Back to Top](#)

Secondary Sources

Law Review Articles

These articles may be accessed on Westlaw or Lexis. However, all hyperlinks are to Westlaw.

- MOVING THE HEAVENS: LUNAR MINING AND THE 'COMMON HERITAGE OF MANKIND' IN THE MOON TREATY
<https://next.westlaw.com/Document/18e095e6c92611e99c1d3e1c29292a66?viewFullText.html>
This article discusses the framework of space law as applied to lunar mining, a very hot issue currently.
- LAWS' EMPIRE AND THE FINAL FRONTIER: LEGALIZING THE FUTURE IN THE EARLY CORPUS JURIS SPATIALIS
<https://next.westlaw.com/Document/14071d4118b611e99c3e848f843c9d7?viewFullText.html>
<https://next.westlaw.com/Document/14071d4118b611e99c3e848f843c9d7?viewFullText.html>
An examination of legal commentary in a historical period of space law: the Apollo-era.
- THE TRAGEDY OF THE COMMON HERITAGE OF MANKIND
<https://next.westlaw.com/Document/18e095e6c92611e99c1d3e1c29292a66?viewFullText.html>
<https://next.westlaw.com/Document/18e095e6c92611e99c1d3e1c29292a66?viewFullText.html>
This article discusses some of the problems caused by the phrase and legal concept "common heritage of mankind" to the development of space infrastructure and resource exploitation.
- TOWARDS A NEW REGIME FOR THE PROTECTION OF OUTER SPACE AS THE 'PROVINCE OF ALL MANKIND'
<https://next.westlaw.com/Document/15452661502111e99c8888479595?viewFullText.html>
<https://next.westlaw.com/Document/15452661502111e99c8888479595?viewFullText.html>
This article discusses the need to protect the environment and humanity from space infrastructure and power sources, and a need for focused international law to address this issue.
- LAW VERSUS POWER ON THE HIGH FRONTIER: THE CASE FOR A RULE-BASED REGIME FOR OUTER SPACE
<https://next.westlaw.com/Document/16171d37540711e99959c83a602020a?viewFullText.html>
<https://next.westlaw.com/Document/16171d37540711e99959c83a602020a?viewFullText.html>
This article discusses the need to avoid the use or stationing of weapons in spaces, and instead focusing on the rule of law, instead of power in the solar system.

Space Law Book and Treatise Resources- GSU Law Library

- Space Law: development and scope by Nandini Jansenjulyana (Editor)
Call Number: KZD1145 .S733 1992
ISBN: 0275940385
Publication Date: 1992-08-30
<http://find.gsu.edu/vufind/Record/43305>
- Space Law by Robert McCorquodale (Editor); Francis Lyall (Editor); Paul B. Larsen (Editor)
Call Number: KZD1145 .S63 2007
ISBN: 0754624560
Publication Date: 2007-02-01
<http://find.gsu.edu/vufind/Record/2045424>
- Space : legal and commercial issues : papers presented at the conference of the IBA's Section on Business Law, Singapore, September 1985, to meetings of Committee Z (Space) and at a joint meeting with Committee H (Insurance) by International Bar Association. Section on Business Law.
Call Number: KZD1141 .S73 1986
ISBN: 094871108X
Publication Date: 1986
<http://find.gsu.edu/vufind/Record/34950154d6gqf6h3wv>
- International Space Law by G. P. Zhukov; RU M. Kolosov
Call Number: KZD1145 .Z48 1984
ISBN: 020068812X
Publication Date: 1984-01-01
<http://find.gsu.edu/vufind/Record/972314>
- Outer Space by J. E. Fawcett
Call Number: KZD1145 .F39 1984
ISBN: 0198203962
Publication Date: 1985-02-07
<http://find.gsu.edu/vufind/Record/29858154d6gqf6h3wv>

Space Law Treatises-Westlaw

- American Jurisprudence 2d Space Law: Table of Contents
<https://next.westlaw.com/Browse/home/SecondarySources/TrustsTreatises/AmericanJurisprudence2d?path=10116ae00294011d865425efae50a30&originationContext=document&transitionType=Default&contextData=fc-Default>
- Corpus Juris Secundum Aeronautics and Aerospace: Table of Contents
<https://next.westlaw.com/Browse/home/SecondarySources/TrustsTreatises/CorpusJurisSecundum?path=11BD99F9E1DD211B286DD0E00E20BFA3&originationContext=document&transitionType=Default&contextData=fc-Default>

Space Law Journals

- Journal of Space Law
<http://www.spsociety.org/jsl/index.html>
The Journal provides a comprehensive cumulative index that can be browsed by topic and author, located at <http://www.spacelaw.olemiss.edu/jsl/jpdf/jsl-cumulative.pdf>

Articles also available on HeinOnline.

- Journal of Air Law and Commerce
https://next.westlaw.com/Browse/home/SecondarySources/LawReviews/Journals/Text&asReviews/Journals/Journals/Ed_ayCommerce?originationContext=AutoComplete&contextData=fc-Search&transitionType=CategoryPage.html
Link to Westlaw Next. Also available on LexisNext Academic and HeinOnline.
- Air & Space Lawyer
<https://next.westlaw.com/Browse/home/SecondarySources/LawReviews/Journals/Innov&asReviews/Journals/AirSpaceLawyer?transitionType=Default&contextData=fc-Default>
Link provided is to WestlawNext.

[Back to Top](#)

Space Law Associations, Committees, Organizations, Blogs, and Websites

Space Law Organizations

- The United Nations Office for Outer Space Affairs
<http://www.unoosa.int/osaw/>
- The International Institute of Space Law
<http://www.iislweb.org/>
- European Space Policy Institute p
<http://www.espi.or.at/>

Space Law Committees

- International Law Association: Space Law Committee
<http://www.ila-oi.org/committees/index.cfm?id=29>
- Rutgers Admiralty, Aviation and Space Law Association
<http://raais.newark.rutgers.edu/>
- American Bar Association Committee on Air and Space Law
http://www.americanbar.org/groups/air_space.html

Space Law Blogs

- **SPACE TRAVEL LAW NEWS**
<http://spacestravelaw.blogspot.com/>
Covers major news, interesting legal developments and emerging trends having to do with commercial space flight and development.
- **Reel Communis**
<http://reelcommunis.dennis.edu/>
A blog on the legal aspects of the application of aerospace technology.
- **Juriscientia**
<http://juriscientia.com/>
A more general blog on law and technology that often deals with space law issues.

Space Law, Policy, and News Websites

- **SpacePolicyOnline.Com**
<http://www.spacepolicyonline.com/>
Excellent and up to date source on general news and analysis for almost every area of space utilization.
- **SPACE.com**
<http://www.space.com/>
Generalized information about space and space exploration.
- **The Space Review: essays and commentary about the final frontier**
<http://www.thespacereview.com/>
Dedicated to in-depth articles, commentary, and reviews regarding all aspects of space exploration: science, technology, policy, business, and more
- **European Space Policy Institute**
<http://www.espi.eu/>
Provides overview and commentary on mid to long-term issues in European space development.
- **Space Policy Journal**
<http://www.sasrpubs.elsevier.com/space-policy/4-description>
Online journal that covers international issues in space policy.
- **Space Politics**
<http://www.spacepolitics.com/>
Keeps up to date on the latest governmental issues that might impact space development.

[Back to Top](#)

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