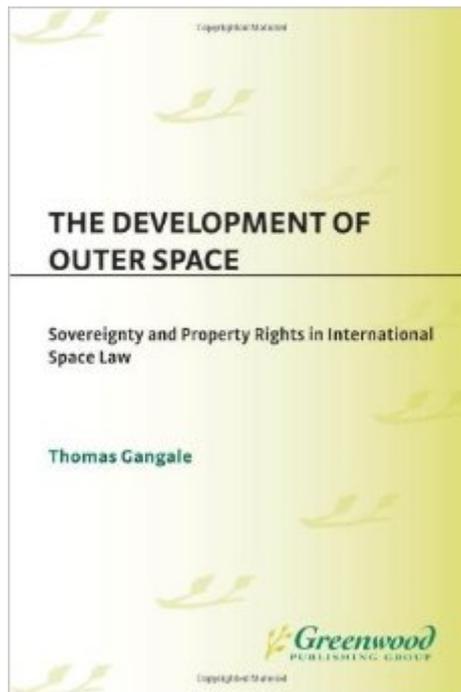


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The Development Of Outer Space: Sovereignty And Property Rights In International Space Law



Synopsis

In the United States, lobbies for the commercial development of space have become increasingly antagonistic toward the international legal regime of outer space, condemning the 1967 Outer Space Treaty and the unratified 1979 Moon Agreement as anti-business. *The Development of Outer Space: Sovereignty and Property Rights in International Space Law* argues that the *res communis* principle enshrined in the Outer Space Treaty was misrepresented here, with essential help from corporate lobbyists whose real object was the defeat of the Law of the Sea Convention. Thomas Gangale builds the legal case for reviving the moribund Moon Agreement as a prelude to negotiating a second Moon treaty to establish a regulatory regime for the exploitation of extraterrestrial resources. The author's account of the inception and evolution of outer space law to date is deeply informed by his appreciation of such terrestrial considerations as the nation-state system, the contending economic theories of capitalism and communism, and the post-colonial struggle between the developed space-faring nations and the developing earthbound nations.

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Customer Reviews

Thomas Gangale's recent 2009 book entitled *The Development of Outer Space: Sovereignty and Property Rights in International Space Law* is a unique niche interest work worth the read for those

who are fascinated by the prospects of multiple nations settling human outposts on celestial bodies' off-Earth. Gangale provides critical yet constructive analysis of other international legal commentators on property rights in space. The primary thesis is focused on the premise that technology development is the barrier to outer space development, not the current state of international space law and treaties. The book writer reviews the Moon Treaty at length discussing various aspects of property rights and the theory of "the common heritage of mankind." He takes a critical look of the writings of others in this legal niche and enables the reader to consider an alternative view to other commentators. Gangale is specifically critical of The Space Settlement Prize which seeks to propose American federal legislation requiring the recognition of extraterrestrial real property claims as flawed. Gangale advocates inclusion of China in international space regimes so as to further embed the nation into current space operational legal regimes. He advocates an interplanetary political economy based upon market forces and advocates the adoption of the so-called Regency of United Societies in Space. The author notes that "we have yet to become a true spacefaring civilization; we are merely a space-capable civilization." There is an acceptance of the technocratic model for initial development of outer space.

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