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Government Ethics and Sustainable Space Exploration

Adam F. Greenstone .......................................................... 313

This Article is about how government ethics supports humanity’s sustained exploration of outer space. Connotations of space sustainability include addressing all bases so that space activity develops to maximize human benefit. NASA’s ethics practice advances key mission objectives by supporting workforce talent acquisition, talent transfer to other organizations supporting national space objectives, disseminating public information on NASA’s activities, and advancing space commerce development. Following the earlier concurrent development of US government ethics law and human spaceflight, the United Nations Convention Against Corruption (UNCAC) has advanced a global anti-corruption framework of which government ethics is part. The significance of government ethics becoming part of a broader anti-corruption norm is magnified by the extraordinary signaling value of space, exemplified by how space related work has been used to signal power and prestige. Consequently, a reputationally adverse event in space may damage public perception of space activities far out of proportion to its role in the aggregate. Therefore, government ethics considerations are germane to ensuring, in order to keep space exploration on a sustainable route, that space messaging does not signal contrary to evolving international anti-corruption norms. Space exploration actors should individually and in their collective efforts consider the implications for government ethics in their activities to ensure humanity’s best future space path.

Working in Space: The Final Frontier of Remote Work

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Due to the COVID-19 pandemic, virtual workplaces have become much more common. But while advancements in technology have made remote work more accessible for many employees, jurisdictional confusion and varying state-specific employment regulations have made it extremely difficult for employers to switch from traditional in-person office settings to work-from-anywhere workplaces. In addition, taxation and mandatory workers’ compensation insurance requirements mean that employers often need to be registered to do business in any state they have employees in, making a truly remote workforce somewhat of a misnomer. However, as difficult as it might be for terrestrial employers to navigate our patchwork of employment laws, space employers face significantly more hurdles. From increased
jurisdictional uncertainty, to the astronomical expenses involved in keeping humans alive in space, to the simple fact that many of the employment relationship norms that endure on Earth simply do not and cannot exist in space. This Article will explore the complex issues faced by employers struggling to create a remote workforce in the United States and then look toward the legal and human capital issues that are arising for private employers involved in the final frontier of remote work, those with employees working in space.

Galactic Accessibility: An Introduction to Interplanetary Human Rights Law Through Crip Legal Theory

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The possibilities within the realm of outer space and future space exploration have always been limitless. There has been renewed interest in space over the last decade, largely fueled by the private commercial space sector. As more and more people become interested in space and connected to the space industry, we must take care not to repeat the mistakes of the distant and recent past. Space should be accessible to all who wish to travel amongst the stars. We should not discriminate or bar individuals from going to space based on race, gender, gender identity or expression, nationality, religion, disability, financial means, or any other characteristic. We should work to build systems that are as inclusive and accessible as possible. That includes allowing folks equitable access to outer space, to their rights in space, and to the benefits of resources found in space.

This Article explores a proposal for interplanetary human rights protections that are rooted in Crip Legal Theory. A “post-realism” disability perspective centered on accessibility provides an opportunity to be as inclusive as possible as humanity continues its journey of space exploration.