



When Law Loses its Stage: Aesthetic Foundations, Secular Translation, and the Grammar of the Sacred in Outer Space

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Received: 6 February 2026 / Accepted: 9 June 2026
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Keywords Legal symbolism · Religion and Law · Iconic theology · Space law · Sacred authority · Legal symbolism · Political theology

1 The Stage

This article aims to demonstrate that, while on Earth—at least in the history of western societies—the strong link between the sacred and the exercise of power through law has generally been expressed through aesthetic representation (‘the stage’), in outer space these assumptions must be radically reconsidered.

The article places itself within a Lacanian-inspired genealogy of legal institutions [1–3], particularly following the line of thought developed by Pierre Legendre in which law is approached not primarily as a system of norms but as a symbolic order that institutes authority and subjectivity [4–6]. In this perspective, legal normativity does not emerge from rules alone; it presupposes a prior symbolic dispositif that organizes visibility, spatial hierarchy, and the representation of power [1, 7, 8, 9]. Historically, law becomes intelligible through what may be called its stage: not a metaphorical theatre, but the institutional arrangement through which authority is made perceptible—through bodies, architectural order, ritual gestures, and foundational images that allow the law to occupy the place of an absent source of legitimacy [10]. According to the model, validity is based on a visual and genealogical framework that is established before textual rules and allows obedience to take place before comprehension is initiated [11]. The research expands this area of study by analysing the extraterrestrial environment as an environment in which the terrestrial legal apparatus of the gravity-based, bodily orientation-based, and spatially hierarchical legal system of the Earth begins to disintegrate. The space environment demonstrates the way in which contemporary law relies upon ancient symbolic structures that have

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been inherited from theological and institutional traditions under the guise of being secular and procedural. In outer space, law must invent the symbolic frameworks that make authority meaningful and enforceable. The creation of these frameworks cannot depend on the terrestrial systems of gravity, architectural hierarchy, bodily position, and spatial organization that traditionally defined the law [12–14]. In this case, the law has to re-create the symbolic grammar that associates normativity with a source outside personal choice, where the term symbolic grammar refers to the symbolic structures that render legal talk understandable. Like grammar in language, these points of reference do not define norm content but organize the manner in which authority, subjectivity, and duty can be expressed [1–3]. Contemporary law has evolved under a terrestrial framework of space, bodily existence, and organizational representation: basic changes in these circumstances, such as those that take place in outer space, may render the symbolic bases of legal understanding unstable.

The process brings back religion as a historical form that shows how western legal systems developed their connection to absolute authority. Within the system of space law, the sacred is no longer connected to iconic representation. Rather, owing to the specific conditions of the environment in which it operates, it functions as a shared point of reference among the cultures involved in regulating both the persons and the objects inhabiting outer space.

From this perspective, outer space may be understood as a laboratory of intercultural translation: a new equivalent of the stage, established through an alternative background grounded in a semiotic religious narrative that articulates the nature of human beings and their protectors in sustaining the future.

The first part of this article defines what is meant by ‘the stage’.

It has recently been authoritatively argued [15] that law is not founded only on logical coherence or textual completeness: normativity does not arise from abstraction alone, but presupposes images that render power visible, credible, and inhabitable. Before it commands (or, maybe, at the same time as it commands), law must first appear: it must occupy space, orient bodies, and organize visibility, and its authority becomes intelligible not through interpretation alone, but through staging [16].

The stage, therefore, names the pre-normative condition through which law becomes intelligible as law: before any rule can claim authority, a dispositif that orients bodies, distributes distances, and regulates visibility, speech, and silence must be set. Norms command when a scene has already been constructed.

The stage can be represented by the sovereign enthroned, the judge elevated behind the bench, the altar engraved, or the threshold crossed: these are not symbolic accessories, but the elementary figures through which legality becomes intelligible, because they organize space so that power can be recognized even before it is understood [17]. Meaning, here, does not arise from interpretation, but from orientation: space itself begins to signify, and in doing so, it marks the true point of origin of law [4, 18].

As the theory of legal iconic theology shows, law is founded primarily not as a norm, but as an image that authorizes it. From Justinian’s *Corpus Iuris Civilis*, promulgated *in nomine Dei* within a Christian theology of authority [19], to Hobbes’s Leviathan as the emblematic body of modern political order, western legality has consistently relied on images that perform a fundamentally religious function. These

images do not merely represent power; they mediate it. They translate transcendence into visibility and transform an otherwise abstract authority into an object of collective recognition and obedience [15].

In this sense, at least from Justinian¹ until the nineteenth century, religion has been neither an external supplement to law nor a residual belief later replaced by rational normativity. It has operated as the symbolic grammar of the stage itself. Religious imagery provided the form through which law can occupy the place of an absent absolute, establishing a scene in which authority appears to originate beyond individual will and beyond contestation.

The image was not irrational, and nor was it opposed to reason. Rather, it operated according to a different mode of intelligibility, one that precedes argumentation and does not seek persuasion through reason. Its function was not to convince, but to orient; not to justify authority, but to render it inhabitable [12–14].

Images, in this sense, do not compete with rational normativity, and nor do they supplement it from the outside. They establish the conditions under which rationality itself can later operate. By occupying a position that is expected to be occupied—by filling a structural slot shaped by shared expectations about origin, hierarchy, and legitimacy—the image produces distance, respect, and a tacit disposition to obey [5, 20].

It has been pointed out that, even now, the platform does not disappear: it is merely transported to another location. Authority based on bodily presence retains its sanctity, but it is displaced into written materials, operational protocols, and automated systems, which present themselves as neutral, self-sufficient, and efficient. The thing which endures through these transformations is not faith, but an entity which possesses the ability to preserve authority without declaring its identity [15, 17, 21].

Each legal structure still preserves a part of its heritage that can continue to operate even when it declares itself secular, and courts are like deconsecrated altars, while the legal codes preserve their spiritual and cultural heritage as theatres that have lost the memory of the performances they staged. Neutrality does not imply the absence of power, since it is a method of practising power such that it remains concealed.

This persistence should not be mistaken for a form of civil religion. What remains operative is not a shared moral doctrine or a collective creed, but a deeper religious grammar of authority: a symbolic framework that enables the law to occupy the place of an absent absolute and to present its commands as binding prior to justification. Even when claiming to have fully severed its ties with transcendence, law retains a symbolic remainder that no procedure, however refined, can entirely eliminate.

This entire configuration, however, presupposes a silent but decisive condition: that the stage of law is embedded within the spatial and bodily coordinates of life on Earth.

¹ The reference to the *Corpus Iuris* must be understood within the framework of Christian Roman law. Here, corpus does not simply designate a systematic collection of norms, but a juridical body whose unity and authority are grounded in a theological order. The law does not appear as an autonomous textual system, but as an embodied structure, anchored to a visible bearer of authority who legislates *in nomine Dei*: in this context, the Emperor functions not merely as the political source of legislation, but as the corporeal and symbolic locus through which legal normativity is made present.

Gravity, verticality, orientation and body posture constitute fundamental pre-verbal assets that define normativity, as operators of signs that silently produce normativity. Spatial law provides a precise structural basis that concentrates power and makes hierarchical systems explicit. The law receives a constant spatial background which allows it to hide its rules, such that it uses the implicit associations of space and bodily orientation with authority [22–24].

As long as this alignment holds, the law can assume that its stage will never resist it, and that space itself will continue to cooperate in rendering norms intelligible before they are justified.

It is at this point that the problem begins.

When the stage no longer exists, what happens? When gravity ceases to orient bodies, when up and down lose their semiotic privilege, when space refuses to organize authority into visible hierarchies, what happens? At that point, the law does not simply encounter a new domain of regulation: it encounters the disappearance of its own conditions of intelligibility. Outer space does not ask law to operate itself: it actually makes law look at itself, perhaps for the first time, without the comforting illusion that its stage will always be there.

2 The Stage and Outer Space

The starting idea of this essay is that western law was created in the form of a stage that was intended to demonstrate how power is justified and believed, and that this scenario finds its worst crisis yet in outer space, as the stage is dismantled. The legal act that was associated with the body as a result of gravity is now lost, and the division of space, which endures beyond sovereignty, disintegrates into orbital paths and space modules.

In an extra-terrestrial context, the aesthetic grammar that has historically sustained legal authority is put under severe strain: the floating body struggles to adopt stable positions of authority, gestures lose their directional anchoring, and spatial organization becomes far less capable of producing enduring symbolic hierarchies. Under these conditions, legitimacy can no longer rely on visual construction and bodily orientation in the same way as it has done within terrestrial environments [25, 26].

As a result, the law does not simply extend itself into a new domain, but enters a transformed state, in which it must seek compliance while lacking many of the tangible and embodied forms through which it has traditionally rendered its authority perceptible and credible.

This elimination of the stage is not merely an issue of the technical adaptation of the institution, because it concerns the anthropological base of contemporary law.

If every legal system survives on its founding image, then space challenges law with an unparalleled problem: what image can be used to create a normative system in an environment that cannot be staged? Without a sovereignty theatre, legality has to face its bare meaning, since it cannot depend on the symbolic impact of visibility. It is in this context that the previously unseen aspects of the Earth are made visible: legal categories are not just historical and political, but are also radically embodied [10].

The actual and desirable distinction on which the contemporary notion of normativity is based occurs because individuals have an experience of the world that normally involves gravity, stability, awareness of space, and sensory continuity. The fact of being in outer space creates different conditions which demonstrate that the supposedly neutral state of nature is actually a silent background that allows the law to define itself as an autonomous entity.

The laws applied to space create a vital test that reveals human-based assumptions in legal systems. The existence of every norm relies on particular physical forms, specific fragile states and defined links between living entities and their surroundings: the unintended basis for the legal concepts of accountability, shame, harm, and compensation has been the human body under the earthly conditions of weight, discomfort, exhaustion, and social closeness.

This is also the point at which the definition of translation that facilitates the comprehension of contemporary legal practices gains a fresh implication. When sacred concepts are transformed into formal structures by contemporary law, the space environment compels the law to convert itself to an environment that confronts its fundamental concepts. This is not merely a cultural conversion, but rather an environmental conversion: the transportation of concepts that were developed for a world of gravity and are land-based and symbolically-based into an environment that alters their meaning [23, 24].

The application of terrestrial legal systems in space does not merely extend normativity beyond its original domain: it exposes the semiotic fragility of concepts forged in a world of redundancy, plurality, and symbolic thickness, forcing them to operate in an environment of scarcity, closure, and irreversibility. This exposure produces what Wundt described as a heterogenesis of ends — the systematic inversion by which norms achieve, through their application in a radically different context, effects that are structurally opposite to those they were designed to produce [27].

The mechanism can be illustrated with sufficient precision through two examples that Legendre's analysis of the dogmatic order makes available, and that Ricca's theory of intercultural translation renders operationally visible.

The first concerns the legal framework of individual autonomy. Legendre has shown that modern western law is constituted around what he calls the "reference to the Third" — a symbolic point of authority that stands outside the dyadic relationship between legal subjects and guarantees the possibility of dispute, appeal, and resistance [18, 187–214]. On Earth, this symbolic structure is sustained by a complex apparatus of institutional staging — courts, procedures, hierarchies, appeals — that gives the subject a space in which to contest decisions made about them. In the extraterrestrial environment, however, the conditions that sustain this apparatus are structurally altered. The closure of the habitat, the technological dependency of every crew member on systems controlled by ground stations and mission commanders, and the irreversibility of decisions taken in real time — all of these conditions compress the space in which the reference to the Third can operate. The legal norm that guarantees individual autonomy presupposes a subject capable of exercising that autonomy without immediately endangering the survival of the collective. When this presupposition fails — as it structurally does in a sealed orbital habitat — the norm designed to protect freedom becomes the instrument through which the tension

between individual right and collective survival is managed in ways that the norm itself was designed to prevent. The protection of autonomy generates, under these conditions, new and more intense forms of dependency: not because the norm is misapplied, but because the symbolic infrastructure that made it coherent has dissolved.

The second example concerns the legal concept of dignity and its relationship to privacy. As Ricca has argued, the legal codification of human dignity in terrestrial law presupposes a specific configuration of the body in space: one in which bodily processes remain spatially contained, socially invisible, and individually controllable [24]. The right to privacy — which is in many legal systems a direct derivation of the principle of dignity — is grounded in this configuration: it protects the individual's control over the boundaries of their own body and its relations with the surrounding environment. In the microgravity environment of an orbital habitat, this configuration is structurally dismantled. Bodily fluids do not fall but float; waste does not remain contained but must be actively managed through collective technological protocols; the boundary between the individual body and the shared life-support system is not a natural given but a technical achievement that requires constant collective effort to maintain. Under these conditions, the legal norm that protects bodily privacy as an expression of dignity cannot be applied without generating its own inversion: the insistence on individual control over bodily processes becomes, in the closed system of an orbital habitat, a threat to the collective survival upon which every individual's existence depends. The norm designed to protect dignity produces, through its application in this environment, new forms of exposure and vulnerability that dignity was designed to prevent.

What these examples reveal is not a deficiency in the norms themselves but a structural feature of the relationship between normativity and environment that terrestrial law has never been required to confront directly. As Legendre has argued, the validity of every legal order rests not on the logical coherence of its rules but on a prior symbolic *dispositif* that organizes the conditions under which those rules can claim authority [22]. When that *dispositif* is disrupted — as it is, systematically and irreversibly, by the extraterrestrial environment — the norms do not simply fail to function: they begin to function against themselves, producing through their application the very conditions of domination and dependency that they were instituted to resist. This is the heterogenesis of ends in its most precise and most politically consequential form: not the accidental failure of good intentions, but the structural inversion of normative purpose produced by the displacement of legal grammar into an environment for which it was never designed.²

Therefore, outer space may be regarded as a new zone, a place where legal grammars are in conflict and should be redefined. As in legal-cultural zones, the law here should not just enforce pre-existing structures but be open to translation, and should accept that its language will be modified through contact with a different context. The distinction lies in the fact that in outer space the difference is not limited to culture

² The exporting of terrestrial law into space does not merely extend normativity; it exposes the semiotic fragility of terrestrial law, because concepts forged in a world of redundancy, plurality, and symbolic thickness are forced to operate in an environment of scarcity, closure, and irreversibility.

but is human and environmental, and hence it affects the fundamental characteristics of human thought, action, experience, and survival.

Knowledge in the field of law in space reveals an unexpected aspect of land-based laws. The system of fact-based law lacks credibility because legal systems require particular fear elements, social standards and environmental conditions to uphold their operational status. Legal systems require more than just written rules, because they depend on tacit world knowledge, physical location and established context to operate successfully. The elimination of unsaid elements in space law allows researchers to see that this element serves as a basic operational principle for a legal system. The empty space around Earth functions as a new legal territory and a mirror that reflects how laws began to lose their essential foundation to govern human beings.

It is in this context that the issue of human rights is of vital importance [24, 28]. The authority of human rights as universal rights cannot be supported by the notion of a constant human nature, since human nature is actively evolving in response to the changing circumstances of existence. Human rights as the outcome of the legal codification of human dignity in the physical world cannot be transferred to space as an intact cultural heritage. In the realm of space, what is the meaning of dignity when artificial systems are the only means of survival? What is the definition of freedom when security protocols impose complete control on all human actions? What is the meaning of equality when access to technology creates disparities that determine the possibility of existence [28]?

The solution must not be in the abandonment of human rights, but in their retranslation: they can be defended in outer space not as rigid elements, but as an adaptable grammatical framework of frailty. They should still have the function of being the icons of the human, but they should also be interpretative instruments that can trade out unnatural conditions to determine what is human. In this respect, space does not bring legal humanism to a close, but instead it discloses its inherently location-specific and translative nature. The rights of humanity is not a fixed concept but one that evolves with the environments that those rights are called on to survive.

What becomes visible at this point is the structural role historically played by religion in sustaining the legal stage. Religion did not merely accompany law as a set of beliefs or doctrines; it functioned as the symbolic technology through which authority could occupy space, appear as originating beyond human will, and claim obedience prior to justification.

The religious grammar of transcendence enabled law to ground its orders in an extra-terrestrial place that could not be challenged and resisted by physical organisms. The loss of religious faith in the terrestrial domain, because of its collapse in outer space, also destroys the religious grammar that determines power. The ability to make divine authority observable by artistic means reaches a crisis point when we seek origins that go beyond human abilities. The universal language of space law functions as a scientific framework that continues the religious traditions that assume the stability of the world, the human form, and the human image.

3 The Outer Space Treaty: Looking at Shared Thoughts and Hidden Beliefs

The paradigmatic experience of the theory described here is represented by the Outer Space Treaty of 1967 [26, 29, 30]. The Treaty is the fundamental international space law, and establishes the framework within which states are expected to conduct their space activities.

The Treaty introduces the idea of absolute universalism, through its declarative framework and official documents: the exploration of outer space must be exploited for the benefit of all countries uniformly. This pure generalized expression assumes an idea of human collective interest, which is based on a terrestrial norm of human behaviour; it defines an abstract human entity whose dignity and objectives can be recognized and shared.

At this level, religion does not appear as an explicit source of norms, nor as a set of beliefs informing space law. Its role is more structural. The universalist language of the Treaty draws upon a symbolic grammar historically shaped by religious conceptions of humanity, dignity, and collective destiny. The abstract human subject presupposed by the Treaty—detached from territory, body, and environment—functions as a secularized absolute, capable of grounding obligation without requiring further justification [31].

In this sense, the Treaty does not mark a rupture with religious forms of authority, but describes their transformation. What was once guaranteed by transcendence is now entrusted to the notion of humanity itself, which silently inherits the religious function of legitimizing law beyond contestation and beyond situational grounding.

In contrast, as human space continues to grow, this abstract concept will interact with an environment that will challenge its core theoretical basis of a person with a terrestrial body, innate frailty, spatial awareness, and a world-view based relationship (home world); these are the concepts that the Treaty takes for granted without explicitly defining them [23].

The principle of free space exploration and use is specified in Article I of the Treaty. According to the Treaty, all states have an equal right to explore and use space [29].

Individuals on Earth understand the complete meaning of legal freedom since they experience a physical world with gravity, and natural cycles with visible ecosystems. The word freedom in space refers to the system that sustains the human body in hostile surroundings through the use of technology. The classical terrestrial notion of the free use of space is not applicable in space because the environment and technology always impose constraints on space activities [29, 30].

The Treaty does not offer any definition of space or of the beginning of outer space, so there is conceptual and normative ambiguity regarding these terms. This overt lacuna demonstrates the fact that the categories are accepted, and in our genealogical analysis, they are invisible anthropological assumptions.

Article II of the Outer Space Treaty establishes the well-known prohibition on the national appropriation of outer space, the Moon, and other celestial bodies ‘by claim of sovereignty, by means of use or occupation, or by any other means’. Traditionally, this clause has been read as the cornerstone of an ethical universalism: outer space

is removed from the grammar of territorial conquest and declared inaccessible to the logic of sovereign possession. In this narrative, non-appropriation appears as a neutral principle, capable of safeguarding equality, peace, and collective responsibility beyond Earth [32].

However, this neutrality is largely illusory. The non-appropriation principle does not abolish the use of the resources as such. What remains unquestioned is the anthropological model of ownership that underlies the very distinction between territory and resources, between space and objects, between environment and use: the Treaty silently assumes a world in which human beings relate to space as external observers and occasional users, not as structurally dependent inhabitants.

Many space law researchers maintain that the basic legal structures on Earth remain unchanged when they apply to outer space operations. Mijovic [33] and Tjandra [34] analyse space law through the framework of human rights universality, because they maintain that Earth-based rights like property rights and life rights must protect human operations outside our planet. The new space environment functions as a new legal territory which requires the implementation of existing legal standards.

These authors overlook the more fundamental question of whether the conceptual grammar of modern law is itself grounded in specifically terrestrial conditions. Foundational documents of space law repeatedly invoke the term ‘mankind’, describing outer space as the ‘province of all mankind’. However, this expression does not actually establish a clearly defined universal legal subject, but instead introduces a symbolic reference point whose meaning becomes increasingly unstable once detached from the environmental and anthropological context within which modern legal authority originally developed. The legal concepts through which modern law articulates subjects, rights, and authority have historically emerged within a terrestrial order structured by territory, sovereignty, and embodied human communities. When projected into the radically different environment of outer space, these symbolic coordinates no longer operate with the same stability. For this reason, the recurring invocation of ‘mankind’ in the foundational texts of space law does not resolve the conceptual difficulty created by the extraterrestrial environment; instead, it reveals the effort to sustain a shared horizon of legal meaning when the traditional foundations of modern law can no longer be taken for granted. Outer space is therefore not merely another domain for the extension of terrestrial legal norms—it is an environment that exposes the underlying assumptions of these norms.

The contrast between the approaches of Mijovic and Tjandra on the one hand and the perspective adopted in this article on the other can be understood as a difference in the level at which the juridical question is posed. Both Mijovic and Tjandra operate within the horizon of the universality of human rights, assuming that the fundamental categories of modern law remain structurally stable when projected beyond the Earth. Their enquiries therefore take the form of interpretative problems internal to the legal order: for Mijovic the issue concerns whether the right to property—recognized as a universal human right—can coherently extend into outer space, while for Tjandra the focus shifts to the right to life and the extraterritorial obligations of states under human rights law. Despite addressing different rights, these two approaches share the same methodological premise: they treat outer space as a new domain in which already established legal categories must be interpreted and applied through

the existing tools of international law and human rights jurisprudence. The question, in other words, remains internal to the discourse of rights itself.

The perspective advanced here proceeds from a different point of entry. Rather than asking which rights can be extended into outer space, it asks what happens to the very conditions that make the discourse of rights intelligible. This shift implies moving from a juridical interpretation of norms to a semiotic and anthropological analysis of the symbolic infrastructure that sustains modern law. From this standpoint, the apparent universality of human rights does not constitute a self-sufficient foundation but presupposes a historically sedimented configuration of space, authority, and subjectivity—what may be described as the semiotic infrastructure of modern law. Outer space, however, introduces a radical discontinuity to this configuration. The problem is therefore not simply whether specific rights—such as the right to property or the right to life—apply beyond Earth, but whether the symbolic coordinates that allow legal subjects, rights, and obligations to be articulated remain stable once the terrestrial conditions that sustain them are displaced. In this sense, outer space does not merely extend the field of application of modern law; it reveals the fragility of the symbolic order within which that law has historically been able to speak.

The perspective developed in this article does not seek to displace or invalidate the juridical-positive analysis advanced by Mijovic and Tjandra, nor does it contest the internal coherence of his conclusions regarding the extraterritorial application of the right to life under international human rights law. Rather, it operates at a different and, in a sense, prior level of inquiry. Where Mijovic and Tjandra ask which rights apply beyond Earth and through which mechanisms of jurisdiction they may be enforced, the present article asks what symbolic and anthropological conditions must already be in place for the discourse of rights to remain intelligible in an extra-terrestrial environment. These are not competing questions but structurally distinct ones: the first is internal to the legal order and presupposes the stability of its foundational categories, while the second interrogates precisely that stability. In this sense, the semiotic and genealogical approach adopted here does not render positive legal analysis superfluous — on the contrary, it reveals the silent infrastructure upon which such analysis depends. A jurisprudence of outer space that attends only to the extension of existing norms risks operating on anthropological and symbolic foundations that have become unstable without its knowledge. The two approaches are therefore best understood not as alternatives but as complementary registers of legal inquiry, each of which illuminates what the other, by methodological necessity, must leave in the background.

4 When the Stage Changes: Space Law, Symbolic Grammars, and the Return of the Question of Religion

The Outer Space Treaty is thus demonstrated to be a formal framework of universalism in which the space environment is faced with unnatural extraterrestrial conditions applied to terrestrial legal categories. The extraterrestrial space environment stresses the existing legal framework by pushing its limits, and it in turn indicates

the representative model of human existence, which relies on Earth-based cultural frameworks.

One might object that the argument advanced here remains largely speculative, given the limited empirical experience of sustained legal institutions beyond Earth, and yet this limitation is precisely what makes outer space analytically revealing. Because the legal order in space has until now been reduced to highly technical forms of coordination—protocols, mission rules, and intergovernmental agreements—it lacks many of the spatial, ritual, and symbolic structures through which legal authority is ordinarily performed and recognized on Earth. The environment of microgravity, the absence of stable spatial orientation, and the technological mediation of all human activity further complicate the possibility of reproducing the embodied and representational dimensions of legal authority that are familiar from terrestrial institutions. Rather than constituting a weakness, therefore, the current scarcity of empirical legal practice in outer space allows the underlying anthropological assumptions of modern law to become more visible. In this sense, outer space operates less as a field for the straightforward extension of terrestrial norms than as a conceptual laboratory in which the symbolic foundations of legal authority can be critically reconsidered.

A striking illustration concerns the legal and institutional management of command authority aboard the International Space Station. On Earth, the authority of a commanding officer is never merely textual: it is performed through a complex set of spatial, bodily, and symbolic arrangements — the uniform, the physical elevation of the commanding position, the directional orientation of subordinates toward a fixed point of hierarchy, the architectural design of spaces that separate command from execution. These arrangements are not decorative; they constitute the stage through which authority becomes perceptible and obedience becomes intelligible prior to any explicit justification.

In the microgravity environment of the ISS, however, this entire spatial grammar is structurally disrupted. There is no stable up or down, no architectural verticality, no bodily posture that can reliably perform hierarchy. The commander floats alongside the crew; gestures lose their directional anchoring; the physical staging of authority that terrestrial institutions take for granted becomes, quite literally, impossible to reproduce. What remains is a purely textual and procedural authority: the commander's power is grounded exclusively in written protocols, mission rules, and intergovernmental agreements.

This displacement has consequences that extend beyond the merely symbolic. When a conflict arises between crew members of different nationalities aboard the ISS — as occurred in documented cases involving disagreements over mission priorities and safety protocols — the question of whose legal order governs, and through what mechanisms of authority it is enforced, cannot be resolved by appealing to the spatial and institutional staging that ordinarily makes legal hierarchy self-evident. The applicable intergovernmental agreements assign jurisdiction to the state of registry of the relevant module, but this formal allocation of prescriptive jurisdiction does not resolve the practical question of how authority is to be performed and recognized in an environment that systematically undermines the embodied and spatial conditions through which legal hierarchy is ordinarily made visible.

This is precisely the point at which Tjandra's framework, for all its internal coherence, reaches its structural limit. The question of whether the right to life — or, in this context, the right to make binding decisions about life-sustaining resources — applies extraterritorially can be answered in juridical-positive terms. But the prior question of how the authority to enforce that right is to be staged, recognized, and experienced as legitimate in an environment that dissolves the symbolic grammar of legal hierarchy cannot be answered by treaty interpretation alone. It requires an inquiry into the anthropological and semiotic conditions that make authority intelligible — conditions whose fragility becomes fully visible only when the stage of law disappears.

The experience of outer space therefore acquires a critical value that goes far beyond the mere extension of legal regulation into a new domain. Normative instruments such as the Outer Space Treaty should not be read only as technical frameworks designed to discipline unprecedented activities, but as early attempts to articulate a new legal anthropology [23, 24]. What is at stake is no longer the governance of a pre-defined terrestrial subject, but the juridical reconfiguration of a human being who is displaced, exposed, and transformed by the extraterrestrial environment. Space law thus confronts the law with a subject whose vulnerability is not accidental but structural, and whose dependence on environment, technology, and collective cooperation is radically intensified.

In this sense, the Treaty functions as a paradigmatic document. It does not simply regulate conduct; it signals a shift in the relationship between law, environment, and individuality. The law is no longer operating against a stable background in which human autonomy can be taken for granted: instead, it must function within a context where the environment itself actively reshapes the conditions of agency, responsibility, and survival.

When space is described as the 'province of all mankind', the question is therefore not merely distributive or institutional, but anthropological. What image of humanity is presupposed by this formula, once the Earth-based conditions of human existence are no longer obtained? A purely formal universalism conceals the fact that 'mankind' has no fixed referent outside the environmental, bodily, and symbolic conditions in which human life is sustained. As these conditions are transformed, the universal subject silently assumed by terrestrial law begins to dissolve, revealing the limits of a normativity that continues to speak in the name of an abstract humanity no longer anchored to any stable world. It is at this point that religion reappears—not as an answer, but as the historical name of a question that law cannot fully suppress.

Space law shows the bounds of earthly legal categories, but it also shows the symbolic limits of secular humanism, particularly when autonomy is regarded as self-sufficient. In the extraterrestrial environment, law finds that its supposed autonomy is based not on rational processes and technical competence, but on a more profound symbolic language derived from human experiences of vulnerability, finitude, and hope—experiences that were converted into law by modernity as it increasingly forgot their origin.

This excess of meaning, which escapes full normative capture, becomes decisive when the law seeks to articulate universal claims in an extraterrestrial context in which the conditions that once grounded the legal image of humanity no longer apply.

Why does this occur?

Religions, in the plurality of their historical, cultural, and institutional forms, constitute one of the most persistent and complex phenomena of human experience. To reduce them to mere systems of belief or to sets of doctrines aimed at securing individual intellectual assent is to misunderstand their anthropological and symbolic significance [7, 8, 10]. Instead, religions present themselves as holistic meta-narratives structured symbolically—that is, as frameworks of meaning capable of organizing human experience on multiple, simultaneous levels. Through myths, rituals, norms, images, language, and practices, they do not simply ‘say something’ about the world; they contribute to making the world intelligible. They provide interpretative schemes within which fundamental events—birth and death, suffering and guilt, hope and promise, finitude and alterity—are removed from mere contingency and transformed into elements endowed with shared meaning.

The meta-narrative dimension of religions emerges in their capacity to organize and give hierarchies to the elementary narratives of individual and collective experience. Personal stories, family memories, communal histories, and even social conflicts acquire, within religious traditions, a symbolic location that stabilizes their meaning and enables their transmission. This narrative function is never neutral or merely descriptive: it produces orientations, expectations, and evaluative criteria for action and being, deeply shaping forms of life. In this sense, religions are not simply narratives among others, but second-order narrative devices, capable of conferring intelligibility upon ordinary narratives [35–37].

The holistic vocation of religions consists in bringing together dimensions of experience that, especially in modernity, tend to be separated or functionalized. Body and language, gesture and word, ethics and norms, individual and community, biological time and symbolic time are integrated into a comprehensive vision that claims not to exhaust reality but rather to make it coherent and habitable. This holistic nature should not (necessarily) be understood as an all-encompassing claim, but rather as a capacity for connection: religions construct meaningful relationships between different spheres of experience, preventing them from fragmenting into collections of data devoid of symbolic direction [38].

Perhaps the most decisive feature characterizing religions, however, is their symbolic structure. Myths, rites, images, and norms function not as literal statements or technical rules, but as symbols—that is, as forms that constantly refer to something ‘beyond’. The symbol never exhausts its meaning, but produces it by excess, opening up an interpretative space that makes religions intrinsically dynamic, exposed to hermeneutic conflict and cultural translation. In this sense, religions are not closed systems, but are symbolic environments of meaning, in which experience is structured through a shared web of places, times, gestures, rhythms, memories, and practices [39].

It is precisely the analysis of these historically differentiated religious forms that allows us to approach what might be called religion in the singular. Beneath the plurality of traditions and doctrines there emerges a more fundamental anthropological function: the human capacity to produce symbolic frameworks that transform experience into something interpretable and normatively oriented. Religion does not merely offer explanations of events; it provides the signifiers through which individuals situ-

ate themselves within a broader order that extends beyond any particular community. Thus, the birth of a child is not simply a biological event but becomes, through naming rituals or baptism, the inscription of a new subject within a symbolic lineage. Death is not reduced to biological cessation but is integrated through funerary rites into narratives of memory, salvation, or ancestral continuity. Even the marking of time through religious calendars—feasts, fasts, or sacred commemorations—transforms the passage of days into a shared temporal order that binds dispersed individuals into a common horizon of meaning. What these examples reveal is the underlying function of religion: the production of universalizing signifiers through which human experience can be collectively interpreted. In this sense, the invocation of ‘mankind’ in the Outer Space Treaty can be understood as performing a similar symbolic operation. In a domain in which the traditional legal signifiers of territory, sovereignty, and people no longer function in their usual way, the term ‘mankind’ introduces a universal point of reference capable of sustaining a minimal horizon of shared meaning for legal discourse in outer space.

Religion, in this sense, does not coincide with a specific tradition, but designates the symbolic condition that makes its various instances possible, just as language makes individual languages possible. It operates as an environmental grammar of meaning, through which uncertainty, vulnerability, finitude, and otherness do not remain mere givens, but become elements endowed with meaning [31, 40].

From this perspective, the sacred is not identified with specific dogmatic content, but determines a signifier and a meaning of human existence that takes shape through meta-narratives: a symbolic configuration of spaces, times, thresholds, gestures, rhythms, and memories that orients individual and collective experience. It is precisely this form of the world—constructed and inhabited through symbolic meta-narratives, environments of meaning, and shared interpretative grammars—that is the pivotal point of the Outer Space Treaty: a new equivalent of the stage created by setting up an alternative background, because it rests on a semiotic religious narrative describing the nature of people and protectors who would make the future survivable [38].

The semiotic-religious language that people use on behalf of humanity is driving a consortium of the human race and peaceful intentions, and the interests of the succeeding generation play the same symbolic role as the religious and political institutions for which they are substituting. The method of action of the authorities has shifted from being present and making a hierarchy to developing a semiotic narration that demonstrates what has survived, what is capable of being protected, and what should take precedence in being protected to ensure the continuity of the future.

The actual danger, from the perspective of the recent US Commercial Space Launch Competitiveness Act, the US Executive Order 13,914/2020, and the Artemis Accords, is that the semiotic value of religion is not lost but is reduced to very irrelevant background noise when faced with the pretences of the commercial use of the resources of outer space. To resist this, religion functions silently but deeply: its role is not to control space but to remind us that there have been other ways of creating meaning that perhaps (should we say?) will return one day.

5 Conclusion: The Sacred in Retreat? — Artemis and the Privatization of the Symbolic Grammar of Space

The argument developed throughout this article converges on a paradox that the current phase of space exploration makes increasingly visible and increasingly urgent. The Outer Space Treaty of 1967 established, however imperfectly, a symbolic grammar through which the human presence in space could be articulated in terms that exceeded the interests of any particular state or commercial actor. The invocation of “mankind,” the principle of non-appropriation, the designation of astronauts as “envoys of humanity” — these were not merely legal formulations but symbolic operations, performing in the register of international law a function structurally analogous to that performed by religious meta-narratives in the register of shared meaning: the production of a universal reference point capable of sustaining a minimal horizon of obligation beyond individual will and situational contingency.

What the Artemis programme and its associated normative instruments reveal, when read through the analytical framework developed here, is that this symbolic grammar is not being abolished but captured. It is being progressively emptied of its universalist content while retaining its universalist form — and this retention of form in the absence of substance is, from a semiotic perspective, precisely what distinguishes ideological operation from genuine symbolic function.

The Artemis Accords, concluded between NASA and a growing number of partner states beginning in 2020, present themselves as an elaboration of the principles of the Outer Space Treaty, explicitly invoking its framework of peaceful cooperation and shared benefit [NASA 2020, The Artemis Accords, Preamble]. And yet their substantive innovations systematically dismantle the symbolic architecture that gave those principles their normative force. The concept of “safety zones” — areas around lunar operations from which other actors may be excluded in the interest of avoiding “harmful interference” — reproduces in operational terms the logic of territorial appropriation that Article II of the Treaty was designed to preclude, while maintaining formal compliance with its prohibition on claims of sovereignty. The recognition of rights over extracted space resources, first legislated by the United States in the Commercial Space Launch Competitiveness Act of 2015 and subsequently endorsed by Executive Order 13,914 of 2020, performs an analogous operation at the level of property law: it distinguishes formally between the prohibition on territorial sovereignty and the recognition of resource ownership, a distinction that — as the history of colonial law amply demonstrates — has rarely prevented the former from following the latter.

From the perspective of the theory of the legal stage developed in this article, what is happening in the transition from the 1967 Treaty to the Artemis framework is not simply a shift in legal policy but a transformation in the symbolic infrastructure of space law. The 1967 Treaty, whatever its limitations, operated within a symbolic register in which the legitimacy of space activities was grounded in a reference that transcended the interests of the actors involved — however abstract and contested that reference may have been. The Artemis framework operates within a different symbolic register, one in which legitimacy is grounded in technical competence, bilateral agreement, and market efficiency. The sacred — understood not as theologi-

cal content but as the structural function of a reference point that exceeds individual will — is not eliminated from this framework: it is displaced into the language of sustainability, heritage protection, and intergenerational responsibility. These are the secular meta-narratives through which the Artemis programme presents its commercial ambitions as expressions of a universal human vocation.

The Artemis mission itself is paradigmatic in this respect. Its stated objective — the return of human beings to the lunar surface, with the long-term goal of establishing a sustained human presence on the Moon and eventually enabling crewed missions to Mars — is framed throughout in the language of exploration, discovery, and the expansion of the human horizon [NASA 2020, Moon to Mars: NASA's Lunar Exploration Programme Overview]. This language is not incidental: it performs a symbolic function, mobilizing the narrative of humanity's collective destiny in space — the same narrative that gave the 1967 Treaty its aspirational force — in the service of a programme that is, at its operational core, structured around the interests of a specific constellation of state and commercial actors. The inclusion of commercial partners — SpaceX, Blue Origin, Astrobotic, and others — as primary contractors for lunar surface operations is not merely a procurement decision: it is a structural commitment to a model in which the symbolic grammar of universal human exploration serves as the legitimizing frame for activities whose benefits are distributed according to market logic rather than the principle of the common heritage of mankind.

This observation should not be misread as a nostalgic defence of the 1967 framework. The Outer Space Treaty was itself the product of a specific historical conjuncture — the Cold War bipolarity that made a formal commitment to non-appropriation politically feasible for the two dominant space powers — and its universalist language concealed its own asymmetries: the freedom of exploration it proclaimed was a freedom that only technologically advanced states could practically exercise. The argument here is not that the 1967 symbolic grammar was adequate, but that its replacement by the Artemis framework involves a regression rather than a development in the capacity of space law to perform its symbolic function.

What is lost in this transition is precisely what Tillich would have identified as the prophetic dimension of the legal stage: the capacity of the normative framework to resist the absolutization of any particular form of interest by maintaining a reference point that exceeds all of them. The 1967 Treaty, however imperfectly, preserved this prophetic tension: its universalist language could always be invoked against the particular interests of any state or commercial actor, including those who had drafted it. The Artemis framework, by grounding legitimacy in bilateral agreement and technical capability, eliminates this prophetic dimension: there is no reference point outside the network of agreements itself from which its premises could be challenged.

It is here that religion — understood not as doctrine but as structural function — reappears in its most politically significant form. The question that the Artemis programme forces upon space law is not whether human beings should return to the Moon, but on whose behalf, in the name of what, and with what accountability to those who are not party to the agreements that govern the enterprise. These are questions that positive law, operating within the horizon of the Artemis framework, cannot pose to itself — because they require a reference point that exceeds the framework itself. They are, in the deepest sense, religious questions: questions about the

ultimate ground of obligation, about what cannot be traded away, about what must be preserved for those who have not yet been born and cannot consent to the terms being negotiated on their behalf.

The silence of contemporary space law on these questions is not accidental. It reflects the progressive capture of the symbolic grammar of universal humanity by the interests of a specific configuration of technological and commercial power. Religion, in the sense developed throughout this article, functions as the historical memory of a different possibility: the possibility of a normative order grounded not in technical capability or bilateral agreement but in a shared acknowledgment of human vulnerability, finitude, and mutual dependence. In the extraterrestrial environment — where vulnerability is absolute, finitude is structurally intensified, and mutual dependence is the condition of survival — this acknowledgment is not a pious aspiration but an operational necessity.

The task of space law in the coming decades is therefore not simply to regulate an expanding range of activities beyond Earth. It is to recover, from within its own symbolic resources, the capacity to articulate a horizon of obligation that resists capture by the interests it is meant to regulate. Whether this recovery is possible within the framework of the Artemis Accords and the commercial space law that surrounds them remains, at this moment, genuinely uncertain. What is certain is that without it, the exploration of outer space will not represent the expansion of humanity's horizon but its contraction — the projection beyond Earth of the same asymmetries of power and meaning that have structured the terrestrial order, now freed from even the minimal symbolic constraints that the legal stage, in its fragile and imperfect way, has historically imposed.

The stage may have changed. The need for a stage has not.

Funding Open access funding provided by Università degli Studi di Modena e Reggio Emilia within the CRUI-CARE Agreement.

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