

WHEN SCIENCE OVERREACHES

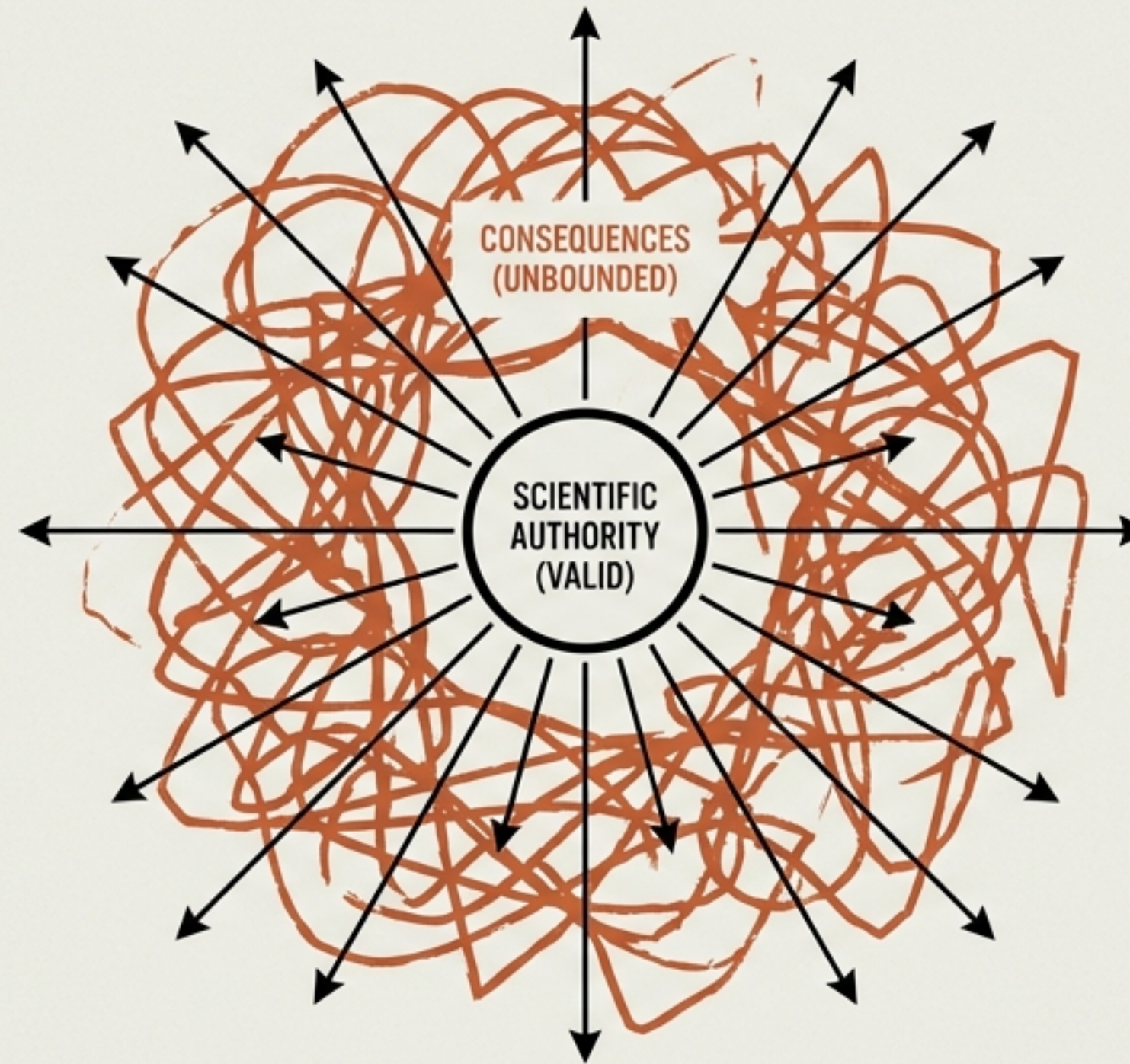
Reframing Environmental Crisis
as Jurisdictional Trespass.



Based on 'Indigenous Law as a Boundary Condition' — bridging STS and Anangu Law.

THE DIAGNOSIS: IT IS NOT A FAILURE OF TRUTH

We usually blame crises like climate change or nuclear waste on errors, misuse, or bad data.

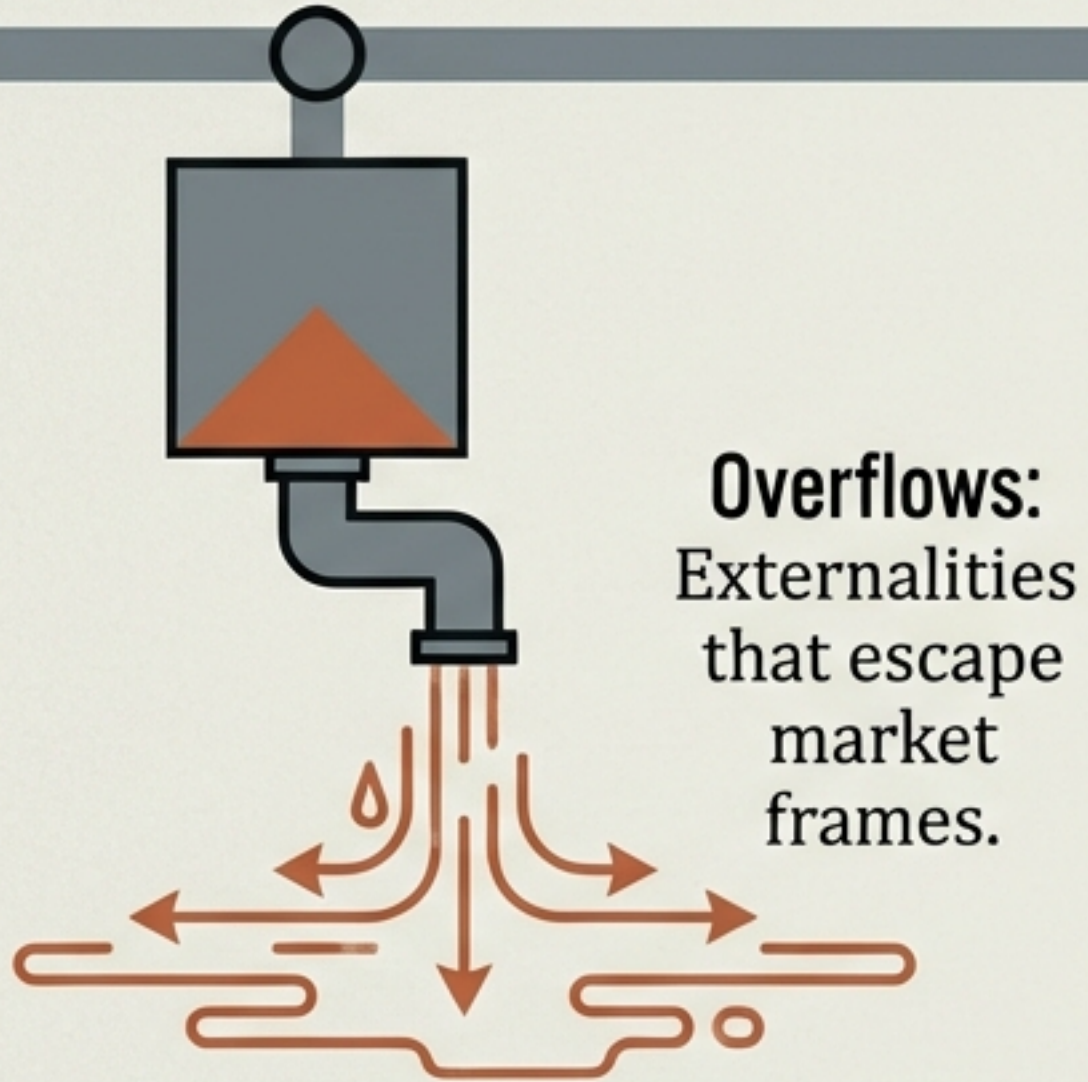


But overreach occurs when the science is correct. It creates facts that work locally but produce consequences that cannot be governed globally.

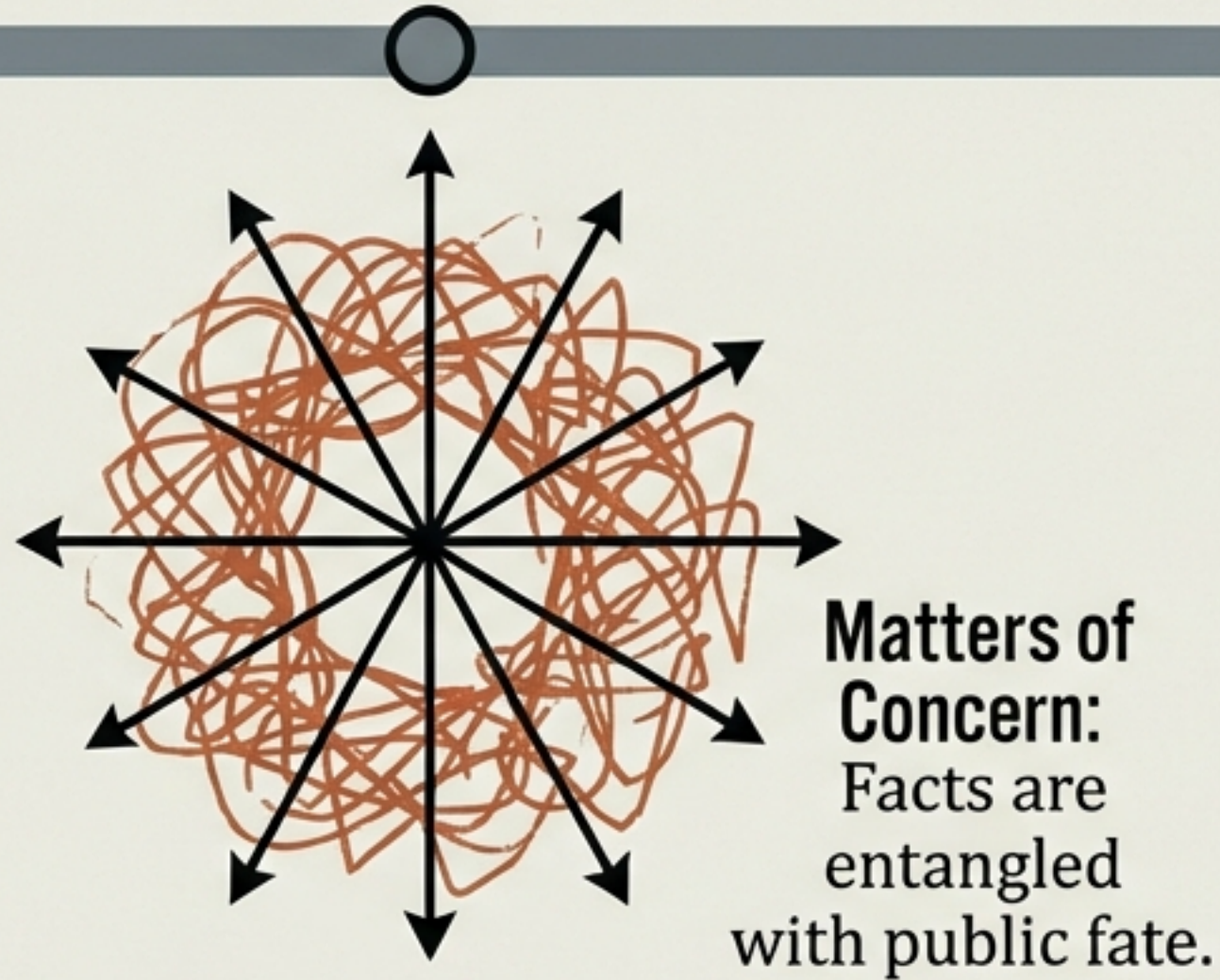
A failure of scope, not a failure of math.

FORTY YEARS OF CRITIQUE: DESCRIBING THE LEAK

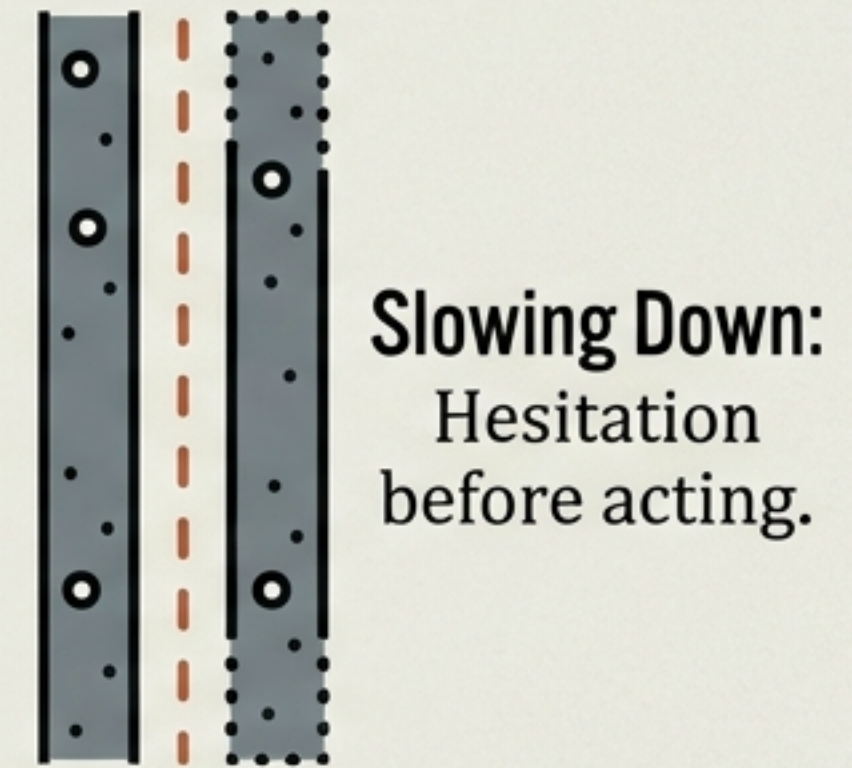
Callon (1998)



Latour (2004)



Stengers (2010)



These theories describe the spill, but they do not supply a binding principle to refuse the action. Critique is not the same as refusal.

FROM EPISTEMIC EXCESS TO JURISDICTIONAL TRESPASS

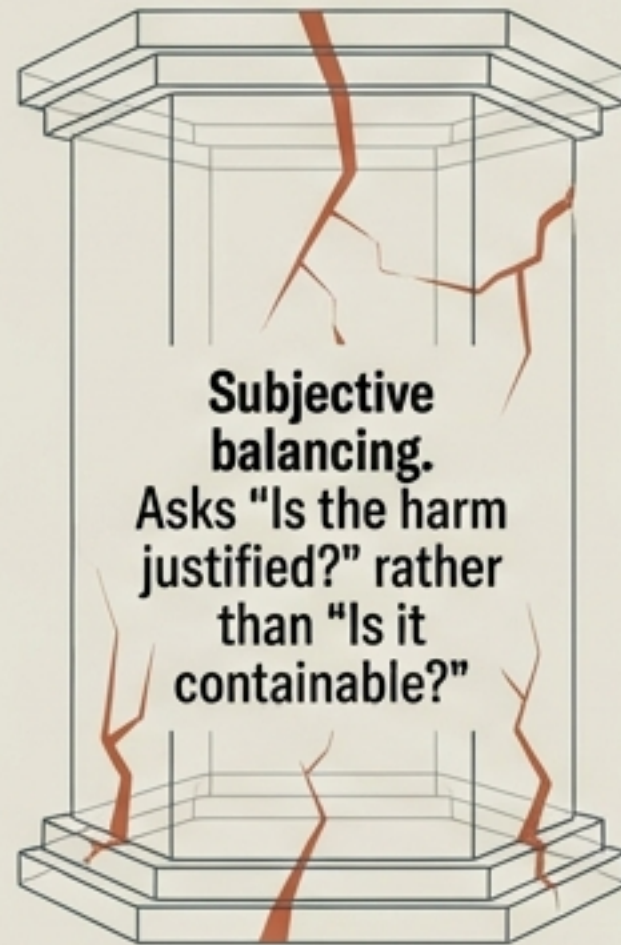
ACTION + CUSTODIANSHIP = LEGITIMATE EXTENSION
ACTION – CUSTODIANSHIP = TRESPASS

DEFINITION: Jurisdictional Trespass occurs when knowledge practices authorize intervention while severing the link to consequences.

It is not about knowing too much. It is about acting where you have no capacity to care for the results.

THE TRIO OF INSUFFICIENCY

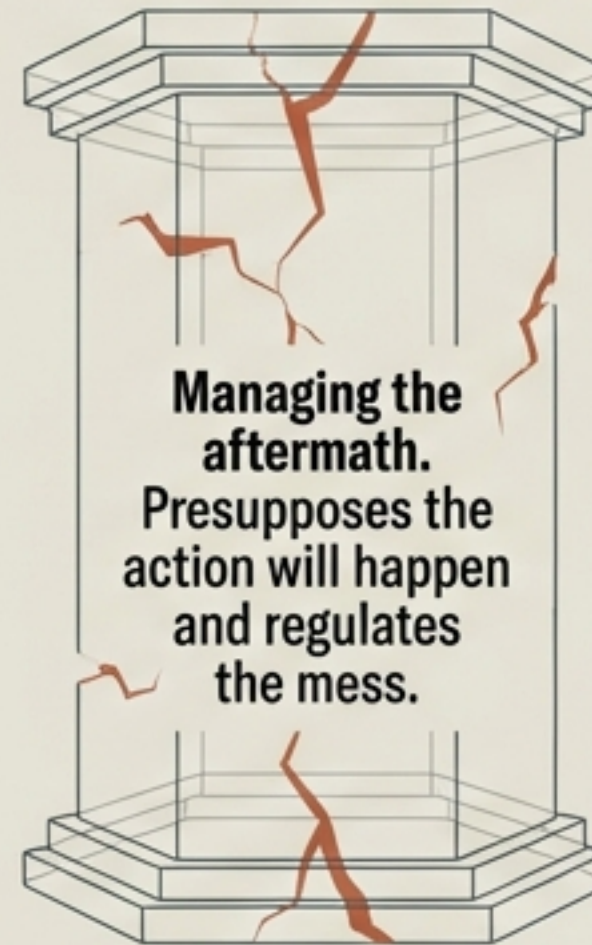
ETHICS



Subjective balancing.
Asks "Is the harm justified?" rather than "Is it containable?"

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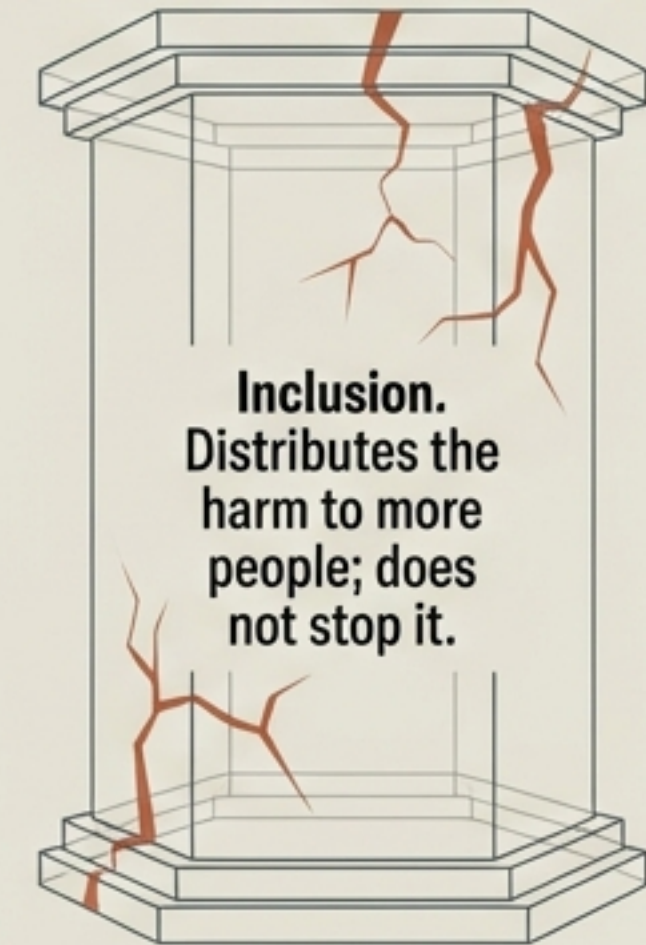
GOVERNANCE



Managing the aftermath.
Presupposes the action will happen and regulates the mess.

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PARTICIPATION



Inclusion.
Distributes the harm to more people; does not stop it.

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These mechanisms manage the spill. They do not forbid the breach.

THE PIVOT: NOT CULTURE, BUT LAW

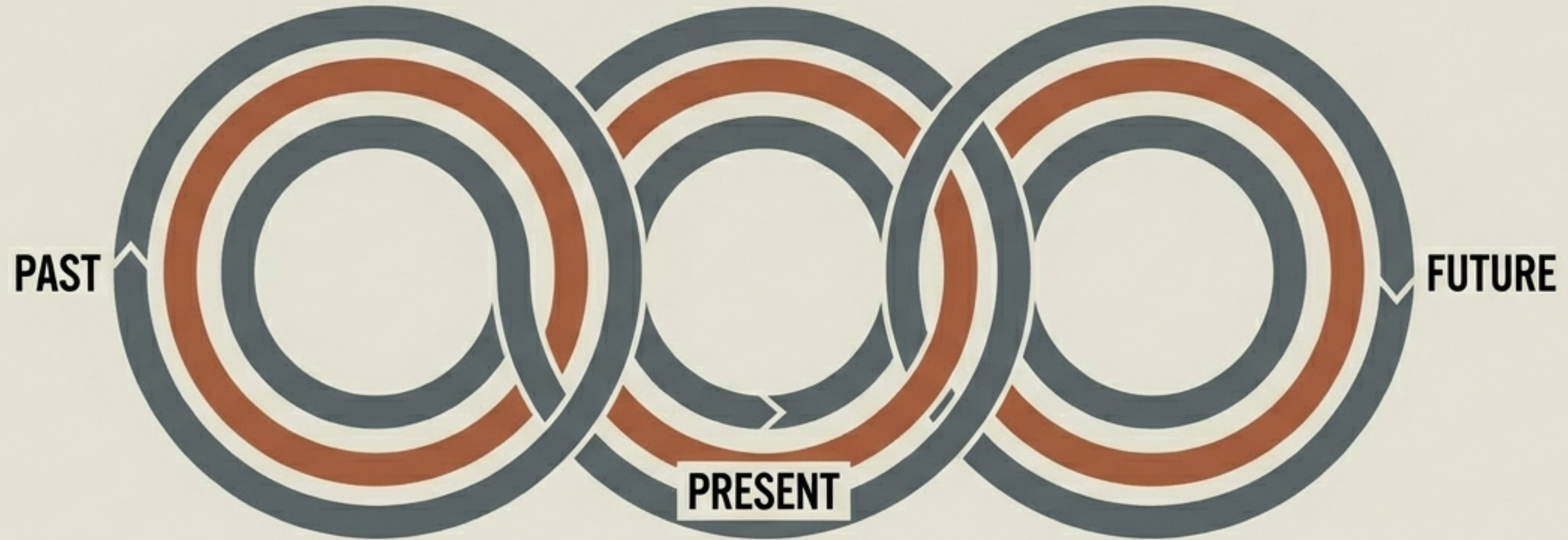
~~Indigenous Knowledge~~
~~Mythology~~
~~Values~~
~~Worldview~~

**INDIGENOUS
LAW
(JURISDICTION)**

To solve the problem of trespass, we must look to Anangu systems. But we must stop viewing them as ‘ways of knowing.’ Knowledge describes. Law binds.

You don’t have to ‘believe’ in gravity to be subject to it. You don’t have to ‘believe’ in Indigenous cosmology to be subject to the jurisdictional logic of the land.

TJUKURRPA: THE LAWFUL STRUCTURE



Often mistranslated as 'The Dreaming,' Tjukurrpa is the immutable Law that governs existence.

"It is not a story. It is the law that never changes." – Based on teachings of Elder Bob Randall.

Tjukurrpa does not advise on moral choices. It obliges relational consistency.

KANYINI: THE PRINCIPLE OF UNCONDITIONAL CARE



“Responsibility and unconditional love for all things.” — Bob Randall

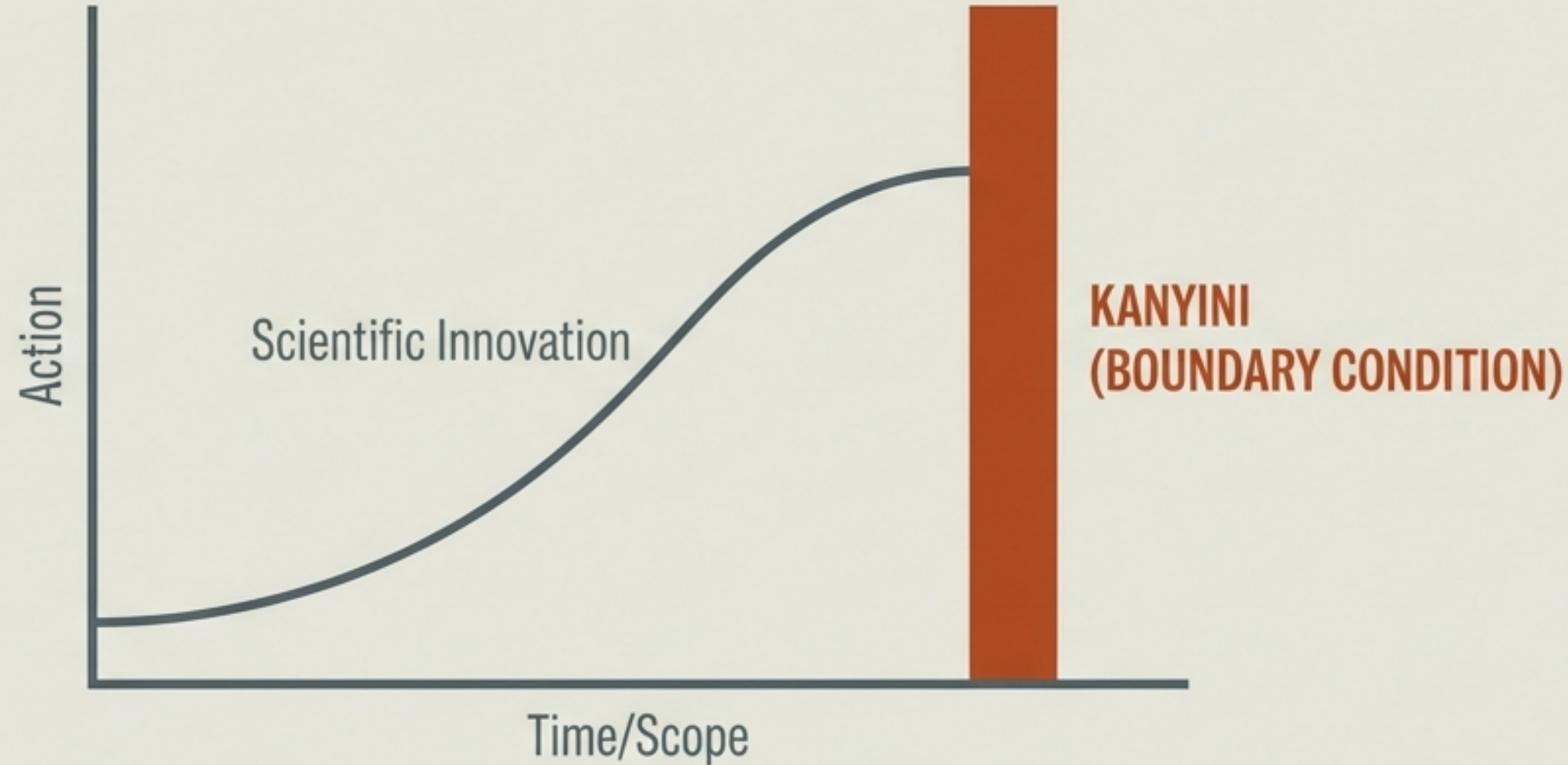
The Legal Definition

Kanyini is not just an emotion.
It is a structural requirement.

The Rule

Nothing can be brought into existence if it cannot be ‘held’ (cared for) indefinitely. Responsibility is unconditional and non-terminable.

KANYINI AS A 'BOUNDARY CONDITION'



Concept text:

In physics, a boundary condition defines the limits within which a system is valid.

Application text:

Kanyini acts as a boundary condition for science. It doesn't tell science HOW to do physics; it tells science WHEN it is allowed to act.

Constraint text:

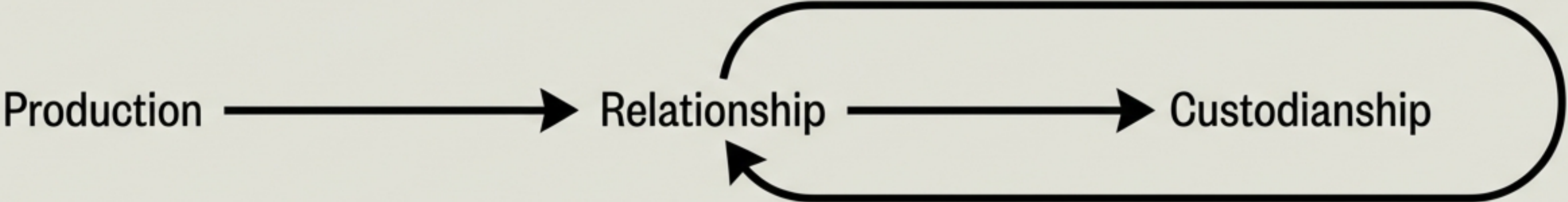
Action is only lawful if responsibility can be carried without remainder.

THE IMPOSSIBILITY OF ‘DISPOSAL’

LINEAR FICTION (SCIENCE)



CIRCULAR LAW (KANYINI)



Analysis text:

Under Kanyini, ‘waste’ is a legal fiction. You cannot ‘throw away’ matter; you can only move it. To ‘dispose’ is to deny a relationship that actually exists.

Violation text:

Nuclear waste and ‘forever chemicals’ are jurisdictional violations because they create relations that cannot be maintained.

ETHICS VS. LAW

ETHICAL FRAMEWORKS	KANYINI (LAW)
◆ Logic: Conditional & Proportional ◆ Question: Should we do this? Do benefits outweigh risks? ◆ Result: Often legitimizes harm through justification.	◆ Logic: Categorical & Absolute ◆ Question: Can we maintain this forever? ◆ Result: Prohibits action if custodianship fails.

Ethics asks ‘Should we?’ **Kanyini** asks ‘Can we maintain it?’

THE 'KNOWLEDGE' TRAP

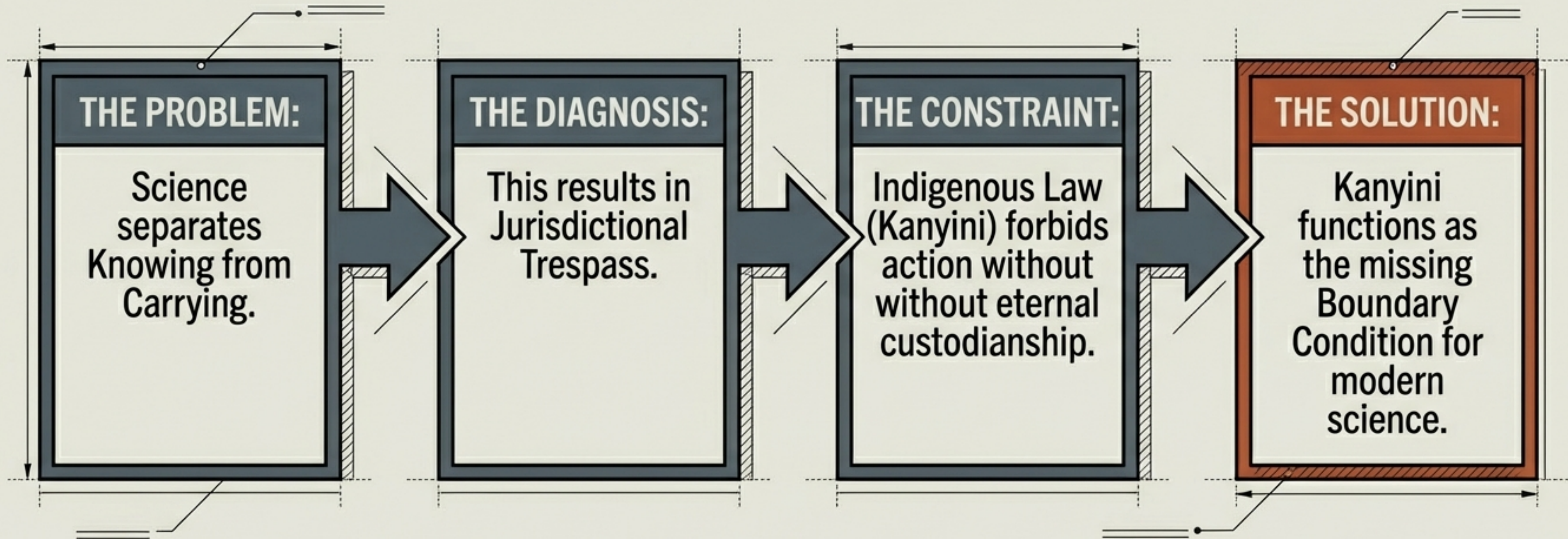


Recognizing Indigenous Law does not require adopting Anangu spirituality or metaphysics.

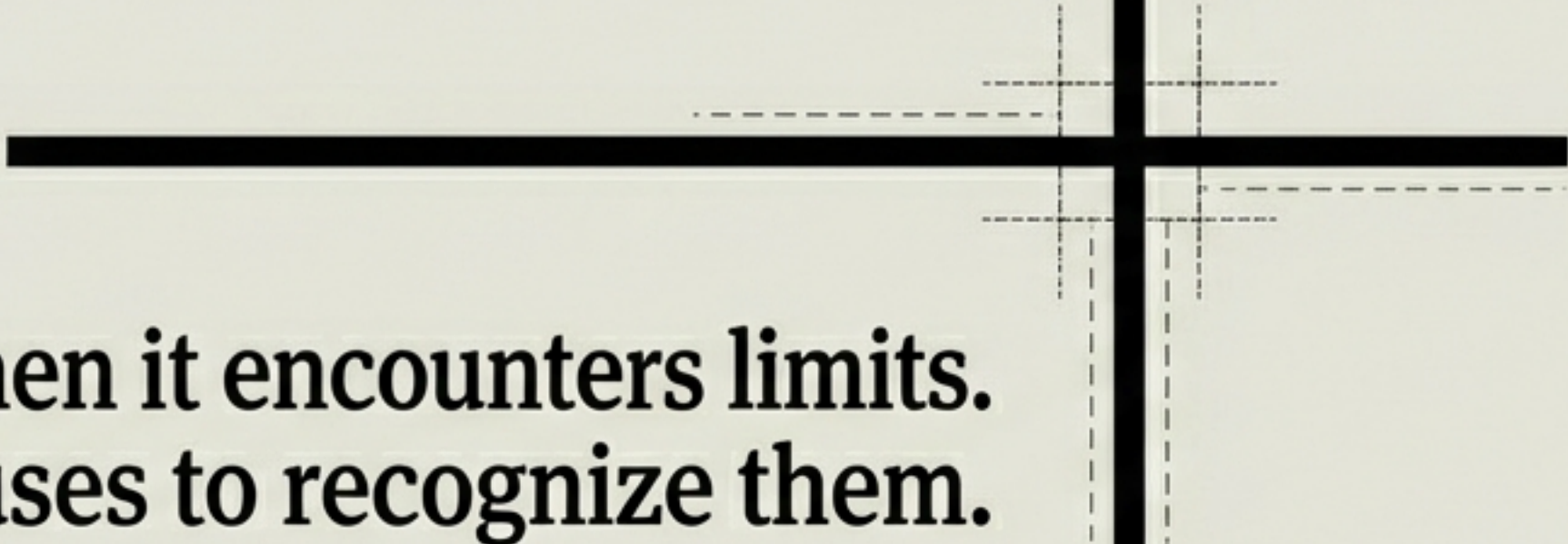
Gravity applies whether you believe in it or not.
Jurisdictional limits apply whether you acknowledge them or not.

This is a “jurisdictional encounter,” not a cultural exchange. Science must recognize it lacks the internal mechanism to stop itself.

THE ARGUMENT RE-ASSEMBLED



WHERE SCIENCE MUST STOP

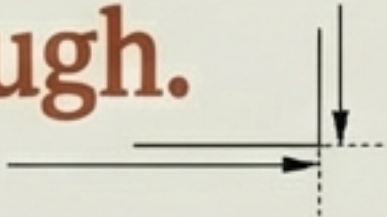


Science does not fail when it encounters limits.
It fails when it refuses to recognize them.

True sophistication is not the ability to do everything
we can, but the wisdom to know when NOT to act.



Indigenous law does not tell science what to know.
It tells science when knowing is not enough.



ACKNOWLEDGEMENTS & SOURCES

Honoring Bob Randall (Yankunytjatjara Tjilpi) and Barbara Randall as the custodians of the Law and teachings on Tjukurrpa and Kanyini.

Based on work bridging STS and Indigenous Law.

Key Citations:

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