ETHICS, ECONOMICS, AND THE ENVIRONMENT

UNIVERSITY OF ALABAMA SCHOOL OF LAW

August 26-30; September 9-13, 2013
2 Credit Short Course
M-F 8:00-10:35 a.m. in Room A245

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Course Description:

We are not living within our environmental means. Four global trends are proving particularly unhealthy. First, the Earth is experiencing unprecedented and unsustainable population growth: the population has doubled in the past forty years to 7 billion and is presently growing by roughly 80 million people per year, making the projected population in 2050 9.1 billion. Second, over 60% of vital ecosystem goods and services are being degraded or used unsustainably. We are depleting groundwater supplies, degrading agricultural soils, overfishing the oceans, cutting forests faster than they can re-grow, and filling in coastal and wetland areas in ways that exacerbate the devastating effects of floods and hurricanes. Third, our dependence on fossil fuels has caused the accumulation of greenhouse gases, especially carbon dioxide, which traps energy released from the Earth’s surface. By warming the lower atmosphere, these gases affect global temperature and threaten catastrophic changes in the Earth’s climate patterns. Finally, our conversion of forests, grasslands, and wetlands to agriculture and urban development has resulted in a precipitous decline in biodiversity. If we are to satisfy the most essential of our obligations, which is to do no harm, we must move quickly toward the goal of living sustainably—that is, without depleting material or energy resources faster than they can be rejuvenated for use by future generations.

In this short course, we will explore some of the ways in which our own personal life choices contribute to the perils of our planet, and we will inquire into possible means of reversing environmental trends that are likely to prove catastrophic if allowed to continue. We will talk about how our food choices affect the health of our environment and motivate animal husbandry techniques that many find morally troubling. We will examine how our dependence on fossil fuels for satisfying other needs and wants is scaring our lands and contributing to the warming of the planet. We will canvass solutions to the problems that we identify so as to develop an appreciation of the ways in which lawyers, policymakers, and lawmakers might help to arrest and reverse the trajectory of environmental decline. Throughout our discussions we will ask the hard philosophical questions raised by these very practical and immediate issues. What is the value of the natural world? Does it take its value from the value we place upon it, or does it have independent, “intrinsic” value? Are we entitled to Nature’s riches, or do we have obligations of stewardship that require conservation, and if so for whom? What is the moral status of animals? Do they have interests? Rights? Do their interests (rights?) differ from those of plants? From other (non-living) natural entities?
In addition to discussing excerpts from books and articles written by journalists, scientists, urban planners, environmental activists, lawyers, economists, and philosophers, we will have opportunities for more “active learning.” We will watch films that will take us to places that we cannot go in person and we will engage in in-class exercises that allow for creative thinking, innovative problem-solving, and productive small group discussion.

Course Requirements:

Attendance is required and class participation will be worth 20% of the final grade in the course. Students will be expected to write two short 750-word papers (each worth 30% of their grade) that take the form of letters to the editor or newspaper/magazine opinion pieces and draw on the materials we have discussed (see the due dates for such papers in the Syllabus below). Students will also be responsible for a short (4-minute) in-class presentation that succinctly outlines a clear, well-conceived solution to a discrete environmental problem (worth 20% of their grade). (Such presentations will be scheduled on the final day of the course.) All written assignments and oral presentations must concern topics that are directly relevant to the themes of the course, and all must be on topics quite different from one another.

All credit-bearing requirements must be satisfied in order to receive a grade in the course. Any written assignment that has more than three typos or grammatical errors that could be eliminated by careful proofreading and editing will be returned for correction, and the penalty for a late submission will be applied. Any assignments that are received late will receive an automatic 2/3-grade reduction (taking an A to a B+; a B+ to a B-; a B- to a C; etc.).

Optional Field Trip:

I hope that we will be able to arrange at least one local field trip during this short course. This will be an optional experience if its timing exceeds the set hours of the class or otherwise generates conflicting scheduling.

Course Syllabus:

WEEK ONE: AUGUST 26-30, 2013

I. The State of Our Planet and the History of Our Efforts to Protect It

What is the present state of our planet? How seriously should we take (1) the recent and predicted growth in global population; (2) the deterioration of natural and managed ecosystems; (3) the loss of plant and animal biodiversity; and (4) the presently-experienced and predicted changes in the global climate? We begin with an overview of our planet’s environmental conditions and a history of environmental activism.
Monday, August 26:

Read for Class:


II. Climate Change

A. Who Caused It (If Anyone) and Who Should Do What to Avert It (If Anyone)?

Is the climate changing? If so, are we (humans) significant causes of that change? Does climate change skepticism have scientific credibility, and how ought law and policy makers to proceed in the face of such skepticism? If aggressive measures are merited in response to the threat of climate change, which nations, in particular, ought to bear the burden of those measures and by what proportion? And which specific regulatory methods will best achieve significant/sufficient carbon emission reductions?

Tuesday, August 27:

Read for Class:


Wednesday, August 29:

Read for Class:

III. Our Sources and Use of Energy

How ought we to manage energy consumption in the future? What ought we to think of our continued reliance on coal? What alternative sources of energy are feasible and what are their problems?

Thursday, August 30:

(1) James Hansen, Storms of My Grandchildren, Chapter 9 (“An Honest, Effective Path”), pp. 172-222.


Friday, August 31: Fieldtrip On Black Warrior River, with Riverkeeper Nelson Brooke
http://www.blackwarriorriver.org

Meet at 7:40 am at the front of the Law School to caravan to the boat launch on 7th Street to meet Nelson Brooke, who is a naturalist working as a riverkeeper with the Black Warrior Riverkeeper organization—a non-profit NGO dedicated to detecting river pollution and pressing industry and governmental organizations charged with enforcing the Clean Water Act to take action.

First Op Ed Project (worth 30% of the final grade; due Monday, September 9 before 8:00 a.m. by email to me at hhurd@illinois.edu, or in hard copy form at the beginning of class): Write a 750-word Op Ed or Letter to the Editor on a topic drawn from, or inspired by, the readings and documentaries to date. You may not exceed the stated word-length and your submission must be carefully proofed for grammatical and typographical errors. You should have a single, clear thesis that is succinctly stated within the opening two or three sentences. Your argument in support of that thesis should follow in well-organized, pithy paragraphs, and its persuasiveness should come, in part, from taking seriously counter-arguments and from drawing upon documentable and reliable facts. If you have identified a problem that requires a solution, you should proffer such a solution, taking seriously the philosophical and practical problems with its implementation. As is typical of editorials, no citations are expected, but you will, of course, be held to the University’s and Law School’s standards of authorial integrity, honesty, and originality.
WEEK TWO: SEPTEMBER 9-13, 2013

(Revised 9/3/13)

IV. Our Modern Agricultural Methods

Monday, September 9: Modern Crop Production

Remember: First Op Ed Assignment due at or before 8:00 am by email or in hard copy form.

Read for Class:


Tuesday, September 10: The Organic Alternative

Read for Class:


Wednesday, September 11: Modern Meat Production

(1) Michael Pollan, The Omnivore’s Dilemma, pp. 65-84.


In Class YouTube Video: “Glass Walls,” narrated by Paul McCartney.

Thursday, September 12: Field Trip to Snow’s Bend Organic Farm
http://www.snowsbendfarm.com/index.html

Meet at the front of the Law School at 7:45 am to caravan together to Snow’s Bend Farm in Coker, AL, to tour the farm and learn about organic methods of crop and meat production with owners Margaret Ann Toohey and David Snow. (Farm phone: (205) 394-3561) Driving Directions:
Directions to the Farm: Take Highway 82 (McFarland Blvd) West. After passing through Tuscaloosa and Northport on the way to Mississippi you will pass a Wal-mart on the right. When you come to the 2nd traffic light after Wal-mart you will turn left. There will be a propane business on the right and Hanna Steel on the left. You will cross railroad tracks and then over a bridge crossing a Cypress swamp. About 1/4 mile after the bridge you will intersect the dirt road. Turn right on the dirt road and continue for about 2 ½ miles. You will cross a graffiti bridge and then a large farm house on the right side of the road and an old pecan grove on the left. 400-500 yards past the house the road makes a 90 degree turn to the right. There will be a yellow gate in front of you with a white sign that says "Robinson's Bend" and has several numbers on it. Go through this gate. (If you begin to go up a hill you have gone too far and need to turn around and go through the 1st gate on the right at the bottom of the hill.) Once through the gate, stay on the road. You will pass through woods and in 5-10 minutes you will come to the side of a field. The road will cross through a field with crepe myrtles lining both sides. You will come to a natural gas well on your right, turn right. You should spot the garden on your right soon. Drive slowly, especially around curves.

VI. Specific Environmental Problems and Proposed Solutions: Class Presentations

Friday, September 13: Student Class Presentations on Specific Environmental Problems and Solutions

Student Presentation Project (worth 20% of the final grade; to be presented during class; 4-minute timed limit): Prepare and present a 4-minute analysis of an environmental problem. Explain the problem and its significance to humans and to nonhuman entities with which we share the planet. Provide a clear, succinct, well-conceived solution to the problem that takes seriously the costs (financial, political, and environmental) of that solution and that highlights, in particular, the role that lawmakers can play in advancing your proposed solution. You may make this a PowerPoint presentation if you choose, or you may prepare hand-outs which I will have copied for the class if you get them to me before 12:00 Noon on the previous day, Thursday, September 12. Remember: This presentation will be timed, and you will not be permitted to exceed 4 minutes.)


Second Op Ed Project (worth 30% of the final grade; due on Monday, September 23, by email to me at hhurd@illinois.edu): Write a 750-word Op Ed or Letter to the Editor on a topic drawn from, or inspired by, the readings and videos to date. You may not exceed the stated word-length and your submission must be carefully proofed for grammatical and typographical errors. You should have a single, clear thesis that is succinctly stated within the opening two or three sentences. Your argument in support of that thesis should follow in well-organized, pithy paragraphs, and its persuasiveness should come, in part, from taking seriously counter-arguments and from drawing upon documentable and reliable facts. If you have identified a problem that requires a solution, you should proffer such a solution, taking seriously the philosophical and practical problems with its implementation. As is typical of editorials, no citations are expected, but you will, of course, be held to the University’s and College’s standards of authorial integrity, honesty and originality.