

**STSC-271: LAW, TECHNOLOGY, AND ENVIRONMENT
IN TWENTIETH CENTURY AMERICA**

Spring 2007

Mon. & Wed., 2:00 – 3:30. Logan Hall, Rm 337

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Course Description: Technology, according to one standard definition, is the means by which humans interact with their environment. Various groups of people value their environment differently, and they use and value different technologies for interacting with their environment. If more than one group occupies the same environmental space, conflict often ensues. Whether through legislation, regulation, or litigation, the law is a principal means of mediating such conflict in modern societies. This course will survey episodes in the history of the United States, especially in the twentieth century, that illustrate technology's central role in shaping environments, that illustrate groups' competing visions of what those environments were meant to be, and that illustrate the uses of the law in mediating social conflict concerning technologies and the environment. An important intent of the course will be to lead students to consider various environments along the spectrum of human manipulation, ranging from wilderness to agricultural landscapes and from designed gardens to urban and industrial environments. We will acknowledge physical violence as another method of conflict resolution, but the focus of the course will be on uses of the law by competing groups to mediate environmental conflicts through negotiation of treaties; lobbying legislative bodies to pass laws; influencing regulators to stiffen or weaken regulations; drawing police authorities into the fray; and seeking favorable rulings from the courts.

Purpose: This seminar will examine the role of the law to mediate conflicts between various groups arising from differences in the ways they value the environment and differences in the ways they use technology to establish communities in the environment. It will focus on the law as it evolved through twentieth century America.

To develop the following skills

- reading and analyzing academic history writing.
- summarizing and discussing the arguments of historical scholarship
- reading and analyzing historical sources
- planning and writing a short research paper

And to become familiar with topics and approaches at the legal intersections of Environmental History and the History of Technology.

Office Hours: Mon. 12-1, Wed. 3:30-4:30, and by appointment.

Required Books: Penn Book Center, 34th and Sansom.

Craig E. Colten & Peter N. Skinner, *The Road to Love Canal: Managing Industrial Waste before EPA* (University of Texas Press, 1996).

Hugh S. Gorman, *Redefining Efficiency: Pollution Concerns, Regulatory Mechanisms, and Technological Change in the U.S. Petroleum Industry* (University of Akron Press, 2001).

Andrew Hurley, *Class, Race, and Industrial Pollution in Gary Indiana: 1945-1980* (University of North Carolina Press, 1995).

Karl Jacoby, *Crimes against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation* (University of California Press, 2001).

Robert W. Righter, *The Battle over Hetch Hetchy: America's Most Controversial Dam and the Birth of Modern Environmentalism* (Oxford University Press, 2005).

Adam Rome, *The Bulldozer in the Countryside: Suburban Sprawl and the Rise of American Environmentalism* (Cambridge University Press, 2001).

Theodore Steinberg, *Nature Incorporated: Industrialization and the Waters of New England* (Cambridge University Press, 1991).

Bulkpack: Wharton Reprographics, Steinberg-Dietrich Hall.

Belgrad, Daniel, "Power's Larger Meaning: The Johnson County War as Political Violence in an Environmental Context," *Western Historical Quarterly* 33 (Summer 2002): 159-177.

Worster, Donald, "Transformations of the Earth: Toward an Agroecological Perspective in History," *Journal of American History* 78 (1990): 1087-1106.

McEvoy, Arthur, *The Fisherman's Problem: Ecology and Law in the California Fisheries, 1850-1980* (Cambridge University Press, 1990).

Rosen, Christine, "Differing Perceptions of the Value of Pollution Abatement across Time and Place: Balancing Doctrine in Pollution Nuisance Law, 1840-1906," *Law and History Review* 11(1993): 303-381.

Course Requirements:

Read the assigned materials prior to each class and participate actively in class discussions.

Lead discussion of the assigned reading during one class meeting.

Attendance at each class is mandatory, with two excused absences. Additional absences will result in a loss of one letter grade per time, except in extraordinary circumstances. (An exception can be made for religious holidays falling midweek. Please contact me in advance.)

Three short papers (3-4 pp.) on topics relating to readings and class discussion and a final 8-10 pp. research paper.

Grade based on:

Three short papers (3-4 pp.)	30%
Preparatory materials for final paper	5%
Final research paper, 10-12 pp.	25%
Leading class discussion (1)	5%
Class participation	35%

Course Schedule:

<http://www.ushistory.org/declaration/document/index.htm>

<http://www.ushistory.org/documents/constitution.htm>

Weeks I & II: Introduction

Jan. 16: Introduction to the course, definitions, themes

Jan. 21: National Holiday – Martin Luther King, Jr., Day

Reading: <http://www.ushistory.org/declaration/document/index.htm>

<http://www.ushistory.org/documents/constitution.htm>

Donald Worster, “Transformations of the Earth”

Daniel, Belgrad, “Power’s Larger Meaning”

Arthur McEvoy, *The Fisherman’s Problem*

Jan. 23: Lecture and discussion

Week III: Law & the Commodification of Nature

Reading: Steinberg, *Nature Incorporated*, 1-135

Jan. 28: Lecture and discussion

Jan. 30: Class discussion of readings

Week IV: Law & the Commodification of Nature

Reading: Steinberg, *Nature Incorporated*, 135-271

Feb. 4: Lecture and discussion

Feb. 6: Class discussion of readings

Week V: Law & Hunting

Reading: Jacoby, *Crimes against Nature*, entire book

Feb. 11: Lecture and discussion

Feb. 13: Class discussion of readings (**short paper due in class**)

Week VI: Law, Water, & Wilderness

Reading: Righter, *The Battle over Hetch Hetchy*, 3-116

Feb. 18: Lecture and discussion

Feb. 20: Class discussion of readings

Week VII: Law, Water, & Wilderness

Reading: Righter, *The Battle over Hetch Hetchy*, 117-244

Feb. 25: Lecture and discussion

Feb. 27: Trip to Van Pelt Library

Week VIII: Engineering Ideals and the Law

Reading: Gorman, *Redefining Efficiency*, 1-194

Mar. 3: Lecture and discussion

Mar. 5: Class discussion of readings

Spring Break: Mar. 7-16

Week IX: Engineering Ideals and the Law

Reading: Gorman, *Redefining Efficiency*, 195-363

Mar. 17: Lecture and discussion

Mar. 19: Class discussion of readings (**short paper due in class**)

Week X: Environmental Injustice

Reading: Rosen, "Differing Perceptions of Value...."

Hurley, *Class, Race, and Industrial Pollution in Gary*, 1-45

Mar. 24: Lecture and discussion

Mar. 26: Class discussion of readings

Week XI: Environmental Injustice

Reading: Hurley, *Class, Race, and Industrial Pollution in Gary*, 46-182

Mar. 31: Lecture and discussion

Apr. 2: Class discussion of readings

Week XII: Return to Eden

Reading: Rome, *The Bulldozer in the Countryside*, 1-152

Apr. 7: Lecture and discussion

Apr. 9: Class discussion of readings

Week XIII: Return to Eden

Reading: Rome, *The Bulldozer in the Countryside*, 153-270

Apr. 14: Lecture and discussion (**short paper due in class**)

Apr. 16: Class discussion of readings

Week XIV: Reclaiming Eden

Reading: Colten & Skinner, *The Road to Love Canal*, entire book

Apr. 21: Lecture and discussion

Apr. 23: Class discussion of readings

Apr. 28: Class discussion of readings

Reading & Finals Weeks:

April 28: Research paper due