

ENVIRONMENTAL ETHICS SEMINAR

Professor Reed Elizabeth Loder

DESCRIPTION OF ENVIRONMENTAL ETHICS SEMINAR 2023

COURSE PARTICULARS:

This seminar meets on Tuesdays during the spring 2023 semester from 3:35-5:10. My phone extension is 1293. My office is in Debevoise Hall 316. rloder@vermontlaw.edu

COURSE GOALS:

Environmental decisions are ultimately about values and priorities. They are fundamentally moral decisions even though heavily informed by scientific, social, political, and economic facts. (I follow the convention in philosophy and use the terms ‘moral’ and ‘ethical’ interchangeably.) This seminar will stimulate critical thinking about the underlying moral implications of environmental matters to assist students in analyzing and resolving issues relevant to public policy. Participants should learn to identify and evaluate the ethical assumptions that environmental laws and policies reflect whether stated or not (often not). Basic diverse approaches to environmental ethics will be covered in the first part of the course so that students will be able to recognize and evaluate such approaches in environmental discussions. In the second part of the seminar, we will examine in depth select specialized policy issues in applied environmental ethics. An overall aim of this seminar is to equip students to become more sensitive, thoughtful, and collaborative environmental professionals and to make well justified personal choices about the environment. In this spirit, the third part of the course allows students to present original work-in-progress on a topic of personal interest, and to receive feedback from their peers. I encourage students to collaborate in their oral presentations, which may be presented individually, in pairs, or in teams of three. Student papers must be individual products.

COURSE REQUIREMENTS:

Students may elect to take this seminar for two or three credits. (You must let me know by the end of the Add-Drop period, January 23, 2023, if you elect the three-credit option.) All enrolled students will write an individual paper. Each of you will present your work in progress orally to the class. I will ask every student to submit a **written Paper Proposal on Tuesday Feb. 14, 2023**, in class. (I will post guidelines for Proposals on TWEN, but the main purpose is to engage you in early thought and preliminary research on your topics.)

TWO CREDITS (default registration, no action needed): All two-credit students must write a paper (approximately 15 pages, not counting bibliography) and orally present their work when scheduled. An oral presentation is required of all students, and these

may be group presentations. Students taking the course for two credits do not have to submit written drafts on their papers but may do so for feedback. (If you wish to submit a draft, please establish a due date with the teacher.) Only one final paper is due in the last class for two credit students.

THREE CREDITS (registration change necessary by end of add-drop period): Students taking the course for three credits will write a more substantial paper in *two* drafts (approximately 20 pages excluding the bibliography), and the ambitiousness of the topic should vary accordingly. Three credit students will meet with me after I comment in writing on the first draft of your papers. Like all students, those enrolled for three credits will also present their work orally as scheduled. *Three credit students will also have greater responsibilities to lead class discussions on readings, and to lead, organize, and report on some group assignments outside of class.* These additional 3 credit duties will be assigned as we proceed. All three credit and AWR students must submit a **first draft by Tuesday, Mar. 14, 2023, in class. Please submit E-copies in Word (not PDF) to facilitate my e-comments. A first draft is not a “rough” draft. It involves careful organization, argumentation, and citation to sources. If you have decided to do the AWR through this seminar, and you do not submit the first draft on time, you will not be able to complete the AWR.** All Final papers (except AWRs) are due in the last class, Tuesday, April 25, 2023.

AWR: Students (J.D.) may complete their Advanced Writing Requirement (AWR) through this seminar and should expect to prepare a paper of about 25-30 pages in *three drafts*, with conferences following. **I can accept a maximum of 6 AWRs. These will be accepted on a first come, first served basis, provided the student approaches me with a well-formulated topic.** Students should plan a topic early and see me about the AWR because AWR projects require teacher approval. ***AWR students must submit two drafts in addition to a final paper, 3 versions total.*** The AWR first draft is due on Tuesday, Mar. 14, 2023, in class and E-Copy as stated above. The AWR (only) Second Draft is due on Tues., April 4, 2023, in class and in Word E-Copy. **AWR final papers are due on Fri. May 5, 2023 (first day of exam period) and should be submitted by 5:00 p.m. by E-Copy in Word.** AWR students might consider (not necessary) enrolling for 3 credits, because you will be meeting many (but not all) of the additional credit requirements, but you are not required to enroll for an extra credit.

Draft papers will not be graded and are designed to provide constructive feedback on analysis and writing. Many students report that my feedback helps them with their writing generally.

Your active participation in class is essential to achieving seminar goals. Attendance is very important in a class that meets once a week. Individual students or small groups sometimes will be assigned primary responsibility for leading the discussion of some readings. *Students taking the seminar for three credits will have greater responsibility for such class assignments.* Most readings are challenging and require careful thought. Some terminology may be unfamiliar, but we will grapple with the ideas on a commonsense level. Students need not have a prior background in philosophy because our main purpose

is to discuss how the ideas affect thinking about environmental issues, not to become proficient in the history and technical aspects of environmental philosophy.

It is likely that I will modify reading assignments as we go, because of new material and our progress in class. In the beginning of each class, I will note the next assignment and mention any changes. Often students will receive a “Problem for Discussion” during or before class that will be the basis of class discussion. **I use TWEN regularly for communications and postings, so please sign up and check TWEN email regularly.**

TEAMS CLASSES: Please also enroll in TEAMS for this course. You should expect to have class using the TEAMS platform in the event of winter weather events or illness outbreaks. This will prevent us from having numerous makeup classes. TEAMS is not intuitive in its operations, so I ask for your patience and assistance in navigating some of the cyber issues that inevitably will arise. Plan to participate in the TEAMS classes as you would normally and please leave your cameras on so that class can feel as authentic as possible. I will give you as much advance notice as possible of a switch to TEAMS classes, but you can assume that we will meet on TEAMS in case of inclement weather.

GRADING: Students will receive a semester grade based on the following: general course participation (25%), oral presentation assignment (25%), and the seminar paper (50%). All written and oral work will be evaluated for quality of reasoning, clarity, organization, understanding and application of readings, and originality. I hope that you will choose a project topic that has personal meaning to your life and/or career aspirations. Many of you have had interesting experiences doing environmental work, and I encourage you to share those with the class. I hope that the seminar helps you to sharpen your thinking about environmental issues, and I look forward to our lively discussions ahead!

REQUIRED BOOKS*

Louis P. Pojman, Paul Pojman, & Katie McShane, Eds., ENVIRONMENTAL ETHICS: READINGS IN THEORY AND APPLICATION 7th Ed. (Cengage Learning, 2017).

Steven C. Rockefeller and John C. Elder, SPIRIT AND NATURE: WHY THE ENVIRONMENT IS A RELIGIOUS ISSUE (Beacon Press, Boston, Massachusetts, 1992) (*You do not need to purchase this book as I have placed multiple personal copies on reserve in library*).

Reed Elizabeth Loder, ENVIRONMENTAL ETHICS SEMINAR, Course Materials, Spring 2023 (*Last year’s copy should work, although pagination may vary.*)

**All of these are available in used copies. Again, some (6) copies of SPIRIT AND NATURE are on reserve in the library, so you may choose not to purchase this book.*

ENVIRONMENTAL ETHICS SYLLABUS, Spring 2023

NOTE: Readings may carry over to the next class. Modifications are likely and will be posted on the board or TWEN for the next class. Each Topic will roughly consume a class period, but some topics will carry over into a following class because of their larger scope. If this happens, you should review any material from the last assignment yet to be covered.

PART I OF SEMINAR: FOUNDATIONS OF ENVIRONMENTAL ETHICS

Topic One:

Introduction to Course; Introduction to Ethics and Environmental Ethics:

Pojman, Pojman & McShane:

Introduction, pp. 1-11

TWEN Materials:

Course Description, Syllabus, and Possible Paper Topics

NEW YORK REVIEW OF BOOKS

Loder Course Materials:

Loren Eiseley, p. 3

Robert Elliot, pp. 4-10

Rachel Carson, 143-144

Topic Two:

Concepts of Nature: From Scientific Fact to Social Construction:

Students bring to class item representing some idea of “nature, instructions to follow.

Pojman, Pojman & McShane: p. 129

J.S. Mill, pp. 147-154

Loder Materials:

Joshua Halberstam, pp. 11

Bill McKibben, pp. 12-16

William Cronon, pp. 17-25

Topic Three:

INSTRUMENTAL, INTRINSIC VALUE, AND ECOLOGICAL ETHICS (next three classes):

Introduction to Teleology and Deontology:

Loder Materials:
William Frankena, pp. 30-34
Mark Sagoff, pp. 122-133

Instrumental Value Perspective: Teleological Reasoning:

TWEN: J.S. Mill, "Utilitarianism"
Pojman, Pojman & McShane:
Peter Singer, pp. 96-105

Background Information on Species Reintroduction Information:

Note: As we address the differing approaches to environmental ethical reasoning over this and the next two classes, we will use the context of species restoration as a Problem for Discussion. This will allow us to examine the differing practical implications of various perspectives environmental law and policy. Specifically, we will consider reintroductions of wolves to the Northeast, and may consider reintroductions of bighorn sheep, and/or lynx.

TWEN:
Fish & Wildlife Service
Bill McKibben (*Human Restoration*)
Loder Materials:
Farley Mowat, pp. 36-39

Topic Four:

Deontology and Intrinsic Value of Individuals, and Virtue Ethics (Application to Species Restoration):

Deontological Perspective: Intrinsic Value of Individuals:

Pojman, Pojman & McShane:
Paul Taylor, pp. 177-193
Tom Regan, pp. 106-114
Albert Schweitzer, pp. 168-176

TWEN:
Kant posting

Virtue Ethics:

Pojman, Pojman & McShane:
Thomas Hill, pp. 26-36
TWEN: Camilla Fox & Marc Bekoff (posting on restoring species)

Topic Five:

Ecological Ethics; Environmental Holism (Application to Ecological Law Movement):

Pojman, Pojman & McShane:
Holmes Rolston, III, pp. 130-143
Aldo Leopold (*Land Ethic*), pp. 222-231
TWEN: Leopold (*Thinking Like a Mountain*)

Topic Six:

Deep Ecology and Social Ecology (Ecological Ethics: Species and Ecosystems):

Pojman, Pojman & McShane: pp. 216-218
Arne Naess, pp. 218-231
TWEN:
Web Link: Joanna Macy (systems theory)
Murray Bookchin posting

Topic Seven:

Ecofeminism: Logic and Culture of Oppression (social ecology; feminism):

Pojman, Pojman & McShane:
Karen Warren, pp. 389-406
Loder Materials:
Carolyn Merchant, pp. 26-29
Rockefeller & Elder (copies on reserve):
Sallie McFague, pp. 41-58

Topic Eight:

Spirituality and the Environment:

TWEN: Genesis
Loder Materials:
Lynn White, pp. 134-142
Rockefeller & Elder (copies on reserve): Intro., pp. 1-14
Audrey Shenandoah, 17-23
Ismar Schorsch, pp.27-38
Hossein Nasr, pp. 87-108
Dalai Lama, pp. 113-123

PART II OF SEMINAR: APPLIED ENVIRONMENTAL ETHICS

NOTE: We may not be able to cover each of the following policy topics because of student presentations. We will make some choices as a class on coverage.

Topic Nine:

Ethics of Ecosystem Restoration: Elwha Dam Case study and Update

Pojman, Pojman & McShane:

Christopher Stone. Pp. 294-305

Harley Cahen, pp. 276-286

TWEN:

Robert Elliot, "Faking Nature"

John Cairns, "Ethical Issues in Ecological Restoration"

ELWHA Restoration material TBA

Klamath River Dam Removal Compared (prospective project)

Topic Ten (could be combined with Topic Nine with adjustments):

Rights of Nature Movement:

TWEN: Thomas Berry (selected reading

Constitutions (Ecuador; Bolivia)

Ordinances (U.S.)

Whanganui River Compact (New Zealand)

India's Constitutional Common Law

Personhood of Animals (U.S.: e.g., Happy the elephant)

Topic Eleven:

Climate Change, Future Generations, Lifestyle Choices, Collective Responsibility:

Pojman, Pojman & McShane: pp. 605-607

Annette Baier, pp. 60-69

Stephen Gardiner, pp. 674-689

Ashley Dawson, pp. 650-666

TWEN:

Steven Vanderheiden

6th IPCC Report (Policy Summary)

Topic Twelve (could be combined with Topic Eleven with adjustments):

*International Environmental Justice: Forest Biodiversity and Developing Countries:
Amazon Rainforest Status*

Pojman, Pojman & McShane:

Ramachandra Guha, pp. 307-314

Vandana Shiva, pp. 383-389

TWEN:

Alasdair Gunn

Matt Ridley & Bobbi Low, pp. 42-54
TBD: background information on recent Amazon deforestation

Topic Thirteen:

Cultural Environmental Justice and Land Use: “Devils Tower” Monument 2022 Update:
Role-Based In-Class Simulation of Stakeholder Discussion; Students meet in assigned groups outside of class (National Park Service; Native American tribal representatives; Rock Climbing representatives)

Loder Materials:
pp. 40-121, Group Instructions and Specific Reading TBA

PART III OF SEMINAR: STUDENT PRESENTATIONS:

NOTE: I expect to allow 3-4 classes for students to present their individual papers in progress. I will provide more definitive information as we proceed.

IMPORTANT PAPER DUE DATES SUMMARY

- **All Students: Paper Proposals Due, Tues. Feb. 14, 2023, in class (information and posting on TWEN to follow)**
- **3 Credit and AWR Students: First Drafts Due Tues. Mar. 14, 2023, in class and E-Copy, Word**
- **AWR only: Second Drafts Due Tues. April 4, 2023**
- **All Students except AWR: Final Papers due in last class of seminar: Tues. April 25, 2023**
- **AWR only: Final Papers Due: Fri. May 5, 2023, first day of examination period, (by 5:00 p.m.)**

****ALL PAPERS SHOULD BE SUBMITTED BY ATTACHMENT TO MY EMAIL IN WORD (NOT PDF) BECAUSE I COMMENT ELECTRONICALLY.**

APPENDIX: LEARNING OUTCOMES* SUMMARY

-The student should be able to explain divergent conceptual approaches to contemporary environmental ethics.

-The student should be able to identify strengths and flaws in the conceptual approaches to environmental ethics.

-The student should recognize ethical assumptions and reasoning in legal and policy arguments about environmental matters.

-The student should be able to apply ethical concepts to factual environmental situations.

-The student should be able to discuss possible legal and policy reforms using ethical reasoning about the environment.

-The student should identify ethically relevant factors in environmental case studies.

-The student should be able to identify alternative ethical courses of action for resolving environmental case studies and defend an approach as most justified, considering current knowledge and priorities of values.

-The student should be able to identify how environmental justice affects human and nonhuman quality of life.

-The student should understand some ethical implications of scientific and economic explanations of environmental issues.

-The student should be able to describe and differentiate views on the value(s) of nonhuman nature.

-The student should be able to imagine and evaluate different systems of environmental policy and law.

-The student should make progress in developing his or her personal and professional environmental ethics.

* A *learning outcome* refers to the knowledge, skills, and values clarification students should acquire from the seminar.