

Professor Brendon Swedlow

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Office: 107 Zulauf Hall

Hours: TuTh 1-1:50 and 4:50-5:30

Political Science (POLS) 324

NIU Fall 2014

TuTh 2:00-3:15

DU 459

Politics of Environmental, Health, and Safety Regulation

Course Overview

The planet is warming, species are dying, and cancer and terrorists are everywhere. If you are alive there is no way you can avoid hearing about these and many other threats to the environment and human health and safety. How do you – and, as importantly, how does our government – figure out which claims of harm to respond to and how to respond to them?

This course will provide answers to these questions, and, more importantly, teach you how to get answers on your own. You will be immersed in scientific and political controversies at the interface of science, public policy, and law as a way of introducing you to how our government, regulatory agencies, and non-governmental organizations use science to assess and regulate environmental, health, and safety risks.

We will learn how to analyze disputes among scientists and other experts. We will learn some of what is known about how risks are assessed and regulated in the U.S. And we will together have the opportunity to research further how environmental, health, and safety risks are assessed and regulated in the U.S. and Illinois.

Course Requirements and Class Participation

Your grade in this course will be based on class participation (including, for some of you, a PowerPoint presentation of your research), two short research papers (5 pages each), and a longer research paper (at least 10 pages added to a revised version of your second short research paper). Paper due dates and a brief description of paper requirements are provided below. Further description of what is required for the papers will be provided in class and on the course webpages.

Class participation will determine a very substantial portion of your course grade (40%). Most days that we meet we will be discussing our readings. So, you will be expected to have done the readings and be able to answer my questions about what was in the readings – what concepts the author used, and what they mean; what claims or arguments the author made; what methods and evidence the author used to support his or her claims or arguments. You should also be able to

answer my questions about how the readings relate to other readings and topics we have covered. If you engage in these discussions and make a good attempt to answer my questions, you will receive credit for participating in class discussion that day. If you do not participate and do not make a good attempt to answer my questions, you will receive no credit that day. For those of you who choose to do a PowerPoint presentation on your research, 25% of your participation grade will be determined by that presentation (which translates to 10% of your course grade).

At various points during the semester, I will announce opportunities to earn extra credit. These opportunities may include attending and writing about environment-related talks hosted by the Institute for the Study of the Environment, Sustainability, and Energy or law-related activities organized by the Pre-law Society and/or law school.

Required Readings

Required readings for the course are on e-reserves (which can be accessed from a link on the course webpages) and in the following text, available at the Holmes Student Center bookstore:

Allan Mazur, *True Warnings and False Alarms: Evaluating Fears about the Health Risks of Technology, 1948-1971*. Washington, DC: Resources for the Future, 2004.

Due Dates for Research Papers

- September 30 Short Research Paper on the Politics of Science (5-7 pages; 20% of grade), due at beginning of class, Tuesday
- November 4 Short Research Paper on Risk Assessment and Regulation, Installment #1 (5 pages; 15% of grade), due at beginning of class, Tuesday
- December 9 Final Research Paper on Risk Assessment and Regulation, Installment #2
(at least 15 pages added to a revised version of your second short research paper; 25% of grade), due at beginning of finals period, Tues., 2-3:50 p.m.
(DUE IN HARD COPY, POSTED TO DISCUSSION BOARD, AND ON A CD OR JUMP DRIVE AS AN MS WORD DOCUMENT – PLEASE CLEARLY LABEL CD OR JUMP DRIVE WITH THE NAME OF YOUR RISK, YOUR NAME, POLS 324, FALL 2014, AND INCLUDE ANY SUPPORTING MATERIALS YOU COLLECTED)

Short Research Paper on the Politics of Science

The requirements for this paper will be provided on the course webpages and will be discussed in class (due September 30th; worth 20% of your course grade).

Research Papers on Risk Assessment and Regulation

Research papers are due in two installments on the dates given below. Paper requirements are outlined here; further guidance will be given in class and in a study guide on the course webpages. *Research papers should answer these three questions:*

1. How is the risk defined and assessed?
2. Who regulates the risk?
3. How is the risk regulated?

For Research Paper Installment #1 (due November 4th; worth 15% of your course grade):

- Choose a risk the assessment and regulation of which you wish to study from a list of environmental, health, safety, and other risks that I will provide. If the assessment and regulation of the risk you want to study has been previously studied by a student, I will get you a copy of their research paper so that you can build on it in your paper. (We will discuss this in class.)
- Write five (5) pages beginning to answer questions 1-3 listed above. Use the study guide to identify what information is missing from existing student papers that needs to be added to improve their papers. In some cases, my comments on student papers are available as further guidance on what is needed to improve them.

For Research Paper Installment #2 (due December 9th; worth 25% of your course grade):

- *Respond to my comments on Installment #1 by making revisions or taking the paper in the direction I advise.*
- Write at least 10 pages beyond the five pages written for Installment #1, *more fully answering questions 1-3.* Integrate revisions to your five page paper with the 10 plus additional pages, and *turn in the five page paper with my comments so that I can see how you have incorporated them into your final paper.* Again, if you are building on the work of other students, use the study guide and any comments I may have made on the prior work by students to go beyond what they were able to do.

Please do not...

- ask for extensions on turning in your papers. ***Papers will be graded down one third of a grade per day that they are late.***
- ask for an incomplete in the course unless you have a very, very compelling reason to do so

Definitely do not...

- engage in “academic misconduct,” defined by the NIU *Student Judicial Code* as the “receipt or transmission of unauthorized aid on assignments or examinations, plagiarism, unauthorized use of examination materials, or other forms of dishonesty in academic matters.”

Department of Political Science Announcements

Statement Concerning Students with Disabilities

Northern Illinois University is committed to providing an accessible educational environment in collaboration with the Disability Resource Center. Any student requiring an academic accommodation due to a disability should let his or her faculty member know as soon as possible. Students who need academic accommodations based on the impact of a disability will be encouraged to contact the Disability Resource Center if they have not done so already. The Disability Resource Center is located in the 4th floor of the Health Services Building, and can be reached at 815-753-1303 [v], 815-753-3000 [TTY] or email at drc@niu.edu

Undergraduate Writing Awards

The Department of Political Science recognizes, on an annual basis, outstanding undergraduate papers written in conjunction with 300-400 level political science courses or directed studies, such as independent studies or honors theses. Winners are expected to attend the Department’s spring graduation ceremony where they will receive a certificate and a check for \$100.00. No more than two papers may be submitted by a student. There is no requirement as to the length of papers submitted for the award. Often the Department awards prizes for both an outstanding short paper and an outstanding long paper. The number and types of award is dependent upon the papers submitted for consideration in any given year. Authors do not have to be political science majors or have a particular class standing. Only papers written in the previous calendar year are considered for the award. However, papers completed in the current spring semester are eligible for the following year’s competition even if the student has graduated. Papers can be submitted by students or faculty and must be supplied in triplicate to the undergraduate secretary. All copies must have two cover pages – one with the student’s name and one without the student’s name. Papers are not to be stapled or bound. Instead, please use paper clips. Papers are generally due in March and notice of call for papers and submission deadlines will be published on the Department’s Facebook page. You may also contact the department for information at 753-1015.

Department of Political Science Web Site

Undergraduates are encouraged to consult the Department of Political Science web site on a regular basis. This up-to-date, central source of information will assist students in contacting faculty and staff, reviewing course requirements and syllabi, exploring graduate study, researching career options, tracking department events, and accessing important details related to undergraduate programs and activities. To reach the site, go to <http://polisci.niu.edu>. For the

most up-to-date information on scholarships, internships, and other department news, I encourage you to “like” the department on Facebook (<https://www.facebook.com/NIU.PoliticalScience>) or follow us on Twitter (@niupols).

Plus/Minus Grading System

Grading symbols that may be used from Fall 2013 onwards for undergraduates are these: A, A-, B+, B, B-, C+, C, D, and F. No other grade options were endorsed by the University Council.

Graduate students will continue to be evaluated using the Graduate School grading system that was implemented in Fall 2012. That system differs from the Undergraduate grading scale because the Graduate school grading options also include the symbol C-, a grade that is not part of the undergraduate grading symbols.

Frequently Asked Questions information from the NIU Registration and Records website is available at: <http://www.niu.edu/regrec/grading/gradingfaqs.shtml>

Departmental Classroom Decorum Statement Adapted for this Course

Students are to arrive at class on time. Students are to remain for the entire session unless excused by the professor beforehand or confronted with a serious personal emergency. For instance, it is not acceptable for students to walk in and out of class to answer cell phones, take casual bathroom and smoking breaks, or attend to other personal matters. Cell phones, pagers, or any electronic devices that make noise must be *turned off* during class unless the instructor has been notified beforehand of a special circumstance (e.g., sick family member, pregnant wife, special childcare situation, etc.). No one should talk while someone else is talking; this includes comments meant for a classmate rather than the entire group. What may seem like a whisper or a harmless remark to one person can be a distraction to someone else, particularly in a small room. Overall, classroom dialogue and behavior should always be courteous, respectful of others, and consistent with the expectations set forth by the university.

Reading Assignments and Discussion Topics

WEEK 1 True Warnings and False Alarms

NOTE: NO CLASS THURSDAY, AUGUST 28th

Overview of Course Coverage and Requirements

Mazur, Allan. (2004). *True Warnings and False Alarms: Evaluating Fears about the Health Risks of Technology, 1948-1971*. Washington, DC: Resources for the Future. pp. 1-10, 22-44, 63-109.

Swedlow, Brendon. (2005). Review of “Allan Mazur’s True Warnings and False Alarms: Evaluating Fears about the Health Risks of Technology, 1948-1971,” Washington, D.C.: Resources for the Future, 2004. In *Environmental Science and Policy*, 8, 4: 432-435.

WEEK 2 Bjorn Lomborg and *The Skeptical Environmentalist*

Lomborg, Bjorn. (2001). "Things are getting better." In Bjorn Lomborg, *The Skeptical Environmentalist: Measuring the Real State of the World*. Cambridge, UK: The Cambridge University Press. pp. 3-33.

Lomborg, Bjorn. (2001). "Predicament or Progress?" In Bjorn Lomborg, *The Skeptical Environmentalist: Measuring the Real State of the World*. Cambridge, UK: The Cambridge University Press. pp. 327-352.

Lomborg, Bjorn. (2007). Congressional Testimony on Global Climate Change before a Joint Session of the House Committee on Energy & Commerce; House Committee on Science and Technology; House Committee on Energy & Commerce, Subcommittee on Energy and Air Quality; and the House Committee on Science and Technology, Subcommittee on Energy and Environment. <http://www.c-spanvideo.org/program/197233-2>

WEEK 3 The Scientific Debate on Climate Change

IPCC, 2014: Summary for policymakers. In: *Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* [Field, C.B., V.R. Barros, D.J. Dokken, K.J. Mach, M.D. Mastrandrea, T.E. Bilir, M. Chatterjee, K.L. Ebi, Y.O. Estrada, R.C. Genova, B. Girma, E.S. Kissel, A.N. Levy, S. MacCracken, P.R. Mastrandrea, and L.L. White (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, pp. 1-32. Available at http://ipcc-wg2.gov/AR5/images/uploads/WG2AR5_SPM_FINAL.pdf

NIPCC, 2013. Summary for Policymakers. Climate Change Reconsidered II: Physical Science. Craig D. Idso, Robert M. Carter, and S. Fred Singer, Eds. Available at <http://www.nipccreport.org/reports/ccr2a/pdf/Summary-for-Policymakers.pdf>

NIPCC, 2014. Summary for Policymakers. Climate Change Reconsidered II: Biological Impacts. Craig D. Idso, Robert M. Carter, and S. Fred Singer, Eds. Available at <http://www.nipccreport.org/reports/ccr2b/pdf/Summary-for-Policymakers.pdf>

WEEK 4 How Do We Know What We Know? Understanding the Politics of Science

Mazur, Allan. (2004). "Why Experts in Technical Controversies Disagree." In Allan Mazur, *True Warnings and False Alarms: Evaluating Fears about the Health Risks of Technology, 1948-1971*. Washington, DC: Resources for the Future. pp. 45-62.

Swedlow, Brendon. (2007). "Using the Boundaries of Science to do Boundary-work among Scientists: Pollution and Purity Claims," *Science and Public Policy*, 34, 9: 633-643.

WEEK 5 Learning from the Controversy over *The Skeptical Environmentalist*

Science, Policy, and Politics: Learning from Controversy Over The Skeptical Environmentalist. (2004). Edited by R.A. Pielke, Jr. and S. Rayner. *Environmental Science and Policy*, 7, 5 (Special Issue). http://sciencepolicy.colorado.edu/publications/special/pielke_tse_debate.html

Please Note: You are welcome but NOT expected to read all of the articles in this special issue of *Environmental Science and Policy*. **Please read:**

Harrison, Chris. (2004). "Peer Review, Politics, and Pluralism." *Environmental Science & Policy*, 7: 357-368.

AND

Sarewitz, Daniel. (2004). "How Science Makes Environmental Controversies Worse." *Environmental Science & Policy*, 7: 385-403.

OR

Pielke, Jr., Roger A. (2004). "When Scientists Politicize Science: Making Sense of the Controversy over *The Skeptical Environmentalist*." *Environmental Science & Policy*, 7: 405-417.

WEEK 6 NIU Project on Risk Regulation Regimes in the U.S., Illinois, and Europe

Short Research Paper (5-7 pages) on the Politics of Science due Tuesday, September 30th, beginning of class (in hardcopy and posted to discussion board)

Kaplan, Michael S., Robert Donkers, Meghan Purvis, Ernie Rosenberg, Jonathan B. Wiener. (2006). "Who's Ahead In Environmental Protection: The United States or the European Union?" *The Environmental Forum*. Washington, D.C.: Environmental Law Institute. pp. 46-52.

Swedlow, Brendon. (2013). "Study Guide for Risk Regulation Research."

Hood, Christopher, Henry Rothstein, and Robert Baldwin. (2001). "The Comparative Anatomy of Risk Regulation Regimes." In Christopher Hood, Henry Rothstein, and Robert Baldwin, *The Government of Risk: Understanding Risk Regulation Regimes*. Oxford: Oxford University Press. pp. 20-35.

WEEK 7 How Do We Know What's Dangerous? The Media, Culture, & Risk Perception

Swedlow, Brendon. (1995). "Reporting Environmental Science." In Aaron Wildavsky, *But Is It True? A Citizen's Guide to Environmental Health and Safety Issues*. Cambridge, Massachusetts: Harvard University Press. pp. 375-394.

Coyle, Dennis J. (1994). “‘This Land is Your Land, This Land is My Land:’ Cultural Conflict in Environmental and Land-Use Regulation.” In *Politics, Policy & Culture*, Dennis J. Coyle and Richard J. Ellis, eds. Boulder, CO: Westview Press. pp. 33-50.

Hood, Christopher, Henry Rothstein, and Robert Baldwin. (2001). “Nine Risk Regulation Regimes Compared.” In Christopher Hood, Henry Rothstein, and Robert Baldwin, *The Government of Risk: Understanding Risk Regulation Regimes*. Oxford: Oxford University Press. pp. 36-58.

WEEK 8 Why Do We Regulate Risks As We Do? Science, Culture, & Environmentalists

Swedlow, Brendon. (2011). “Cultural Co-production of Four States of Knowledge,” *Science, Technology, & Human Values*, published online first on April 26, 2011 as doi:10.1177/01622439114053452011.

Ellis, Richard J. and Fred Thompson. (1997). “Culture and the Environment in the Pacific Northwest.” *American Political Science Review*, 91, 4: 885-897.

Hood, Christopher, Henry Rothstein, and Robert Baldwin. (2001). “Regime Content and Context Revisited: An Overall Picture.” In Christopher Hood, Henry Rothstein, and Robert Baldwin, *The Government of Risk: Understanding Risk Regulation Regimes*. Oxford: Oxford University Press. pp. 133-144.

WEEK 9 Science and Politics in Risk-Based Decision Making at the EPA

J. William Hirzy, Scientific Integrity in a Regulatory Context- An Elusive Ideal at EPA, July 9, 2002 <http://www.slweb.org/hirzy-commentary1.html>

Andrews, Richard N. L. (2006). “Risk-Based Decision Making: Policy, Science, and Politics.” In *Environmental Policy: New Directions for the Twenty-First Century*, Sixth Edition, Norman J. Vig and Michael E. Kraft, eds. Washington, D.C.: Congressional Quarterly Press. pp. 215-238.

Rosenbaum, Walter A. (2010). “Science, Policy, and Politics at the EPA.” In *Environmental Policy: New Directions for the Twenty-First Century*, Seventh Edition, Norman J. Vig and Michael E. Kraft, eds. Washington, D.C.: Congressional Quarterly Press. pp. 147-170.

WEEK 10 Scientific Integrity, Regulatory Capture, and Innovation at the EPA

PRESENTATIONS AND PEER REVIEW OF YOUR RESEARCH

Lisa P. Jackson, EPA Administrator, Memo to EPA Employees, Scientific Integrity: Our Compass for Environmental Protection, May 9, 2009.

<http://www.epa.gov/Administrator/scientificmemo.html>

Miller, Norman. (2009). "Environmental Regulation and the Evolution and Capture of the EPA." In Norman Miller, *Environmental Politics: Stakeholders, Interests, and Policymaking*, Second Edition. New York: Routledge. pp. 35-58.

Fiorino, Daniel J. (2006). "Stepping Stones or Just Rocks in the Stream? The Reinvention Era." In Daniel J. Fiorino, *The New Environmental Regulation*. Cambridge: The MIT Press. pp. 121-155.

WEEK 11 The President, Congress, and Environmental Policy

Short Research Paper on Risk Assessment and Regulation, Installment #1 (5 pages) due Tuesday, November 4th, beginning of class (in hardcopy and posted to discussion board)

PRESENTATIONS AND PEER REVIEW OF YOUR RESEARCH

Vig, Norman J. (2010). "Presidential Powers and Environmental Policy." In *Environmental Policy: New Directions for the Twenty-First Century*, Seventh Edition, Norman J. Vig and Michael E. Kraft, eds. Washington, D.C.: Congressional Quarterly Press. pp. 75-98.

Kraft, Michael E. (2010). "Environmental Policy in Congress." In *Environmental Policy: New Directions for the Twenty-First Century*, Seventh Edition, Norman J. Vig and Michael E. Kraft, eds. Washington, D.C.: Congressional Quarterly Press. pp. 99-124.

WEEK 12 The Courts, Adversarial Legalism, and Environmental Policy

PRESENTATIONS AND PEER REVIEW OF YOUR RESEARCH

O'Leary, Rosemary. (2010). "Environmental Policy in the Courts." In *Environmental Policy: New Directions for the Twenty-First Century*, Seventh Edition, Norman J. Vig and Michael E. Kraft, eds. Washington, D.C.: Congressional Quarterly Press. pp. 125-146.

Kagan, Robert A. (2004). "American Courts and the Policy Dialogue: The Role of Adversarial Legalism." In Mark C. Miller and Jeb Barnes, eds., *Making Policy, Making Law: An Interbranch Perspective*. Washington, D.C.: Georgetown University Press. pp. 13-34.

WEEK 13 How Does Regulation Matter? Industrial Environmental Performance, Part I

PRESENTATIONS AND PEER REVIEW OF YOUR RESEARCH

Kagan, Robert A., Neil Gunningham, and Dorothy Thornton. (2003). "Explaining Corporate Environmental Performance: How Does Regulation Matter?," *Law and Society Review* 37, 1: 51-89.

WEEK 14 How Does Regulation Matter? Industrial Environmental Performance, Part II

NOTE: NO CLASS THURSDAY, NOV. 27th, THANKSGIVING BREAK

PRESENTATIONS AND PEER REVIEW OF YOUR RESEARCH

Thornton, Dorothy, Robert A. Kagan, Neil Gunningham. (2009). "When Social Norms and Pressures Are Not Enough: Environmental Performance in the Trucking Industry." *Law and Society Review* 43, 2: 405-435.

WEEK 15 PRESENTATIONS AND PEER REVIEW OF YOUR RESEARCH

WEEK 16 FINALS WEEK (NO FINAL EXAM, BUT...)

PRESENTATIONS AND PEER REVIEW OF YOUR RESEARCH

FINAL RESEARCH PAPER DUE AT BEGINNING OF FINAL EXAM PERIOD, TUESDAY, DECEMBER 9TH, 2-3:50 P.M. (IN HARD COPY, POSTED TO DISCUSSION BOARD, AND ON A CD OR JUMP DRIVE AS AN MS WORD DOCUMENT – PLEASE CLEARLY LABEL CD OR JUMP DRIVE WITH THE NAME OF YOUR RISK, YOUR NAME, POLS 324, FALL 2014, AND INCLUDE ANY SUPPORTING MATERIALS YOU COLLECTED)