

HISC 131: Science, Technology and Law
Winter 2014
Prof. Tal Golan
tgolan@ucsd.edu

Modern society has become increasingly dependent on science and technology. Exploring various case studies, from expert scientific evidence such as fingerprints and lie-detectors, to technological feats such as biotech and the internet, we will examine how science, technology and law interact to maintain progress, rationality and social order in modern society.

Time and location: Tuesdays & Thursdays 09:30-10:50 a.m. CSB 004
Professor Golan Office hours: Tuesday 11-12 a.m., or by appointment.
Professor Golan Office H&SS bldg room 4044
Teaching Assistant:

Week 1 Introduction

Jan 7 Introduction

Goldberg, Steven, *Culture Clash: Law and Science in America*, 1-25.

Jan 9 History

Golan, Tal, The History of Scientific Expert Testimony in the English Courtroom, *Science in Context* (1999) 12:7-32

Week 2 Scientific Evidence I

Jan 14 Differentiating Between Good and Bad Science

US Supreme Court Opinion in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*

Jan 16 What Makes Evidence Scientific? The case of Fingerprints

Simon Cole, "What Counts for Identity? The Historical Origins of the Methodology of latent Fingerprint identification," *Science in Context* (1999) 12:139-172

Week 3 Scientific Evidence II

Jan 21 What Makes Evidence Unscientific? The case of the Lie-Detector

Tal Golan, *Laws of Man and Laws of Nature*, 211-253.

Jan 23 Photographic Evidence: what you see is what you get?

Jennifer Mnookin, *The Image of Truth*

Week 4 Medicine and Law

Jan 28 Imaging Technologies

Tal Golan, *Laws of Man and Laws of Nature*, 175-210.

Jan 30 Insanity Defense + Malpractice

Reading TBA (check on the website)

Week 5 Medicine and law

Feb 4 Questions of Life and Death

Sheila Jasanoff, Science at the Bar, 163-203

Feb 6 Federal agencies

Sheila Jasanoff, Science at the Bar, 69-92

Week 6 Regulation

Feb 11 Midterm Exam (bring a blue exam notebook)

Feb 13 Tort

Peter H. Schuck, Agent Orange on Trial, 1-40

Week 7 Society

Feb 18 Eugenics

Davenport, Eugenics (1910)

Feb 20 Religion

H.Allen Orr, Devolution: Why intelligent design isn't, *New Yorker*, Mar 30, 2006.

Week 8 Technology

Feb 25 Patents

Reading TBA

Feb 27 Pharmaceutical

Ben Goldacre, The drugs don't work: a modern medical scandal
The Guardian, September 21, 2012

Week 9 Current Challenges

Mar 4 Biotech

Michael Spectre, "Decoding Iceland," *New Yorker*, 18, 1999, 40-50

Mar 6 Internet

TBA

Week 10 Conclusion

Mar 11 Global Warming

Massachusetts v. Environmental Protection Agency

Mar 13 What Have We Learned?

Final examination: Home test

Posted: Mar 14, 2014 4 p.m. Deadline: Mar 17, 2014 10 a.m.

Course Policies

- Full attendance in all classes is expected of all students.
- Students are required to read the assigned readings and submit their comments on-line by 9 a.m. before each meeting.
 - Comments should be no longer than half a page.
 - Comments will be read and checked, but not graded.
 - Late submission will not be accepted.

Grades

Attendance + weekly commentaries on the assigned readings: 20%.

Mid-term: 40%

Final exam: 40%

Bibliography

Required Books:

1. Tal Golan, *Laws of Man and Laws of Nature: A History of Scientific Expert Testimony* (Harvard University Press, 2004)
2. Sheila Jasanoff, *Science at the Bar: Law, Science, and Technology in America* (Harvard University Press, 1995)

*** All other readings will be posted on line @TED**