

HISC 131: Science, Technology and Law

Fall 2012

Prof. Tal Golan
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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: TuTh 2-3:20 p.m. CSB 005

Professor Golan Office hours: Th 1-2 p.m., or by appointment. H&SS bldg room 4044

Teaching Assistant: Theodora Dryer tjdryer@gmail.com

Week 1 Introduction

Sep 27 Introduction

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

Week 2 Scientific Evidence I

Oct 2 History

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

Oct 4 Differentiating Between Good and Bad Science

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

Week 3 Scientific Evidence II

Oct 9 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

Oct 11 What Makes Evidence Unscientific? The case of the Lie-Detector

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

Week 4 Visual Evidence

Oct 16 Photographs: what you see is what you get?

Jennifer Mnookin, *The Image of Truth*

Oct 18 Imaging technologies

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

Week 5 Medicine and law

Oct 23 Insanity Defense + Malpractice

Reading TBA (check on the website)

Oct 25 Questions of life and death

Jasanoff, *Science at the Bar*, 163-203

Week 6 Mid-Term Exam

Oct 30 Midterm Exam

Nov 1 Federal agencies

Sheila Jasanoff, *Science at the Bar*, pp 69-92

Week 7 Regulation

Nov 6 Tort

Peter H. Schuck, *Agent Orange on Trial*, excerpts

Nov 8 Eugenics

Davenport, *Eugenics* (1910)

Week 8 Society

Nov 13 Religion

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

Nov 15 Patents

Reading TBA

Week 9 Technology

Nov 20 Pharmaceutical

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

Nov 22 Thanksgiving - No Class

Week 10 Current Challenges

Nov 27 Biotech

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

Nov 29 Internet

TBA

Week 11 Conclusion

Dec 4 Global Warming

Massachusetts v. Environmental Protection Agency

Dec 6 What have we learned?

Final examination: Home test

Posted: Dec 6, 4 p.m.

Deadline: Dec 10, 8 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 1 p.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**