

HISC 131: Science, Technology and Law
Spring Quarter 2011
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 9:30-10:50 in Solis #110

Professor Golan Office hours: Tu 11-12, or by appointment. H&SS bldg room 4044

Teaching Assistant: Kris Nelson krisnelson@ucsd.edu Office Hours: TBA

Week 1 Introduction

Mar 29 Introduction

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

Mar 31 History

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

Week 2: Scientific Evidence

Apr 5 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

Apr 7 What Makes Evidence Unscientific? The case of the Lie-Detector

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

Week 3: Visual Evidence

Apr 12 Differentiating between good and bad science

Golan, Laws of Man and Laws of Nature, Epilogue, 254-264
US Supreme Court Opinion in Daubert v. Merrell Dow Pharmaceuticals, Inc.

Apr 14 Photographs: what you see is what you get?

Jennifer Mnookin, The Image of Truth

Week 4: Medicine and law

Apr 19 Imaging technologies

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

Apr 21 Insanity Defense + Malpractice

Reading TBA (check on the website)

Week 5 Regulation

Apr 26 Questions of life and death

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

Apr 28 Regulation:

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

Week 6 Mid-Term Exam

May 3 Tort

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

May 5 Midterm Exam

Week 7 Society

May 10 Eugenics

Davenport, *Eugenics* (1910)

May 12 Religion

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

Week 8 Economy

May 17 Patents

Daniel Kevles – *The Gene Patent Controversy*

The Gene Patent Controversy - 2010 update

May 19 Biotech

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

Week 9 Technology

May 24 Pharmaceutical

David Healy, *Shaping the intimate*, *Social Studies of Science* (April 2004)

34:219–245

May 26 Internet

Jack Goldsmith and Tim Wu, *Who controls the internet?* 1-48.

Week 10 Future Challenges

May 31 Global Warming

Massachusetts v. Environmental Protection Agency

Jun 2 What have we learned

Final examination: Date and Location TBA

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 before each meeting, by 9 a.m.
 - The comment should be no longer than half a page.
 - The 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 in the**