

**Climate Justice Seminar**  
*B 576A Environmental Protection Seminar*  
**Winter 2011 Syllabus**

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**Course website:**  
[https://courses.law.washington.edu/Barcelos/B576ab\\_WiSp11/](https://courses.law.washington.edu/Barcelos/B576ab_WiSp11/)

### **Course Description**

This course will approach Climate Justice from a multidisciplinary perspective and will be taught by Jeni Barcelos and Jen Marlow, Co-Directors of the law school's Three Degrees Project ([www.threedegreeswarmer.org](http://www.threedegreeswarmer.org)), along with David Battisti, Tamaki Endowed Chair of Atmospheric Sciences, and two graduate teaching fellows.

For the **winter quarter**, the course will be held on **Tuesdays and Thursdays from 9:00-10:20 a.m. in room 217 of William H. Gates Hall** (the law school). For the **spring quarter**, the course will meet on **Tuesday mornings from 10:00-11:00 a.m. in room 118 of the law school**, with significant time devoted to outside group work. All students must agree to participate in the winter quarter, but enrolees may opt-in or opt-out of applied project work for the spring quarter.

The Climate Justice Seminar is open to graduate and professional students from across the University of Washington. The goal of the course is to examine predicted climate futures in locations around the globe where climate change is likely to harm disadvantaged populations, and to understand the limitations and strengths of international and domestic legal and policy systems to alleviate these impacts. The winter quarter will focus on global climate-related impacts to health, food and water, security, equity and justice. The spring quarter will follow a clinical model of project-based work, where a select group of students and faculty will work directly with communities impacted by the climate crisis to create climate adaptation assessments and apply corresponding legal and policy tools to further climate justice goals.

## Required Course Readings

A coursepack will be available for pick up at the University Bookstore during the first weeks of winter quarter.

There are three required books for this course, all of which are available at the University Bookstore:

- \* *Global Environmental Change and Human Security*, 2010 (Matthew et al.)
- \* *Climate Change and Displacement*, 2010 (Jane McAdam et al.)
- \* *Six Degrees*, 2008 (Mark Lynas)

## Office Hours

The **faculty** office hours will be held in room L175 on **Tuesdays from 10:30-11:30 a.m.** The **teaching fellows'** office hours will be held by appointment.

## Class Format, Class Participation, and Rules of Conduct for Class

The syllabus sets out "Required Readings" for each week, as well as suggested (but not required) "Supplemental Readings." The typical class session will consist of a lecture and a coinciding discussion and group activity session led by seminar faculty members, teaching fellows, and seminar students. All students are expected to attend all class sessions (please see law school attendance policy below for more information).

The Climate Justice Seminar is part of a longer-term investigation into multidisciplinary graduate education on climate justice. Enrolled students must commit to attending two interview sessions—one during Week 2 and the other during Week 9—related to the study. These interviews will be facilitated sessions held outside of class time and structured either as focus group meetings, interviews, surveys, and or other activities related to the study. The study will directly relate to the challenges and opportunities students experience in the class and the role that climate change plays in fostering multidisciplinary problem-solving skills.

## Assessment

**Final Paper** (75% of final grade): Your final product in this course will be an individual research paper of 20 double-spaced pages (with one-inch margins and 12-point font). **Final papers must be submitted to Academic Services (Law School Room 361) by 12 noon on Friday, March 18, 2011.**

*If you would like to collaborate with other students on your final paper, please contact the faculty to construct a work-plan.*

**Symposium** (5% of final grade): Students will be required to attend a classwide Symposium on **Saturday, March 5, 2011**. At the Symposium, students will present their work (we recognize that it will still be in progress) to the class in a traditional presentation format, with the opportunity for other students and members of the teaching team to provide real-time feedback. Faculty will send more specific information about the requirements of the Symposium presentations sometime in the early half of Winter quarter.

**Reading Papers** (8% of final grade): Students are required to write a total of **4 Reading Papers**. Each Reading Paper should both summarize *and* reflect on one day's worth of assigned reading. The Reading Papers should include a brief summary of the reading, as well as your reflections on: 1) any confusing or inconsistent scientific information, 2) ways in which the topic relates to your discipline or not; and or 3) areas needing future research and or developed laws and policies for furthering climate justice.

We highly encourage students to write Reading Papers for readings that cover issues that most interest them, or on topics they will address in the final research paper. Thus, we've left some flexibility in this assignment. **Students must write and submit two Reading Papers during weeks 2-5, and two Reading Papers during weeks 6-9.**

Reading Papers will be assessed as follows: Students will receive **2 points** for Reading Papers that reveal a sophisticated evaluation, synthesis, and analysis of the readings; **1 point** for Reading Papers that merely summarize the readings; and **0 points** for late submissions.

Please submit your Reading Paper as a Word Document to "GoPost" by 12 noon on the day before the assigned reading. For example, Week 2's Reading Paper for Tuesday, Jan. 11's assignment is due at noon on Monday, Jan. 10, 2011. The Reading Paper for Thursday, Jan. 13's assignment is due at noon on Wednesday, Jan. 12. Students leading in-class discussions may wish to refer to the Reading Papers to help them structure their discussions. All students will have GoPost privileges to download and read all of the available Reading Papers. A link to the Reading Paper submissions page on GoPost is available on the course website. Reading Papers should be a **maximum** of 2 double-spaced pages, and written with one-inch margins and 12-pont font.

**Class Participation:** (12% of final grade). We aim to establish an environment where mutual respect is accompanied by serious reflective engagement with the material. Students are expected to regularly participate in general class discussion, activities, and interdisciplinary focus group sessions. Credit will be given for active engagement with the course content, and for helpful interactions with others. Specifically, the class participation grade will be made up of the following three elements:

**1) Blog post:** As part of the class participation grade, we require each student to write one prospective blog post due *anytime* before **Friday, February 25, 2011**. Your blog entry should be 500-800 words and based on a *current* climate justice event and or issue. Blog entries may or may not be posted to the Three Degrees website. *Note: We will not post any of your content without your express permission.*

**2) Scenario exercises:** As part of the class participation grade, we require students to work in small teams to facilitate in-class, place-specific, scenario exercises. Students will be assessed for their contributions to scenario research, writing, and responses to plausible climate futures. **See specifically the assignment for February 10, 2010.**

**3) Discussion and Attendance:** Students must—as part of a small team—sign up to lead one discussion per quarter. Faculty will distribute a sign-up sheet during the first week of Winter Quarter. Students must participate in both of the facilitated interview sessions (see "Class Format" above). *See also "UW School of Law Attendance Policy" below.*

**Extensions:** Assignments are to be handed in on the due dates specified. If you see that you cannot make any given deadline, **contact the teaching fellows** immediately. Normally, routine extensions can be granted only if (a) the teaching fellows are notified in advance and (b) the reason for the delay is both documented and serious.

**Late Paper Policies:** Late papers will incur sanctions of (a) one step on the 4-point scale (e.g., from 3.8 to 3.7) for submission on the due date after the appointed time (e.g., for 5 p.m. submission if due at 1.30 p.m.) or (b) two steps on the 4-point scale (e.g., from 3.7 to 3.5) for each additional day late (or part thereof).

**Plagiarism and Dishonest Practice:** Plagiarism and other forms of dishonest practice are unacceptable. See the Student Code and: <http://www.washington.edu/students/handbook/conduct.html>

**Americans with Disabilities Act:** The Americans with Disabilities Act requires that reasonable accommodations be provided for students with physical, sensory, cognitive, systemic, learning and psychiatric disabilities. Students with disabilities should contact [Disabled Student Services](#) at (206) 543-8924/V, (206) 543-8925/TTY, (206) 616-8379 (FAX), or e-mail at [uwdss@u.washington.edu](mailto:uwdss@u.washington.edu). If you have a letter from the Disability Services Office indicating you have a disability that requires academic accommodations, please present the letter to the instructor so that we can discuss the accommodations you might need for the class.

**UW School of Law Attendance Policy:** Under changes to ABA Accreditation Standard 304, adopted in August 2004, a law school shall require regular and punctual class attendance. At any time after the fifth week of a course (halfway through a summer session course), a student who has been

determined by the instructor to have attended fewer than 80 percent of the class sessions in any course will be required to drop the course from his or her registration upon the instructor's so indicating to the Academic Services Office. An instructor may also impose stricter attendance standards or other sanctions for nonattendance, including lowering of a grade, provided that students are informed at the start of the course of the instructor's attendance rules and possible sanctions.

*Note: Readings subject to minor modifications.*

## **Week One: OVERVIEW OF CLIMATE JUSTICE**

**Tuesday, January 4, 2011**

*Required Reading:*

- Mark Lynas, *Six Degrees*, 2008. Introduction, One Degree, Two Degrees (pp. 13-119).
- Peter Singer, *One Atmosphere*, 2002.

**Thursday, January 6, 2011**

*Required Reading:*

- **Skim:** Climate Vulnerability Monitor 2010, The State of the Climate Crisis (pp. 1-104, 188-193, 198-201).  
Available at: <http://daraint.org/wp-content/uploads/2010/12/CVM1.pdf>
  - **Please skim this article online.** For cost-saving measures, it is not in your coursepack.

Supplemental Reading:

- Humanitarian Challenges of the 21st Century: "The Right to Survive," Oxfam. Available at: <http://www.oxfamamerica.org/publications/the-right-to-survive/>

## **Week Two: FOOD SECURITY**

*\* Note: Focus Group Sessions will be held during Week Two.*

**Tuesday, January 11, 2011**

20-MINUTE UPDATE ON COP 16 CLIMATE TALKS IN CANCUN

*Required Reading:*

- Robert Stavins, "What Happened (and Why): An Assessment of the Cancun Agreements," Harvard's Belfer Center on Climate Agreements, Dec. 14, 2010. Available at: <http://belfercenter.ksg.harvard.edu/analysis/stavins/?p=876>
  - **Please read this article online.** For cost-saving measures, it is not in your coursepack.

FOOD INSECURITY

*Required Reading:*

- McKenzie Funk, "Will Global Warming, Overpopulation, Floods, Droughts and Food Riots Make this Man Rich?" *Rolling Stone*, May 27, 2010.
- Mark Lynas, *Six Degrees*, 2008. Three Degrees (pp. 123-181).
- Mickey Glantz, "Are Famines so Difficult to Predict?"

Supplemental Reading:

- "Food Security and Agricultural Mitigation in Developing Countries," by the Food and Agricultural Organization of the United Nations. Available at: [http://www.preventionweb.net/files/11823\\_ak596e00.pdf](http://www.preventionweb.net/files/11823_ak596e00.pdf)

- "Agricultural Development under a Changing Climate: Opportunities and Challenges for Adaptation," by Jon Padgham (the World Bank). Available at: [http://www.preventionweb.net/files/11832\\_climatechangecombined1.pdf](http://www.preventionweb.net/files/11832_climatechangecombined1.pdf)
- FAO, "How to Feed the World in 2050." Available at: [http://www.fao.org/fileadmin/templates/wsfs/docs/expert\\_paper/How\\_to\\_Feed\\_the\\_World\\_in\\_2050.pdf](http://www.fao.org/fileadmin/templates/wsfs/docs/expert_paper/How_to_Feed_the_World_in_2050.pdf)

Thursday, January 13, 2011

FOOD SECURITY

*Required Reading:*

- Battisti and Naylor, "Historical Warnings of Future Food Insecurity with Unprecedented Seasonal Heat." *Science*, 9 January 2009, Volume 323.
- IPCC, 2007. "Summary for Policymakers." *In: Climate Change 2007: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*, M.L. Parry, O.F. Canziani, J.P. Palutikof, P.J. van der Linden and C.E. Hanson, Eds., Cambridge University Press, Cambridge, UK, 7-22. "Summary for Policymakers."

### Week Three: WATER

Tuesday, January 18, 2011

*Required Reading:*

- *Mazibuko* media summary, issued by Constitutional Court of South Africa.
- **Skim:** *City of Johannesburg and Others v. Mazibuko and Others*, Constitutional Court of South Africa, Case CCT 39/09 [2009] ZACC 28. Available online at: <http://www.saflii.org/za/cases/ZACC/2009/28.pdf>
  - **Please skim this article online.** For cost-saving measures, it is not in your coursepack.
- James Workman, *The Heart of Dryness*, Introduction (pp. 1-12).
- Mark Lynas, *Six Degrees*, 2008. Four Degrees (pp. 185-212).

Supplemental Reading:

- "The Right to Water," a website by Water Aid & Rights and Humanity. Available at: <http://www.righttowater.info/code/Legislation.asp>

Thursday, January 20, 2011

*Required Reading:*

- IPCC, "Technical Report on Climate Change and Water" (April 2008), *read only* 1) Executive Summary, pp. 4-7, and 2) Water-related adaptation to climate change: an overview, pp. 62-66. Available at: <http://www.ipcc.ch/meetings/session28/doc13.pdf>
  - **Please read this article online.** For cost-saving measures, it is not in your coursepack.
- Orlove, B., 2009: Glacier Retreat: Reviewing the Limits of Human Adaptation to Climate Change. *Environment Magazine*, vol. 51, pg 23-34.

- An additional reading assignment TBA.

## Week Four: HEALTH

**Tuesday, January 25, 2011**

*Required Reading:*

- McAdam et al., Chapters 10 & 11 (pp. 191-238).
- *American Journal of Preventive Medicine*, Volume 35, Issue 5, November 2008. "Community-Based Adaptation to the Health Impacts of Climate Change," Kristie L. Ebi, Jan C. Semenza, pp. 501-507.

**Thursday, January 27, 2011**

*Required Reading:*

- Matthew et al., Chapter 3 (pp. 53-76).
- Craig A. Anderson & Matt DeLisi, "Implications of Global Climate Change for Violence in Developed and Developing Countries" (forthcoming).
- **Skim:** Tucker et al., "Climate Change and Health in SADC Region: Review of the Current State of Knowledge," September 3, 2010. Available at: <http://southafricanbiodiversity.co.za/images/stories/mailers/BioZine/Vol1Issue5/CCandhealth220910.pdf>
  - **Please skim this article online.** For cost-saving measures, it is not in your coursepack.

Supplemental Reading:

- *The Lancet*. "The health benefits of tackling climate change," Executive Summary 2009. Available at: <http://www.who.int/globalchange/publications/wtx057673.pdf>
- *American Journal of Preventive Medicine*, Volume 35, Issue 5, November 2008. "Climate Change: The Importance of Place," Jeremy J. Hess, Josephine N. Malilay, Alan J. Parkinson, pp. 468-478.
- *American Journal of Preventive Medicine*, Volume 35, Issue 5, November 2008. "Climate Change: Impacts on and Implications for Global Health," Michael E. St. Louis, Jeremy J. Hess, pp. 527-538.
- "Protecting health from climate change: Global research priorities," World Health Organization Report, 2009. Available at: [http://whqlibdoc.who.int/publications/2009/9789241598187\\_eng.pdf](http://whqlibdoc.who.int/publications/2009/9789241598187_eng.pdf)

## Week Five: SECURITY, Part I

**Tuesday, February 1, 2011**

*Required Reading:*

- Matthew et al., Chapter 1 (pp. 3-32), Chapter 5 (pp. 97-116), Chapter 6 (pp. 119-136).
- McAdam et al., Chapter 9 (pp. 175-190).

**Thursday, February 3, 2011**

*Required Reading:*

- U.N. General Assembly, "Climate Change and its possible security implications," Report of the Secretary General, September 11, 2009.
- Kurt M. Campbell et al., "The Age of Consequences: The Foreign Policy and National Security Implications of Global Climate Change," (pp. 5-53, 71-79).

Supplemental Reading:

- "Climate risk Management in Africa: Learning from Practice," International Research Institute for Climate and Society, Columbia University, 2007. Available at: [http://portal.iri.columbia.edu/portal/server.pt/gateway/PTARGS\\_0\\_2\\_1171\\_0\\_0\\_18/Climate%20and%20Society%20No1\\_en.pdf](http://portal.iri.columbia.edu/portal/server.pt/gateway/PTARGS_0_2_1171_0_0_18/Climate%20and%20Society%20No1_en.pdf)

## **Week Six: SECURITY, Part II**

**Tuesday, February 8, 2011**

Guest Lecture, Brandon Derman: Introduction to International Climate Change Policy and the Role of Civil Society and Social Justice Movements in Promoting Climate Justice

*Required Reading:*

- People's Agreement of Cochabamaba, World People's Conference on Climate Change and the Rights of Mother Earth, April 22, 2010. Available at: <http://pwccc.wordpress.com/2010/04/24/peoples-agreement/>
- Patrick Bond and Michael Dorsey, "Anatomies of Environmental Knowledge and Resistance: Diverse Climate Justice Movements and Waning Eco-Neoliberalism," forthcoming in the journal of Australian Political Economy, 2010. *Students will receive a PDF of the article in an e-mail.*

**Thursday, February 10, 2011**

**\* Group presentations of Pakistan and South Africa scenarios.**

*Required Reading:*

- Burke et al., "Warming increases the risk of Civil War in Africa," 2009.
- "Security and the Environment in Pakistan," Congressional Research Service Report, August 3, 2010.
- Mark Lynas, *Six Degrees*, 2008. Five Degrees (pp. 215-237).

## **Week Seven: JUSTICE – LAWS, POLICIES, AND INSTITUTIONS, Part I**

**Tuesday, February 15, 2011 – Future of Environmental Law**

*Required Reading:*

- Gus Speth, *Red Sky at Morning*, Chapters 4 & 5 (pp. 77-116).
- Mary Wood, "Atmospheric Trust Litigation," 2009.

*Supplemental Reading:*

- Garret Hardin, "Tragedy of the Commons," *Science*, 162(1968):1243-1248. Available at: <http://www.sciencemag.org/content/162/3859/1243.full>

**Thursday, February 17, 2011 – Creative Legal Strategies for Climate Justice**

*Required Reading:*

- David Battisti, **BRIEF OF AMICI CURIAE CLIMATE SCIENTISTS DAVID BATTISTI ET AL., Massachusetts v. EPA.**
- *Native Village of Kivalina v. City of Kivalina*, 663 F. Supp. 2d 863 (N.D. Cal. 2009), On Appeal from the US District Court for the Northern District of California, Appellants' Opening Brief. Available online: <http://turtletalk.files.wordpress.com/2010/05/kivalina-opening-brief.pdf>
  - **Please read the case online.** For cost-saving measures, it is not in your coursepack.
- Matt Pawa, *Global Warming Litigation Heats Up*, April 2008.

**Week Eight: JUSTICE: LAWS, POLICIES, AND INSTITUTIONS, Part II**

**Tuesday, February 22, 2011 – Feasibility of Applying International Human Rights Law to Climate Justice**

*Required Reading:*

- John Knox, "Climate Change and Human Rights Law," 2009.
- Stephen Humphries, "Climate Change and Human Rights: A Rough Guide," 2008. Executive Summary.

**Thursday, February 24, 2011 – Climate-induced Migration**

*Required Reading:*

- McAdam at al., Chapter 6 (pp. 105-129).
- McAdam at al., Chapter 7 (pp. 131-150).
- McAdam at al., Chapter 8 (pp. 151-173).

*Supplemental Reading:*

- McAdam Chapters 2 and 3 (pp. 8-35 and pp. 37-55).
- "Confronting a Rising Tide: A Proposal for a Convention on Climate Change Refugees," by Bonnie Docherty and Tyler Giannini. Available at: [http://www.law.harvard.edu/students/orgs/elr/vol33\\_2/Docherty%20Giannini.pdf](http://www.law.harvard.edu/students/orgs/elr/vol33_2/Docherty%20Giannini.pdf)

- "Climate Change and Displacement," Forced Migration Review. Available at <http://www.fmreview.org/FMRpdfs/FMR31/FMR31.pdf>
- "Ghana's Environment Refugees," by Sam Knight. Available at: <http://www.theghanaijournal.com/2009/06/20/ghana's-environment-refugees/>
- "We Aren't Refugees" by Dr. Jane McAdam and Maryanne Loughry. Available at: <http://inside.org.au/we-arent-refugees/>
- "Control, Adapt or Flee," by F. Renaud, J. J. Bogardi, O. Dun and K. Warmer. Available at: <http://www.ehs.unu.edu/file.php?id=259>

## Week 9: EQUITY

\* Note: Focus Group Sessions will be held during Week Nine.

### Tuesday, March 1, 2011

#### *Required Reading:*

- Lauren Hartzell, *Responsibility for Meeting the Costs of Adaptation*, forthcoming. **Faculty will distribute the article prior to class.**
- Stephen Gardiner, *A Perfect Moral Storm: Climate Change, Intergenerational Ethics and the Problem of Corruption*.
- Mark Lynas, *Six Degrees*, 2008. Six Degrees (241-265).

#### Supplemental Reading:

- David Dana, "Valuing Foreign Lives and Civilizations in Cost-Benefit Analysis: The Case of the United States and Climate Change Policy," Northwestern University School of Law. Available at: <http://ssrn.com/abstract=1524337>
- Eric Posner and Cass Sunstein, "Climate Change Justice," *Georgetown Law Journal*, 2008 (pp. 1565-1612).

### Thursday, March 3, 2011

#### *Required Reading:*

- Edith Brown Weiss, *Climate Change, Intergenerational Equity, and International Law*, Vermont Journal of Environmental Law (reprinted from 1989).
- UN WomenWatch, *Women, Gender Equality and Climate Change*, FACT SHEET.
- Matthew et al., Chapter 11 (pp. 215-235).

#### Supplemental Reading:

- Naomi Klein, "Climate Rage." Available at: [http://www.rollingstone.com/politics/story/30841581/climate\\_rage/print](http://www.rollingstone.com/politics/story/30841581/climate_rage/print)

- "Put Women at Core of Climate Debate, Say Activists," by IRIN, the humanitarian news and analysis service of the UN Office for the Coordination of Humanitarian Affairs. Available at: <http://www.irinnews.org/Report.aspx?ReportId=86561>
- "Recalibrating the Law of Humans with the Laws of Nature: Climate Change, Human Rights, and Intergenerational Justice," Burns Weston and Tracy Bach. Available at: [http://www.vermontlaw.edu/Documents/CLI%20Policy%20Paper/CLI\\_Policy\\_Paper.pdf](http://www.vermontlaw.edu/Documents/CLI%20Policy%20Paper/CLI_Policy_Paper.pdf)

**Saturday, March 5, 2011**

**Symposium, 9 a.m.-1 p.m.**

### **Week Ten: THINKING BIG**

**Tuesday, March 8, 2011**

*Required Reading:*

- Mark Lynas, *Six Degrees*, 2008. "Choosing Our Future" (pp. 269-303).
- Erwann Michel-Kerjan, "Haven't You Swithed to Risk Management 2.0 Yet?" In *Irrational Economist: Making Decisions in a Dangerous World* by Erwann Michel-Kerjan and Paul Slovic, Chapter 5 (pp. 41-50).
- Paul Hawken, Commencement Speech: "Healing or Stealing," University of Portland, 2009.