

Syllabus

**Environmental Management: Law and Policy  
LGST 215/815**

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Classes: Tuesdays, 3:00 to 6:00 pm; 365 J.M. Huntsman Hall

Texts: The required texts consist of the following materials.

- Thomas L. Friedman, *Hot, Flat, and Crowded: Why We Need a Green Revolution – and How It Can Renew America* (Farrar, Straus & Giroux 2008).
- Daniel Goleman, *Ecological Intelligence: How Knowing the Hidden Impacts of Everything We Buy Can Change Everything* (Broadway Books 2009).
- James Salzman and Barton H. Thompson, Jr., *Environmental Law and Policy* (2d ed., Foundation Press 2007).
- *Environmental Protection and the Social Responsibility of Firms: Perspectives from Law, Economics, and Business* (Bruce L. Hay et al., eds.) (Resources for the Future, 2005).
- *Harvard Business Review on Green Business Strategy* (Harvard Business School Press 2007).
- Coursepack

The books are available for purchase in the Penn book store and elsewhere. The coursepack will be available for purchase from Wharton Reprographics in the basement of Steinberg-Dietrich Hall and online.

Handouts: Any supplementary handouts provided in class or by online distributions are considered required course material.

Course description: This course provides an introduction to environmental management with a focus on law and policy as a basic framework. The primary aim of the course is to give students a deeper practical sense of the important relationship between business and the natural environment and to encourage them to think critically about how best to manage this relationship.

Papers, Group Presentation, and Grading: There will be two required mid-term papers and one final group presentation. Each of these formal requirements will count for approximately one-third of the final grade for the course. Class participation will also be taken into account as discussed below. There is no formal final exam.

Paper requirements and guidelines: Two mid-term papers are required of 8 to 10 double-spaced pages in length (with appropriate references single-spaced as footnotes or in a bibliography). Please do not alter margins artificially to achieve either a longer or shorter length. Standard settings should be used for fonts and spacing. The papers should discuss a relevant topic in environmental policy or law related to material assigned in the course. ***Topics must be discussed with the professor (or at least approved) in advance either in discussions personally after class or during office hours, or via e-mail or phone conversation.*** As with any paper, a citation method must be used for sources. Any source quoted or used must be either footnoted, with source and page references, or noted parenthetically, for example (Sax 1980 at p. 7) with the full citation provided in a bibliography (e.g., Joseph L. Sax, *Mountains without Handrails: Reflections on the National Parks* (University of Michigan Press 1980)). ***Please make reference to all sources used. No statement that relies on a source should fail to reference the source. Papers must represent only the student's own creative work and effort. Any plagiarism or cheating will be prosecuted to the fullest possible extent.*** Students may use computer-assisted spelling or grammar programs and may discuss general ideas of paper topics with others. But no writing coaches, relatives, or other personal assistance may be relied upon for the actual writing. The work must be your own. With respect to grading, credit will be given to well-organized, well-written, and well-reasoned papers. The paper should deal with material critically and thoughtfully. What works best for each individual varies, but many students find the following methods to be useful: stating a thesis and defending it against the best counter-arguments, writing an outline and then following it, or writing and organizing notes on index cards or otherwise before starting to compose. An unerring rule of good writing is to *rewrite*. Be self-critical in assessing your own writing and be sure to give yourself enough time to revise and edit. Deadlines will be strictly enforced with penalties assessed for lateness (except for emergencies).

Group Project and Presentation: A primary component of the course is a group project. Students should begin to consider a topic that they would like to investigate relatively early in the semester. ***The topic must be discussed with (or at least approved by) the professor in advance.*** Class time will be allocated to teams at the end of the semester for presentations. Students may join together in groups of two, three, or four (maximum) and share responsibility and the grade for the presentation. Individual projects are also permitted. Grades for the group projects will be based on the quality of the final presentation itself, as well as any supplementary

written or other submissions provided indicating sources and research.

Class Participation: An important part of the learning experience for this course is the classroom discussions. In addition to formal written and oral presentation requirements, students are expected to read and be prepared to discuss the material assigned for each class. Consistent attendance and consistently excellent participation in class may be taken into account to increase a student's grade by one step (e.g., B+ to A-). Poor attendance or failure to participate in class discussion may be taken into account to reduce a student's final grade by one step. In assessing class participation over the course of the semester, quality as well as quantity of comments will be taken into account.

Quality circle: A small quality circle of student representatives may be used to provide mutual feedback on teaching, classroom issues, and class performance. No extra credit in terms of grading will be given for representatives in a quality circle, but volunteering for this service is nevertheless appreciated by the professor and other students.

Syllabus revision: This syllabus may be revised during the semester in accordance with class progress and discussions about student interests and preferences.

Office hours: To be announced and by appointment.

## Course Outline

### Introduction

1. Opening Class: Discussion of students' backgrounds and expectations, handout of syllabus, description of the course, and discussion of teaching expectations. Introductory discussion of the general relationship of business and the natural environment [**Sept. 15**]

Readings: Donald S. Siegel, "Green Management Matters Only If It Yields More Green,"

*23 Academy of Management Perspectives* 5 (2009); Alfred A. Marcus and Adam R. Fremeth, "Green Management Matters Regardless," *23 Academy of Management Perspectives* 17 (2009) [coursepack reading 1].

### Part One: Recent Approaches to Environmental Management

2. Business and the Natural Environment: An Opening View [**Sept. 22**]

Freidman, chs. 1 thru 8, pp. 3-199.

3. Business and the Natural Environment: An Opening View (cont'd) [**Sept. 29**]

Freidman, chs. 9 thru 17, pp. 204-412.

4. Competing Views on Environmental Management [**Oct. 6**]

*Harvard Business Review on Green Business Strategy*, pp. 1-97.

5. Competing Views on Environmental Management [**Oct. 13**]

*Harvard Business Review on Green Business Strategy*, pp. 99-202.

Noah Walley and Bradley Whitehead, "It's Not Easy Being Green," *Harvard Business Review* (May-June 1994) [coursepack reading 2].

**First Midterm Paper:** Eight- to ten-page paper on topic of environmental management – double-spaced, page limit includes single-spaced footnotes and/or bibliography) – due on **October 16**. Please deliver hard copy to professor's mail box in Legal Studies and Business Ethics Department *and* submit electronic copy by e-mail.

FALL BREAK

Part Two: Interdisciplinary Perspectives on Environmental Policy

6. A Classic Paradigm from Economics: The Tragedy of the Commons [**Oct. 20**]

Garrett Hardin, "The Tragedy of the Commons," 162 *Science* 1243 (1968) [coursepack reading 3].

Salzman and Thompson, ch. 10, pp. 298-308.

Computer teaching simulation: "The Tragedy of the Tuna 2.0" [classroom to be scheduled and announced]

7. Environmental Ethics [**Oct. 27**]

Yi-Fu Tuan, *Our Treatment of the Environment in Ideal and Actuality*, 58 *American Scientist* 244 (1970) [coursepack 4].

Excerpts from *Environmental Ethics* (Robert Elliott ed., 1995), pp. 129-41 (Passmore), 226-47 (Sober) [coursepack 5].

Lawrence H. Tribe, "Ways Not to Think about Plastic Trees: New Foundations for Environmental Law," 83 *Yale Law Journal* 1315 (1974) [coursepack 6].

8. Environmental Law (I) [**Nov. 3**]

Salzman and Thompson, chs. 1 to 4, pp. 1-136.

*Boomer v. Atlantic Cement* [coursepack 7].

*Massachusetts v. EPA*, 127 S. Ct. 1438 (2007) [coursepack 8]

Eric W. Orts & Cary Coglianese, Debate, “Collaborative Environmental Law: Pro and Con,” 156 U. Pa. L. Rev. PENNumbra 289 (2007) [coursepack 9]

9. Environmental Protections and the Corporate Responsibility Debate [**Nov. 10**]

*Environmental Protection and the Social Responsibility of Firms* [entire book]

10. Environmental Law (II) [**Nov. 17**]

Salzman and Thompson, chs. 5 to 9, pp. 137-297.

11. Life Cycle Analysis and Assessment: Promises and Limitations [**Nov. 24**]

Goleman [entire book]

**Second Midterm Paper:** Eight- to ten-page paper on topic of environmental policy or law – double-spaced, page limit includes single-spaced footnotes and/or bibliography ) – due on or before **December 1**. Please deliver hard copy to professor’s mail box in Legal Studies and Business Ethics Department *and* submit electronic copy by e-mail.

Part Three: Student Project Presentations

12. Project Presentations I [**Dec. 1**]

13. Project Presentations II [**Dec. 8**]