

Climate Change: Readings / Schedule

University of South Carolina School of Law, Fall 2024
Professor: Thomas S. Mullikin, J.D., Ph.D.

Henson is *The Thinking Person's Guide to Climate Change*, 2nd ed.

Supplement is collected supplemental readings, available [here](#).
Other readings linked directly.
Readings in gray are optional.

Note - some linked readings are from sources that limit the number of articles you can read or require a subscription. If you have trouble, try viewing the article from the campus network or in your browser's incognito mode. If that doesn't work let me know and I will provide a copy.

8/28	Class 1 — The Problem
	Henson, Part 1
	The US Supreme Court strikes down Chevron curtailing power of Federal Agencies. <i>LOPER BRIGHT ENTERPRISES ET AL. v. RAIMONDO, SECRETARY OF COMMERCE, ET AL. CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT</i> (June 28, 2024) Supreme Court of the United States
	David Wallace-Wells, The Uninhabitable Earth (PDF if paywalled)
	Paul Kingsworth, Life vs. The Machine
	Mary Annaïse Heglar, Home is Always Worth It
	Noah Smith, Optimism of the Will
	Hayes Brown, The Outline, The end times are here, and I am at Target
	Washington Post: Meet the conservatives who want to fight climate change — their way OR PDF version if paywalled
	Megan Mayhew Bergman, The Guardian, What you know about the American south and climate change is wrong
	Brian Kahn, Earther, How Climate Change Is Becoming a Deadly Part of White Nationalism
	AP: Majority in US concerned about climate: AP-NORC/EPIC poll
	What will climate feel like in 60 years? (use any city or cities you like)

9/4	Class 2 — The Science
	National Climate Assessment, Summary Findings (2018)
	Coral Davenport and Mark Landler, New York Times, Trump Administration Hardens Its Attack on Climate Science
	Henson, Part 2 (read your choice of at least 3 chapters in this Part)
	Henson, Part 3
	Video, Climate Adam: Climate Change's Cause Confusion
	New York Times: In the Atlantic Ocean, Subtle Shifts Hint at Dramatic Dangers
	Katharine Hayhoe, Twitter thread: "Was it caused by climate change?" is the most common question when we hear about an extreme event.
	Dan Kahan et al, Nature Climate Change, The polarizing impact of science literacy and numeracy on perceived climate change risks
	Robinson Meyer, The Atlantic, This Land Is the Only Land There Is
	US Geophysical Fluid Dynamics Laboratory, Global Warming and Hurricanes: An Overview of Current Research Results

9/11	Class 3 — Team Time Anthropogenic source teams will be given time to explore source of emissions, technologies to reduce emissions and any available tax advantages and consequences of reductions.
	Video: Kurzgesagt, Who Is Responsible For Climate Change? – Who Needs To Fix It?
	Eric Posner, You Can Have Either Climate Justice or a Climate Treaty. Not both.
	Henson, pgs. 412-416
	Noah Smith, Why Has Climate Economics Failed Us?

9/18	Class 4 - Adaptation, Mitigation, and Geoengineering
	National Climate Assessment, Mitigation
	Henson, pgs. 333-340, 373-386, 458-462

	Video: Kurzgesagt, <i>Is It Too Late To Stop Climate Change? Well, it's Complicated.</i>
	Video: Kurzgesagt, <i>Can YOU Fix Climate Change?</i>
	National Climate Assessment, <i>Adaptation</i>
	Marco Rubio, USA Today, <i>'We should choose adaptive solutions'</i>
	Editorial, South Florida Sun-Sentinel, <i>Marco Rubio and Rick Scott still don't get it about climate change</i>
	Andrew Revkin, National Geographic, <i>Once derided, ways of adapting to climate change are gaining steam</i>
	The Economist, <i>Humanity will find ways to adapt to climate change</i>
	<i>FACT SHEET: Biden Administration Releases Agency Climate Adaptation and Resilience Plans from Across Federal Government</i>
	Emily Pontecorvo, Grist, <i>Report: Poor countries need 5 to 10 times more funding to adapt to climate risks they did not create</i>
	Michael Allen, Hakai, <i>Adapting to Climate Change Will Only Get More Expensive</i>
	Video: Kurzgesagt, <i>Geoengineering: A Horrible Idea We Might Have to Do</i>
	Ross Andersen and Oliver Morton, <i>Will Our Grandchildren Say That We Changed the Earth Too Little?</i>
	Robock, <i>20 Reasons Why Geoengineering May Be A Bad Idea</i>
	Shannon Osaka, Grist, <i>Should the world ban solar geoengineering? 60 experts say yes.</i>

9/25	Class 5 – Group Presentations (I) – In Classroom
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10/2	Class 6 — Plan A: International Law: Rio to Kyoto to Paris and Beyond
	Henson, pgs. 340-371 (blue-box text optional)

	Teresa Chin, Grist, The surprising story behind the making of 'Captain Planet'
	Video: Green TV, Reflecting on Rio (3:20)
	United Nations Framework Convention on Climate Change (UNFCCC), Articles 2-4
	UNFCCC, Glossary of Climate Change Acronyms
	UNFCCC, Timeline
	Kyoto Protocol to the UNFCCC , Articles 2-3
	Cass Sunstein, Of Montreal and Kyoto: A Tale of Two Protocols (response by Magraw optional)
	Robinson Meyer, The Atlantic, A Reader's Guide to the Paris Agreement
	Michael Shear and Brad Plumer, New York Times, Trump Will Withdraw U.S. From Paris Climate Agreement
	Nicolas Loras and Katie Tubb, Heritage Foundation, 4 Reasons Trump Was Right to Pull Out of the Paris Agreement
	Alden Meyer, Union of Concerned Scientists, Challenging Trump's Withdrawal from the Paris Climate Agreement
	New York Times Editorial Board, Hope in the Era of Trump's Climate Foolishness
	Mark Hertsgaard, the Guardian, Can the rest of the world save itself from climate breakdown without the US?
	Anthony Blinken, Secretary of State, Press Statement: The United States Officially Rejoins the Paris Agreement
	Brad Plumer and Nadja Popovich, New York Times, Yes, There Has Been Progress on Climate. No, It's Not Nearly Enough.
	Robert Stavins, What Happened in Glasgow at COP26?

10/9	Class 7 — Cap and Trade, Carbon Taxes, and Offsets
	Part I: Policy
	Video: The Forest Carbon Project: What is all about?
	Resources for the Future, Carbon Pricing 101

Videos, Canada's Ecofiscal Commission, How does a cap-and-trade system work, How does a carbon tax work?
Video, Real Engineering, The Truth About Carbon Taxes
Wikipedia, American Clean Energy and Security Act of 2009
Resources for the Future, Carbon Pricing 102: Revenue Use Options
Resources for the Future, Carbon Pricing 103: Effects Across Sectors
Resources for the Future, Carbon Pricing 104: Effects Across Income Groups
Resources for the Future, Carbon Pricing 105: Effects on Human Health
Resources for the Future, Carbon Pricing 106: Effects on Employment
Kathryne Cleary, Karen Palmer, and Dallas Burtraw, RFF, Lessons from the Literature for State Carbon Pricing Policy Design
Adele Morris, Brookings, Making border carbon adjustments work in law and practice
Umair Irfan, Vox, Can you really negate your carbon emissions? Carbon offsets, explained.
Climate Town, Carbon Offsets! Can't we just buy our way out of climate change? (warning: profanity)
Part II: Politics
Richard Conniff, The Political History of Cap and Trade
Andrew Revkin, New York Times, On Global Warming, McCain and Obama Agree: Urgent Action Is Needed
Video: Joe Manchin, Dead Aim (0:30)
Brad Plumer, Washington Post, Why Has Climate Legislation Failed? An Interview With Theda Skocpol
David Roberts, What Theda Skocpol Gets Right About the Climate Bill Fight
Kate Schmiel, High Country News, What Killed Washington's Carbon Tax?
Ioana Marinescu et al, It's Ideology, Stupid: Why Voters Still Shun Carbon Taxes
David Roberts, Vox, Fossil fuel money crushed clean energy ballot initiatives across the country
Karl W. Smith, The Conservative Case for a Carbon Tax Democrats Need a Carbon Tax and a Coal Miner Buyout

10/16	Class 8 — The Clean Air Act, Part I
	Clean Air Act: <ul style="list-style-type: none"> • 45 USC §7521 (a)(1)-(3) (aka §202) • 42 USC §7411 (a)-(e) (aka §111) (read only the assigned parts, not the whole statute, or even these whole sections)
	<i>Massachusetts v. EPA - Historical Background</i> , Supplement pgs. 34-35
	Massachusetts v. EPA <i>Massachusetts v. EPA</i> , 549 U.S. 497 (2007) (Section IV of the majority opinion and all of the Chief's dissent optional)
	UARG v. EPA (syllabus only, opinion recommended but optional)
	EPA, Fact Sheet, Clean Power Plan
	EPA, Clean Power Plan , pgs. 64663-64672
	Jonathan Adler, Placing the Clean Power Plan in Context
	<i>Chamber of Commerce v. EPA</i> , Order in Pending Case (Feb 9, 2016)
	Nathan Richardson, The Rise and Fall of Clean Air Act Climate Policy , Sections I.A, I.C, II, III (remainder optional)

10/16	Class 9 – Group Presentations (II) (5:00pm-7:00pm)
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10/23	Class 10 — The Clean Air Act, Part II
	Elizabeth Kolbert, The Supreme Court Case That Could Upend Efforts to Protect the Environment
	Nathan Richardson, The Supreme Court's New Threat to Climate Policy
	Jonathan Adler, Does the Supreme Court Have Jurisdiction to Hear West Virginia v. EPA?
	Oral Arguments, <i>West Virginia v. EPA</i> 20-1530 02/28/22 (transcript or recording)

10/30	Class 11 — Energy and Geopolitics
	Video: Vox, Putin's War on Ukraine, Explained

	Robinson Meyer, The Atlantic, How the U.S. Made Progress on Climate Change Without Ever Passing a Bill
	Somini Sengupta and Lisa Friedman, New York Times, War Abroad and Politics at Home Push U.S. Climate Action Aside
	Matthew Daly, AP, Ukraine war upends Biden's agenda on energy, climate change
	Carbonbrief, Q&A: What does Russia's invasion of Ukraine mean for energy and climate change?
	Sam Meredith, CNBC, U.S. government should subsidize frackers and consider a minimum pump price, strategist says
	Rebecca Leber, Vox, America can't solve its gas price problem (or its Russia problem) with drilling
	Benjamin Storrow, E&E News, Just how much oil can the U.S. pump?
	Video: Climate Town, U.S. Oil & Gas Companies Trying To Profit From War In Ukraine (warning: profanity)
	Video: Kurzgesagt, Do We Need Nuclear Energy to Stop Climate Change?
	Deutsche Welle, Ukraine crisis forces Germany to change course on energy
	Podcast: Odd Lots (Bloomberg), Matt Klein on How Germany Wound up So Dependent on Russian Gas
	Video: Kurzgesagt, Is Meat Really that Bad?

11/6	Class 12 — State and Local Climate Policy
	Video, Climate Town, The Suburbs Are Bleeding America Dry
	Ezra Klein, NY Times, Government Is Flailing, in Part Because Liberals Hobbled It
	Julia Stein, UCLA, It's Not All CEQA's Fault
	Jordan v. St. Johns County
	St. Augustine Record, <ul style="list-style-type: none"> • County: Old A1A Lawsuit Settled (2013) • Picking up the pieces along portion of Old A1A (2016) • While Summer Haven River gets sand, Davis Shores residents say they 'dodged a bullet' in Hurricane Dorian (2019)
	Video: Drone footage of Summer Haven before and after Hurricane Matthew
	Washington Post, The strange story of how Florida's lawmakers subsidized hurricane insurance

	Christopher Flavelle, NY Times, <u><i>Rising Seas Threaten an American Institution: The 30-Year Mortgage</i></u>
	Charlie Wouk, Duke Law Finreg Center, <u><i>Burning Down the House: How Inadequate Climate Risk Disclosures and Information Asymmetries Threaten to Disrupt the U.S. Mortgage Market</i></u>
	City of Charleston, <u><i>Flooding and Sea Level Rise Strategy (2019)</i></u>
	John Tibbetts and Chris Mooney, Washington Post, <u><i>Sea level rise is eroding home value, and owners might not even know it</i></u>

11/6	Class 13 – Final Group Presentations (III) – (5:00 pm–7:00 pm)
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