Course Description

This course examines the role of religious ideas, institutions, and people in shaping environmental law and policy primarily in the United States. The course draws upon legal history, American studies, environmental history, comparative religion, and theology, among other areas of scholarship. The learning objectives for this course include:

1) to understand the role(s) of religious beliefs, ideas, and activism within debates about environmental issues in U.S. history to the present;
2) to explore in comparative perspective how religiously-infused language/framing in these debates is employed to justify action and to foster a sense of place or connectedness; and
3) to consider different arguments about whether and how religious justifications for legal action ought to be employed in public life, and the future of such activism given recent trends in religious adherence and growing environmental concerns.

Course Structure

Class sessions will be a combination of lectures and discussions. Questions accompany each week’s reading list and students will be responsible for submitting two responses via Canvas throughout the course, each responding to one question assigned for that week. A sign-up will be posted on Canvas prior to our first week class to ensure each week has coverage.

One of our class sessions will be devoted to a topic germane to the course focus and selected by the class. The instructor will present the class with a few options early in the semester. Once the class has selected the topic, readings for that session will be posted shortly thereafter.

During one of our final class sessions, we will be joined via Zoom by individuals working at the intersection of law, religion, and the environment. More details about the panelists will be provided early in the course.

For the final project, students will be responsible for drafting an amicus brief on behalf of one or more religious group. Final projects will be completed in small groups of 2-3 students. One (or two, as needed) of our final class sessions will be reserved for student presentations of their projects.
PART I: RELIGION AND ENVIRONMENTAL PROTECTION, KINDRED SPIRITS OR UNCERTAIN COMPANIONS?

1. Religion in the Making of Nature and Conservation in America

**Readings**


**Questions**

- In what ways, and to what end(s), was religious language and imagery employed in 19th and early 20th century writings about nature?
- Prior to this week’s readings, had you considered the ways in which nature is constructed as an idea or in collective imaginations? What has influenced your own conceptualizations of nature?
- What connections do you see (if any) between our collective imaginings about nature, its scope, and its purpose(s) and the law?

**Further Reading**

2. Interpreting the “Eleventh Commandment”

**Readings**


**Questions**

- In 1967 essay in *Science*, Lynn White argues that religious conceptions of the relationship between humans and the rest of the natural world are at the root of our ecological crisis. Do you find his argument compelling? Why or why not?
- What is/are your response(s) to Loudermilk’s 1939 pamphlet for the Soil Conservation Service in which he employs biblical imagery to forge a more ecologically-sound relationship between humans and the rest of the natural world?

**Further Reading**


*Note: This is a newly developed course subject to approval before offering.*

*Course content subject to change at instructor’s discretion.*
3. Partnership for Environmental Protection

Readings


Questions

- In this week’s readings, we encounter partnerships from different angles—across different religious traditions, across “philosophical differences” between religion and science, and across disciplines of religion, theology, and law, to name a few. What are the stated aims of these partnerships? Do those aims differ from reading to reading? If so, how?
- What are some of the challenges of these partnerships?
- If you were asked to evaluate the effectiveness of these partnerships, what metrics would you use? How would these collaborations fare based on those metrics?

Further Readings


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PART II: CONSTRUCTING NORMS, RIGHTS, AND RESPONSIBILITIES

4. Religious Freedom and Environmental Protection

Readings


Questions

- Are there limits to using religious freedom arguments to protect the environment? If so, what are those limits and what factors are (or should be) used to determine them?
- How would you describe the different ways in which religion is employed in arguments to establish legal rights or norms touching upon environmental concerns?

5. Religious Land Use

Readings

https://press.princeton.edu/ideas/standing-rock-bears-ears-and-native-american-religious-
freedom.

- Whitney Bauck, “The Catholic Cartographer Who Wants to Help the Church Fight
Climate Change,” MIT Technology Review, June 22, 2023,
https://www.technologyreview.com/2023/06/22/1074262/cartographer-fights-climate-
change.

**Questions**

- What competing interests did you encounter in this week’s readings?
- How was land conceptualized in this week’s readings? What differences, if any, did you
see in how different religious communities’ relationship to land was discussed?
- What perspectives were missing from this week’s readings?

**Further Reading**

- Beacon Broadside, “Can Religious Practice and Environmental Protection Coexist? Q&A
with Jay Wexler,” March 30, 2016,
https://www.beaconbroadside.com/broadside/2016/03/can-religious-practice-and-
environmental-protection-coexist.html

6. **Responding to Environmental Catastrophe Case Study: Earth Day**

**Readings**

- Paul Greenberg and Carl Safina, “The Case for Making Earth Day a Religious Holiday,”
- Robert A. Sirico, “The False Gods of Earth Day,” The Acton Institute, April 22, 1994,
https://www.acton.org/public-policy/environmental-stewardship/eco-spirit/false-gods-
earth-day.
- Philip Long, “How Should Christians Respond to Earth Day?” Cru, undated,
https://www.cru.org/us/en/blog/share-the-gospel/evangelism/how-should-christians-
respond-to-earth-day.html.
- Sakshi Venkatraman, “As Eid and Earth Day Coincide, Young Muslims are Driving the
Modern Climate Movement,” NBC News, April 21, 2023,
https://www.nbcnews.com/news/asian-america/eid-earth-day-coincide-young-muslims-
are-driving-modern-climate-moveme-rcna80485.
- Fatima Ashraf, In Islam, Every Day is Earth Day,” The Eco Muslim Blog, Oct. 22, 2010,
- Rabbi Stephen Lewis Fuchs, “Every Day is Earth Day: Jewish Holidays and
Environmental Justice,” ReformJudaism.org, undated, https://reformjudaism.org/beliefs-
practices/social-justice-reform-judaism/every-day-earth-day-jewish-holidays-and-
environmental-justice.

Questions

• Why was Earth Day established and why was/is it understood as an important step in the environmental movement?
• What are some of the arguments from for and against celebrating Earth Day?
• How do different religious organizations use the language of Earth Day to connect their own traditions to environmental action?

7. Responding to Environmental Catastrophe: The COVID-19 Pandemic

Readings


Questions

• Why include COVID-19 in a course dealing with religion, law, and the environment?
• In what ways do this week’s readings connect with themes or readings explored so far in the course?

PART III: LOCAL, STATE, INTER/NATIONAL ADVOCACY

8. Federal Law, Initiatives, and Advocacy

Readings


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https://www.epa.gov/laws-regulations/summary-clean-water-act (including links under “History of this Act” subsection)

https://www.epa.gov/laws-regulations/summary-endangered-species-act

- **Sackett v. Environmental Protection Agency**, No. 21-454, Brief amici curiae of Menominee Indian Tribe of Wisconsin, et al., June 17, 2022,
  - For additional background on *Sackett v. EPA*, see the SCOTUSblog case page: https://www.scotusblog.com/case-files/cases/sackett-v-environmental-protection-agency/.

- **Weyerhaeuser Company v. United States Fish and Wildlife Service**, Brief amici curiae of The Evangelical Environmental Network, et al., July 3, 2018,
  - For additional background on *Weyerhaeuser v. USFWS*, see the SCOTUSblog case page: https://www.scotusblog.com/case-files/cases/weyerhaeuser-company-v-united-states-fish-wildlife-service/.


Questions

- How is the substance of the two amici curiae briefs in today’s readings like other types of readings encountered so far in this course? How are they different?
- What are some of the challenges federal or national initiatives face when confronting environmental concerns?

Further Readings

- ENERGY STAR, “ENERGY STAR for Congregations,”

9. Select State and Local Initiatives

Readings


Questions

- Which local or state initiatives to address environmental concerns stood out to you from this week’s readings and why?
- What role, if any, do you see “citizen science,” playing in addressing environmental concerns?
- What are some of the challenges local or state initiatives face when confronting environmental concerns?

10. International Efforts

Readings

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Questions

- Based on the readings in this course so far, do domestic and international efforts to address environmental issues diverge? If so, how?
- In what ways do domestic and international efforts converge?
- What unique challenges are there to mobilizing religion and religious actors to address environmental concerns at the international level? Unique possibilities?

Further Readings


PART IV: BRINGING IT ALL TOGETHER

11. Class Selected Topic

Early in the course, students will be presented with several topics for possible exploration during this class session. Selection will be made through democratic processes and readings will be announced shortly thereafter.

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12. Roundtable Discussion

During this class period we will be joined via Zoom by individuals working in sectors relevant to the focus of this course. Early in the semester, the class will brainstorm together about the perspectives the class would like to invite to be part of this discussion (subject to final approval by the instructor). This will be an opportunity for us to ask questions informed by our discussions thus far in the semester. Please formulate and post on Canvas three questions related to our course that you would like to ask these individuals during their visit. Posts should be made 48 hours in advance of the start of this week’s class.

13. Group Presentations

Each group of 2-3 students will have the opportunity to share with the class their final project.

14. Group Presentations and Wrap Up

As needed, the remaining groups of 2-3 students will have the opportunity to share with the class their final project. We will use the remainder of the session to discuss key themes from the course and areas for further exploration.

ADDITIONAL RESOURCES

A short (evolving) list of additional resources that engage with themes relating to religion, law, and the environment.

- Erin DeGregorio, “Institute on Religion, Law & Lawyer’s Work Invites Experts to Discuss Environmental Justice Strategies,” Fordham Law School, April 22, 2022

- Center for the Study of World Religions, Harvard Divinity School, Religions of the World and Ecology Series, published by Harvard University Press,
  https://www.hup.harvard.edu/collection.php?cpk=1057


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