

# Vassar STS Alumni Newsletter

Fall 2012

Vol. 2 Issue 1



Looking south alongside Vassar Chapel

## Greetings from campus

The fall flew by, and it's just about crunch time here in Arlington: classes are wrapping up, final papers and projects are all due on the same day, and the a capella groups have started advertising their year-end concerts.

We've had a very exciting semester on campus. We battered down the hatches during Hurricane Sandy and sat at the edge of our seats during the Presidential election. The department has also declared 13 new majors so far this academic year.

This issue will give you a view into what life is like for STS students today: where our thoughts are, what classes we are taking, and how we use multidisciplinary lenses to interpret everything around us.

Also several faculty within the STS department explained why they became involved in a multi-disciplinary program rather than devote themselves to one major department. You will find their responses scattered throughout this issue.

We hope you enjoy reading what we have to share!

## In this issue:

|                                       |      |
|---------------------------------------|------|
| Summertime STS moments                | pg 2 |
| Intellectual property and Politicians | pg 2 |
| Ox Tail Soup Recipes                  | pg 3 |
| 2012-2013 Courses                     | pg 4 |
| Alumni Feature                        | pg 5 |

**“As a member of the Biology department, I feel that it is essential to have a strong relationship with STS.... I am lucky enough to be able to regularly team teach an STS course, The Bioethics of Human Reproduction (STS 272) along with Molly Shanley in the Political Science department. This partnership has not only allowed each of us to bring a unique set of expertise to the course, but has also broadened my intellectual horizons. Teaching with someone outside the natural sciences has taught me a lot about different styles of instruction and different ways of engaging students in the material. I have also found the mentoring of senior STS theses to be a rewarding activity, and many of the STS seniors exemplify the goals of a liberal arts education. By drawing on a variety of sources from multiple disciplines, and then integrating that material into a logical argument about the uses and misuses of technology, they engage in exactly the type of intellectual exercise that personifies our academic aspirations for all Vassar students.”**

**Nancy Pokrywka, Biology Dept.**

## STS over the Summer:

### How did STS show up in your life in between semesters?

- I became aware of the connection between communication and transportation when the plane I was in was forced to stay in the air longer than expected, and I didn't have a cell phone to call the person waiting for me in the airport.

Jim Challey, STS Dept.

- I was riding bikes with my sister, and she ended up having two flat tires. To distract her I told her about bicycle history and how the pneumatic tire revolutionized personal mobility.

Amanda McCarthy '13

- I saw "How to Survive a Plague." The piece is about Act Out, the social movement that worked to get the resistive US government to pay attention to AIDS in America.

Marque Miringoff, Sociology Department

- I spent a lot of time working with home recording equipment, and I thought about how it affects the music industry as well as artist development.

Aaron Steinberg '13

- My mom said I hadn't vacuumed the house properly. I told her she was entitled to her house chore paradigm, but I would continue vacuuming according to mine.

Liz Edgardo '13

## The Right to Publicity Through Four Lenses: An Assessment of Scott T. Masson's Article Through Intellectual Property Law Theory by Alaric Chin '13

Defined as "... a self-evident legal right, needing little intellectual rationalization to justify its existence," the right of publicity is a concept that varies from state to state and circuit to circuit. Essentially, it serves to protect a person's (most likely a celebrity's) image from commercial exploitation by providing for compensation and by serving as a means to mark when and where a person's image may be used. Although the right of publicity is generally used concerning celebrities, Scott T. Masson in "The Presidential Right to Publicity" argues that this right can be extended to politicians – particularly, the "celebrity-politician" Barack Obama. According to Masson, president Barack Obama has a possible case towards receiving remedies in the course of protecting his image.

However, in order to assess Masson's arguments from an intellectual property perspective, Barack Obama must be seen as the producer of his celebrity, while the right of publicity must be seen as the intellectual property right that protects his marketable image – much like copyrights, trademarks, and patents. In "Theories of Intellectual Property," William Fisher presents and defines four theories of intellectual property law: Utilitarian Theory, Labor or Natural Rights Theory, Personality Theory, and Social Planning Theory. The question therefore, is whether or not Barack Obama's right of publicity is supported by the prevailing theories of intellectual property law.

Masson divides his case for Barack Obama into three sections: a) "The Line Between Free Speech and Commercial Exploitation," b) "Politicians are Entitled to Profit from their Labor," and c) "Use it or Lose it," which addresses "statutes of limitation." Being more pertinent to intellectual property law, the first and second points will be the focus of this assessment.

In the first section, Masson lays the groundwork of the right to publicity versus the freedom of expression. He demonstrates that there is a distinct line between, "... freedom of expression – like non-commercial speech – and the pure, commercial exploitation of another's likeness." He cites that products such as "Obama, Yes We Can Opener," and "Obama Fingers," fail to serve in the exchange of ideas, and therefore are not protected under the First Amendment. Essentially, Masson argues that Barack Obama's right of publicity trumps the commercialization of his presidential celebrity.

Fisher expresses the first theory, Utilitarian Theory, as a means of finding an "... optimal balance between ... the power of exclusive rights to stimulate the creation of inventions and works of art and ... the partially offsetting tendency of such rights to curtail widespread public enjoyment of those creations." In addition, the goal of Utilitarian Theory, as expressed by lawmakers is the "... maximization of net social welfare." To this end, Utilitarian Theory seeks to incentivize individuals and organizations to produce artistic and scientific works with the safety of receiving compensation for their efforts.

Citing commentators from the 1990s, Fisher presents the argument that Utilitarian Theory views the right of publicity as "senseless." Importantly, as seen by Utilitarian Theory, "It [the right of publicity] encourages people, once they have become celebrities, to coast on their endorsement incomes rather than continue to provide the public the services that made them famous." Therefore, the right of publicity does not aid in the maximization of net social welfare, *continued on page 4*





## Ox Tail Soup by Henry Liang '13

Written for Culture and Chemistry of Cuisine (Chem/STS)

### Ingredients and descriptions:

- 1.5 lb oxtail: a cut of meat from the tail of cattle. Boney and rich in gelatin, it is great for stews and soups.
- .5 gallon water
- .5 oz ginger
- .5 lb daikon radish: a large East Asian radish white in color
- 1 bunch of scallions
- Salt and pepper

### Recipe:

1. Heat the water in a large pot. Wash and rinse the oxtail with water and add them to the pot. Put on high heat until the water boils. Remove the top grey colored bubbles / gunk and wait until the oxtail has changed color from red to greyish/cooked. If concerned about the water, dump out the first batch and rinse the meat again. Add the same amount of water and bring to a boil again.
  2. In the mean time, peel the ginger and using the flat side of a large knife, smash the ginger until crushed and add to the pot. Once the water starts boiling, turn the heat on low to simmer and flip the meat pieces over. Check if the meat is fully cooked periodically. You can tell when you can stick a chopstick cleanly through. Simmer for 3 hours. After 2 hours, the soup should be an opaque whitish color.
  3. After 3 hours, peel the daikon and cut it at angles so the pieces are 3D triangular polygons. Add the daikon pieces to the pot and simmer for 15-20 minutes until soft and can stick a chopstick through easily.
  4. Chop the green parts of the scallions and garnish with salt and pepper and serve.
- For a lower fat version, refrigerate the soup and allowing the fat and oil to solidify on the top. Scoop it off and heat the soup and enjoy!

### Brief background biography:

In Guangzhou, China, where my father's side of the family is from, it is traditional to have a soup dish with every dinner. My grandmother would start making it early in the day in preparation for dinner and we would have a different one nearly every day. The oxtail soup wasn't particularly meaningful to me until my college years. I had always enjoyed having it because the meat and fat is so delicious, but oxtail is expensive so we didn't have it that often. After I went to college, however, my mom would always make it for me whenever I came back home, so I began forming an association between the soup and home, and it reminds me of my grandmother back in China as well.

**“As an archaeologist my focus has always been on the interaction between humans and the environment as mediated by technology. So when I came to Vassar, STS seemed like the perfect program to become involved in, and when Environmental Studies (ENST) arrived on the scene, my interests were fully served. Offering “Technology and Ecology” and now “Tools and Human Behavior” to Anthropology, STS, ENST and other majors has enriched my understanding of my field and has given me great joy.”**

**Lucy Johnson, Anth. Dept**



## Course Selection 2012-2013

Some of the courses offered to students this year

### Fall 2012

#### **Infrastructure**, Prof. J. Challey

This course examines four of the most debated infrastructures: water, electrical power, transportation (bridges and highways) and communications (the Internet). In each case the current state of the technology and its future prospects is examined, together with the political, economic and environmental constraints and consequences.

#### **Germ, Angles, and Quarks**, Prof. A. Fiss

This course posits that science and medicine are not universal truths but rather historical constructs that grew out of cultural exchange. By studying discrete events and places in the history of science and medicine, students of this class will develop strategies for analyzing their own experiences and expectations in encountering science and medicine as students, lab workers, patients, and consumers.

### Spring 2013

#### **Mind, Culture, and Biology**, Prof. R. McAulay

This course examines the deployment of Darwinian social science to account for morality and religion; art and literature; consumerism and consumer culture; sex/gender and standards of beauty. The goal is neither to celebrate nor to dismiss evolutionary psychology and its allies but rather to play Darwinian insights and potentially questionable claims off against those of feminist, Marxist and sociological critics.

#### **Renewable Energy**, Prof. J. Challey

A careful examination of the renewable energy technologies currently available to replace fossil fuels. Primary attention goes to wind, solar power, hydroelectric power and biomass (including ethanol and biodiesel), with briefer consideration of other renewables such as geothermal and tidal energy. The seminar draws upon such methodologies as the social construction of technology and actor-network theory to understand the interaction of technological, economic, environmental and political factors currently shaping the field of renewable energy.

## Intellectual Property, *cont'd from page 2*

and thus, is not supported by Utilitarian Theory.

In his second point, Masson cites John Locke's "labor theory of property," by stating, "[t]he labor of his body and the work of his hands... are properly his." Masson extends this line of thinking to Barack Obama's celebrity. By accounting for a dissenting opinion by Judge Kozinski from *White v. Samsung Electronics America (White II)*, Masson presents that although Obama's image may have been developed by multiple people, this line of reasoning cannot deny the president exclusive rights over his celebrity.

As Schechter and Thomas stress in "Introduction to Intellectual Property," unlike the incentive theory of Utilitarianism, "... the 'natural rights' school places the innovator front and center." Although both Masson's presentation of Lockean principles and Labor Theory agree that individuals should be entitled to the "fruits of their labor," the latter does not support the right of publicity. Fisher builds on Kozinski's opinion that a celebrity is not the sole cultivator of their image: "Often, fame results from luck, fickle public tastes, or the efforts of third parties more than it does from the efforts of the celebrity."

The third theory, Personality Theory, states that intellectual property rights should protect a person's intellectual property only "... when they would promote human flourishing by protecting or fostering fundamental human needs or interests." Would protecting Barack Obama's celebrity be protecting a fundamental human need? Although Barack Obama has a stake in protecting his image, Fisher argues that the right of publicity is a poor means to achieve that goal. Citing the fact that the right of publicity is only a means of profiting from a persona and offers no protection of a celebrity's personal life, Fisher concludes that Personality Theory does not support the right of publicity.

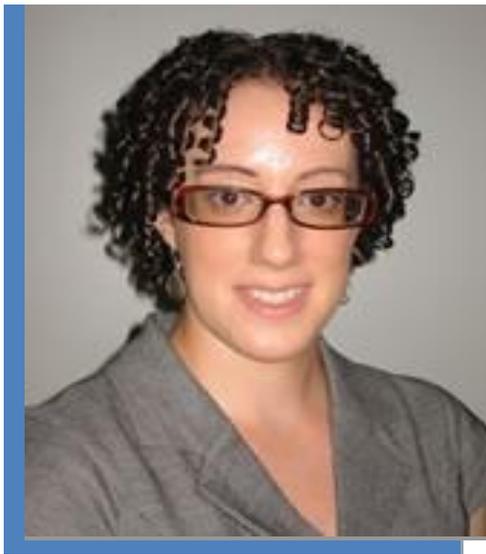
Presented by Fisher as "Social Planning Theory," the fourth theory alludes to the use of laws to bring about a "just and attractive culture." Yet, Fisher demonstrates that numerous issues plague "Social Planning Theory" – the definition of a "just and attractive culture," problems such as "parody," and the fact that it is relatively less established than the other three theories. Despite this, like the other theories, "Social Planning Theory" condemns the right of publicity: "... [it] exacerbates the centralization of semiotic power in the United States and undermines popular control over 'popular culture.'"

Although the four intellectual property law theories do not support the right of publicity, it should be noted that the arguments are made with a profit-seeking celebrity in mind. Even Masson presents that the use of the right of publicity by Barack Obama should only be used "... as a shield to protect against false advertising, fraud, or similar conduct." Thus, through exercising his rights sparingly and strategically, President Barack Obama would be protecting his image without focusing on marketability.

## Alumni Feature:

### Getting to solutions: Harder than it sounds

by Amanda McCarthy '13 and Liz Edgardo '13



Jessica Schifano '05

On an extremely rainy Thursday, on October 4th, Jess Schifano (VC STS '05) returned to campus to host a discussion inspired by issues she encountered in her post-Vassar career and also offer advice to current students considering Law and/or Public Health graduate programs.

Schifano has had an interesting career since graduating, including an internship at the Silent Spring Institute, working as a Policy Analyst at the Center for Sustainable Production in Lowell, Massachusetts, before becoming a Research Director for the Massachusetts Legislature Joint Committee on Telecommunications, Utilities and Energy. She is currently a Health Scientist at OSHA in Washington D.C. Her discussion, "Getting to solutions: The role of science, politics and alternatives assessment in public decision making," drew from cases in which Schifano was an active member of the decision making process.

The case that stimulated the most conversation amongst attendants was the Massachusetts "Bottle Bill," which proposed a five cent refundable tax onto plastic water bottles, expanding on the existing refundable tax for carbonated beverage bottles. A key feature of the Bottle Bill discussion was evaluating the varying perspectives of the stakeholders in the vast Actor Network that is the manufacturing/waste management/public policy (and the kitchen sink) complex; the myriad actors included multinational companies (eg: Coca-Cola, Pepsi), local companies (eg: Polar), refund station owners, citizens offended by the litter aesthetic, environmentalists, state legislators, those who collect redeemable containers to supplement their income....the list continues. Each social group had its own agenda and set of priorities, a series of benefits to maintain and extra expenses to avert.

After considering many of the possible sides as a group, Schifano asked us what solutions we saw, if any, that might allow each group to come together over a common goal and still avoid unreasonable costs. The discussion participants were collectively overwhelmed by all the facets to be dealt with, and they had a hard time identifying potential answers within the limited time of a one hour lecture...much like the Massachusetts Legislature which has been chewing on this issue for 14 years and counting. The Massachusetts Bottle Bill reminded the Vassar community of the recent campus-wide ban of bottled water from all vending machines and dining areas in reaction to a successful petition generated by the Vassar Greens. This opened questions about legitimate policy implementation, the validity of a democratic process, and the gray areas of governance/obedience/enforcement/choice surrounding the creation of public policy.

These questions led the discussion to consider how new environmentally-conscious policies in general might be effectively introduced and engender cooperation rather than resistance. An example of this issue is how to get a manufacturing plant to produce goods without releasing toxic chemicals into the environment as byproducts. In Schifano's experience, real lasting change comes from decisions made at a local community level not from top-down shifts in the body of law. She sees the role of governing bodies as enablers who connect the manufacturers with scientists who have found the methods and materials the factories can adopt to make operations cleaner. Schifano argues that in such a system, where alternatives become both known and accessible to manufacturers, the switch in production methods is less burdensome to the companies as it removes the need for private investment in research and development. Overall, the discussion provided attendees the opportunity to debate current real-world challenges and their solutions, as well as fodder for thought, as they rushed home in the rain.

The following day, there was an informal gathering for STS students to chat with Schifano about environmental law programs and public health graduate programs. After graduating from Vassar, Schifano completed the JD/MPH dual degree program at Northeastern University School of Law and Tufts University School of Medicine. Current students may have been drawn by the proffered snacks, but they stayed for the sound graduate school advice and engaging discussions about Schifano's career experience. Law and public health are two popular avenues pursued by students post-Vassar, and questions ranged from applying to graduate school to what innovative ways the additional education may be applied. Schifano also spoke about how law and environmental health intersect and how being knowledgeable about both opens doors and gives her a unique perspective within her field. Her dual degree presents an interesting way of collaborating between disciplines, to create solutions that are informed by multiple approaches (a skill much valued by multidisciplinary STS students).

As current students, we are often challenged to grasp knowledge beyond lectures and overpriced books, and to apply the lessons we learn, even after the term papers are turned in (an hour late, but still...). In short, we are striving to make our education matter more, to ourselves and to our communities. As seniors, the choices about what to do after college seem both dizzyingly abundant and terrifyingly beyond our expertise. The positive impact of having alums come back to talk about their experiences cannot be overstated; they act as role models for the many exciting possibilities for an STS education and help students realize how their (seemingly) disparate interests can form the basis of a career and of a life path. One of the great strengths of this STS department is the network of engaged and supportive alumnae and alumni. We are extremely grateful to Jess Schifano for coming back to broaden our ever-curious minds and to act as a knowledgeable resource.

## Things to look forward to in the next issue:

- Topics of this year's Senior Theses!
- Welcoming a new professor to the STS department faculty
- Celebrating Jim Challey's contributions during his career at Vassar

Come visit us on campus, sit in on a class, let us know what you have been up to 😊

*If you would like to contribute to the Science, Technology, and Society newsletter, or if you have any questions, comments, or feedback please contact the 2012-2013 Science, Technology, and Society academic intern, Liz Edgare, at [eledgare@vassar.edu](mailto:eledgare@vassar.edu)*



“STS deals conceptually with science and technology in relation to the larger social and cultural context in which innovation, change, application and impact take place. It is not that other majors or programs cannot deal with or touch upon these issues, but that for STS such matters are focal and can be more broadly, systematically and self-consciously explored.

“Contemporary society and culture cannot be adequately understood unless we incorporate science and technology into that understanding. STS has lasted precisely because of the continued relevance of “science” and “technology” to our lives and the capacity of the STS program at Vassar to change and adapt as the meaning, relevance and manifestations of techno-science are continually transformed.

“There is, arguably, no better way to learn a subject than to teach a course in that area. However, having bright, committed students and colleagues with similar interests is also indispensable. The opportunity to co-teach STS 200 with Jim Challey was an unparalleled opportunity which I will always value. Thanks Jim!”

Bob McAulay, Sociology Dept.