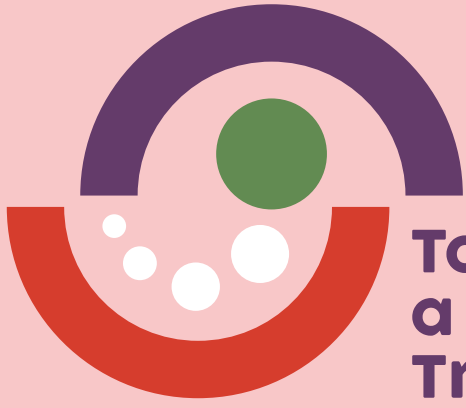




Towards a Just Transition

Walking Practices and Legal Possibilities

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Foreword

This document shares insights and knowledge from discussions and reflections on our experiences with engaging with Walking as a method of transdisciplinary engagement, research and education in initiatives to progress inclusive, equitable climate transitions ('Just Transition').

Much of our work with Walking engages with aspects of law and governance, whether directly or indirectly - not surprising, as both are key to progressing a Just Transition. The ideas in this document stem from thinking about what was, is or could have been helpful in our different engagements with legal and governance dimensions of Just Transition encountered through our approaches to Walking as methodology.

Writing this document was a shared effort, though we didn't write everything 'together' - the content evolved based on people's expertise and availability. It is not our intention to present the ideas in this report as definitive, exhaustive or preferable. Just like the unique experience of Walking (no Walk - even undertaken at the same time and place on a different day - is ever the same), this report captures accounts that come from specific contexts, experiences and perspectives on Walking and on Just Transition. We do not propose that the accounts here are interchangeable with your own. However, in coming together to share and explore our different experiences of Walking, and in the exercise of writing this report as a way of reflecting on those, we intuit that the information contained here might be helpful for others. We welcome your own thoughts and contributions, and please feel free to share your thoughts on the contents of this report.

We wish to acknowledge and sincerely thank the support of the SHIFT (Social Sciences and Humanities for Transformation and Climate Resilience) COST Action. Its vision includes deepening our understanding of practices involved in 'doing transformation' and promoting shifts in thinking on the role of transdisciplinary Social Sciences and Humanities research in accelerating change in an inclusive and responsible manner. Its 'Short-Term Scientific Mission' fund (April - July 2025) supported the production of this report, and more importantly, the connections and conversations that producing this report brought about.

Siobhán would like to warmly thank Hüseyin Eryılmaz, Duygu Dağ and Yağız Eren Abanus from the Center for Spatial Justice (MAD), Istanbul for their enthusiasm for this project, and their generosity in sharing their valuable time, knowledge and insights. She would also like to warmly thank Daniela (Dani) Garcia-Caro for her research assistance, her many insightful contributions, and her energy with crafting the report and this project.

July 2025

1. Context – weaving strands



Strand 1: This Writing on Walking project – serendipity and connection

This document and its writing arose from serendipitous connections and fortuitous timing in the Spring and Summer of 2025. Siobhán (School of Law, Erasmus University) reached out to Hüseyinçan (Center for Spatial Justice, Istanbul (Mekanda Adalet Derneği – MAD) to informally connect and learn about MAD’s approach to Walks and Spatial Justice. Support from the SHIFT COST Action initiative for its objective of fostering deeper understanding of practices involved in ‘doing transformation’ inspired and enabled further conversations and reflections between both, and their colleagues (Dugu, Yağız and Dani) over the ensuing few months on why and how we Walk. The ideas here reflect some insights from these shared conversations.¹ Because of time and other constraints, we left out many more (but stay tuned for further updates!).

Strand 2: Emergence of Just Transition in law and governance

In recent years, the concept of ‘Just Transition’ has emerged in several legal and governance frameworks at international, regional, national and sub-national levels, and is now prominent in policy discourses in several sectors linked to climate mitigation and adaptation e.g., energy, employment. The concept usually indicates a recognition that ‘green’ or ‘sustainable’ transition initiatives will have uneven effects on different groups in society and different locations, and may well exacerbate or entrench existing inequalities. Thus, responses to mitigate or eliminate these are necessary – ultimately, a green or sustainable transition needs to be fair. However, the relationship between Just Transition with other historical and contemporary initiatives and movements on justice and systemic change, the juridical quality of the concept, and its actual and potential role in law and governance remain – as yet – unclear.

This period of interregnum holds both promise and peril for those interested in progressing inclusive, equitable societal transitions at this time of severe risk from the climate crisis. ‘Promise’ exists in the potential to draw from other and prior ideas, practices and movements on social justice, and weave new relations and responses to progress Just Transition in ways that make sense for our current context. Amongst other risks, ‘Peril’ includes the potential for ‘Justicewashing’ of initiatives labelled as “Just Transition.” This is where false claims and deceptive marketing practices of ‘Just Transition’ mislead us into thinking that initiatives and actors are doing more to address injustice, and in a timely way, than they really are (just like ‘green washing’).

Strand 3: Walking – new lines, methods and objects of legal enquiry

Legal research in the Western tradition remains defined by two distinguishing features – relations between humans/actors are its core object of concern, while the text remains its primary object of analysis. Responding to the existential threat of the climate crisis – and laws’ role therein – has encouraged some legal researchers to extend the objects and mediums of their legal scrutiny in new directions. In this report, we draw from ideas and insights on using Walking as a metaphor and methodology of engagement on dimensions to Just Transition, in several locations in two cities – Istanbul and Rotterdam. Both are defined by their contemporary identities as port cities with ‘multiple (diverse) faces’ forged

¹ Some sections were co-written, others weren’t, though all sections were reviewed by everyone in our authorship group. This document’s authorship is shared, though some sections have identified authorship, for purposes of clarity and ease of any follow-up.

from their respective locations as historical hubs for international migration and movement, and their contemporary aspirations as ‘green’² and ‘global cities.’ Yet both are also ‘second cities,’ grappling with the challenges of transitioning to a ‘post-industrial’ state, in challenging economic and political times.

These shared yet very diverse city identities and experiences form the backdrop for our work with Walking as a methodology for place-based, community-centred perspectives and approaches to issues that have Justice and Transition at their heart. Within this, we focus especially on the institutional opportunities and barriers to communities’ influence on public policy decision-making.

For us, at the heart of Walking³ for a Just Transition is to be attuned to the significance of the following dimensions for understanding law and governance;

- **Place** - the significance of location, and how this place came ‘to be’; different kinds of ‘place’ - land, building, island, road, public park; the role and status of property (e.g., private property or public space), and relations between people created by location and place. This also includes considerations of distance and proximity, including from power, and from law and governance.
- **Person** - the identity of the person/group/community; who/what has authority, responsibility and power, and how these - and their relations with others - are constituted by law and governance. Includes recognising the ‘more-than-human’ and how law and governance shape and affect nature and biodiversity.
- **Artefact** - the value and role of physical ‘things’ and infrastructures in personal, social and economic life; how ‘value’ is ascribed and ‘matters’ and how these are recognised and protected by law.
- **Pace** - the tempos, flows and rhythms of interactions that sustain or undermine life; who or what can influence and change these.
- **Relation** - the web of interactions that connect things, the ‘web-of-life’ and how these are created, sustained, altered or ignored by law and governance. It also recognises the significance of norms and non-‘legal’ relations and practices, for how society works.
- **Knowing** – the significance of knowledge, and how some knowledges are valued more than others for certain purposes. Of particular concern are the conditions under which knowledge is created and shared, especially in academic-community collaborations.⁴ This also includes awareness of researcher positionality (see later section on Knowledge Relations and Epistemic Justice). Traversing all of these dimensions are considerations of power, accountability and transparency, and the institutions, mechanisms and practices that enable and influence these.

² As examples, for Istanbul, see [here](#). For Rotterdam as a ‘sponge’ city, see [here](#).

³ As a research methodology, Walking draws from contributions in several disciplines in the humanities and social sciences, as well as insights from new materialisms and post-humanism studies. We draw from and adapt Springgay & Truman’s (2018) seminal work for the approach described in this section. Stephanie Springgay & Sarah E. Truman, *Walking Methodologies in a More-than-Human World: Walking Lab*, (Routledge, 2018). These categories are intended to be ‘signposts’ for researchers and not intended to be exhaustive.

⁴ Also known in the Netherlands as ‘transdisciplinary’ or ‘engaged’ research. In the Netherlands, both terms now imply the generation of new knowledge involving interdisciplinary contributions, and with non-academic actors as participants in the knowledge-generation process. See [NECTR](#) as a Dutch example. For this report, our attention is more on community engagement, defined as non-public sector, and non-private (corporate) sector, often mediated through community-based or issue focused organisations, whose aims include those of social justice and social inclusion. Thus, for us, transdisciplinary research involving communities as knowledge co-creators implies attention to additional factors (see epistemic justice section). Also, Julia M. Wittmayer, Ying-Syuan (Elaine) Huang, Kristina Bogner, Evan Boyle, Katharina Hölscher, Timo von Wirth, Tessa Boumans, Jilde Garst, Yogi Hale Hendlin, Mariangela Lavanga, Derk Loorbach, Neha Mungekar, Mapula Tshangela, Pieter Vandekerckhove & Ana Vasques, “Neither right nor wrong? Ethics of collaboration in transformative research for sustainable futures,” (2024) 11 *Nature - Humanities and Social Sciences Communications*, 677. Available [here](#).

Strand 4: Critical enquiry-centred teaching and learning.

Walking can be a way for practitioners, students and teachers to move and learn within and outside of the formal settings such as schools in ways that foster critical inquiry on how our immediate world came to be the way it is, why it works as it does, while encouraging the imagination of other possibilities.

Walking can broaden the boundaries of ‘what counts’ as ‘knowledge’ (and especially ‘legal knowledge’) when examining an issue. Being ‘in place’ makes it easier for students to realise and share relevant ‘informal’ knowledge, that ‘rounds out’ the experience of an issue for a community. Insights from personal experiences, from volunteer work, from the media and other sources are more easily shared and freely explored as we stand at a street corner. Also, it is far easier to see and imagine how law and governance are experienced and wielded by different actors on that issue when you are right there in the location of concern.

The stakes of having and finding the ‘right’ legal knowledge to address an issue shift in this outdoor context. Who ‘knows’ and different ways of ‘knowing the law’ can be more easily identified, as well as spotting ‘how law knows’ (what does law and governance recognise and what is left out?). The conditions under which knowledge of law is commonly generated and ‘known’ (from experience; from social media; from your social group; from school; from different disciplines, and so on); how this knowledge ‘fits’ with academic knowledge of the law; ways of linking different knowledges of law and governance, and methods of gathering this knowledge, can be identified and further explored. Walking also encourages questions and insights on different approaches to the use of legal knowledge in different contexts.⁵

Undoubtedly, it lends towards more ‘horizontal’ learning relations between teacher and student, and between students themselves. For teachers of a different background to their student cohort, Walking can help contextualise and relativise legal knowledge and expertise.

Walking encourages practical ‘ethics of care’ (“is everyone together, mind that hole on the footpath, how are we doing for time?”), that inevitably suffice relations and positions within outdoor learning, especially when linked to paired/trio/group learning exercises.

Finally, Walking offers a different methodology for teaching and learning in a Western academic context. Here – and increasingly in the aftermath of COVID-19 – teaching, learning and assessment are increasingly bound up with and mediated by use of privately-owned, digital and other technologies,⁶ and implemented through the logics of instrumentalised learning in an increasingly neo-liberalised academic context. Though using Walking as a pedagogical medium requires preparation, its potential for supporting learning, along with its personal and inter-personal development potential, offers great promise.

5 For example, through use of guiding questions such as ‘If you as a community group representative are to meet the municipality on their response to the disastrous flooding, what knowledge of law and governance would be helpful to know? If you were a municipality worker, how would you be approaching that meeting? If you were a lawyer, how would you advise each of these?’

6 See the increasing role of digital education platforms (the platformisation of education) along with the rise in the ‘datafication’ of learning, through use of website-mediated learning, online education platforms, apps, games, use of social media etc., especially within the third level sector. Critical education studies have begun to trace how the rise in use of these technologies and their operation are changing the *form* of education, seeing parallels with developments in platform capitalism and a “neoliberalisation of pedagogy.” Matthias Decuypere, Emiliano Grimaldi & Paolo Landri, “Introduction: Critical studies of digital education platforms,” (2021) 62(1) Critical Studies in Education, 1.

2. Walks and/in Practice

Follow the River

DereTepe Basin Studies (2018 – ongoing, Türkiye).

Lethal Heat

Thermal Walking (2025, Maltepe, Istanbul, Türkiye).

Unlearning Assumptions: Envisioning and Advocating

#OurNeighborhood (2017-2018, Districts in Istanbul, Türkiye).

From Stories to Law

Walking Towards a Just Transition (2024, Rotterdam).

Walking

Learning Law in graduate legal education (2024-ongoing, Rotterdam).



Follow the river

**DereTepe Basin Studies (2018 – ongoing)
(Çoruh, Melet, BüyükMenderes Rivers, Türkiye).**

Author: Hüseyin Eryılmaz, on behalf of the Center for Spatial Justice (MAD)

Project Summary and Context

The Center for Spatial Justice conducts River Basin Studies each year on a river basin in Türkiye to explore the environmental and social impacts of infrastructure and development projects. River Basin Studies offer a thematically structured research methodology to investigate how environmental issues intersect with regional problems and personal histories in these locations. Simply, we travel through river basins, not always on foot, but always with our feet on the ground. Walking is a core part of how we connect with landscapes and people: it helps us slow down, take notice, and listen. The goal is to understand the social and ecological impacts of development projects in their full context, not just from data points but from the lived realities of the people they affect. We listen to personal stories, everyday struggles, and small victories of local communities, and document them on the digital platform, followtheriver.org.

The Process

We travel across the river basin with a multidisciplinary team—urban planners, sociologists, artists, environmental scientists—in collaboration with the local movements, visiting villages and towns, sitting and walking with farmers, workers, mukhtars, and local activists. The walking method enables both macro-scale mapping and micro-scale storytelling. We listen to the rights holders themselves and hear about the effects of the development projects from the very people whose lives and livelihoods are shaped by these interventions. The research is structured beforehand, but also open-ended and



exploratory. A story shared over a tea, or a memory of a fisherman stumbled upon while walking, might reshape the route of the research. We document, record, map, and archive these encounters and engagements as well, building deep, context-rich documentation of environmental conflict, resistance, and local knowledge, feeding back into ongoing advocacy and justice efforts.

The Challenges

Epistemic Extractivism - The River Basin Studies always involve engagement between researchers and local individuals or groups from rural areas with diverse socioeconomic backgrounds. In those encounters, there is always a challenge of not creating asymmetrical, hierarchical knowledge production relationships, where researchers are positioned as the knowers and subjects of the research while local people are placed in a passive or observed role. This challenge exacerbates even more when the same groups or individuals are in a delicate position, being directly affected by the infrastructure and development projects. Our organization tried to make clear for both researchers and local individuals and groups that our method embraces a participatory and community-oriented approach, where locals are also co-producer of the knowledge. Yet, even when that's the case, building equal, collaborative and trust-based relationships requires utmost care, sensitivity and commitment which is challenging to achieve when the time and resources are limited.⁷

Key Takeaways

Walking in a River Basin Study offers a grounded, participatory way to understand the relationships between people, place, and power. It also allows us to go beyond conventional dichotomies such as urban-rural, nature-human, researcher-subject, data-story. By zooming in on individual experiences and zooming out to see broader patterns, it bridges the gap between analysis and activism. It's a form of research that not only investigates but also participates—one that brings knowledge and action closer together.

The Ideal Future

River Basin Studies and walking practices connect or reconnect us to the geographies, locals, and environmental struggles. These aren't one-off projects, though; they're relationships that grow over time, feeding into broader work on environmental justice. Engaging in listening to and learning from people is a part of the struggle, as none of those stories are isolated instances. We imagine a future where walking is recognized as a serious and sensitive method of inquiry—one that fosters solidarity as it gathers knowledge, and where research serves not only to understand, but to strengthen local resistance.

⁷ See also discussion in the next section on Epistemic Justice.



Lethal Heat

Thermal Walking (2025 - ongoing) (Maltepe, İstanbul, Türkiye).

Author: Yağiz Eren Abanus, on behalf of the Center for Spatial Justice (MAD).

Project Summary and Context

The Thermal Walking project centers on the intersection of urban heat islands and democratic Citizen Science as a method for climate adaptation. According to a scientific study⁸, 4,281 excess deaths occurred in Istanbul during 20 separate heatwaves lasting a total of 257 days between 2004 and 2017. Yet, Turkey lacks both a heat-health action plan and systematic tracking of heat-related health impacts⁹. In this context of policy inaction, extreme heat presents a clear and tangible issue affecting daily life—offering a powerful entry point for civil society mobilization focused on inclusivity and empowerment.

Our thermal walks have been carried out as part of a project called “Increasing Urban Resilience to Heat Waves with Citizen Science”. The project is implemented in collaboration with Maltepe Municipality, a district municipality in the Asian side of İstanbul, and supported under the Civic Engagement Project run by UNDP-Turkey and funded by the EU. The project aims to enhance the capacity of local governments in preparing, responding, and recovering from heatwaves, one of the most lethal disasters in the context of climate change adaptation. It focuses on community-based methods of capturing data on the phenomenon of urban heat islands, focusing on using bespoke and open-source technologies and devices, used in customised Walks. The aim is to make urban spaces and vulnerable groups more resilient.

⁸ Çulpan, H. C., Şahin, Ü., & Can, G. “A Step to Develop Heat-Health Action Plan: Assessing Heat Waves’ Impacts on Mortality,” (2022) 13(12) Atmosphere, 2126.

⁹ European Environment Agency, *The impacts of heat on health: surveillance and preparedness in Europe*, Briefing 27 November 2024. Available here. Similar observations can also be found in WHO/UNFCCC, Health and Climate Change Country Profile 2022 – Türkiye, (WHO/UNFCCC, 2022). Available [here](#).

The project consisted of four main components:

1. Community-building for citizen scientists;
2. Field research, including thermal walks, data analysis and community discussions, to generate evidence for local advocacy;
3. Tactical urbanism interventions, designed with citizen input to propose concrete responses to heat in cities;
4. Dissemination of findings and methods.

All activities took place in Maltepe, a highly diverse district of Istanbul encompassing coastal and upland areas, informal settlements and high-rises, wealthy and under-resourced neighborhoods, as well as residents ranging from children to the elderly to pets and wildlife.

The Process

The process was built upon the methodology of thermal walk previously developed by different researchers. Such walks combine objective data collection (via temperature and humidity sensors and thermal cameras) with subjective input (from participants' surveys and observations), capturing the dynamic between place, human behavior, and thermal experience. In our example, four routes were walked at the same time on one day by four different groups (around 50 people in total).¹⁰ Several stops reflecting the diversity of Maltepe were specified before the walks with the inputs from citizen scientists and municipal workers. Each walk was undertaken at mid-morning (during a time of heat) and in the early evening (when cooler, for comparison). Two citizen scientist groups were involved in the planning and implementation of the walks. These groups included local people with different backgrounds, students who are interested in the subject, academicians, activists, municipal workers. Bespoke sensors, thermal cameras (attached to a phone), surveys, WhatsApp groups, maps and guides for facilitation were used as the tools. Duration of the walks varied depending on the unique characteristics of each route, but 1 to 2 hours were the general approximate timespan. While full analysis is ongoing, early group discussions suggest that access to shade and wind corridors will emerge as a key demand in bottom-up advocacy efforts, especially as the climate crisis deepens.

The Challenges

We encountered some challenges during planning and implementation:

1. **Timing vs. Safety:** Ideally, thermal walks should not be held during actual heatwaves to protect participants, especially for Citizen Science projects where marginalized groups are desired to be included as citizen scientists to improve the quality of participation. However, due to uncertainty in weather forecasts and the need to plan events well in advance to mobilize participants, the walks occurred during a heatwave. On some routes, one of the initial Walks took longer to complete than we'd planned – about 3 hours.
2. **Managing Tool Complexity:** The simultaneous involvement of physical tools (sensors and thermal cameras) with online tools (whatsapp groups, GPS location mapping) took time to get used to and operationalise in the first walk (e.g., sometimes internet signals were weak) and the delegation of certain data collection responsibilities

¹⁰ The walk was undertaken on Saturday 28th June, 2025. Coincidentally, Maltepe experienced a heat wave at that time.

to 'specialist' groups of participants limited interactions among participants in some groups during the walks. However, the informative and good natured debrief after each walk offered all participants across all teams to share experiences and learn how each team's walk was experienced in practice.

Key Takeaways

- Protection against the extreme heat must be treated as a human right in the era of climate crisis.
- We aim for making these Walks as accessible, easy to participate in, and easy to run as possible, as this will encourage replication, expanding take-up, and for citizens to develop their own Walks. Logistical challenges of citizens operating multiple sophisticated technologies encourages us to think further about how we can further simplify the process.
- Involving policy actors and municipal staff in the heat walk data gathering process builds trust among all participants.
- Approaches to Citizen Science are very effective at generating accessible, authoritative and sound data on highly relevant and pressing problems for communities and policy-makers.
- Citizen Science walks offer a powerful way to engage people with civic causes through accessible, tangible, and localized actions.



The Ideal Future

In the ideal future, we hope to scale these thermal walks to a bigger extent to be able to build the evidence base and community network to advocate for the necessary policy changes such as monitoring of the heat-related health impacts, heat-health action plans, early warning and prevention strategies to protect the vulnerable groups. Also, we hope to see the tools of democratic Citizen Science such as thermal walks as mainstream tactics of civil society initiatives for a more grounded policy advocacy and increasing individual engagement within civic causes through small, doable and effective deeds.



Unlearning Assumptions: Envisioning and Advocating

**#BizimMahalle - #OurNeighborhood (2017-2018)
(Districts in İstanbul, Türkiye).**

Author: Hüseyin Eryılmaz, on behalf of the Center for Spatial Justice (MAD).

Project Summary and Context

In many neighborhoods of İstanbul, large-scale urban renewal projects threaten long-established communities with displacement and erasure. The Center for Spatial Justice (MAD) works alongside neighborhood associations and cooperatives in these areas, supporting their legal struggles for security of tenure and spatial justice. The neighborhood walks, #OurNeighborhoods took place in districts where communities have been resisting forced evictions, demolitions, and speculative redevelopment, aiming to protect not only their homes but also their collective histories, identities, and ways of life.

Walking - the Process

The process begins with a participatory mapping workshop where local residents, community leaders, and activists gather to reflect on the history of the neighborhood and identify key spaces of significance and conflict. Based on these workshops, walking routes are designed through the neighborhood. The walks bring together a diverse team of planners, architects, photographers, videographers, and volunteers, walking side-by-side with residents and representatives from neighborhood associations.

Throughout these walks, participants listen to personal stories, witness sites of struggle, and document the spatial narratives of resistance. The process produces rich visual and audio archives, including photographs, videos, and maps, that not only document the struggle but also serve as advocacy tools for the community.

Key Takeaways

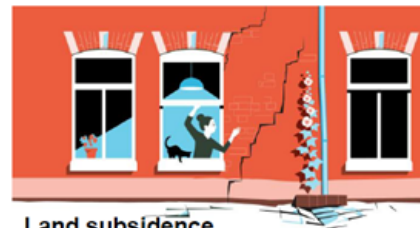
Walking together allows for a different kind of research encounter—one that centers the community’s voice, experience, and knowledge. #OurNeighborhoods walks create spaces for solidarity and collective learning, helping external actors like researchers, activists and so on to unlearn assumptions and look at the city through the eyes of those who live in its contested spaces. They strengthen networks between professionals and local communities, building capacities for joint advocacy.

The Ideal Future

In an ideal future, such participatory, community-led processes would become an integral part of urban planning and policy-making. #OurNeighborhood walks would be recognized as legitimate forms of spatial knowledge production, building a formal and collective memory of the neighborhood and feeding directly into legal and administrative processes. Their own narratives enable communities to have stronger grounds to claim their right to stay, to shape their neighborhoods, and to envision alternative futures beyond forced displacement.



The Rotterdam climate



From Stories to Law - Walking Towards a Just Transition (2024).

(Noordereiland, Rotterdam, The Netherlands).

Author: Dr. Siobhán Airey, School of Law, Erasmus University Rotterdam

Project summary and context

Rotterdam, located at the mouth of the Nieuwe Maas river in the Rhine estuary in the western part of the Netherlands, is the second largest city in the Netherlands, and is host to Europe's largest seaport.¹¹

Noordereiland, an island in the middle of the Maas River in Rotterdam, has a fascinating economic and social history, deeply linked to Rotterdam's identity as an international transport and industrial hub. Formerly home to over 8,000 people in the late 1800s, now, about 3,500 people call Noorderiland home. Today, the largely residential island consists of approx. 2/3 rental housing (mainly social rental) and 1/3 owner occupied, with 87% of housing built before 2000. Nearly 60% of its residents are under the age of 45.

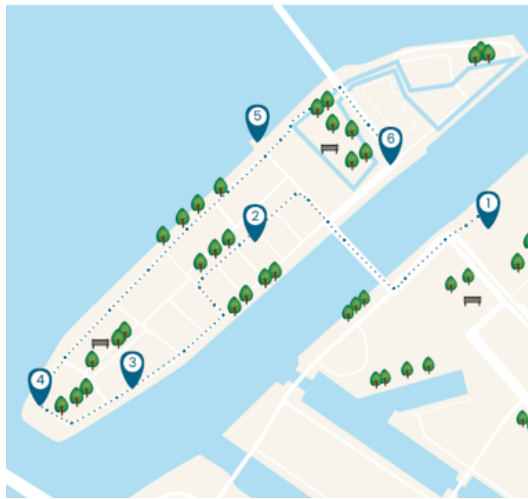
Located 'beyond the dykes,' Noordereiland is at severe risk of flooding, and has experienced partial flooding several times in recent years. Given the age of housing, issues of energy use and affordability, along with heat stress, are prominent. The median income of

¹¹ Home to a strong petrochemical industry and sophisticated logistics centre for the transport of bulk and container goods to the European hinterland. With about 700,000 inhabitants, Rotterdam's poverty rate lies at 6.2%, with the southern half of the city historically regarded as the poorer part. The Netherlands average is 3.1%. See 'New method of measuring poverty: 540 thousand people in poverty in 2023,' Statistics Netherlands (18th October, 2024), available [here](#). Known as a 'superdiverse' city of more than 180 nationalities, the percentage of Rotterdam inhabitants with a migration background increased from 35.6 % in 1996 to 53.7 % in 2022. The share of people with a non-Western migration background has also grown, from 26.2 % in 1996 to 39.6 % in 2022. Gijs Custers & Jannes J. Willens, "Rotterdam in the 21st century: From 'sick man' to capital of cool," (2024) 150 Cities, 105009.

Noordereiland – as with Rotterdam – is considerably lower than the Dutch level. However, with several community-level initiatives, including NGO Iedereen aan Boord (IAB) that works on ‘greening’ the island, Noordereiland is a vibrant neighbourhood with a strong identity and relationships.

The Process

Public Law researchers¹² from the School of Law, EUR and representatives from community organisation Iedereen aan Boord,¹³ embarked on developing a ‘Walk’ to explore community-centred dimensions to a ‘Just Transition’ and its legal and governance dimensions for Noordereiland. The methodology developed was inductive in nature, and included interwoven strands of storytelling; responsive legal, governance and socio-economic research on topics of key concern selected by IAB; the co-creation of a ‘Just Transition Walk’ to capture the legal and governance dimensions to Just Transition for Noordereiland, and the tensions and gaps in relevant laws and governance. Each dimension was ‘located’ at a unique stop on the Walk, and included the following;



1. **Hef House**, a municipality-supported community centre, the location of Erasmus X, an initiative with the aim of reducing the distance between university education and the community. Here, the dimension explored community-university relations.
2. **IAB ‘Stuurhut’** - the hub of IAB’s community work on Noordereiland, that includes a ‘free shop.’ Here, the dimension focused on the power and impact of community-led responses

to climate change, and the extent to which communities are consulted, participate in and influence planning and decision-making processes of public bodies.

3. **The Maaskade**, a location that has experienced severe flooding over recent years. The complex, overlapping and transboundary legal and governance regime on water governance and flood management emerged here.¹⁴ One consequence is that responding to the effects of flooding remain largely individualised, affecting more vulnerable people more severely.
4. Sight of **Rotterdam’s cruise terminal**, and source of well-documented emissions pollution from the predominantly older cruise ships that call there.¹⁵ Calculations

¹² These included the author, Dr. Alberto Quintavella, and research assistants Daan Albers, Renée Knoop and Jonah Mulder.

¹³ Led by Ellen van Bodegom. See [here](#).

¹⁴ While the Dutch political response to climate change has been the focus of several ground-breaking court cases including *Urgenda Foundation v. State of the Netherlands* (2019) ([here](#)), a then recently-filed *Greenpeace Netherlands and 8 citizens of Bonaire v. The Netherlands* (2024) focused on the lack of sufficient climate adaptation and mitigation measures to protect the people of Bonaire ([here](#)). During the Walk, we made connections with the experiences of the Dutch overseas territories – the Caribbean islands of Aruba, Curacao, St Maarten, Bonaire, St Eustatius and Saba, whose legal status within the Kingdom of the Netherlands complicates the application of international agreements on climate change, in addition to access to financial resources to address their recognised vulnerabilities. See Deedee A. Johnson, “‘To Be Bound or Not to Be Bound’ – a critical assessment of the ‘Territorial Limitation’ on the UNFCCC and the Paris Agreement in the Kingdom of the Netherlands,” Master’s thesis Public International Law, Utrecht University, (2024). Also, Daphina Misiedjan, “Separate but equal in the protection against climate change? The legal framework of climate justice for the Caribbean part of the Kingdom of The Netherlands,” (2022) 189 *Royal Geographical Journal*, 613.

¹⁵ See Bauke Visser, “Cruise ships in Rotterdam: more and more, older and more polluting,” (October 6th, 2020), available [here](#).

of costs of damage to health from nitrogen emissions from cruise ships show that they far outweigh the net revenues.¹⁶ Legal and governance dimensions here include the role of private standards on assessing the environmental performance of ships; transnational and sub-national ecosystem protection governance, and the confluence of national, EU and international laws that facilitate international financial flows. The contrast between the rise in the cruise industry and the decline in Noordereiland's own shipping transport services sector is very stark, raising questions about sustainable and circular models of economic development.

5. Site of early discussions on the potential of forming a **Community Energy Co-operative**, using solar panels on a large apartment building nearby, as a revenue stream for the community, and to potentially reduce energy costs for residents. Legal complexity and challenges abound with this idea, not least because the apartment building is privately-owned. In the Netherlands, Energy Co-ops are a well-recognised legal and infrastructural entity for people and communities to manage energy delivery.
6. The location of a future **green public space**, supported by the municipality, to reduce the number of hard surfaces in the area that exacerbate the effects of heavy rainfall, but also to offer a location to enhance inter-personal connections between people in the area and foster community. An example of good collaboration between the municipality and the community.

The Challenges

Three challenge areas emerged in the course of the project. The first related to the development of an appropriate research methodology for identifying what 'Just Transition' means in the context of Noordereiland. The methodology adopted a highly inductive, participatory approach based on recognised methods of participatory action research, socio-legal research, knowledge co-production, along with insights from research on Walking, and use of Walking as a modality of research in other disciplines.

The second challenge related to methods for mapping and critically analysing the legal and governance dimensions to dimensions of Just Transition identified by IAB. Here, a method called '*Location Layering of Law*'¹⁷ gradually evolved, based on several elements, including;

- The stories that captured IAB's ideas and values of Just Transition.
- The 'elements' that are drivers in that story.
- The key actors involved, their social identities, their legal subjectivity and the agency afforded to them by laws.
- The relations between the key actors, how these are structured by law and governance, and power differentials enabled and reinforced by law and governance.
- The availability of resources and capital (including knowledge, social capital etc.).

A third challenge related to the financial and other constraints of a short-term research project, and in particular, the 'opportunity cost' to the community of this time-intensive approach to research. In recognition of this, part of the research budget was allocated to Iedereen aan Boord to support their participation.

¹⁶ Bauke Visser, "Myth 1: The cruise earns Rotterdam an average per call (of) a million," (April 18th, 2022), available [here](#).

¹⁷ For further detail, contact Dr. Siobhán Airey (airey@law.eur.nl).



Key Takeaways

Engaging directly with location-centred legal and governance dimensions to climate change and Just Transition reveals new relations and connections, gaps, tensions and dilemmas within law and governance that ordinarily remain hidden. The activities that underpin Walking as a research methodology for understandings of Just Transition, and the role of law and governance therein, enhance possibilities for collaborative learning and co-created data and research. What is key is the nature of the relationship between the academic(s) and the community partners. As this project progressed, the relationship itself became an object of study, leading to the joint development of the concept of '*Right Relationship*' as a foundational principle of the project, based on a set of values and distinct, identifiable practices.¹⁸

¹⁸ (Forthcoming). For further discussion on the kinds of research practices and ethics considerations that led to this, see *supra*, note 4.



Walking-Learning Law in graduate legal education (2024 - ongoing).

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Project summary and context

This example describes one use of Walking as a pedagogy for reflective legal education. Erasmus School of Law (ESL) in Rotterdam is one of nine law schools in the Netherlands.¹⁹ Reflecting the superdiverse city of Rotterdam, ESL has an ethnically and socio-economically diverse student population amongst Dutch law schools. It adopts a strongly contextualized approach to the learning of law²⁰ and its teaching of public law aims to capture and explain the rapidly evolving role of law and government in emergent governance responses to complex societal change and wicked problems.

ESL runs several Master's programmes in Law (60 ECTS), in which a Legal Research and Writing course (15 ECTS) is foundational. Here, the learning objectives of this course aim at building student knowledge, skill and competency in traditional, critical and inter-disciplinary methods of research in public law. However, one class addresses the challenges of navigating public law's role in a 'wicked problem' in context – in this instance, issues

¹⁹ See the EUR ESL website [here](#).

²⁰ The dominant model of socialisation of law school students typically follows what has been termed 'adaptive,' "... characterised by a competitive learning environment, in which authoritative law teachers promote a dogmatic approach to the law." By contrast, at the Bachelor's level, ESL adopts what has been described as a 'reflective' approach that fosters a collaborative learning environment, with a teaching approach that promotes "contextual reflection on law and its ethical and social ramifications." See W. J. Kortleven, N. Holvast, & A. Bešić, From adaptive to reflective law school socialisation: a theoretical and empirical contribution from the Netherlands. (2024)27(1) Legal Ethics, 63 at 63.

emerging in response to climate change within the community of [Noordereiland](#), an urban island in the center of Rotterdam, located beyond the protection of the Netherlands dikes.

The Process

In addition to the students undertaking a 'live' exploration of legal pluralism in public law,²¹ this class has additional experiential²² aims; (i) To actively engage students in identifying and analysing different and overlapping legal dimensions to the 'everyday' experience of climate change, *using multiple knowledges*, including the sensory, personal etc.; (ii) To build practices of *collaborative learning* together as students, and between teacher and students; (iii) To develop a reflective and *critical view of the law*, and of the student's *role and identity as a person with knowledge of law* (and as a potential legal professional).

Advance work: In the previous class, the Walk is introduced and its learning purpose explained. The format of the walk is explained, and a stop 'timekeeper' (to remind the group of pre-agreed time at each stop), and two Walk 'facilitators' (to keep the group together and keep an eye on participants' well-being), as well as the student pairs/trios for peer discussion during the Walk are figured out. In advance, students are given short pre-readings on Noordereiland; on dimensions to Justice (see Table 1) and on approaches to Just Transition, in addition to logistical and practical 'health and safety' information on undertaking the Walk.

Undertaking the Walk: Over a 3.5-hour class period, approx. 20-25 Master's students and their teacher embark on a Walk and research exercise informally titled 'Location Layering of Law'.²³ The Walk begins with a twin orientation – first, on Noordereiland, the community and the significance of the island's location within Rotterdam, and beyond the dikes; second, on predominant understandings of and approaches to climate change governance (climate mitigation and adaptation), and key differences with understandings of and approaches to Just Transition. The method of '*Location Layering of Law*' is introduced. The logistics, practicalities, and roles and activities of participants (timekeepers, facilitators, learning pairs/trios) are clarified.

The class is based on a Walk developed from the prior community-based research on Walking for a Just Transition. There are five stops on the original walk. However, for the purposes of the class, a smaller number can be engaged with. Each of the five stops shows cases different dimensions of Just Transition from a core issue of community concern, tracing some key legal and governance dimensions linked to that dimension. Briefly, these centre on;

- Approaches to community participation and influence in the decision-making by various public authorities; governance relations between public bodies and community organisations at multiple levels. (*Procedural Justice dimension*).
- Gaps and tensions in multiple, overlapping sub- trans- and international regimes on water governance and flood management; the governance of climate risk; the Dutch colonial past and links with islands of the Dutch Caribbean. (*Spatial and Postcolonial Justice dimensions*).

21 This is one of the more orthodox learning objectives of the class. Another learning objective is on building and deepening critical thinking on law. For this, I use 'Just Transition' as an 'external' and critical foil to climate law.

22 These are different aims to those captured in the well-known and -used 'Bloom's Taxonomy' of education objectives

23 The contours and profile of the Walk were derived from an earlier research project (see earlier example in this report).

- Public and private standards and approaches to pollution, ecosystem governance and the socio-economic impacts of the transnational cruise industry; governance of models of sustainable economic development. (*Distributional Justice dimension*).
- Housing and affordable accommodation. The commodification of housing and its emergence as an asset class. (*Cosmopolitan and Distributional justice dimensions*).
- Recognition of Energy Justice in Regional Energy Strategies, and the potential role of Energy Co-operatives in addressing rising demands and costs of energy. (*Procedural and Distributional Justice dimensions*).

Each stop on the Walk follows a common approach, that includes group discussion and paired/trios work, from which students take notes for later use.

- The story from the community perspective on why this issue/stop was important (group)
- The 'Location Layering of Law' reflection questions to prompt students to identify and write down the purpose of the response (e.g., mitigation, adaptation, other), and the legal issues and dimensions that this story reveals (paired/trios)
- Prompt questions on dimensions to Justice that this story potentially reveals (paired/trios)

Back at the host location, flipcharts on each location are placed on walls and tables, and using post-its, students 'map' the key legal dimensions, and the justice dimensions of each stop. The group then self-divide up across the five stops and, using guiding questions provided by the teacher, discuss in the smaller groups, the legal, governance and justice dimensions to the issues that arise at each stop of the Walk.

The class concludes with a short facilitated class discussion on insights for (i) the role of and challenges for law and governance in addressing wicked problems framed as responses to climate change, and to Just Transition; (ii) the relationship between law and governance with ideas about Justice and Transition, and (iii) challenges to effectively researching law and sharing knowledge of law.

The Challenges

Thus far, two sets of challenges emerge. The first relates to the logistics of undertaking this teaching activity. The class requires considerable advance preparation and necessitates engagement liaison with the host venue on their availability and logistics, in addition to the community organisation on their contribution. On the day of the class, depending on weather and other developments, the class may need to be modified on the spot. Thus, if the weather is 'bad,' I've adapted the Walk to spend less time at a smaller number of stops (focusing on the community story only) and completed the rest of each stop's 'process' back at the host venue. Similarly, if students appear to be more engaged with the dimensions of a particular stop, I've spent longer on that one, and reduced/dropped another accordingly. I've found it helpful to keep 'checking in' with the group timekeepers and facilitators in between each stop, to help build shared responsibility for the running of the class. One unanticipated dimension with a recent class was the challenge of managing the taking of 'selfies' while on the Walk.

The second challenge relates to capturing, making adequate space for and integrating the reflective learning and critical thinking elements that emerge – frequently tentatively -

from the class into a busy course curriculum.²⁴ This requires post-class reflection, and sometimes some later course content 'tweaking' to integrate these elements in ways that make sense.



Key Takeaways

From an orthodox legal education perspective, the Walk offers a great way to recognise the existence and operation of legal pluralism in practice, its potential and its complexities, while directly exposing students to challenges of its research. Using 'Just Transition' as a foil for critical thinking on law(s) on legal and governance responses to climate change holds much promise, though I continue to refine how I do this.

In my view, Walking is an accessible and exciting pedagogical medium to address the three 'experiential' dimensions I identify earlier. On collaborative learning, I've especially appreciated how the Walk 'horizontalises' the learning exercise. I notice how some students volunteer personal knowledge of and connection with the issues, the immediate area, or social initiatives in South Rotterdam, which add lovely depth and meaning to what we're exploring. The exercise of being outside, discussing legal questions and dilemmas in 'real life' in 'real time' seems to reduce the stakes of student engagement, where 'solutions' and 'answers' are not a binary right or wrong. On making multiple knowledges of law more explicit, the outdoor context seems to encourage some students to more easily volunteer knowledge from non-traditional sources, as well as personal perspectives on law and governance. On creating openness to a critical view of the law, and on personal-professional identity as a 'knower of law,' the pre-Walk orientation, and post-Walk discussions have generated some discussion and reflection there. In the forthcoming version of the course, I plan to link this more explicitly with the reflection exercise at the end of the course.

To date, student feedback on the class indicates that it is a highlight of the course, and it has received very positive reviews in course evaluations.

The Ideal Future

As an exercise in active, reflective and critically-informed legal education, the Walk demonstrates and offers great promise as a pedagogical method that bridges the personal with the community with the scholarly. Further research and reflection on *Walking-Learning Law* may deepen and further elaborate on its potential for 'transformational learning' in legal education.

²⁴ Unlike the two- or three-semester academic year in many countries, the Dutch academic year is organised around Blocks of roughly eight weeks' duration. In EUR, there are five Blocks in an academic year.

3. Scaffolding our work

Concepts and approaches that we use

This section describes key concepts and ideas that we have worked with and worked through in our own activities where we use Walking. Please consider these ideas as ‘works in progress’ – just like Walking!

1. What is Just Transition?
2. How *Just* is this governance response?
3. What kind of *Transition* is envisioned?
4. Assessing *Communities Influence* in governance
5. Working with ‘Just Transition’
6. Spatial Justice
7. Epistemic justice and knowledge relations

What is Just Transition?

It is now well-recognised by governments (at several levels) and by states (at international level) that the nature of the threat to society and to planetary life that climate change poses, requires profound and urgent responses.²⁵ In this context the concept of ‘Just Transition’ has emerged in several legal and governance instruments, in different policy domains, and at different levels, to describe the nature of these responses. Yet, the normative meaning and juridical value of the concept remain unclear, while its implications for governance responses to climate change remain fragmented and, where elaborated, are frequently grafted onto existing top-down modalities of governance.²⁶

One authoritative definition already within governance discussions is the IPCC’s carbon reduction-centred definition of Just Transition.²⁷

“The Just Transition framework refers to a set of principles, processes and practices aimed at ensuring that no people, workers, places, sectors, countries or regions are left behind in the move from a high-carbon to a low-carbon economy. It includes respect and dignity for vulnerable groups; creation of decent jobs; social protection; employment rights; fairness in energy access and use and social dialogue and democratic consultation with relevant stakeholders.[.]

[E] ensur[ing] that any negative social, environmental, or economic impacts of economy-wide transitions are minimised, whilst benefits are maximised for those disproportionately affected. These proactive measures include eradication of poverty, regulating prosperity and creating jobs in ‘green’ sectors. In addition, governments, polluting industries, corporations, and those more able to pay higher associated taxes, can pay for transition costs by providing a welfare safety net and adequate compensation to people, communities, and regions that have been impacted by pollution, or are marginalised, or are negatively impacted by a transition from a high- to low-carbon economy and society.”

Though we welcome that this definition clearly identifies key actors, sectors, means and outcomes of Just Transition, we caution that its carbon reduction-centred focus risks overlooking links between contemporary mal-effects of climate change, and pre-existing mechanisms of inequality, disadvantage and exclusion. This singular focus creates risks of new inequalities emerging, and/or risks of calcification and exacerbation of existing inequalities, from implementing low-carbon initiatives.

²⁵ On the former, governance instruments like Climate Action Plans at multiple levels (e.g., municipal, regional, provincial and networks of these); sectoral plans for public policy approaches in areas like energy, water management etc, as well as industry-focused sectors like construction, mining, fisheries etc. are now widespread. On the latter, by now, states have signed multiple international treaties on that specifically address climate change, and other related areas such as those relating to biodiversity, the environment, the sea and on human rights. The provisions of these treaties have been transposed into domestic law in several jurisdictions. Increasingly, in recent years, the nature of legal and public policy obligations and responsibilities of States and governments under those international treaties and under domestic legal and policy commitments have been further examined and elaborated in courts at national, regional and international levels. See the Grantham Research Institute for Climate Change and the Environment [here](#) for examples of laws and judicial decisions.

²⁶ The history of the concept, and its evolution and use over time, are worth noting for how it has come to be used (and not used) today. See the bibliography for resources on Just Transition that we found helpful in writing this report.

²⁷ Intergovernmental Panel on Climate Change, *Climate Change 2022 Mitigation of Climate Change, Working Group III contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*, (IPCC, 2022), at 75. Available [here](#).

Thus, for this project, though we recognise the centrality of the legacy of fossil fuel use to Just Transition responses, our understanding of Just Transition also goes beyond a carbon use-centric approach. Our understanding of Just Transition is

“[a] systemic turn, through genuine democratic means, away from exploitation, extraction, and alienation, and towards a systems of production and reproduction that are focused on human well-being and the regeneration of ecosystems. Just Transition, as we envision it, is much more than a shift from fossil fuels and towards renewable or green energy sources. It is, rather, a profound transformation of our society that seeks to put humanity into a harmonic balance with the earth, its ecological systems, the multitude of species that we share this fragile planet with — and one another.”²⁸

This concept of Just Transition locates the recognised need to reduce reliance on fossil fuels within a wider political economic context that implies questioning and seeking to alter the extractive economic relations of our increasingly financialised, capitalist modes of production, in addition to politically de-centering the primacy of markets and commodification as the *de facto* modality of responding to society’s needs.

How *Just* is this governance response?

For researchers or communities that wish to use ‘Just Transition’ to advance more equitable outcomes in a governance initiative in practice, a key question is ‘**How Just is this governance response?**’ We suggest the following approach to analyse a proposed governance initiative based on several, well-recognised dimensions to Justice that might be relevant. In Table 1, we list these dimensions and some ‘guiding questions’ that might be helpful to ask. From the answers to these questions, communities can identify gaps or weaknesses in the proposed governance initiative that they might wish addressed.

²⁸ Kali Akuno, Katie Sandwell, Lyda Fernanda Forero & Jaron Browne, *From Crisis to Transformation: What is Just Transition? A Primer*, (Grassroots Global Justice Alliance & Transnational Institute: 2022), at 4-5. Available [here](#). Several more detailed definitions of Just Transition now exist – see bibliography for some examples.

Table 1: A justice lens for law and governance²⁹

Justice dimension	Definition	Key questions
Recognition	Addresses social inequities, diversity and identity, and representation.	What kinds of injustice are recognised in this governance space? Whose needs are recognised and prioritised, and whose are missing? What interests are ‘at the table’ and what interests are not?
Procedural	Focuses on fairness of participation and decision-making processes.	How fair is the decision-making process? How transparent are decision-making processes? To what extent are decision-makers accountable for their decisions, and to whom?
Distributional	Focuses on how benefits and burdens are distributed.	How will the benefits and burdens of an initiative be distributed over different groups? Who has the greatest need? Are decisions on benefits and burdens fair and proportionate?
Restorative	Emphasises the importance of compensating existing injustices and repairing damages.	How will repairs and remedies for negative climate impacts be addressed? How will loss and damage be addressed? {Loss occurs when it is not possible to repair or restore negative climate impacts; damage occurs when it is possible}.
Cosmopolitan	Highlights that justice principles apply to all human beings, regardless of nationality, ethnicity, or citizenship or other status.	Do people’s ascribed status affect their access to or enjoyment of an initiative, or make them more vulnerable in some way? Are people’s intrinsic worth recognised (as opposed to being viewed as objects of charity)?
Spatial	Focuses on how justice plays out in different spaces and scales.	How does location influence decision-making? How do allocations differ across a particular space or scale? Is ownership, use or transference of property significant? Does ‘public’ space exist, and how is it used? How is privately owned property or space treated?
Postcolonial	Acknowledges legacies of colonisation to contemporary socio-economic models of development. Addresses injustices related to the exclusion of non-western knowledges and perspectives.	How might the legacies of colonial exploitation shape current manifestations of vulnerability, exclusion and environmental challenges? Do transition responses recognise and respond to currently marginalised non-Western analytical and methodological frameworks that recognise the ‘pluriverse’ of worldviews? ³⁰

29 This table is developed and adapted from Sara Heidenreich, Mari Martiskainen, Marianne Ryghaug, “Issues of justice in sustainability transitions,” in Julius Wesche & Abe Hendriks (eds) *Introduction to Sustainability Transitions Research*, (NTNU, 2024), available [here](#)

30 The ‘pluriverse’ is based on a Zapatista notion of ‘a world where many worlds fit.’ See Bipashyee Ghosh, Mónica Ramos-Mejía, Rafael Carvalho Machado, Suciastari Yuana & Katharina Schiller, “Decolonising transitions in the Global South: Towards more epistemic diversity in transitions research,” (2021) 41 *Environmental Innovation and Societal Transitions*, 106. Also, Arturo Escobar, “Degrowth, postdevelopment, and transitions: a preliminary conversation,” (2015) 10 *Sustainability Science*, 451.

Intragenerational & intergenerational	Emphasises equity among persons living today, and between generations across time (future generations).	How are the interests of younger people, and of future generations recognised and addressed? ³¹
Multispecies	Emphasises equity in relations between human and non-human species, biodiversity and nature.	How is the full diversity of life (including non-human life); the relations and inter-dependencies of humans on non-human life, and the embeddedness of all life on wider ecosystems recognised and addressed?
Epistemic	Emphasises the importance of knowledge and data to, and within, governance	Who knows about relevant initiatives? What knowledge is recognised as relevant and significant to decision-making? What role does knowledge and data (and technologies that generate, process and hold data) play in governance? How are democratic approaches to knowledge, data and Citizen Science addressed? Are risks and benefits of knowledge and data recognised and fairly addressed? ³²
Temporal	Focuses on the significance of time and temporality to justice and Just Transition	What effects will an initiative have on how people spend their time (e.g., on the balance between paid work and unpaid work)? Will time burdens and benefits be allocated fairly (e.g. not add further to women's care burdens)? How responsive are initiatives to recognised needs – will the impacts be timely and happen as soon as needed?
Relational	Based on the belief that all living beings are connected and interdependent; that relations of care and equality are central to life	Are the relations between people, and between people and the natural world, approached from an ethic of equality, and of care? Will this governance initiative foster recognition of the principle that all people are equal, and that create conditions for care?
Transition governance	Focuses on the effectiveness, extent and urgency of transition governance processes	What is the scope and extent of the governance initiative in question? Is it adequate to the urgency of the challenge on hand? ³³

31 Johanna Ohlsson and Tracey Skillington, "Intergenerational Justice," in Johanna Ohlsson & Stephen Przybylinski (eds), *Theorising Justice – A Primer for Social Scientists*, (Bristol University Press, 2023) at 223.

32 See later section on Epistemic Justice in this report.

33 See Miriam J. Williams, "Care-full Justice in the City," (2017) 49 (3) *Antipode*, 821. She cites Tronto's (1993) four values or logics of care as central to its 'ethic,' including caring about, taking care of, care-giving and care-receiving. *Ibid* at 826.

What kind of *Transition* is envisioned?

How do we assess the kind of transition that a proposed governance response might aim for, or lead to? Here, we think two trajectories are relevant. The first is the **degree of change** implied by the governance initiative. Does it aim at continuing with or building on the status quo, reforming it in some way, or indeed transforming the system more deeply? We use the question **‘How Extensive is the Change Proposed in this governance initiative?’** to help capture this dimension.

One helpful analytical framework to tease this out further is that proposed by the Just Transition Research Collaborative.³⁴ They map a continuum of responses reflecting the following -

- **A Status Quo** approach that aims at ‘greening capitalism’ through mainly voluntary, bottom-up, corporate-centred and market-driven changes. Here, states or governments are expected to provide “an enabling environment” for action via incentives to businesses and consumers, motivated by aspirational objectives such as the 1.5°C temperature goal of the Paris Agreement.
- **A Managerial Reform** approach that focuses on achieving greater equity and justice, but within the existing economic system and without challenging existing hegemonies. Certain rules and standards are modified, and new ones can be created (for example improvements on access to employment, occupational safety and health) but the economic model and balance of power do not change.
- **A Structural Reform** approach that aims at institutional change that will deliver greater procedural (e.g., governance processes are more inclusive and transparent) and distributive justice (the benefits and risks of change are fairly distributed). New modes of economic production (e.g., co-operatives, communing, shared use) and of governance are introduced (e.g. participatory budgeting), and not just as one-off experiments or pilot initiatives.
- **A Transformative** approach that focuses on deeper and lasting systems changes that reduces and eventually eliminates the causes of both environmental problems and social injustices. This approach usually involves a more systematic analysis of the causes, effects and links between climate change and other kinds of injustices. Common agendas in a Transformative approach include a focus on transforming political governance (more responsive and participative decision-making); economic relations (less commodified, extractive methods of production; more localised ownership); social relations (eliminating racism, sexism, classism, ableism, while fostering relations of solidarity), and relations with our natural world.

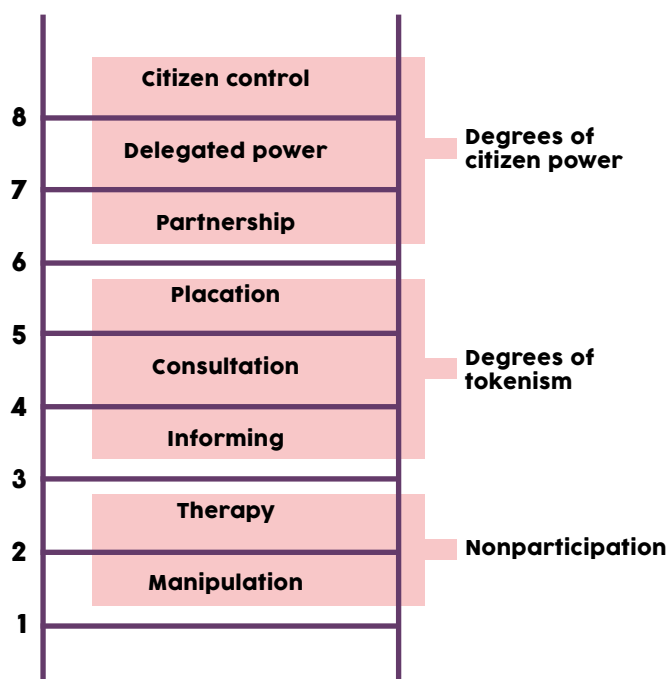
A second concern is **the urgency** of the changes needed. Here the question might be **‘What is the likely Pace of Change anticipated by this governance initiative?’** Here, temporal questions are more to the fore including, how long will the changes planned take to prepare, implement and see results? How quickly will their positive effects be felt by those most in need? How responsive will the new initiatives be to any unintended negative effects? How will these governance changes affect other systems of governance?

³⁴ Just Transition Research Collaborative, *Mapping Just Transition(s) to a Low-Carbon World*, (UNRISD, Rosa Luxemburg Stiftung & ULIP, 2018). Available [here](#). The description here is adapted from *ibid* 12-15. Note that another, somewhat similar approach is described in Just Transition Initiative, *A Framework for Just Transitions*, (CSIS & SIF, 2021).

Assessing *Communities Influence* in decision-making

For communities to influence decisions about the common good or the public interest, they need to have sufficient power. That is challenging when frequently, community members are dealing with the effects of entrenched racism, sexism, poverty, insecure housing, ill-health, precarious employment, along with the isolation and stress that can come from contemporary life where social, community and family bonds of love and care are under additional strain from migration, commuting etc. Furthermore, communities themselves are frequently not well resourced to come together, discuss, deliberate, strategise and organise to progress their own, self-defined aims.

But people and communities have the human right to participate in decisions that affect them.³⁵ Also, opportunities to influence governance certainly exist, and especially in areas of environmental policy. Nowadays, public bodies frequently invite input into their decision-making processes on climate adaptation plans through initiatives like online surveys, public town hall meetings, focus groups, asking for written submissions etc. How can such participation enhance decision-making power? Here, we describe a way to help capture, analyse and assess how different opportunities and modalities of participation and engagement might influence a plan and/or program.



Sherry Arnstein's '*Ladder of Citizen Participation*' has eight rungs, with each rung corresponding to the extent to which a modality of engagement relates to people's influence over the plan or action. The bottom rungs are (1) *Manipulation* (e.g., being a member of an Advisory Committee), and (2) *Therapy* (e.g., where a community group is used as a channel to bring about behaviour change). Effectively "non-participation," both of these are oriented to the 'education' or 'cure' of participants by power-holders, not the facilitation of people's involvement in planning.

³⁵ See clearly articulated rights in several jurisdictions including in constitutions, in the administrative law of many policy sectors, and in international law. Thus, the Universal Declaration on Human Rights (Universal Declaration) specifies in Article 21: "(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. (2) Everyone has the right of equal access to public service in his country," elaborating a right to participate in the conduct of public affairs. These principles were further codified in Article 25 of the International Covenant on Civil and Political Rights (ICCPR), which establishes the right and the opportunity of citizens to take part in the conduct of public affairs without discrimination on any ground. Several regional human rights instruments also address participation in decision-making. For an EU-specific example, see the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) (1998), available [here](#).

Rungs (3) *Informing*, and (4) *Consultation* are activities where people hear information on plans and can offer their views on those plans, but there is no surety that their views will be taken account of by decision-makers. Thus, the status quo will likely remain.

(5) *Placation* (e.g., a pre-determined facility like a Task Force, or Advisory Committee where community representatives are members, along with representatives from other bodies), is where there can be some response to people's input and requests, but powerholders retain ultimate authority. (6) *Partnership* involves some decision-making by participants in negotiation with powerholders, though situations of (7) *Delegated Power* and (8) *Citizen Control* imply that people have clearly-identified authority (e.g., a number of seats on a council) over decision-making.

In practice, even with opportunities for meaningful participation in a policy forum, communities are far more likely to have influence if they are already organised, are demanding change from and have visibility with powerholders. In those circumstances, community representatives participate knowing that they are representing the interests of their community, are backed by that community's own organisational processes, and are accountable back to the community for any developments. This makes it far less likely for community representatives to be co-opted and makes it far more likely for the forum to be more accountable to the community!

Working with 'Just Transition'

We consider Just Transition to be a powerful and evocative lens through which to (re)connect the 'natural' with the community, and with the artificial (e.g., buildings, technology, infrastructures etc.) in ways that recognise the political, legal and governance instruments, practices and institutions that shape those relations, while centering on how responsive these are to communities' efforts for a more egalitarian, inclusive, nature-respectful future. We consider the following to be key dimensions to working from a 'Just Transition' approach;

- **Grounded and informed**

Understanding injustice and transitioning towards more just outcomes frequently involves a reflexive engagement between practice and ideas. In reality, this means recognising the relevance and the importance of everyday shared *experiences* of injustice and collective intuitions about why these emerge and continue as they do, and the kinds of social change efforts that make most sense. In *ideas*, this means drawing from the wealth of existing, diverse thinking and writing on understandings, norms and approaches to justice, equality, human rights and social change, for inspiration, analysis and learning. Combining both facilitates a grounded approach to Just Transition.

- **Centred on specific justice aims, values and practices**

Just Transition strives towards social justice, equality and human rights for people, while nourishing and restoring our natural world. JT is deeply informed by values underpinning the ethos and practices of social justice movements including

- Collectivity and solidarity – analyse, deliberate and act together to address inequality and injustice, and value collective action based on solidarity.
- Enabling community empowerment – empowerment is a focus on how communities gain greater control over the factors and decisions that shape their lives. Community empowerment is a process of re-negotiating power to gain more con-

trol, recognising that this frequently involves struggles for power from others who need to share or give up power. Enabling means that people cannot 'be empowered' by others, they empower themselves by acquiring different forms of power. The role of an external actor (like an academic) is thus mainly to catalyse, support or facilitate the community in acquiring power.

- Meaningful participation in decision-making – this has two parts, an internal one and external one. The *internal* one means that mechanisms and processes of decision-making within communities seek to be participatory, meaningful and inclusive. The *external* one means that governance bodies and forums should offer meaningful opportunities for communities to participate in decisions that affect them (see earlier 'Assessing Community Influence').
- Explicit recognition of the necessity for a deep reduction in carbon use, and of the significance of nature, biodiversity and the relations between the social and natural world, and how these are affected (positively and negatively) by the analysis and any response taken. Responses that seek to restore and regenerate nature and biodiversity are mainstreamed in any analysis and response.

- **Contextualised**

This implies having an understanding of the relevant *context* that shaped the emergence of the pressing issues that are important.

Who are *most negatively affected* by these issues, and how might different dimensions of identity and status (e.g., class, gender, ethnicity, citizenship status, sexual orientation, differing abilities and such) shape how people *experience their daily life*?

What are the economic, social, political, historical, technological, geographic, cultural and governance *relations and factors* that brought these issues about, and what kinds of *actors, instruments, practices and institutions* maintain them?

What *routes and strategies* to positive change make most sense in the shorter and longer term? What capacities and resources are available that we need or can mobilise?

- **A focus on governance - participatory and responsive governance**

We link participation to power. When we talk about participation in governance or decision-making, we mean the kind of participation that enables those currently excluded from political and economic processes to be intentionally included, with the aim of shaping how information is shared, how policy goals are agreed, how programmes operate and implemented, and how the benefits of society are shared.

Spatial Justice

According to Soja (2010)³⁶, spatiality is not an external container or fixed background where social relations play out, but an inherent and formative component of them. It is an active force in shaping social processes as much as it's shaped by them. This means that space is not a neutral, blank dimension for our world, but is always produced, contested and shaped by the configuration of power relations. Therefore, injustices across space such as uneven development, territorial inequality or exclusion are not accidental, spontaneous events but are produced outcomes.

36 Edward W. Soja, *Seeking Spatial Justice*, (Minneapolis: University of Minnesota Press, 2010).

The spatial justice perspective is thus crucial for the Just Transition approach, as it focuses on checking not only what changes, but also where and for whom, under what kind of spatial adjustments (see Table 1). Based on that, we argue that spatial justice may offer both analytical and political framework to reveal and challenge the structural inequalities and injustices.

The concept of spatial justice involves two interrelated phenomena according to our approach:

- There is a spatial aspect to all issues of social justice such as poverty, housing, education, health, discrimination. Social injustices manifest in urban and rural spaces through spatial relations, and the same spaces take roles in production and reproduction of the social relations.
- In today's political economy, contemporary techniques of capital accumulation heavily rely on spatial transformation and interventions. This leads to legal and administrative structures that have centralized monopoly on spatial governance.³⁷

These dimensions make spatial justice both a mobilizing force, a social demand and a strategic political objective which has an aspect of distribution (of resources, services, spaces, hazards), and an aspect of recognition of differences (differences between individuals and groups with different spatial needs and demands).

Framing just transition and its efforts through this lens allows us to ask more precise, context based and spatially grounded questions on who benefits the most, who bears the costs, and where the process unfolds in regard to transition, which could make sure that no place and community is left behind.

Epistemic Justice and knowledge relations

If Just Transition centres on relations between society, nature and governance, then a key feature of research on Just Transitions is its attention to relations of knowledge production. Since the Second World War, doing research has become more 'industrialised,' geared towards the efficient generation of tangible results.³⁸ This is further exacerbated by the emergence of 'triple helix' models of innovation in research policy, where academic research is primarily intended to serve economic and social development, fostered through stronger relations with business and with government. Here, we draw from two frames – democratic Citizen Science,³⁹ and epistemic justice – to foreground what we propose are key dimensions of knowledge production for Just Transition.

'Democratic Citizen Science' (DCS) emerges from a recognition to reconsider how we do science in the current socio-political context of socio-economic inequality, political instability, and deep ecological threat. DCS takes the position that not only do we need accessible, trustworthy knowledge based on open enquiry, but that we now have even greater need for scientific knowledge for the public good, "that aims at a democratisation of [both] the process of [scientific] enquiry itself ... but also of the relationship between professional scientists and those who are affected by their work."⁴⁰

³⁷ <https://mekandaadalet.org/en/what-is-spatial-justice/>

³⁸ Johannes Jaeger, Camille Masselot, Bastian Greshake Tzovaras, Enric Senabre Hidalgo, Mordechai (Muki) Haklay and Marc Santolini, "An epistemology for democratic Citizen Science," (2023) 10 Royal Society for Open Science, 231100. Available [here](#).

³⁹ Citizen Science can be seen as one element of a deliberative and participatory democracy. See Lisa Herzog & Robert Lepenies, "Citizen Science in Deliberative Systems: Participation, Epistemic Injustice, and Civic Empowerment, (2022) 60(4) Minerva 489. Available [here](#).

⁴⁰ *Supra* note 37, at 2.

DCS recognises the key problem of ‘undone science’ – that important areas of enquiry are neglected because of lack of resources or low prominence in political agendas. Crucially, DCS also recognises that the drivers and parameters of the current academic research system are a contributor to this problem. As example, currently, the fixation on scholarly publication metrics by the academic research system are problematic in several ways, not least because they lead to risk avoidance and short-term optimisation of personal research output, to the detriment of community-level, long-term progress.⁴¹ Thus, though the motivations and rationale for transdisciplinary⁴² approaches to Just Transitions research may be very clear,⁴³ the institutional parameters and funding context of academic research continue to militate against it.

DCS has a distinct theory of knowledge - an epistemological approach - that focuses on ‘science,’ ‘participants,’ and ‘socio-ecological context.’ Below, we focus on how DCS shifts traditional thinking on what constitutes knowledge and the role of science.

- **Scientific outputs:** While traditional scientific outputs strongly focus on academic publishing products, DCS recognises other outputs as valid including enhanced relations between communities and scientists; greater trust in science; greater access by communities to scientific and academic resources; increased knowledge and capacity within communities leading to increased agency with other stakeholders; increased engagement of communities with knowledge bodies and research etc.
- **Participants:** Through a dedicated focus on enhancing participation, people gain new knowledge on issues of concern, on scientific methods for producing knowledge, and on how scientific knowledge can be relevant for areas like building community awareness, and influencing decision-making can be important impacts and outcomes of DCS.
- **Socio-ecological context:** As DCS is attuned to the generation of knowledge for community and societal purposes, its processes and outputs have impacts at individual, community and potentially societal level. DCS knowledge frequently contributes to community advocacy and public policy interventions aimed at enhancing public welfare.⁴⁴

Many of the dimensions of DCS echo in the concept of ‘epistemic justice,’ that captures a range of injustices relating to knowledge, understanding and the role of information in society. These include when the existence of prejudice against a person (e.g., because of racism, sexism, accent and so on) means that their testimony of what they know, or of their ‘truth,’ is seen to lack credibility or weight; when, structurally, societal beliefs or dynamics make it hard for someone to articulate and make sense of their experiences (e.g.,

⁴¹ *Supra* note 38, at 15.

⁴² Definitions of transdisciplinary research vary. Here we use Arnold’s definition “Transdisciplinary research has four pivotal characteristics: it aims to resolve real world problems, such as sustainable development; it integrates various academic disciplines and actors, including non-academic. actors: it aims to facilitate cooperation and mutual learning of all actors; and, in this process, it produces new societal and scientific knowledge.” Marlen Gabriele Arnold, “The challenging role of researchers coping with tensions, dilemmas and paradoxes in transdisciplinary settings,” (2021) 30(2) Sustainable Development, 326, at 328. To this we add three further dimensions. First, we value a strong element of parity in participatory approaches to knowledge generation (knowledge co-production). Second, we think that a commitment to ‘public purpose’ values and academic integrity is important. See also NECTR, White Paper - Recognising and Fostering Quality in Transdisciplinary Collaborations for Confronting Societal Challenges (2025). Available [here](#). Finally, we recognise the significance of resource constraints and opportunity costs to societal partners of engaging in transdisciplinary research, and we seek to address these explicitly, early on and in a fair manner.

⁴³ See contributions in Katrin Vohland, Anne Land-Zandstra, Luigi Ceccaroni, Rob Lemmens, Josep Perelló, Marisa Ponti, Roeland Samson, and Katherin Wagenknecht, *The Science of Citizen Science*, (Springer, 2024).

⁴⁴ Teresa Schaefer, Barbara Kieslinger, Miriam Brandt and Vanessa van den Bogaert, “Evaluation in Citizen Science: The Art of Tracing a Moving Target,” in Katrin Vohland, Anne Land-Zandstra, Luigi Ceccaroni, Rob Lemmens, Josep Perelló, Marisa Ponti, Roeland Samson & Katherin Wagenknecht, *The Science of Citizen Science*, (Springer, 2021). Available [here](#).

for older people to raise concerns about elder abuse from family members); or the unequal distribution of resources for knowledge and generating knowledge in society (e.g., the undone science that DCS is concerned with).⁴⁵

However, in considering engagement with law and governance for Just Transition, other dimensions of epistemic justice also emerge, including considering the interests of stakeholders affected by a governance decision (do they know about the decision?); do they possess relevant knowledge that is material for the decision-making process (can they share this knowledge and will this knowledge influence the decision?), in addition to more systemic injustice dimensions such as the ‘permissibility’ of the language and type of knowledge used (e.g., only English or the dominant language is used to communicate; non-Western knowledges, or non-‘scientific’ knowledges are perceived not to be valuable, and so on).⁴⁶

Finally, an era of rapid, evolving⁴⁷ and powerful (mainly privately owned) information technologies magnifies the significance and complexity of epistemic justice to considerations of the legal and governance dimensions of Just Transition. Arguably, already existing questions of how best to govern these technologies and their roles in different areas of social life have become even more pressing, as encounters between the ‘human + the natural,’ with ‘data + the technological’ have become increasingly sophisticated and intimate.⁴⁸ In this context, three further dimensions are worth keeping in mind. First, it is helpful and necessary to recognise and explore ‘alternative’ approaches to both software and hardware development, and to data generation, processing and use, that rethink and ‘hack’ responses to societal problems in ways that serve democracy and the public/common good.⁴⁹ This explicitly acknowledges the increasingly path dependent and ‘lock-in’ nature of technological development, and its negative consequences both for innovation and for our natural world.⁵⁰ Secondly, the attraction and contemporary political salience of technocratic (data- and digital- and technology-centred) responses to societal challenges (including climate change) must be approached with caution for its risk of reinforcing human-centred responses, to the exclusion of ‘more-than-human’ concerns.⁵¹ Note that many of these dimensions of epistemic justice echo other dimensions of the Justice lens on law and governance discussed earlier (Table 1).

45 These dimensions are based on the well-known contributions of Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing*. (Oxford, Oxford University Press: 2007).

46 See for example, Sarah Cummings, Charles Dhewa, Gladys Kemboi & Stacey Young, “Doing epistemic justice in sustainable development: Applying the philosophical concept of epistemic injustice to the real world,” (2023) 31 Sustainable Development, 1965.

47 See for example, the rise in use of Large Language Models (LLMs) and Artificial Intelligence (AI) across so many spheres of social life, and its disruption to prior ways of perceiving and experiencing the world.

48 From a legal and governance perspective, the cumulative risks of use of LLMs pose particular governance challenges beyond those traditionally associated with consent, data ownership etc. See for example Sandra Wachter, Brent Mittelstadt & Chris Russell, “Do large language models have a legal duty to tell the truth?” (2024) 11(8) Royal Society Open Science, 240197. Available [here](#).

49 Captured in such concepts as, for example, open data (ecosystems), civic hacking, digital citizenship, open government etc. Note that the approach implied here is not always explicit in approaches to digital and ‘smart’ cities. Sung-Yeuh Perng, “Anticipating digital futures: ruins, entanglements and the possibilities of shared technology making,” (2019) 14(4) Mobilities, 418.

50 Shirin Elahi, “Cutting the Climate Change Gordian Knot and Addressing Lock-In,” (2025) 67(2) Environment: Science and Policy for Sustainable Development, 6.

51 Hira Sheikh, Peta Mitchell & Marcus Forth, “More-than-human smart urban governance: A research agenda,” (2023) 4 Digital Geography and Society, 100045. Available [here](#).

4. Towards a Just Transition

**Walking, Where,
for Knowing Law**

This writing project brought many people, ideas and places, directly and indirectly into relation with each other.

Separately, and together, we uncovered

... how *Walking*,

... *Where*,

... shapes *How* we know, how *We* know, how we *Know*, and

... how *Law* knows

... *Possibilities* for *Just Transition*.

This writing project, in its efforts to think relationally – within and between ourselves, our different institutional locations and identities, our geographies and histories, our identities, intellectual lineages and orientations - helped create a context for reflection on parameters, possibilities and perils that we share with you as a further conversation.

You can find this conversation in a webinar (if you wish to watch), or sound file (if you prefer to listen), both available [here](#).

If you'd like to join in that conversation, please feel free to reach out to us.

Resources - other Walking projects (list not exhaustive)

Mindful Walking Project, London. Link available [here](#).

Walking Borders. Link available [here](#).

Walking Publics/Walking Arts. Link available [here](#).

The Art of Walking – a Field Guide. Link available [here](#).

Ways to Wander. Link available [here](#).

The Bloemhof Walks. Link available [here](#).

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