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## ARMORING THE JUST TRANSITION ACTIVIST

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## ABSTRACT

*The fossil fuel energy system, reinforced by oppressive policies and practices, has disproportionately harmed poor people, Indigenous people, and Brown and Black people and driven the global climate crisis. A just transition, which displaces fossil fuels and redistributes renewable energy resources, requires policies that are rooted in equity and shift power back to the hands of the most vulnerable. Just Transition Activists, leaders, organizers, and changemakers in the just transition movement, must develop transformative skillsets necessary to radically reimagine our world and dismantle the current unequal system of law and policy. This analysis explores the skills, attributes, beliefs, and attitudes for Just Transition Activists required in the pursuit of systemic change in the energy system. Section I discusses the lessons learned from the environmental justice and climate justice movements, which have yet to create the transformative change in the energy system required for a just transition. Section II describes the Just Transition Framework that provides a reimagined path forward to justice in the energy system. And Section III explores a transformative skillset for Just Transition Activists engaged in the energy justice movement. These recommendations were crafted for activists and advocates to build upon lessons learned from earlier movements and develop the skillsets necessary to achieve a truly just society.*

## INTRODUCTION

*People screamed. Alarms rang. And the earth cried out. The warrior, threading through heavy tar and a thick, black air, clasped on to her fearless heart. Her armor toppled to the ground. Her journey, filled with overwhelming despair, weighed heavy on her thin shoulders. Tilting her head toward the violent sky, tears raced down her dried, cracked cheeks. But she quickly brushed them aside, clasped her armor, and continued threading. She could never stop, or even pause for a moment, as her journey was far from over.*

We are living in an era of catastrophic climate crisis, displaying humanity's devastating impact on Earth and inequities within our global society.<sup>1</sup> Scientific evidence undeniably points to the burning of fossil fuels as the leading cause for the current rate of global warming.<sup>2</sup> Through policies and practices, the white elite created, and continue to create, systems that expended Earth's resources to empower themselves and destroy poor people, Indigenous people, and Brown and Black people. Poor communities of color are already disproportionately experiencing natural disasters, weather

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<sup>1</sup> SHALANDA H. BAKER, REVOLUTIONARY POWER: AN ACTIVIST'S GUIDE TO THE ENERGY TRANSITION 6 (Island Press 2021).

<sup>2</sup> WORKING GRPS. OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE, CLIMATE CHANGE 2021: SUMMARY FOR POLICYMAKERS 4, [https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC\\_AR6\\_WGI\\_SPM\\_final.pdf](https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM_final.pdf) (2021).

extremes, food and water insecurity, economic disruption, housing insecurity, and more. Through various movements around the world, activists are ringing the alarms as the Earth and its people cry out. Yet, systems of oppression remain, and the air is still thick and black.

In the United States, a nation founded on systems of oppression, Florida is home to the “Magic City” of Miami, at Ground Zero for the climate crisis in Miami-Dade County.<sup>3</sup> Marginalized communities throughout Miami are consistently plagued by shocks and stressors as they battle unprecedented warming temperatures,<sup>4</sup> rising seas,<sup>5</sup> and extreme weather events.<sup>6</sup> Communities are, in fact, drowning.<sup>7</sup> Racist policies, created to segregate, coupled with exclusionary governance, have fostered the destitution and confinement of Black and Brown individuals at the center of the Greater Miami area.<sup>8</sup> Practices of racial capitalism funnel resources to white residents while systematically disparaging the lives of Black and Brown residents.<sup>9</sup> Worse yet, segregation and poverty are exacerbated by racialized municipal land-use policies and urban renewal practices.<sup>10</sup> Climate gentrification and forced displacement due to redevelopment along low risk, high-elevation areas are prevalent within the region.<sup>11</sup>

Thus, marginalized communities are calling for climate justice and equitable climate responses that place them at the forefront of decision-making. They seek a just transition, which displaces fossil fuels and equitably redistributes resources powered by renewable technologies, shifting power within the energy system. A history of injustices is the driving force behind campaigns that advocate for a holistic redistribution of power back to the hands of the most vulnerable in South Florida. Advocates’ and organizers’ demands

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<sup>3</sup> Jaelyn Yost, *Miami: The “Ground Zero” for Climate Change*, ECOMADIC (Feb. 26, 2021), <https://www.ecomadic.com/online-green-travel-magazine-articles/miami-the-ground-zero-for-climate-change>.

<sup>4</sup> KRISTINA DAHL, ET AL., UNION OF CONCERNED SCIENTISTS, KILLER HEAT IN THE UNITED STATES: CLIMATE CHOICES AND THE FUTURE OF DANGEROUSLY HOT DAYS 16 (2019); Matthew Capucci, *Miami is Shattering Heat Records During a Wildly-Warm Start to 2020, Even by Florida Standards*, WASH. POST (Apr. 15, 2020), <https://www.washingtonpost.com/weather/2020/04/15/record-miami-florida-heat/>.

<sup>5</sup> SE. FLA. REG’L CLIMATE CHANGE COMPACT’S SEA LEVEL RISE WORK GRP., UNIFIED SEA LEVEL RISE PROJECTION SOUTHEAST FLORIDA 4–6 (2020); Oliver E J Wing, et al., *Estimates of Present and Future Flood Risk in the Conterminous United States*, 13 ENV’T. RSCH. LETTERS 1, 3 (2018).

<sup>6</sup> Richard Luscombe, *Will Florida Be Lost Forever To The Climate Crisis?*, THE GUARDIAN (Apr. 21, 2020), <https://www.theguardian.com/environment/2020/apr/21/florida-climate-crisis-sea-level-habitat-loss>.

<sup>7</sup> *Id.*

<sup>8</sup> Kevin Grove et al., *Racializing Resilience: Assemblage, Critique, and Contested Futures in Greater Miami Resilience Planning*, 110 ANNALS OF THE AM. ASS’N OF GEOGRAPHERS 1613, 1618–20 (2020).

<sup>9</sup> *Id.* at 1616.

<sup>10</sup> *Id.* at 1619.

<sup>11</sup> *Id.* at 1626.

include sustainable, energy-efficient housing,<sup>12</sup> community-led energy programs and policies, immigration reform, access to public transportation, disaster preparedness planning, and long-term safeguards for deep democracy.<sup>13</sup>

Still, public officials ignore these demands and the urgency of the climate crisis and continue to promulgate policies that entrench a long history of oppression and “ongoing legacies of racialized local economic development” throughout the Greater Miami area.<sup>14</sup> Failure to acknowledge the intimate relationship between climate change and systems of oppression prevents officials in Miami from constructing equitable adaptation and mitigation strategies. Moreover, local government officials remain tied to the interests of real estate developers instead of the voices of their most vulnerable communities. Therefore, local government policies and initiatives have yet to offer dynamic, multi-dimensional policies rooted in equity. Rather, initiatives provide resilience programming, narrowly focused on adaptation, and provide nothing more than performative, yet dismissive, interactions, cementing the desire to “secur[e] white authorship of ‘resilient’ Miami.”<sup>15</sup> Moreover, when navigating the climate crisis, officials speak exclusively of adaptation that is not rooted in justice, largely insufficient for the unique lived experiences of Florida’s most vulnerable.<sup>16</sup>

But hope is not lost. Activists can dismantle the current unequal system of policy and law. However, we cannot solve the climate crisis by following the same path we have for the past two hundred years. Systemic change in the energy system requires a holistic response, and this change must be led by Just Transition Activists (or “Activists”),<sup>17</sup> dynamic leaders, organizers,

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<sup>12</sup> An urgent need in Miami-Dade County is equitable weatherization, the process of protecting a building from the elements through modifying its infrastructure to reduce energy consumption and increase energy efficiency within historically marginalized communities. See *Create Multiple Benefits through Equitable Climate Action*, CATALYST MIAMI, [https://www.catalystmiami.org/create\\_multiple\\_benefits\\_through\\_equitable\\_climate\\_action](https://www.catalystmiami.org/create_multiple_benefits_through_equitable_climate_action) (last visited Feb. 13, 2022).

<sup>13</sup> Leading community organizations mobilizing at the intersections of social justice in Miami-Dade County include Struggle for Miami’s Affordable and Sustainable Housing (SMASH), Florida Rising, the Miami Workers Center, Konscious Kontraktors, Catalyst Miami, the Miami Climate Alliance, the Community Justice Project, Engage Miami, the CLEO Institute, Dream Defenders, the Family Action Network Movement (FANM), WeCount, P.E.E.R. Group, and the Florida Immigrant Coalition. See, e.g., *The Issues*, MIAMI CLIMATE ALLIANCE, <https://miamiclimatealliance.org/services/> (last visited Feb. 13, 2022); *Policy & Advocacy*, CATALYST MIAMI, [https://www.catalystmiami.org/policy\\_advocacy](https://www.catalystmiami.org/policy_advocacy) (last visited Feb. 13, 2022).

<sup>14</sup> Grove et al., *supra* note 8 at 1615; Christopher Flavelle & Patricia Mazzei, *Miami Says It Can Adapt to Rising Seas. Not Everyone Is Convinced.*, N.Y. TIMES (Mar. 2, 2021), <https://www.nytimes.com/2021/03/02/climate/miami-sea-level-rise.html>.

<sup>15</sup> Kevin Grove et al., *Designing Justice? Race and the Limits of Recognition in Greater Miami Resilience Planning*, 117 GEOFORUM 134, 135 (2020).

<sup>16</sup> See MARIO ALEJANDRO ARIZA, *DISPOSABLE CITY: MIAMI’S FUTURE ON THE SHORES OF CLIMATE CATASTROPHE 177–78* (N.Y. Bold Type Books 2020).

<sup>17</sup> “Activists” refers specifically to “Just Transition Activists” while lowercase “activists” refers generally to those associated with other movements.

and changemakers in the just transition movement. To secure this transition, Just Transition Activists must lead dangerously, creating new, reimagined pathways. This requires Activists to “radically reimagine” our world and shift power to the hands of the most vulnerable so that they can create and benefit from a just system. And to do so, Activists must develop transformative skillsets, armoring themselves with the skills, attributes, beliefs, and attitudes to make foundational change. This analysis explores these skillsets, along with the lessons learned in the environmental and climate justice movements. It is written for Activists spearheading the pathway to a just transition. The article is designed to be an accessible tool for fellow Just Transition Activists to add to their armor along their journey.

This analysis is organized into three sections. Section I briefly explores the history of the environmental justice and climate justice movements, while describing how the energy system has historically burdened communities of color and low-income communities. This section argues that the environmental and climate justice movements have prevented the transformative disruption of the energy system required to achieve a just transition. Section II presents a reimagined path forward and describes the Just Transition Framework and corresponding principles. Section III explores the skills, attributes, beliefs, and attitudes required for Just Transition Activists engaged in the energy justice movement and what vital pivots must be made based on lessons learned from the environmental and climate justice movements.

### I. INTERSECTING MOVEMENTS AND A JUST TRANSITION

The United States was founded on systems of oppression that have inflicted harm on Black and Brown people for centuries. American colonists seeking geographic and economic expansion usurped and expropriated land from Indigenous people.<sup>18</sup> Colonists then developed the stolen land into a capitalist nation dependent on the brutalization and enslavement of Black people.<sup>19</sup> Further, lawmaking processes employed in the development of the United States, which persist today, have functioned to commodify land, defend the acquisition of private property, and reinforce white supremacy and

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<sup>18</sup> Tifanei Ressler-Moyer et al., *Movement Lawyering During a Crisis: How the Legal System Exploits the Labor of Activists and Undermines Movements*, 24 CUNY L. REV. 91, 109 (2021).

<sup>19</sup> *Id.* at 109–10.

racial capitalism.<sup>20</sup> Even after enslaved people were set free, the racial and class-based hierarchies that privileged white property owners maintained over landless laborers remained intact as the fossil fuel economy grew during the Industrial Revolution.<sup>21</sup>

The rise of the fossil fuel economy facilitated the shift from the slave system of production with free labor to an industrialized economy that systematically harms people of color.<sup>22</sup> Fossil fuel-driven development and *de jure* segregation resulted in concentrations of Black and Brown families in industrial zones near toxic waste sites and power plants.<sup>23</sup> Communities facing the harmful impacts of the development and growth of the fossil fuel system are considered “frontline communities,” living in the shadows of the polluting energy industries with limited political power to effectuate change.<sup>24</sup>

#### A. *Lessons from the Environmental Justice Movement*

In response to the inequitable distribution of environmental harms, the environmental justice movement in the United States advocates for “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies.”<sup>25</sup> Although environmental injustices have plagued people of color in the United States since before the 1600s, the environmental justice movement began to garner national attention during the 1982 Warren County protests in North Carolina.<sup>26</sup> Residents of Warren County protested the state’s decision to dispose of PCB-contaminated soil into a landfill in the rural, poor, and majority-black area rather than dispose of it in an approved facility.<sup>27</sup> Although the residents failed to prevent the siting of the landfill, the controversy shed light

<sup>20</sup> *Id.* White supremacy and racial capitalism refer to complex systems of oppression. *Id.* at 94 n. 11. “White supremacy” can be defined as “a political, economic, and cultural system in which whites, overwhelmingly control power and material resources, conscious and unconscious ideas of white superiority and entitlement are widespread, and relations of white dominance and non-white subordination are daily reenacted across a broad array of institutions and social settings.” *Id.* (quoting Frances Lee Ansley, *White Supremacy (And What We Should Do About It)*, in *CRITICAL WHITE STUDIES: LOOKING BEHIND THE MIRROR 592* (Richard Delgado & Jean Stefancic eds., 1997)). “Racial capitalism” refers to the historic development of world capitalism that has been fundamentally influenced by the forces of racism and nationalism. *Id.*

<sup>21</sup> Shalanda H. Baker, *Anti-Resilience: A Roadmap for Transformational Justice within the Energy System*, 54 HARV. CIV. RTS-CIV. LIBERTIES L. REV. 1, 11 (2019).

<sup>22</sup> *Id.* at 10.

<sup>23</sup> *Id.*

<sup>24</sup> Frontline communities are communities at the front edge of climate change impacts and fossil fuel extraction. *Id.* at 11.

<sup>25</sup> *Environmental Justice*, EPA, <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice> (last visited Jan. 6, 2022).

<sup>26</sup> Catherine Millas Kaiman, *Environmental Justice and Community-Based Reparations*, 39 SEATTLE UNIV. L. REV. 1327, 1336–37 (2016).

<sup>27</sup> *Id.*

on the injustices that communities of color routinely faced.<sup>28</sup> The United Church of Christ formally identified the disparate harms imposed upon communities of color in its publication of *Toxic Wastes and Race in the United States* in 1987.<sup>29</sup> The report coined the term “environmental racism”<sup>30</sup> and presented evidence showing that hazardous waste facilities were disproportionately located near racial and ethnic minority communities in the United States.<sup>31</sup>

Despite the documentation of environmental racism in the *Toxic Wastes and Race* report, major environmental organizations generally failed to show support for environmental justice efforts at the time.<sup>32</sup> In 1990, the South-West Organizing Project sent a letter to major environmental organizations to condemn their history of racist and exclusionary practices and failure to include people of color in decision-making positions.<sup>33</sup> Several civil rights and minority activists signed the letter, which called upon the agencies leading the fight against polluters to broaden their member base and narrowly define agendas to incorporate concerns of communities of color.<sup>34</sup>

A few years later, delegates to the First National People of Color Environmental Leadership Summit convened in Washington, D.C.<sup>35</sup> The delegates codified the Principles of Environmental Justice, a defining document for the growing movement for environmental justice.<sup>36</sup> The Preamble declares, “We, the People of Color,” establish the movement to:

... promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and, to secure our political, economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples.<sup>37</sup>

<sup>28</sup> Candice Youngblood, *Put Your Money Where Their Mouth Is: Actualizing Environmental Justice by Amplifying Community Voices*, 46 *ECOLOGY L.Q.* 455, 460–61 (2019).

<sup>29</sup> *Id.* at 461.

<sup>30</sup> *Id.* at 461 n.37. Environmental racism refers to “any policy, practice or directive that differentially affects or disadvantages (whether intended or unintended) individuals, groups or communities based on race or colour.” ROBERT D. BULLARD, *ENVIRONMENT AND MORALITY: CONFRONTING ENVIRONMENTAL RACISM IN THE UNITED STATES*, UNITED NATIONS RSCH. INST. FOR SOCIAL DEV. (2004).

<sup>31</sup> UNITED CHURCH OF CHRIST COMM’N FOR RACIAL JUSTICE, *TOXIC WASTES AND RACE IN THE UNITED STATES: A NATIONAL REPORT ON THE RACIAL AND SOCIO-ECONOMIC CHARACTERISTICS OF COMMUNITIES WITH HAZARDOUS WASTE SITES* xiii (1987).

<sup>32</sup> See generally Youngblood, *supra* note 28 at 455.

<sup>33</sup> Philip Shabecoff, *Environmental Groups Told They Are Racists in Hiring*, *N.Y. TIMES*, Feb. 1, 1990, at A20.

<sup>34</sup> Youngblood, *supra* note 28 at 461–62.

<sup>35</sup> *Id.* at 462.

<sup>36</sup> *Principles of Environmental Justice*, EJNET, <https://www.ejnet.org/ej/principles.pdf> (last visited Jan. 18, 2022).

<sup>37</sup> *Id.*



The seventeen principles collectively call for distributive, procedural, and recognitional justice for environmental justice communities seeking liberation from systemic oppression.<sup>38</sup> These early developments sparked a national grassroots environmental justice movement focused on alerting, educating, and mobilizing the public to the unequal distribution of environmental harms and benefits, and garnering academic and government attention.<sup>39</sup>

Three years after the Summit, in 1994, President Clinton issued Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.<sup>40</sup> The order required federal agencies to make achieving environmental justice part of their mission by identifying and addressing the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.<sup>41</sup> The executive order provided a framework for addressing environmental disparities at the federal level; however, in itself, the order was a relatively small victory in the movement.<sup>42</sup> The requirements set forth in the order are strictly procedural and not enforceable.<sup>43</sup> The order was the first of many actions by policymakers that illuminated the lack of adequate legal remedies that are available for low-income communities of color that have suffered historic environmental injustices.<sup>44</sup>

In the face of the various barriers to legal remedies, the environmental justice movement and its advocates have come a long way since the 1990s. Now, dozens of environmental justice organizations, law school clinics, and non-profit law groups exist to further the mission of environmental justice.<sup>45</sup> In Miami, the movement embodies many traditional civil rights battles such as housing equality, access to healthcare, access to education and economic opportunities, as well as more traditional environmental justice issues such as contamination of water, land, and air. Despite dozens of advocates and law organizations fighting to battle environmental injustices, the principles of environmental justice have yet to be deeply realized.

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<sup>38</sup> Youngblood, *supra* note 28 at 463–64.

<sup>39</sup> BAKER, *supra* note 1 at 14; Kirsten Jenkins, *Setting Energy Justice Apart from the Crowd: Lessons from Environmental and Climate Justice*, 39 ENERGY RES. & SOC. SCI. 117, 120 (2018).

<sup>40</sup> *Summary of Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, EPA, <https://www.epa.gov/laws-regulations/summary-executive-order-12898-federal-actions-address-environmental-justice> (last visited Feb. 10, 2022).

<sup>41</sup> Baker, *supra* note 21 at 14; Exec. Order No. 12898, 59 Fed. Reg. 7629 (1994).

<sup>42</sup> Caroline Farrell, *Just Transition: Lessons Learned from the Environmental Justice Movement*, 4 DUKE F. FOR L. & SOC. CHANGE 45, 51 (2021).

<sup>43</sup> *Id.* at 51; Exec. Order No. 12,898, § 6-609, 59 Fed. Reg. 7629 (1994); Jedediah Purdy, *The Long Environmental Justice Movement*, 44 ECOLOGY L.Q. 809, 822 (2018).

<sup>44</sup> Kaiman, *supra* note 26 at 1330.

<sup>45</sup> *Id.* at 1338.

Many scholars have questioned the environmental justice movement's efficacy, noting that it has failed to move beyond the grassroots level.<sup>46</sup> Because the movement lacks consistently defined concepts, its principles are not readily translatable to multi-scale economic and public policy.<sup>47</sup> By failing to provide “analytical and organizational frameworks” for understanding and dismantling oppression as defined by communities themselves, privileged actors within the environmental justice movement contribute to silencing and misrepresentation.<sup>48</sup> Although environmental justice activists mobilizing at the grassroots level emphasize issues of racial, gender, economic, housing, and health inequities, they do not prioritize consistent use of terminology circulated in law, politics, or academia.<sup>49</sup> Therefore, the movement's principles have not been holistically translated to public policy.<sup>50</sup> Evidence of this is the fact that Black and Brown communities today are still considered “dumping grounds for environmental hazards.”<sup>51</sup>

Moreover, the environmental justice movement often fails to account for the multi-dimensionality of communities, limiting its application to global public policy.<sup>52</sup> For example, environmental justice advocates and activists fail to appropriately examine the differential racialization of Black and Indigenous communities.<sup>53</sup> Additionally, they often employ a “one-dimensional” approach that disproportionately focuses on health impacts and a narrowly constructed definition of quality of life.<sup>54</sup> The environmental justice framework remains US-centric and largely rooted in the Anglo-American value system.<sup>55</sup> It lacks substantive acknowledgment of the history of

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<sup>46</sup> Jenkins, *supra* note 39 at 118.

<sup>47</sup> Baker, *supra* note 21 at 22.

<sup>48</sup> Eric K. Yamamoto & Jen-L W. Lyman, *Racializing Environmental Justice*, 72 UNIV. COLO. L. REV. 311, 329 (2001).

<sup>49</sup> Sara Fuller & Darren McCauley, *Framing Energy Justice: Perspectives from Activism and Advocacy*, 11 ENERGY RSCH. & SOC. SCI. 1, 2 (2016).

<sup>50</sup> *Id.* at 7.

<sup>51</sup> Baker, *supra* note 21 at 14.

<sup>52</sup> See Kirsten Jenkins et al., *Energy Justice: A Whole Systems Approach*, 2 QUEENS POL. REV. 74, 79 (2014).

<sup>53</sup> Yamamoto & Lyman, *supra* note 48 at 333.

<sup>54</sup> See Sheila R. Foster, *Justice from the Ground Up: Distributive Inequities, Grassroots Resistance, and the Transformative Politics of the Environmental Justice Movement*, 86 CAL. L. REV. 775, 790 (1998); Sheila R. Foster, *Race(ial) Matters: The Quest for Environmental Justice*, 20 ECOLOGY L.Q. 721, 741 (1993); *Learn About Environmental Justice*, U.S. ENV'T PROT. AGENCY, <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice> (last visited Feb. 13, 2022).

<sup>55</sup> See Jenkins et al., *supra* note 52 at 79; Robert A. Williams, Jr., *Large Binocular Telescopes, Red Squirrel Pinatas, and Apache Sacred Mountains: Decolonizing Environmental Law in a Multicultural World*, 96 W. VA. L. REV. 1133, 1134 (1994).

Western colonization and the intersectionality of cultural and economic self-determination.<sup>56</sup>

### *B. Unjust Transitions and Climate Change*

Alongside the evolution of the environmental justice movement and growing concerns for global climate change, the concept of climate justice emerged.<sup>57</sup> Unlike the environmental justice movement that remains US-centric, the climate justice movement has reached a global scale. The climate justice movement began growing in the 1990s with a primary focus on (1) justice in relation to the responsibility for climate change and its impact; and (2) justice regarding the effects of responses to climate change.<sup>58</sup> Marginalized, vulnerable communities, which are the least responsible for causing climate change, face the most severe threats and are further disadvantaged by responses to climate change that reproduce or worsen current inequalities.<sup>59</sup>

Federal agency policies and practices are ill-equipped to promulgate strategy and planning that puts justice first. In Miami, the U.S. Army Corps of Engineers has proposed the construction of a seawall down the coast of Miami-Dade County to address rising seas.<sup>60</sup> The plan fails to consider the social and economic conditions and revolves around property values, funneling benefits to white communities.<sup>61</sup> Moreover, climate change mobilizations advocate for urgent action to mitigate carbon pollution and climate impacts, often without considering who will bear the burdens of mitigation and adaptation.<sup>62</sup> Prominent, well-funded environmental organizations cry for urgent action at any cost.<sup>63</sup> Meanwhile, history suggests that the costs of climate action without deeper equity analysis will be shouldered by the very communities that have been marginalized and rendered most vulnerable by the energy system.

Common initiatives taken to mitigate carbon emissions, such as carbon trading regimes and the large-scale shifting of arable land use from food

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<sup>56</sup> See Williams, *supra* note 55 at 1135; Rebecca Tsosie, *Tribal Environmental Policy in an Era of Self-Determination: The Role of Ethics, Economics, and Traditional Ecological Knowledge*, 21 VT. L. REV. 225, 226 (1996).

<sup>57</sup> Jenkins, *supra* note 39 at 118.

<sup>58</sup> Peter Newell, et al., *Toward Transformative Climate Justice: An Emerging Research Agenda*, 12 WILEY INTERDISCIPLINARY REVIEWS: CLIMATE CHANGE 1, 3 (2021), <https://wires.onlinelibrary.wiley.com/doi/abs/10.1002/wcc.733>.

<sup>59</sup> *Id.*; *Principles of Environmental Justice*, EJNET, <https://www.ejnet.org/ej/principles.pdf> (last visited Jan. 18, 2022).

<sup>60</sup> Alex Harris., 'A \$5 Billion Band-Aid': *Community Groups Push Back on Army Corps Plans for Miami-Dade*, MIAMI HERALD (July 9, 2020), <https://www.miamiherald.com/news/local/environment/article244092232.html>.

<sup>61</sup> *Id.*

<sup>62</sup> Baker, *supra* note 21 at 16.

<sup>63</sup> *Id.*

production to agro-fuel production, have harmful consequences for low-income communities, food security, water security, human rights, and biological and cultural diversity.<sup>64</sup> Moreover, such initiatives do not resolve the carbon problem.<sup>65</sup> In Miami, government officials focus on building and airport energy efficiency, recycling, and county operations, none of which were created in collaboration with communities and with an equity analysis.<sup>66</sup>

Climate justice advocates aim to tackle these misguided initiatives focused on carbon reduction by recognizing that climate action requires elevating low-income workers and people of color to the forefront of policymaking.<sup>67</sup> Mitigation policies should begin in communities that are the most vulnerable to the devastating impacts of climate change. A holistic approach to the climate crisis creates an opportunity to make deep systemic alterations necessary to achieve equity, justice, and democracy in the transition away from carbon polluting industries.<sup>68</sup>

Thus, climate justice initiatives are centered around themes of inclusion, autonomy, transparency, compensation, and sustainability, paralleling principles of the environmental justice movement.<sup>69</sup> Yet, those engaged in the movement continue to embrace climate action without thoroughly analyzing justice issues, such as project scale, location, and community engagement. The most vulnerable communities are still silenced, playing little to no role in decision-making. Worse yet, this type of approach to the climate crisis leaves marginalized communities particularly vulnerable as clean energy development and growth pose new threats.<sup>70</sup>

## II. A NEW PATH FORWARD: ENERGY JUSTICE MOVEMENT

Energy justice intersects with and builds upon the principles of environmental justice and climate justice.<sup>71</sup> In transforming the energy system, we can adopt approaches learned from the environmental justice and climate justice movements to ensure a truly just energy transition.<sup>72</sup> The transition to a

<sup>64</sup> Gopal Dayaneni, *Carbon Fundamentalism vs. Climate Justice*, RACE, POVERTY & THE ENVIRONMENT 7, 9 (2009).

<sup>65</sup> *Id.*

<sup>66</sup> *Miami-Dade County Climate Programs*, MIAMI-DADE CNTY., <https://www.miami-dade.gov/global/economy/resilience/county-climate-programs.page> (last visited Apr. 4, 2022).

<sup>67</sup> SHALANDA BAKER ET AL., INITIATIVE FOR ENERGY JUSTICE, THE ENERGY JUSTICE WORKBOOK 11 (2019).

<sup>68</sup> Dayaneni, *supra* note 64 at 9.

<sup>69</sup> David Schlosberg and Lisette B. Collins, *From Environmental to Climate Justice: Climate Change and the Discourse of Environmental Justice*, 5 WILEY INTERDISCIPLINARY REVIEWS: CLIMATE CHANGE 359, 369 (2014).

<sup>70</sup> BAKER ET AL., *supra* note 67 at 17.

<sup>71</sup> *Id.* at 10.

<sup>72</sup> Farrell, *supra* note 42 at 45.

clean energy economy is an opportunity to remediate historical harms and dismantle colonial institutions to avoid inflicting further disproportionate harm upon Black and Brown communities in our future energy economy.<sup>73</sup>

The energy justice movement also calls for energy democracy, in which power is redistributed to communities to shape their energy systems.<sup>74</sup> Energy democracy refers to the collective ownership, governance, and control of the electricity systems.<sup>75</sup> Under this framework, communities and individuals, rather than large corporations and utilities, manage energy systems and share in their economic benefits.<sup>76</sup>

The energy justice approach to developing transformative energy policy requires that decisions are rooted in equity and have four common components: (1) distributive justice, which is the equitable allocation of benefits and burdens of the nation's energy systems; (2) procedural justice, which means fair access to decision-making processes; (3) recognition justice, which is the acknowledgment of and respect for all people; and (4) restorative justice, which requires redressing past harms.<sup>77</sup> Thus, the energy justice movement focuses on reducing burdens while also providing social and economic inclusion in clean energy policy.<sup>78</sup> Above all, there is a requirement that the voices of marginalized communities take center stage.<sup>79</sup>

#### A. *Unjust Transitions Reimagined*

The Just Transition Framework (or “Framework”) is a set of principles, processes, and practices that build economic and political power to shift from an extractive economy to a regenerative economy.<sup>80</sup> The transition to a regenerative economy requires approaching production and consumption cycles holistically to prevent waste.<sup>81</sup> In a just transition, resources and power are redistributed to local communities to enhance energy democracy, in which communities have control over the decisions that affect their daily lives.<sup>82</sup> The term “just transition” originated amongst labor unions and environmental justice groups that recognized the need to phase out the energy industries that harm workers, low-income Black and Brown communities,

<sup>73</sup> BAKER ET AL., *supra* note 67 at 18.

<sup>74</sup> Jennie C. Stephens, *Energy Democracy: Redistributing Power to the People Through Renewable Transformation*, 61 ENV'T. SCI. & POL'Y FOR SUSTAINABLE DEV. 4, 4 (2019).

<sup>75</sup> *Id.* at 8.

<sup>76</sup> *Id.* at 5.

<sup>77</sup> BAKER, *supra* note 1 at 30–31.

<sup>78</sup> *Id.*

<sup>79</sup> *Id.*

<sup>80</sup> CLIMATE JUST. ALL., JUST TRANSITION PRINCIPLES 1 (2019), [https://climatejusticealliance.org/wp-content/uploads/2019/11/CJA\\_JustTransition\\_highres.pdf](https://climatejusticealliance.org/wp-content/uploads/2019/11/CJA_JustTransition_highres.pdf).

<sup>81</sup> *Id.* at 3.

<sup>82</sup> *Id.*

and the natural environment.<sup>83</sup> Early just transition strategies sought to define a transition away from polluting industries while providing just pathways for workers to transition to other jobs.<sup>84</sup> Recent developments of the Framework reframe the concept to reflect upon the intersectionality of environmental, climate, and energy justice and to contribute meaningful long-term solutions for a system's transformation in the energy economy.<sup>85</sup>

### *B. Securing a Just Transition: The Framework*

The Framework prioritizes equity and justice in the planning, implementation, and assessment of the energy transition away from fossil fuels.<sup>86</sup> The clean energy transition is not inherently just.<sup>87</sup> The transition to a clean energy system may create new injustices and vulnerabilities while failing to address existing drivers of injustice and remediate historical harms.<sup>88</sup> Thus, a just transition requires transformative change that involves overturning the power dynamics embedded within the modern energy system and the development of energy policy that facilitates the participation of low-income, Black and Brown people in the design, function, and ownership of the new system.<sup>89</sup>

The Framework provides guidance in planning for the transition to a just economy and evaluating whether such a transition has been achieved with respect to distributional, procedural, and recognition justice.<sup>90</sup> Distributional justice acknowledges the unequal allocation of social goods and ills across society.<sup>91</sup> In the energy transition, distributional justice considerations can inform the development of energy systems so the exposure to environmental harms is shared and participants benefit as equally as possible.<sup>92</sup> Distributional concerns are particularly relevant in the siting of energy infrastructure and the access to energy services.<sup>93</sup>

Procedural justice concerns the equitable access to the energy decision-making processes that govern the distribution of social goods and ills.<sup>94</sup> In a

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<sup>83</sup> *Id.* at 2.

<sup>84</sup> *Id.*

<sup>85</sup> Darren McCauley & Raphael Heffron, *Just Transition: Integrating Climate, Energy, and Environmental Justice*, 119 ENERGY POL'Y 1, 5 (2018).

<sup>86</sup> Sanya Carley & David Konisky, *The Justice and Equity Implication of the Clean Energy Transition*, 5 NATURE ENERGY 569, 570 (2020).

<sup>87</sup> Baker, *supra* note 21 at 38.

<sup>88</sup> Benjamin K. Sovacool et al., *Decarbonization and Its Discontents: A Critical Energy Justice Perspective on Four Low-Carbon Transitions*, 155 CLIMATE CHANGE 581, 581 (2019).

<sup>89</sup> Baker, *supra* note 21 at 26.

<sup>90</sup> Farrell, *supra* note 42; Sovacool et al., *supra* note 88 at 588.

<sup>91</sup> Sovacool et al., *supra* note 88 at 588.

<sup>92</sup> *Id.*

<sup>93</sup> Jenkins et al., *supra* note 52 at 176.

<sup>94</sup> *Id.* at 178.

just transition, the people most impacted by the energy transition must have the opportunity, resources, support, and training to participate in a meaningful way.<sup>95</sup> Additionally, transparency, fair representation, impartiality, and objectivity in the decision-making process are essential to ensure that the transition to a renewable energy system is fair and promotes equitable outcomes.<sup>96</sup>

Finally, recognition justice involves an understanding of how political, economic, and cultural factors influence the distribution of environmental harms.<sup>97</sup> Recognition justice in a just transition requires identifying vulnerable people whose vulnerability may be worsened as a result of the transition and protecting equal rights for all.<sup>98</sup> A comprehensive Just Transition Framework that embraces these three theories of justice can facilitate energy availability and access, affordability, due process, accountability, transparency, and inter- and intra-generational equity in a regenerative, clean energy economy.<sup>99</sup>

### *C. Jemez Principles for Democratic Organizing*

The Jemez Principles for Democratic Organizing embrace six core values that prioritize inclusion and equity in the organizing process to build progressive activist movements such as the just transition movement.<sup>100</sup> In December of 1996, in Jemez, Mexico, the Southwest Network for Environmental and Economic Justice hosted the “Working Group Meeting on Globalization and Trade.”<sup>101</sup> Forty people of color and European-American representatives met to identify common understandings between participants from different cultures, politics, and organizations.<sup>102</sup> The principles have been adopted by organizations to guide their relationships with other organizations, and they can similarly guide individual and community activist perspectives on organizing activities.<sup>103</sup> Although a just transition may look different in different places, such guiding principles exist to strengthen the collective work of activists.<sup>104</sup>

<sup>95</sup> Farrell, *supra* note 42 at 60.

<sup>96</sup> Sovacool et al., *supra* note 88 at 588–89.

<sup>97</sup> Farrell, *supra* note 42 at 63.

<sup>98</sup> Carley & Konisky, *supra* note 86 at 570; Sovacool et al., *supra* note 88 at 589.

<sup>99</sup> Carley & Konisky, *supra* note 86 at 570.

<sup>100</sup> SW. NETWORK FOR ENV'T & ECON. JUST., *Jemez Principles for Democratic Organizing*, EJNET (Dec. 1996), <https://www.ejnet.org/ej/jemez.pdf>; PARTNERS FOR COLLABORATIVE CHANGE, SIERRA CLUB, *PIVOTING TO PRINCIPLED PRACTICE* 3–15 (2014), <https://www.sierraclub.org/sites/www.sierraclub.org/files/Pivoting-Principled-Practice-Worksheet.pdf>.

<sup>101</sup> SW. NETWORK FOR ENV'T & ECON. JUST., *supra* note 100.

<sup>102</sup> *Id.*

<sup>103</sup> PARTNERS FOR COLLABORATIVE CHANGE, *supra* note 100 at 2.

<sup>104</sup> *See generally id.* at 3–15.

The first principle, *Be Inclusive*, calls for inclusion of all people in decision-making to develop alternative policies and institutions in the transition to a just society.<sup>105</sup> Second, to *Emphasize Bottom-Up Organizing*, activists can foster relationships built upon trust and mutual solidarity with colleagues, partner groups, and frontline communities.<sup>106</sup> Building and strengthening the organizational base provides credibility, strategies, mobilizations, leadership development, and the energy for daily work.<sup>107</sup> Third, activists must *Let People Speak for Themselves* by ensuring the relevant voices of people directly affected are heard.<sup>108</sup> Fourth, groups addressing similar issues with compatible visions should *Work Together in Solidarity and Mutuality* while supporting each other's work.<sup>109</sup> Fifth, to *Build Just Relationships Among Ourselves*, individuals have to treat each other with justice and respect, which involves clarity in decision-making, sharing strategies, and resource distribution.<sup>110</sup> And sixth, in their *Commitment to Self-Transformation*, activists should shift from a mindset of individualism to community-centeredness.<sup>111</sup> Embracing values such as cooperation, caring, and sharing is necessary in order to practice the Jemez Principles and end white supremacist culture in democratic organizing.<sup>112</sup>

### III. THE JUST TRANSITION SKILLSET

The climate justice movement echoes the early missteps of activists and advocates in the environmental justice movement. However, it is important for academics, advocates, and activists to learn from the rich history of the environmental and climate movements to “radically reimagine” our world and shift power to the hands of the most vulnerable so that they can create and benefit from a just system. Systemic change requires a holistic response relying on diverse knowledge and skills in developing collaborative policies, practices, and customs at the local, regional, and global levels. This type of change must be led by Activists, radical leaders in the just transition movement. These leaders work to support and uplift the oppressed, those pushed to the margins of energy conversations. They seek to combat elitism and hierarchies within the systems and institutions while creating spaces that are encouraging, transparent, and safe. They develop solutions, anticipate roadblocks, and create a vision of a different future that shifts power. These

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<sup>105</sup> *Id.* at 3.

<sup>106</sup> *Id.* at 6.

<sup>107</sup> *Id.*

<sup>108</sup> *Id.* at 7.

<sup>109</sup> *Id.* at 9.

<sup>110</sup> *Id.* at 12.

<sup>111</sup> *Id.* at 15.

<sup>112</sup> *Id.* at 1.



Activists understand the intersections between social justice and the built and natural environments. Most importantly, they believe the road map to community sustainability requires an interdisciplinary response that engages both the social and physical sciences and recognizes diverse sets of expertise. They are grassroots organizers, changemakers, and radical, dangerous leaders.

To secure a just transition, Just Transition Activists must learn to create new, reimagined pathways, different from those seen in other movements. Building upon lessons learned in the environmental and climate just movements, we argue that to create transformative change that shifts power back to marginalized communities, a Just Transition Activist must develop transformative skillsets. It is essential that they armor themselves with the skills necessary to make structural change. Because models of activism in former movements discussed above have further entrenched inequities, Just Transition Activists must develop attitudes and beliefs that allow them to reimagine their role and the systems they uplift.<sup>113</sup> Activists must rethink traditional forms of leadership, self-development, and collaboration seen in the environmental and climate justice movements. They must be radical leaders, humbling themselves, showing courage, and living with integrity, building trust and transformational relationships along the way.

#### *A. Learning to be a Dangerous Leader*

We start with leadership because through this, all things flow. Leadership transpires in multiple contexts, and thus, scholars refrain from creating a definition.”<sup>114</sup> We do not seek to define just transition leadership, but rather, we seek to explore key elements of leadership that a Just Transition Activist should embody. Overall, we believe that a leader in the just transition lifts visions to “high sights” and inspires others “to make it happen despite the obstacles.”<sup>115</sup> These leaders value, among other things, “trust, empathy, vision, self-awareness, introspection, broad-mindedness, and innovativeness,” many of which we will present in other sections below.<sup>116</sup> For the purposes of this section, we will briefly explore two key elements most vital to a Just Transition Activist on their journey: vision and collaboration.

##### *i. Just Transition Activists Have Vision.*

Just Transition Activists are visionaries, as they are capable of mobilizing people toward common goals. They fearlessly develop strategies and plans

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<sup>113</sup> While not an exhaustive list of skills, attributes, beliefs, and attitudes, the ideas presented below are based on the authors’ personal experiences working alongside activists, advocates, and organizers fighting for a just transition.

<sup>114</sup> RANDALL KISER, *SOFT SKILLS FOR THE EFFECTIVE LAWYER* 227 (Cambridge Univ. Press 2017).

<sup>115</sup> *Id.* at 227–28.

<sup>116</sup> *Id.* at 261.

in collaboration with others while inspiring people to adopt and implement their vision.<sup>117</sup> Focusing on priorities, delegation, and always keeping perspective, Activists seeking justice align their internal vision and values with external practices.<sup>118</sup> They ensure that the goals of their respective organizations or partnerships are acted upon.<sup>119</sup> And because just transition leaders are also consensus builders, they extract the opinions of others and uplift all relevant parties in the decision-making process.<sup>120</sup> Thus, they are naturally collaborators, recognizing that leadership is shared.<sup>121</sup> They acknowledge that energy “flows within and between us, and it also belongs to all of us,” and so does leadership.<sup>122</sup>

Unlike activists in previous movements, Just Transition Activists understand the intersections between social justice and the built and natural environments and believe the road map to community sustainability requires an interdisciplinary, community-based approach. They recognize that systemic change requires a holistic response relying on diverse knowledge and skills in developing collaborative policies, practices, and customs at the local, regional, and global levels. Thus, their minds are set on deep collaboration as they develop solutions, anticipate roadblocks, and create a vision of a different future that shifts power.

*ii. Just Transition Activists Work in Collaboration.*

Acting and working in “solidarity, mutuality, and in support of others,” Just Transition Activists collaborate with others.<sup>123</sup> They understand that this may mean working for the collective and sacrificing their individual goals for the good of the whole.<sup>124</sup> This leader demands diversity at all levels of policy creation and, most importantly, is always inclusive.<sup>125</sup> Just Transition Activists display this type of leadership when they ensure those made vulnerable by the system spearhead the policy design table for community-based development and energy projects.<sup>126</sup> They acknowledge and appreciate that they should follow the leadership and culture of the communities they serve, as the communities have the expertise, strategy, and commitment.<sup>127</sup> Just Transition Activists center and uplift the voices that have historically been

<sup>117</sup> PARTNERS FOR COLLABORATIVE CHANGE, *supra* note 100 at 9–10.

<sup>118</sup> *Id.* at 15.

<sup>119</sup> *Id.* at 7.

<sup>120</sup> *Id.* at 7–8.

<sup>121</sup> ANTHONY C. THOMPSON, DANGEROUS LEADERS: HOW AND WHY LAWYERS MUST BE TAUGHT TO LEAD 137 (Stanford Univ. Press 2018).

<sup>122</sup> BAKER, *supra* note 1 at 137.

<sup>123</sup> SW. NETWORK FOR ENV'T & ECON. JUST., *supra* note 100.

<sup>124</sup> THOMPSON, *supra* note 121 at 137.

<sup>125</sup> SW. NETWORK FOR ENV'T & ECON. JUST., *supra* note 100.

<sup>126</sup> BAKER, *supra* note 1 at 135–36.

<sup>127</sup> *See* PARTNERS FOR COLLABORATIVE CHANGE, *supra* note 100 at 4, 6.

pushed out of conversations concerning energy, while dismantling power structures and creating an energy system that empowers and works for all.<sup>128</sup> They recognize that this may lead to conflict, but building upon this conflict will create lasting, transformative relationships and fundamental change.<sup>129</sup>

Just Transition Activists are also “power shifters.”<sup>130</sup> They do not allow common impediments to leadership, such as power-hoarding, to slow them down. Activists seeking a just transition understand, appreciate, and actively acknowledge that structures within the United States presuppose power imbalances.<sup>131</sup> The energy system reflects these imbalances, as the political and economic power is held in the palms of utility companies, their investors, and the elected officials they purchased through elections, all at the expense of the most vulnerable.<sup>132</sup> Without acknowledging the history of systems of oppression and current conditions that maintain the systems, Activists are unable to create remedies that are sustainable and community-centered, encouraging economic and social participation. Thus, just transition “power shifters” must actively seek to dismantle the power structures within systems and institutions.

### *B. The Self-Aware and Developing Activist*

Just Transition Activists are internally and externally self-aware. They understand how their own values and passions correlate with the environment, their “reactions (including thoughts, feelings, behaviors, strengths, and weaknesses),” and their impact on others, and understand how others view them.<sup>133</sup> They know who they are and what they want, and they actively seek out and value the opinion of others.<sup>134</sup> In short, they know themselves deeply.

In addition, a Just Transition Activist is committed to self-transformation and development.<sup>135</sup> They focus on developing noncognitive skills, such as “resilience, willpower, self-efficacy, optimism, emotional granularity, feedback elicitation, curiosity, goal achievement, embodied cognition, and mindfulness.”<sup>136</sup> These skills, although the most powerful for a just transition

<sup>128</sup> BAKER, *supra* note 1 at 173.

<sup>129</sup> PARTNERS FOR COLLABORATIVE CHANGE, *supra* note 100 at 3, 14; SW. NETWORK FOR ENV'T & ECON. JUST., *supra* note 100.

<sup>130</sup> Ressler-Moyer et al., *supra* note 18 at 116.

<sup>131</sup> *Id.* at 116–17.

<sup>132</sup> BAKER, *supra* note 1 at 27.

<sup>133</sup> Tash Eurich, *What Self Awareness Really Is (And How To Cultivate It)*, HARV. BUS. REV. (Jan. 4, 2018), <https://hbr.org/2018/01/what-self-awareness-really-is-and-how-to-cultivate-it>.

<sup>134</sup> *Id.*

<sup>135</sup> SW. NETWORK FOR ENV'T & ECON. JUST., *supra* note 100.

<sup>136</sup> KISER, *supra* note 114 at 90.

practitioner, are often neglected in traditional education and are not prioritized by institutions and systems.<sup>137</sup>

All the skills listed above are vital. However, we chose to focus on three for the purpose of this article: resilience, feedback elicitation, and mindfulness.

*i. Just Transition Activists are Resilient.*

We define resilience as the ability to not only “bounce back” after a setback, but the ability of the individual to learn from the setback and grow.<sup>138</sup> Resilience can be learned and enhanced.<sup>139</sup> Individuals that are resilient find meaning in life and in their work which allows them to build meaningful relationships.<sup>140</sup> And they have an uncanny ability to improvise.<sup>141</sup>

To engage within the just transition movement, it is vital that an Activist develop resilience. Thus, when they encounter high stress or complex problems, Just Transition Activists connect with others and dialogue, while remaining calm and flexible. The movement is filled with conflict, chaos, and intersectional decision-making. Without resilience, an Activist would be unable to overcome the inevitable complex, multi-dimensional issues on the path to *justice first* policies. By committing to flexibility in unpredictable situations, when they encounter stressful obstacles, as many activists have experienced in prior movements, they are able to work in collaboration effectively. Most of all, when they feel the pressure of the world on their shoulders, they can remain grounded, remembering that “pressure is privilege.”<sup>142</sup>

Unlike activists in the environmental and climate movements, Activists advocating for energy justice should participate in the “act of engaging in a politics of anti-racism and anti-oppression that exposes the roots of structural inequality and vulnerability and illuminates the path for system transformation.”<sup>143</sup> They must also “disrupt the narratives of resilience at the structural and systemic levels that facilitate ongoing injustice.”<sup>144</sup> This will allow climate resilience programming, like that seen in Miami, to move past performative interactions with vulnerable communities and allow for true allyship with real relationships and open communication.

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<sup>137</sup> *Id.*

<sup>138</sup> *Id.*

<sup>139</sup> *Id.*

<sup>140</sup> *Id.*

<sup>141</sup> *Id.*

<sup>142</sup> ROBIN SHARMA, *THE 5 AM CLUB 28* (HarperCollins Pub. 2018).

<sup>143</sup> Baker, *supra* note 21 at 6.

<sup>144</sup> *Id.* at 7.

*ii. Just Transition Activists Elicit Feedback.*

Feedback often hurts and makes us feel uncomfortable; however, it is the most valuable source of self-development.<sup>145</sup> A Just Transition Activist is committed to self-development and therefore actively seeks and provides dynamic feedback that allows for vulnerability, growth, and shifts in mindsets. This type of feedback allows an Activist to adapt dynamically to various social, political, and economic environments. When providing dynamic feedback, Activists are specific, highlight goals, and present alternatives. Just Transition Activists seek feedback from others with an open heart and mind, avoiding defensiveness and asking for clarification if confused. If Activists in this movement fail to engage in dynamic feedback from vulnerable communities, they risk further entrenching white supremacy and racial capitalism into energy policy and law. Although seeking and providing feedback takes time and intention, the Just Transition Activist should not be enticed by calls for urgent action at any cost. This intention will dismantle exclusionary governance practices, allowing for the voices of the most vulnerable to be acknowledged and respected.

*iii. Just Transition Activists are Mindful.*

Mindfulness is “paying attention in a particular way: on purpose, in the present moment, and non-judgmentally.”<sup>146</sup> It has a myriad of benefits, including increased empathy, lower levels of stress, improved communication, and more effective emotional regulation, all benefits needed for an Activist engaged in transformative work.<sup>147</sup> Just Transition Activists have to remain mindful. To do so, Activists pay attention, not only to themselves but to others around them. They must experience their surroundings intentionally, paying attention to their environment and circumstances. In addition to being present, they also accept the energy in their environment, rather than simply pushing back against it. This also enables them to strategically plan and organize their thoughts and actions.

*C. Deeply Understanding Others*

Because Just Transition Activists work in collaboration, they are socially literate, meaning they focus on developing transformative social skills. They seek to understand others and value communication, including listening and sharing stories. Above all, they work to build trust and cultural competencies.

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<sup>145</sup> KISER, *supra* note 114 at 107.

<sup>146</sup> JON KABAT-ZINN, WHEREVER YOU GO, THERE YOU ARE: MINDFULNESS MEDITATION FOR EVERYDAY LIFE 6 (2016).

<sup>147</sup> KISER, *supra* note 114 at 131.

*i. Just Transition Activists Listen More Than They Speak; When They Do Speak, They Communicate Effectively.*

Listening is the discipline of hearing and comprehending explicit and tacit messages when someone else is talking.<sup>148</sup> To be an effective listener, one must listen objectively and be supportive.<sup>149</sup> Reflection is an essential component of this skill.<sup>150</sup> By reflecting on interactions with stakeholders, an Activist can identify biases and assumptions and refine their listening skills.

In addition to listening, an effective communicator can greet others, ask relevant questions, give compliments, encourage, inspire, and disclose vulnerabilities.<sup>151</sup> This is essential for anyone engaging in the radical transformation of systems and institutions. To have conversations rooted in equity at the policy table, Just Transition Activists develop these skills, while also centering the voices of marginalized communities within all conversations.

History shows that in previous movements, vulnerable communities were dismissed and ignored. Now, neither policies nor advocacy campaigns represent the unique lived experiences of those most disparaged by the energy system. To truly center low-income communities and communities of color at the heart of the movement, Just Transition Activists must develop deep listening skills. Above all, they allow others to speak for themselves.<sup>152</sup> Through conversations lifting the voices of the most vulnerable, the path to a just transition is realized.

*ii. Just Transition Activists Are Trust Builders.*

Just Transition Activists act with integrity, even out of the public view. Operating transparently, they expose instances when their personal interests are at work.<sup>153</sup> To build trust, they “track how well their promises and predictions match reality,” explaining the values that underpin decisions and strategy.<sup>154</sup> Thus, decision-making, processes, and procedures are clear and open for discussion where feedback is regularly accepted and utilized.<sup>155</sup> Furthermore, Activists for a just transition are guardians of the Framework’s integrity.<sup>156</sup> They have deep knowledge of the Framework’s tenets with respect to distributional, procedural, and recognition justice and seek to ensure that they operate transparently within the Framework’s principles, regardless of

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<sup>148</sup> *Id.* at 149.

<sup>149</sup> *Id.*

<sup>150</sup> *Id.* at 131.

<sup>151</sup> JULIEN MIRIVEL, *THE ART OF POSITIVE COMMUNICATION* 162–65 (Cambridge Univ. Press 2014).

<sup>152</sup> SW. NETWORK FOR ENV’T & ECON. JUST., *supra* note 100.

<sup>153</sup> THOMPSON, *supra* note 121 at 137.

<sup>154</sup> KISER, *supra* note 114 at 173–74.

<sup>155</sup> *See generally* PARTNERS FOR COLLABORATIVE CHANGE, *supra* note 100.

<sup>156</sup> THOMPSON, *supra* note 121 at 136.

outside forces. They “accept that they function as part of a larger ecosystem that may experience internal and external threats.”<sup>157</sup> A Just Transition Activist must seek “information from a wide array of sources and networks” to have a “wider lens” to analyze complex, intersecting issues.<sup>158</sup> That lens enables Activists to address these issues and understand both the benefits and implications of their decisions.<sup>159</sup>

*iii. Just Transition Activists Are Determined to Develop Cognitive Abilities and Cultural Competencies.*

As noted above, the environmental justice movement often fails to account for the multi-dimensionality of communities and remains rooted in the Anglo-American value system. It lacks substantive acknowledgment of the history of Western colonization and the intersectionality of Indigenous peoples. Restorative justice, a key principle of the just transition movement, requires recognition of and responsibility for injustices, acknowledgment of the affected, respect and incorporation of the affected community in all energy discussions, and reparations in the form of community-based and governed programs.<sup>160</sup> Therefore, Just Transition Activists focus on developing a set of cognitive competencies to “become aware of practices that they may not consciously see or fully appreciate that can severely hamper their effectiveness.”<sup>161</sup> Amongst other things, Activists have to fight against confirmation bias, the practice of favoring information that confirms one’s beliefs.<sup>162</sup> In addition, they must battle fundamental attribution, the practice of assuming that an actor’s personality dictates behavior, which may lead to dangerous, misleading assumptions.<sup>163</sup>

Just Transition Activists should learn to appreciate and rigorously analyze the unique relationships between people, cultures, social structures, and the environment. They must embrace multi-dimensionality and optionality, meaning that they hold “multiple thoughts simultaneously to push their own thinking” and consistently use “what-if” scenarios to address complex, transcendent issues.<sup>164</sup> This requires Activists to grapple with the role of privilege in Western law and policy to account for “cultural, power, and goal differences” within and between racialized communities.<sup>165</sup>

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<sup>157</sup> *Id.* at 137.

<sup>158</sup> *Id.*

<sup>159</sup> *Id.*

<sup>160</sup> Kaiman, *supra* note 26 at 1331.

<sup>161</sup> THOMPSON, *supra* note 121 at 114.

<sup>162</sup> *Id.* at 144.

<sup>163</sup> *Id.*

<sup>164</sup> *Id.* at 137–38.

<sup>165</sup> Yamamoto & Lyman, *supra* note 48 at 315.

*D. Wisdom: Learning to Hold Knowledge and How to Use It*

Because there is not a single, comprehensive definition of wisdom, we examine wisdom by identifying key elements that a Just Transition Activist ought to seek.<sup>166</sup> It is critical to note that lawyers can serve to “undermine social movements, magnify harms, and exploit the work of Black, Indigenous, and other activists of color in the process.”<sup>167</sup> Thus, Activists entrenched in the legal profession must work twice as hard to push back against traditional thinking, and first seek wisdom, rather than simply learning to “think like a lawyer,” as this practice is “impracticable, counterproductive, and pedagogically backward.”<sup>168</sup>

To prevent becoming a social danger, Activists must first understand that wisdom is not a set of facts, values, or beliefs, but rather an attitude.<sup>169</sup> Wisdom is the manner in which someone holds knowledge and puts it to use.<sup>170</sup> In addition, Activists must seek to exhibit the key elements of wisdom: perceptiveness, foresight, creativity, fairness, judgment, self-renewal, and courage.<sup>171</sup> Although each element is vital to develop, this analysis focuses on two that have proven most useful in the authors’ journeys: foresight and courage.

*i. Just Transition Activists Have Foresight.*

Foresight, or the ability to see what no one else can see, is a key element of wisdom because wisdom “consists of seeing beyond current conditions and moving beyond conventional knowledge.”<sup>172</sup> To create transformational change, Just Transition Activists must look forward, “toward future generations, children unnamed, and possibilities unfurling” and back, to “ancestors hoping, believing, and praying.”<sup>173</sup> In their activism, these leaders synthesize multiple viewpoints, dismantle bias, build teams for collectivism, rigorously analyze deep-seated beliefs, and track their journey with measurements for growth.<sup>174</sup> As they attempt to shift the complex energy system, dismantling power structures, this type of foresight is vital in order to avoid further entrenching inequities and repeating historical harms that urgent climate action threatens. Just Transition Activists must use their foresight to look beyond current value systems and traditional decision-making procedures and practices to create processes that restore communities and redistribute benefits,

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<sup>166</sup> KISER, *supra* note 114 at 190.

<sup>167</sup> Ressler-Moyer et al., *supra* note 18 at 95.

<sup>168</sup> *See id.*

<sup>169</sup> KISER, *supra* note 114 at 191.

<sup>170</sup> *Id.*

<sup>171</sup> *Id.* at 190.

<sup>172</sup> *Id.* at 197.

<sup>173</sup> BAKER, *supra* note 1 at 173.

<sup>174</sup> KISER, *supra* note 114 at 199–200.



ensuring access to a just energy system for all. However, to look beyond current conditions and radically reimagine, they must have the courage to do so.

*ii. Just Transition Activists are Courageous.*

The type of revolutionary power needed for a just transition requires courage.<sup>175</sup> Courage is a vital subsidiary of wisdom because without it all other elements (foresight, fairness, creativity) topple under pressure.<sup>176</sup> Absent courage, activists voice but do not embody their values. Courage is hard to develop, as “you must seize the opportunity to be courageous, it will not seize you.”<sup>177</sup> Just Transition Activists seize these opportunities, having the strength to persevere in the face of fear, difficulty, and danger. They acknowledge that being courageous requires them to assume responsibility for an outcome that could be “ignored, avoided, hidden, or foisted on someone else.”<sup>178</sup> By acknowledging the history of Western colonization and intersectionality of societies, they uproot practices that are rooted in the Anglo-American value system and radically transform systems and institutions to benefit the most vulnerable. In addition, these leaders use their courage to rigorously challenge and push back on narratives and practices that uplift and reenforce white dominant culture, pushing past the one-dimensional approach to advocacy seen in previous movements. They deeply understand that the process is slow, frustrating, and painful, but they can withstand the challenges, even in the face of overwhelming social, political, and economic obstacles. Without this type of courage, a just transition cannot be truly realized.

## CONCLUSION

*“We created a society in which we not only survived, but we all thrived. Local energy saved us. We designed our laws and robust participation by the communities shaped and scarred by the fossil fuel-based system. We organized ourselves and formed coalitions to make sure that our new system included a focus on job creation and workforce development. We dismantled the centralized power system. We fought for access to solar power for communities, owned by us and designed to meet our community needs. We elected officials who understood the energy burdens borne by Indigenous communities, Brown and Black communities, and poor white communities...We built capacity for energy democracy in our communities by educating community members about energy sources, the economics of power, and the system design...So the storms and fires came, we were prepared.”<sup>179</sup>*

<sup>175</sup> BAKER, *supra* note 1 at 173.

<sup>176</sup> KISER, *supra* note 114 at 220.

<sup>177</sup> *Id.* at 221.

<sup>178</sup> *Id.* at 220.

<sup>179</sup> BAKER, *supra* note 1 at 171–72.

For the society described above to be truly realized, there must be a radical mindset shift in those advocating for it. The true realization of distributive, procedural, and recognition justice demands it. A shift in mindset will allow advocates and activists in the just transition movement to create skillsets and beliefs that will ensure the principles of the movement are secured. Former skillsets are inept to dismantle the current power structures. Power hoarding, individualism, and competition have entrenched white supremacy and racial capitalism. However, current organizers, advocates, and dangerous leaders, building from the lessons of climate and environmental justice movements, can develop the attitudes and beliefs to reimagine the intersectional paths forward. These paths place equity at the center of climate adaptation or mitigation strategies and plans, rather than urgency and special interests. Although filled with challenges, these pathways will redistribute political and economic power, ensuring deconstruction of the traditional frameworks and allowing transparency and accountability in the energy system. Activists and advocates must be radical leaders, humbling themselves, showing courage, and living with integrity, building trust and transformational relationships along the way. This will guarantee the inclusion of low-income stakeholders at the policy table, economic participation and community ownership within the energy system, and community-led development. This, in turn, will guarantee our preparation and resilience when the storms and fire come.

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