

Prof. Dr. iur. Jens Lowitzsch SoSe 2022

Kelso Professorship of Comparative Law, East European Business Law and European Legal Policy,
Faculty of Business Administration and Economics – Visitor address: Logenstraße 9-10, PG 202

Energy Transitions 7: Fostering a just transition in Europe (Part II)

(Students can participate in this seminar block without having taken in Part I)

Course plan (Compact course/Block seminar // currently planned in presence (fall back: zoom))

	Date	Room	Content
LV1	20.04.2022 14-18h (+ 3h autonomous)	GD 309	tbd
LV2	21.04.2022 14-18h (+ 3h autonomous)	GD 309	tbd
LV3	5.05.2021 14-18h (+ 3h autonomous)	GD 309	tbd
LV4	6.05.2021 14-18h (+ 3h autonomous)	GD 309	tbd
LV5	20.05.2021 14-18h (+ 3h autonomous)	GD 309	Conclusion and oral presentations

Seminar description

From a technical point of view the path to climate neutrality is resting on the two pillars of the energy and digital twin transition. But the shift to renewables and an increased energy efficiency aiming at the decarbonisation of our economies deeply anchored in the advancement of information and communication technologies (ICT) is tied into a social transition affecting society asymmetrically and producing uneven outcomes. While some groups of society are prone to benefit others are finding themselves on the losing side with the determinants of the corresponding drivers being embedded in social structures and the new boundaries running often – but not always – alongside income groups and educational status. However, distributional repercussions while dividing sectors, social groups, countries, regions, cities also impact within these units thus creating tensions, both, internally and externally. The range of impact is equally wide embracing social status, mobility, labour market chances, educational opportunities, etc.

Although coping with the consequences of economic structural changes of industrial revolutions as such is nothing new, we are witnessing an unprecedented awareness for justice concerns rooting in the massive scale of the anticipated changes and their impact on all societal groups. In particular, the social frictions of the Covid 19 pandemic with its difficult trade-offs between social groups triggered the evolving postulate of “no one left behind” (solidarity, social security systems, etc.). The notion of a “just transition” is also enshrined in the various initiatives to launch a Green New Deal (Global Green New Deal, European Green New Deal and the like) and the various economic recovery programs like the Next Generation EU. What all stimulus programs – despite large differences in their ideological reasoning, be it neoliberal, Keynesian, socialist or conservative – have in common is that they expressly address trade-offs while asserting synergies with other current transformations.

In this context the question of what is considered equitable and just to a large extent depends on perspectives of the respective groups, geographies and income groups. The often-conflicting arguments of the public discourse include such different considerations as intergenerational justice, compensation for the benefits of the industrialised world to the global south, identity politics and inclusion. As a mirror image of the various definitions of transitional justice corresponding approaches to compensation entail wide arrays regarding the distri-

bution of the resulting burden. More generally speaking we witness an increasing tension between the postulate for universal solidarity soliciting cohesion along what is perceived as common denominators of society on the one hand and particular claims of a growing number of sub-groups emerging from an intersectional perspective. This conflict comes with the question of how to define the disadvantaged vis-à-vis the benefitting groups and how to delineate economic, spatial and temporal criteria for belonging to either.

Borders long believed to have been overcome are reappearing and threaten social cohesion and stability of our democracies and of the European Union as such: geographic south-north-west-east / social status rich vs. poor / grid structure centre vs. periphery / access to renewable energy and clean water, air, etc. (foods water energy nexus). Trade-offs between interest groups are distorted by the absence or presence of lobby groups and their asymmetrical power. The gap between the rural and the urban is further exacerbated where entire regions are undergoing massive economic restructuring in order to withdraw from fossil extraction to contribute to decarbonisation.

Based on the three tenets of energy justice – distributional justice, justice as recognition and procedural justice, each building on the former (Jenkins (2019), Drawing on McCauley et al. (2013)) the question how to understand a „just transition“ is in the focus. If injustice is to be addressed, one must: a) identify the concern, requiring an analysis of distributional effects and repercussions (= Distribution); b) identify whom it affects and how the repercussions are perceived by these groups, (= Recognition); and c) identify strategies for remediation through an active empowerment process based on proven best practice (= Procedure). Against this background, the course gives an overview of the issues relating to transitional justice concerns with a focus on the twin transitions Energy and Digitisation. It places a special emphasis on the formation of renewable energy communities newly introduced in the CEP and social / behavioural aspects of digitisation. Both aspects will play a vital role in the ongoing transition from a rigid and centralized to a decentralized and sustainable energy system based on renewable sources.

The Seminar's Part II builds on the results of Part I (WiSe 2021/22) which will be discussed in the introductory block (Students can participate in this block seminar without having taken in Part I).

Literature

<to be completed>

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Croonenbroeck, C., Lowitzsch, J. From fossil to renewable energy sources. in Lowitzsch J (2019) Energy Transition – Financing consumer co-ownership in renewables. Palgrave Macmillan.

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Formalities

Study programs 5/6/9 ECTS

MES modules: ZB Wirtschaft, WPM 6 // IBA modules: S-Module; Faculty of Law: Master of German and Polish Law (Module 3); SPB 5 (European Law) (without ECTS)

Performance test and credits

- 5 and 6 ECTS: regular attendance; oral presentation; term paper around 15 pages
- 9 ECTS: regular attendance; oral presentation; term paper around 20 pages

Students are required to write a paper (80% of the grade) and present their research to the class (20% of the grade).

Deadlines

Paper submission

Upload final presentation of term paper topic by 18.05.2022 at 23:59

Finalized term paper by the end of the semester → SoSe 2022: 30.09.2022.

<https://www.wiwi.europa-uni.de/de/studium/pruefungen/index.html>

<https://www.europa-uni.de/de/studium/termine/sommersemester2020.html>

Registration

By 19.04.2022 at kelso-professorship@europa-uni.de including matriculation number and the exact title of the course (max. 20 Teilnehmer)