

INTRODUCTION

Environmental law scholars and scientists have highlighted the conspicuous absence of awareness or obscured understanding of rights, particularly socio-environmental rights, within contemporary society.¹ Therefore, there exists an urgent call for legal researchers to develop innovative strategies that can augment the comprehension of law, particularly targeting those who are most vulnerable and historically marginalized, such as Indigenous communities. Additionally, fostering the inclusion of ostensibly ‘unscientific’ knowledge into legal frameworks is deemed indispensable based on their expert signals and observations.

Legal Design (LD) and Visual Law (VL) are two instruments that can be used to pave new paths to achieve this goal and stimulate the co-creation of knowledge within the field of law. These tools are used to investigate how creativity can be effectively utilized to formulate legal solutions that are more suitable for law recipients and society in general. For instance, LD is a creative way of thinking about law that demystifies legal concepts for individuals who are not well-versed in such theories. LD is largely predicated on the concept of behaviour change, focusing on transforming thought patterns, thus enabling legal professionals to think in more inclusive ways. Conversely, VL is the manifestation of

¹ Elsawah, S., Filatova, T., Jakeman, A. J., Kettner, A. J., Zellner, M. L., Athanasiadis, I. N., ... & Lade, S. J. (2019). Eight grand challenges in socio-environmental systems modeling. *Socio-Environmental Systems Modelling*, 2.

this paradigm shift in legal thinking and encompasses the production of pieces and documents concerning law in an explicative and creative way. Currently, these instruments are being developed by large law firms to help clients comprehend the legal processes that affect them (Parola et al., 2022).

Now, legal scholars may wonder why these instruments should be used in environmental law and the academic world. In short, they rectify a vast knowledge gap. The general public's dearth of awareness about socio-environmental rights is an unfortunate reality. For much of the population, environmental laws are a great mystery, one that only legal experts (jurists) are knowledgeable of. There is an urgent need to create new methods to improve the general public's understanding, not only of law overall, but especially environmental law and its specificities. The introduction of tools such as environmental participation for its recipients—particularly for those who are most vulnerable—can help bridge the public unfamiliarity with legal language, or legalese. If brought to the academic world, LD would be an innovative resource that could be further studied and debated, thus becoming a method that is readily applied to empower vulnerable and marginalized peoples.

For this reason, the project *Legal Design and Visual Law in International Environmental Law: Conversion of the Escazú Agreement in Visual Materials for the Chiquitano People*, coordinated by Giulia Parola and Margherita Paola Poto. This was developed during a related elective course—taught throughout 2020—by the students of the UNIRIO's Postgraduate Law Program, while other researchers included the active participation of the Chiquitano people from Mato Grosso (Brazil). This project significantly relied upon the participation and guidance of Silvano Chue Muquissai, an Indigenous member of the Chiquitano people and a graduate from the Universidade Federal de Mato Grosso (UFMT), as well as other constituents of the Aldeia Vila Nova Barbecho (Nova Barbecho Village) in Mato Grosso (Brazil).² The research was co-funded by the Norwegian Directorate for Higher Education and Skills (HKDIR

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Utforsk, 2020) through the project *An Exchange Program on Empathy, Compassion, and Care in Water Governance, from the Perspective of Integral Ecology*—(ECO_CARE, HKDIR UTF n. 2020/10084),³ the Faculty of Law UiT The Arctic University of Norway (Strategiske Midler, 2021), as well as by the UiT Library Funds for Open Access scientific publications (2022).

The objective of the project was to teach students, in practice, an efficient method to create understanding and engagement in environmental law. Simultaneously, the project aimed to support the co-production of didactic materials with the Chiquitano people, which could act as a tool for strengthening environmental participation. Silvano Chue Muquissai worked as the cultural mediator between the legal world and the Chiquitano reality. Members of the Chiquitano people participated in the step-by-step execution of materials, providing feedback about the choices made by working groups. They provided critical explanatory insights into what were and were not considered appropriate choices for the design and implementation of the legal tools. The integration of interested parties is fundamental to the project design process as it incorporates LD and VL. Active participation from all the involved parties resulted in a greater sense of inclusion, empathy, and commitment.

This book comprises five chapters organized as follows:

Chapter 1: The Foundations: ECO_CARE explores the central pillars of the ECO_CARE project, elaborating on the foundational ethics of its methodology, which is ultimately committed to decolonising research and education. This process of decolonising research and education has taken shape through the collaboration of researchers, students, and community members, along with the application of creative techniques to legal reasoning (Parola et al., 2022; Poto, 135 and ff., 2022). Within this context, researchers, educators, and community members have been applying a participatory methodology that focuses on the co-creation of comics based on legal documents (Escazú Agreement—EA) through a constant process of dialogue, validation, and implementation of the project results. Such methodology is considered essential to developing a conceptual framework for participatory environmental governance.

In Chapter 2: Legal Design and Visual Law: The Roadmap, an overview of the concepts of LD and VL will be provided in Section 1,

³ Official website: <https://en.uit.no/project/ecocare> last access August 2023.

as they are both relatively unknown, even amongst legal scholars. In Section 2, the chapter illustrates the steps that puts LD into practice through the application of VL techniques.

In Chapter 3: The Stages of the Comic Book Co-creation and the Restitution to the Chiquitano Indigenous People, we delineate how the steps described in the previous chapters have been applied to the co-creation of the comic book and the transformation of the Escazú Agreement into educational and learning materials and the restitution to the Chiquitano Indigenous people, and finally, the restitution of the book to them.

In Chapter 4, we share some reflections on the importance to develop a Spanish version of the book in comics and of the methodology followed to co-create it.

Finally, Chapter 5 contains the book in comics, as the tangible result of the process of co-creation, by making use of LD and VL.⁴

This composite project follows the ethical guidelines for research from the host and partner institutions,⁵ establishing voluntary consent from students and community members with the right to withdraw at any time. Regarding open science, the project followed the EU Open Science Policy on data collection, handling, transfer, protection, and specific security strategy,⁶ while ensuring a sound base for a powerful, sustainable, and valued data system. With specific regard to open access, the project supports the cOAlition-S initiative⁷ and is dedicated to contributing to its development by publishing this research as a fully open-access resource. This will be accomplished through the dissemination and communication of its results to the relevant communities via key international conferences, workshops, social media, and outreach activities.

Finally, throughout the duration of this project, we have been drawing on an inclusive and co-created legal methodology to create possibilities for participation, plurality, and open spaces for transformative engagements in research. Consequently, as we continue engaging in innovative

⁴ On the definition of these concepts and their application to university courses and research, see more in detail PART I.

⁵ See https://en.uit.no/research/ethics/art?p_document_id=723908 last access May 2023.

⁶ https://research-and-innovation.ec.europa.eu/strategy/strategy-2020-2024/our-digital-future/open-science_en last access May 2023.

⁷ <https://www.scienceurope.org/coalition-s/> last access May 2023.

research and education methodology for academic audiences and community members, we strengthen our commitment to empathy, compassion and care for the people and natural environment with whom we research.

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REFERENCES

- Parola, G., Poto, M. P., Chue Muquissai, S., A co-created project of legal design and visual law applied to International Environmental Law: Transformation of the Escazú Agreement and environmental access rights into visual materials for and with the Chiquitano People. In Lohse, E. J., Poto, M. P., *Co-production of knowledge in climate governance*, BerlinerWissenschafts-Verlag, 2022.
- Poto M. P., *Environmental Law and Governance: The Helicoidal Pathway of Participation a study of a nature-based model inspired by the Arctic, the Ocean, and Indigenous Views*, Giappichelli, Torino, 2022, pp. 1–241, at p. 134 and ff.

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