

# The Secret Geographer: Thinking Aloud on Legal Engagements in Scholar-Activism

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## Abstract

The award-winning and best-selling book *The Secret Barrister* (2018) took the general public into the unfamiliar space of the courtroom. Inspired both by its candour and illumination of the legal world and its proceedings, this roundtable reveals some of the hidden stories of geographers, including ourselves, who are engaged in scholar-activism in law. The roundtable comprises four conversations and takes the reader into a range of legal realms in and beyond the courtroom. It explores geographers' professional/personal experiences of navigating these spaces, the actors present in them, and the wider political terrains in which they sit. The conversations evidence the 'shape-shifting' of identities, disciplinary and institutional affiliations, and positionalities dependent on audience, insider/outsider status, place, and (political) goal. By going 'behind the scenes' the roundtable also offers new insights into how explicitly or outwardly 'activist' geographers are able or want to be in their scholar-activism in law. Activism tends to be understood as an intentional, planned-for, and public endeavour, yet the roundtable tells a more nuanced story. Honing in on the legal reveals experiences of scholar-activism that are also accidental, unexpected, and private, but which, we argue should equally 'count' and be 'counted' as examples of meaningful geographical engagement with social justice movements and endeavours. Ultimately, our coming together in the roundtable is solidaristic in aim. It arises from a collective desire for connection in an academy which has yet to grapple with what it means to support geographers in their justice-oriented legal endeavours. By beginning to unshroud the secrecy of such endeavours in geography, we hope the roundtable inspires others to think more and potentially share more on their varied legal engagements in scholar-activism moving forward.

## Keywords

Law, legal geography, activism, scholar-activism, impact

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## Introduction

*The Secret Barrister* – the award-winning first book and Sunday Times No.1 Bestseller of a junior barrister specialising in criminal law – lifted the lid on courtroom life and the dysfunctional legal system in the United Kingdom. Its promotional material says it 'dishes the dirt – or serves up a slice of reality – on what barristers do'<sup>1</sup> in the 'alien and impenetrable world' of law.<sup>2</sup> *The Secret Barrister's* (2018) goal is to 'shine a few shafts of light on what is happening beneath the headlines', the limit of what the UK general public typically hear.<sup>3</sup>

The candid and accessible nature of *The Secret Barrister* book, blogs, and indeed ethos on the 'doing' of law, inspires this roundtable on *The Secret Geographer*.<sup>4</sup> 'Thinking aloud',

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<sup>1</sup> <https://www.panmacmillan.com/authors/the-secret-barrister/the-secret-barrister/9781509841141>

<sup>2</sup> <https://thesecretbarrister.com/about/>

<sup>3</sup> <https://thesecretbarrister.com/why-i-write/>

<sup>4</sup> We were also inspired by Wilson's (2020) book which traced her experiences of being a young mixed-race barrister navigating the courtroom, again in the UK. We have not been able to identify comparable legal

we are likewise aiming to make visible the too-often hidden work of geographers who are engaging with both law and scholar-activism in some capacity.<sup>5</sup> Much like *The Secret Barrister*, we are interested in unpacking what it is really like to do this through critical first-hand accounts. Our piece experimentally weaves a series of four conversations between us to reveal experiences, conundrums, and (often un-intended) outcomes of being a geographer thrown into the legal spotlight, sometimes with head-spinning velocity. Activism tends to be understood as an intentional, planned-for, and public endeavour, yet the roundtable that follows tells a more nuanced story. Focusing on the legal reveals stories of scholar-activism that are also accidental, unexpected, and private. They should however equally 'count' and be 'counted' as examples of meaningful geographical engagement with social justice movements and endeavours.

The roundtable comes about through survey and interview research on 'Using Geographical Expertise in Legal Settings' undertaken between 2018-2023 by Katherine, Alex, and Fiona mainly with UK-based geographers.<sup>6</sup> The research revealed the diversity of engagements in the legal realm by geographers (Brickell et al. 2022). Yet, at the same time, it spoke to the 'secret' nature of these engagements in different ways. As one participant revealed: 'one of the reasons I decided to respond to your call was that nobody else knows that I do this work. It's not something I advertise; it's not something people at university know'. Another noted, 'people just don't know I am doing this, if you look me up, you'd never know'. In this roundtable, we dig into select parts of this research project as a talking and writing cohort of interviewers (Katherine, Alex, and Fiona) and interviewees (Sydney, Katherine, Sarah, and Ariell) who speak about their legal work in relation to scholar-activism. Our 'dig' through the research data is admittedly selective, but reflective of the spirit of this roundtable, born from curious reflexivity (Katherine as interviewer and then interviewee with Alex) and connectivity forged via the bonds of intra-departmental collegiality (Fiona and Ariell), an international visiting scholar scheme (Sarah at King's College London from Germany) and informal networks of feminist geographers in London (Katherine and Sydney). The roundtable arises then through a range of opportunity spaces for meaningful in-person encounter. We reflect on these again in our conclusion where we think more on the future of the perhaps not-so-*Secret Geographer*.

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exposés outside of the UK context, and very much welcome suggestions. One of the closest we could find is a German novel called *Justizpalast* (Morsbachs 2017) about a woman becoming a judge and revealing the inside world of the courthouse.

<sup>5</sup> This could include geographers' involvement in exposés akin to *The Secret Barrister*. Jill Harrison's book *From the Inside Out: The Fight for Environmental Justice within Government Agencies* (Harrison 2019) is a good example.

<sup>6</sup> In-depth semi-structured interviews were carried out with a total of 17 geographers, four of whom are featured in this roundtable. The majority (15) of interviewees had completed an initial survey which was distributed on mailing lists (e.g. CRIT-GEOG-FORUM, a Royal Geographical Society (with Institute of British Geographers) (RGS-IBG) mail out, and RGS-IBG research groups). The call for participants made it clear that the project was interested to hear about the varied experiences of (self-identified) geographers as they use research data and expertise to shape legal proceedings. In total 21 people completed the survey. Of all the interviewees, 7 identified as men, 10 as women; all had worked in a geography department/School structure; with a full-range spread across career stages. The interviews lasted from 40 mins to 2 hours in duration and were carried out across 2018-2019, 2022 and 2023. They were conducted in-person, and when not possible, online.

## Geographers and legal practice

We see this roundtable as a distinctive intervention. In legal geography, most scholarship deals with the activism of others; the legal dimensions of that activism, and the legal strategies adopted by activists to bring about some form of progressive change (e.g. Delaney 2016; Grasten et al. 2021; Lawreniuk 2023; Sherval 2023; Whear 2022). Geographers in this sub-field explore 'how unjust geographies are made and potentially un-made' through 'systematic *asymmetries* of power such as domination, exploitation, and marginalization both in the world and with respect to access to law' (Delaney 2016, 268; emphasis in original). A 'practice turn' in legal geography, however, has begun to shift attention beyond formal legal actors involved in the (un)making of law, to think about the significance of geographical expertise, and the figure of the geographer in legal processes and domains (e.g. Brickell 2021; Brickell et al. 2021, 2022; Cuomo 2021; Dekeyser and Garrett 2021; Gill and Hynes 2021; Jacobsen 2021; Jeffrey et al. 2024; Kusiak 2021; Ray 2011; Traynor and Tomczak 2021). This is an important step given that both human and physical geographical research has, for some time, entered the legal arena (e.g. Mitchell 1978; O'Donnell 2016; Yearley 1989).<sup>7</sup> Nevertheless, it remains exceptionally rare that geographers, legal or otherwise, publicly discuss legal-oriented scholar-activism which they are involved in.<sup>8</sup> Going 'behind the scenes' on this legal scholar-activism through a grounded approach is one of the key aims of the piece crafted here. We build on the recognition that greater attention and visibility in the discipline is warranted to 'the practice of geographers' themselves as they research and become directly involved in the (re)making of laws in court and non-court spaces' (Brickell et al. 2021, 557). Long-standing debates on the value and import of applied geographical knowledge and expertise (Barr 2022; Bartel 2016; Eden 2005) for tackling injustice and demonstrating relevance could be enriched further by turning to scholar activism in the legal realm.

Fittingly perhaps, it was two legal geographers, Vera Chouinard and Nicholas Blomley, who were some of the earliest to think about the relationship between the academy and activism in geography. Thirty years ago, Chouinard (1994a, 5) noted the need for geographers to discuss the 'meaning and import' of their research and the willingness to 'put one's abilities at the disposal of groups at the margins'. In the same journal issue, Blomley (1994, 383) raised a series of still pertinent observations on the links between being a scholar and an activist: 'There is an assumption that what we do as academics will "make a difference", although how and where are left unclear. So can I be academic and an activist at the same time? If so, how?'. In problematising the decoupling of 'geographer' and 'activist', these critical explorations (see also Chouinard 1994b; Staeheli and Mitchell 2005) foreshadowed a suite of thinking and work which emerged on scholar-activism in geography (e.g. Castree 2000; Chatterton 2006; Chatterton and Pickerill 2010; Driscoll Derickson et al. 2015; Reynolds et al. 2018; Routledge 1996; Routledge and Driscoll Derickson 2015; Ruddick 2004; Taylor 2014; Torres 2019). The conversations which follow reflect a diverse set of understandings of what 'activism' is (Askins 2009; Pain 2014; Pottinger 2017), how visible it is, to whom, and to what affect in the legal arena. The paper is structured around four such conversations, each

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<sup>7</sup> In isolated cases too, geographers have found themselves subject to legal action. See for example, the case of geographer Scott Warren engaged in humanitarian aid volunteering on the United States/Mexico border <https://theintercept.com/2019/11/23/scott-warren-verdict-immigration-border/>

<sup>8</sup> In anthropology, for contrast, see Good (2007).

foregrounding one interviewee (Sydney, Katherine, Sarah, and then Ariell) in discussion with Katherine, Alex or Fiona.<sup>9</sup> Thinking aloud, together, in our concluding thoughts to the roundtable, we draw across our conversations to reflect on what a focus on the legal domain offers for scholar-activist endeavours and their place in geography.

It is important to be upfront and transparent in the UK-centric slant of interviewer and interviewee university affiliations. However, while the conversations in this roundtable are largely (but not exclusively) exchanges between UK-based geographers, they concern legal cases and research engagements which are more global in orientation. They relate to and are rooted in a diversity of country contexts, namely Cambodia, Germany, Mongolia, Poland, Syria, and the United States. As the *ACME* journal rightly advocates for, and our conclusion points to, there is significant work to be done in geography to support and grow more multilingual and international fora for future exploration of legal engagements in scholar-activism. We hope that the roundtable sparks this endeavour, as well as stressing the need for the expansion of affiliative and locational perspectives, especially those beyond Anglophone geography.<sup>10</sup>

### Conversation one: (not) presenting as a geographer

Motivated by an intellectual interest in the political and economic processes that sustain gender inequalities and a personal commitment to feminist political change and reproductive justice, Sydney Calkin has been investigating the political geographies of abortion access. She has been working on pro-choice activism and state reproductive control with a focus on the Republic of Ireland, Northern Ireland, Poland, and the USA.<sup>11</sup> In the context of the growing availability of safe abortion with pills, Sydney has been tracing how access to abortion can be decoupled from restrictive national legal frameworks in a woman's place of residence. Drawing on her research, Sydney submitted a response to the Irish Government consultation on the state's 2018 abortion law and 2021 UK Government consultation on women's health. She has also engaged in awareness raising around legal decision making in Poland, and collaborated with the Abortion Support Network to design a web resource that provides information for abortion travellers across Europe.<sup>12</sup> She published a monograph on this research, titled *Abortion Pills Go Global: Reproductive Freedom Across Borders* (Calkin 2023). From 2018-2023, Sydney worked on the Abortion Support Network's helpline, arranging financial and practical support for people travelling in Europe for abortions. Here Sydney reflects with Katherine about how she sees herself and presents herself in these different fora.

**Katherine:** Could you tell me more about the protest this week at the Polish embassy?

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<sup>9</sup> These conversations are pieced together excerpts from the longer interviews.

<sup>10</sup> For more information on the 'Focus and Scope' of *ACME* see: <https://acme-journal.org/index.php/acme/about>

<sup>11</sup> For examples of Sydney's media engagements see: [https://www.washingtonpost.com/business/how-abortion-pills-changed-the-political-debate-in-ireland/2022/05/17/f409c526-d5ed-11ec-be17-286164974c54\\_story.html](https://www.washingtonpost.com/business/how-abortion-pills-changed-the-political-debate-in-ireland/2022/05/17/f409c526-d5ed-11ec-be17-286164974c54_story.html); <https://www.bloomberg.com/opinion/articles/2022-05-05/abortion-rights-falter-as-democracy-slides?sref=Uc3QjJZ6#xj4y7vzkg>; <https://www.theguardian.com/us-news/2022/may/04/its-a-hell-of-a-scary-time-leading-us-feminists-on-the-threat-to-roe-v-wade>

<sup>12</sup> <https://finder.abortion.eu/>

**Sydney:** Well, it relates to an activist in Poland. She has been arrested and will be on trial in Warsaw on Friday [April 2022] for giving abortion pills to someone. The charges relate to violating the 1993 Law on Abortion, that makes it a crime to assist with an illegal abortion. She is part of a coalition of European organizations of which I'm part of, [I'm in] the British branch. She's part of the Polish branch. So we kind of work together a bit. I'm organizing with some activists from the UK branch of this wider network. We're just basically going to do a rally at the Polish Embassy on the day her trial starts to support her...she and her team basically are doing a big, big, media push.

**Katherine:** Would you describe yourself as a scholar-activist in this?

**Sydney:** It's a little bit uncomfortable actually...I was on the radio last week [BBC Radio 4's *Women's Hour*] being interviewed in my capacity as an academic, but I was being interviewed with an activist who I work with in my activist life...I really didn't know if I should say that I know this person through activism or not. They weren't asking me about my views as an activist, and I felt a bit like...I don't know...it's a sort of odd boundary to navigate, but yeah, I would absolutely see myself as a scholar-activist. I volunteer for this organization, the Abortion Support Network. We do a lot of activist work and we're going to the Polish embassy on Friday for the protest. I feel like I can't not do that.

**Katherine:** I'm interested to understand more about your views on ideas of legitimacy and supposed neutrality when presenting as an academic.

**Sydney:** I think that the question might be a little bit easier for me than for people who work on other issues. Because I study abortion, which is so contentious, I never pretend to be neutral on it. I never pretend to be anything other than a staunch advocate...I don't really think anyone perceives me or my work as neutral...so I think, I can have this position of not pretending to be neutral...I am here to draw on data and evidence and present evidence, I'm not primarily a campaigner. I'm a pro-choice academic and the work I do doesn't have a kind of faux balance. I don't interview all the anti-abortion people and present their views as equally valid. But the work I do is drawing on the best evidence that I can collect. You cannot be an academic in that space and be on the fence...there is no real fence...there is no neutral place in the debate.

**Katherine:** Can you tell me more about how you position yourself?

**Sydney:** Because my research in Poland has been about interviewing activists, about the work they do, there's no sense in which the Polish Government would take my work seriously anyway, so I kind of thought I have nothing to lose in doing this [the protest and media engagement]. And it's important to me that we support this person who is on trial for something that any of us would do if we were in her shoes...I don't know. It's very awkward. I suppose it could hurt my sort of credibility if it became an issue, but I don't think that it will get enough attention for this to be a problem.

**Katherine:** When you were doing the written submission to the Irish Government, you had to set out your expertise and who you are. Did you talk about yourself as a geographer or not?

**Sydney:** The sort of identification part was very very brief. All I had to say was my institution, so I think I said 'School of Geography' but they basically just had these little tick boxes for 'are you an academic?', 'are you an academic whose not an abortion provider?' So it was basically just I'm a social sciences academic, that's all I had to say...so no, the geography part didn't

come into it very explicitly. It came into it most when trying to emphasise the way that abortion travelled, and the continuation of abortion travel is you know like a socio-economic burden for people. It's not just a logistical burden. I guess for some audiences it's quite, it takes a lot of explaining, to explain how my work is geography, so I try to avoid that sometimes...

### Conversation two: risks and secrecy of scholar-activism

Katherine Brickell's collaborative research on domestic violence law in Cambodia provided the first comprehensive appraisal of the country's 2005 domestic violence law from a victim-centred perspective (Brickell et al. 2014). In 2017, she was invited out of the blue to act as an expert witness for a non-profit in the United States representing a citizen of Cambodia, a domestic violence survivor (Bopha<sup>13</sup>), in her U.S. deportation proceedings. Katherine had no prior contact with the attorneys and had never envisaged that her research in Cambodia would 'travel' and be of value in the U.S. She drafted an expert witness statement based on the research and then testified and was cross-examined by U.S. Immigration and Customs Enforcement (ICE) at Bopha's deportation hearing. The deferral of removal under The U.N. Convention Against Torture (CAT) was subsequently granted, it being found by the judge that the Cambodian Government would be wilfully blind and acquiesce to the severe pain or suffering inflicted on Bopha if she was removed to the country. In 2022, Katherine was again invited to act as expert witness in Boston, USA for a Cambodian domestic violence survivor fighting deportation. In the conversation that follows Alex speaks to Katherine about matters of visibility and risk in the expert witness process.

**Alex:** So you were online giving your expert testimony about the failings of the Cambodian legal system? How did this feel?

**Katherine:** They [supporters of Bopha] were literally talking about my testimony on a Twitter [X] feed, which when you're standing up there, when you're saying certain things about the government, it is deeply uncomfortable. But no one had prepared me for any of this and I didn't know what control I had over what...where my testimony would end up? I was freaked out because the case was getting a lot of interest and there was this live Tweeting. I was like 'oh my god, please don't @ me!'. But then equally, from an 'impact' point of view, 'please @ me'. So there was this 'do I be visible?' question. Given the circumstances I don't think I should be visible.

**Alex:** You weren't tempted to publicise this more with your university or anything like that?

**Katherine:** This is an interesting question. I guess there was a quiet publicizing, but one which felt problematic in certain senses too. The capitalisation on a domestic violence survivor's experiences. The legal kinda made plain the bare facts around the impact of the research, you have the judge's letter which spells it out.

**Alex:** How did the political context of Cambodia influence you when you testified?

**Katherine:** There was a critical moment in the court case where I was asked about the potential for Bopha to be assassinated in Cambodia. I gave some examples of what I called *alleged* assassinations, because this does happen in Cambodia. And I remember this vividly, I said, look, 'I feel really uneasy that I am in a position in a public courtroom to talk about this. I also

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<sup>13</sup> Bopha is a pseudonym.

fear for my own safety by openly talking about this.' And actually, I didn't really think about it at the time, but in the summing up that you get from the written decision [from the judge], she said that the fact that the expert witness was not willing and felt unsafe to talk about this issue also made the case [for Bopha]. So, the fact that I voiced my reticence was actually a really good thing.

**Alex:** Yeah. I mean you did that just because it was your human response, but it is interesting from a perspective of your embodied position within the courtroom as kind of performing your vulnerability. I mean performing not in an artificial way, but in a sense of actually demonstrating this. That becomes a kind of legal intervention.

**Katherine:** I hadn't thought about it like that, but you're absolutely right.

**Alex:** Did anything happen after the deferral of CAT was decided?

**Katherine:** I found out the decision via Twitter of all places! I started to cry with relief. Then a conference came up at [unnamed U.S. city] so I was like, let's see if she wants to meet. So we met, spent the day together - six hours walking and talking - it was pretty phenomenal to meet her. I felt like I knew so much about her story and journey, and there was a sense of intimacy that came from the start because of this. It felt highly personal, it wasn't just technical, it meant a lot doing this in Trump's America.

### Conversation three: wearing 'two hats' in the legal arena

Sarah Klosterkamp spent almost five years (2015-2020) sitting for long periods in different Higher Regional Appeal Courts all over Germany. Paying particular attention to the politics of listening and what it revealed about trials and legal processes (Klosterkamp 2023), in these courts she undertook PhD research on anti-terrorism trials in the aftermath of the Syrian war. Starting with trials against German Foreign Fighters immigrating to Syria, she soon became familiar with the court space and those present there, investigating the background stories behind the trials. As a result, in 2017, the first trial for war crimes against a Syrian Refugee was held and Sarah was able to get full access to the court case data via fieldwork. Together with Özlem Gezer, editor at DER SPIEGEL (who had been working on terrorism and human trafficking cases for many years) and Asia Haidar (a refugee from Aleppo now working as freelancer translator and journalist), they embarked on a journey across Europe in search of this story. They looked through 36,000 intercepted phone calls and more than 20,000 pages of investigation files and court records. They also visited those who had been tortured and were hoping to seek justice through the German court system. These different materials and insights illustrated that there were no clear perpetrators and victims within this story. Reporting on this, and shedding light on what was left aside and was misrepresented in court, their media article<sup>14</sup> had a significant impact - both from legal experts involved in these proceedings (including the presiding judge of the case itself) but also the wider public, with a large quantity of post (mail) and further invitations to speak about these tensions. Acting as a junior academic and a journalist at the same was complicated and with benefits, but also pitfalls. In what follows, Katherine speaks to Sarah about her wearing of 'two hats' in this work.

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<sup>14</sup> Gezer, Ö.; Haidar, A. & S. Klosterkamp (2017): "Der Vater der Wölfe", DER SPIEGEL, 32/2017, 58-63. Online accessible here: <https://www.spiegel.de/panorama/der-vater-der-woelfe-a-f68e9bf7-0002-0001-0000-000152485500>



**Katherine:** Tell me more about the 'two hats' you wear?

**Sarah:** It was unexpected, but after a while I learned how much privilege comes along with that [wearing two hats]. Being a journalist opened so many doors - being allowed to bring my laptop with me into court, even a pen! Bringing in water, my mobile phone. This wouldn't have been possible without my press pass. Before I realised this, I had been using taps in the public bathroom to drink from, and relying on vending machines that were empty or stuffed up all the time. I had applied officially to the different courts as a PhD student lots of times but was rejected by all. I became part of the building [where I watched the court cases for five years], it got to the point where the security didn't even ask for my security card.

**Katherine:** Did being an academic bring any benefits?

**Sarah:** I think people trusted me more as I was able to talk to lawyers, to legal experts, to scientific experts connected with the trials. They don't like talking to journalists, because of the 'hot topic'...I think they trusted me more and we pooled court materials which helped me make sense of things more.

**Katherine:** How about being a geographer specifically?

**Sarah:** I think there was a part of me as a geographer that was helpful for getting people to talk to me. There was a certain point [in my research] when a sociologist turned up, and an anthropologist tried to get interviews. But it was only me that managed it. That might be for different reasons. What was convincing for them I think is that I am a political geographer, a political journalist, interested in the Syrian war and how these ideas are travelling and translating into legal reasoning in Germany.

**Katherine:** That's really interesting. Can we move on to reflect more on the 'two hats' again and what they meant in terms of your scholar-activism?

**Sarah:** I should be honest in saying that I wasn't looking to be so political in the first place when I started. It happened a little on the go as when I was sitting there [in the court cases] the family members, wives [of the accused], started to reach out to me, often scared, and ask if I could translate a little bit of the legal goings on for them...they said we've been watching how you sit, for more than ten months now. You have never reached out to us and from your facial expressions we don't have the feeling that you would manipulate us. So [in response] I said very clearly to them, I am not a legal expert, but I can try and help...although it was uncomfortable it came to feel activist because they needed some support. Not all the accused were guilty and not all were monsters and torturers as the German state made out. In the end, helping them navigate the legal realm also helped me to better understand where the legal proceedings mismatched with what had happened on the ground. And in a similar way, this was helpful to establish trust and access to court data.

**Katherine:** Can you tell me a little bit more about the media work?

**Sarah:** It seldomly happened for my scientific things, and this is the most activist part perhaps, that I was really able to express my thoughts as a journalist, to push back against things. You can be really loud. Your research can get out fast. And you can do it not like other big stories on terrorism, which are like click bait. Along with my colleagues at DER SPIEGEL, I was able to travel a lot, to investigate, to meet and discuss portions of the case files and to ask my own questions and shed a different light on topics, otherwise left aside in court. As such, I was able to dig deeper into people's stories, which are sometimes more complicated, way more

complicated than they tend to be presented in court – because every side has an incentive to present a version which favours a certain group. Unpacking these dynamics and drawing a different picture as we did when writing about the first Syrian Refugee felt meaningful to many. Such impact and outreach would never have happened with an academic paper contribution – because we seldomly get read by legal experts, practitioners or the wider public, it's just us and our own community. I really feel that we can make a difference when strategically presenting our insights elsewhere. At the same time, it is way riskier, because this [journalist] terrain is an unfamiliar one – especially to universities.

**Katherine:** That's very similar to my own experiences, yes, of the university not knowing what to do with us!

**Sarah:** It's so secret [what we do] and unusual that we end up in these things that no one has a solution for you, for your struggles, or your ethical issues and troubles you're seeking to do the right thing on.

#### Conversation four: shaping laws behind the scenes

With 16 years of experience undertaking ethnographic research on herder livelihoods in rural Mongolia, Ariell Ahearn has recently been involved in developing new national legal frameworks related to the social impacts of large-scale infrastructure projects. Despite Article 7 of the Mongolian Environmental Impact Assessment Law (2012) stating that 'The Government shall adopt procedures and methodologies for impact assessment, which shall include issues related to, ..., social and health impact assessment', social impact assessment (SIA) was not a required aspect of mineral licensing processes. Reforming Article 7 became a key point of collaboration between Ariell and her Mongolian collaborator, the director of a human rights NGO based in Ulaanbaatar. Since 2020, they have worked with local researchers, the Mongolian Cabinet Office and multiple government ministries to develop a formal social impact assessment methodology and guidelines for the extractive industries operating in the country.<sup>15</sup> In February 2023, Government Degree No.58 ordered for the formal regulations of social impact assessment to be finalized, incorporating direct reference to three years of their joint consultation, training, public reporting and lobbying. In conversation with Fiona, Ariell discusses how she has negotiated her position in this process.

**Fiona:** What kind of position did you have in this law-making context?

**Ariell:** I wasn't always totally visible; I think I would ...appear and disappear.

**Fiona:** I suppose part of that is being in person or not being there on the ground [i.e. working from the UK], but also I suppose it's being strategic between you and [your Mongolian partner]. And who does the nudging, who pushes things forward?

**Ariell:** Yeah, exactly...I think I helped give extra strength to things that were kind of already under way ... And I think me being able to speak Mongolian was a bit of a bonus or gave a little bit of an extra... how can I say? It made the Minister pay a little bit more attention. Maybe because it's a bit unusual for foreigners to speak Mongolian and to know the countryside to the extent that that I did.

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<sup>15</sup> <https://www.ox.ac.uk/research/research-impact/mitigating-impact-mining-mongolia>

**Fiona:** So those interventions, you mean, contacting ministers, highlighting international standards and what's happening [in terms of legal developments] elsewhere?

**Ariell:** It was very helpful to have a combination of me working on some of the higher-level processes around what are the international laws, standards, and regulations around land acquisition and social impact assessment processes. In combination with [my collaborator], who was on the ground doing the everyday lobbying and she would often ask me to e-mail the higher level government officials to say, hey, 'This is what's happening...This is an update around some important international initiatives; we'd love to see Mongolia adopt these responsible mining initiatives. So...where are we at with the SIA?...'. And then [my collaborator] would arrange a meeting in person to follow up.

**Fiona:** So...I can imagine you as this tag team... [and] in many ways it's a two woman show, right?

**Ariell:** We are definitely a tag team. I mean, we talk on a regular basis every like every two weeks and we'll just update on what's going on... What's the strategy for that? OK, how should we deal with this situation? What's the best way to respond? Do we need to have a short-term intervention? Do we wait and see what happens? And I'll be behind the scenes, kind of giving advice... but also the dark side to all of it is that, and [my collaborator] would joke with me about this. She would say something like, 'I get all of my work finished when Ariell is here because it was much easier for me to get a quick appointment with the higher-level government officials.' They would pick up my phone call. Even I was shocked. .... I think because of the Oxford brand connection and that was something that they [government ministers], I mean, they never said this to me directly, but they had respect for it. They wanted to be associated with it... but that is like the dark side because, hey, [my collaborator] is amazing. I mean, she should be able to get those appointments without me.

**Fiona:** With decades of experience, right?

**Ariell:** Yeah, yeah, she should be able to get in the door without me, but that was the privilege of... working in this institution.

**Fiona:** I suppose funding is an unacknowledged side, that this kind of work needs money, right? Especially law-making, because it's dragged out over years and years and years essentially. But you keep having to be there and keep pushing.... So it's a big investment both of time and of resources?

**Ariell:** The resource issue is really important. We're at the stage where we're trying to find the next tranche [of funding] to carry on with the implementation...we're going to look for funds to do the trainings, have a proper training programme. It will take quite a lot [of work]. ... But we do have the proof of concept [of the social impact decree], and a lot has already happened. With the government, the decree has been passed.

### Thinking Aloud, Together: Some Conclusions and Implications

Woven through this experimental roundtable is a sense of the different journeys that Sydney, Katherine, Sarah, and Ariell have been on in their legal-oriented scholar-activism. At the outset of the roundtable we revealed the anonymous writings of *The Secret Barrister* as part-inspiration for embarking on these conversations together. *The Secret Geographer*, with some echoes of the book which preceded it, has looked to pull back the curtain on some of

the inner workings of different legal fora and geographers' justice-oriented interventions in them. Where *The Secret Barrister* directs its ire towards a criminal justice system in freefall, *The Secret Geographer* channels its own energies towards encouraging the use and transgression of geographical knowledge and expertise beyond academia and into legal spaces of possibility.

Working in diverse geographical and legal contexts, in this roundtable we have offered highly personal reflections from geographers motivated more by emerging from secrecy rather harnessing secrecy to reveal hidden worlds of law (as *The Secret Barrister* book does). In bringing four interviewer-interviewee conversations together, and the process of the six of us reflecting on the experiences discussed, we have sought to learn more about the work of *The Secret Geographer* and what it might mean moving forward. Our conclusions and implications are fourfold.

First, our conversations have exploded open unyielding neutrality centred on court spaces of testimony alone to reveal more plural legal spaces and times in which neutrality is either not possible or sensible, or where the downplaying or negation of bias is strategically performed. This is despite the performance of expert neutrality being upheld in formal legal processes (e.g. expert witnessing in court) as sacrosanct for legitimacy. We believe that our conversations push towards widening the horizons of legal geography towards 'less high-profile and official spaces of law' (Brickell 2021, 587) as means to better understand geographers' presence and influence. Across the conversations in this piece, these more diverse spaces have variously included diplomatic embassies (Sydney), NGO and government offices (Ariell), the radio studio, media reports, and the viewing galleries of courts (Sarah).

Second, our conversational 'experiment' has yielded renewed appreciation of how attention to the legal realm requires being acutely sensitive and critically attuned to scholars' ability, and/or the very desirability, of being explicitly or outwardly 'activist'. Our roundtable has underscored how a narrow focus only on 'vocal, antagonistic and demonstrative forms of protest' (Pottinger 2017: 215) is too blunt an approach to activism. While not all scholar-activism in the legal realm is 'quiet' (as Sydney's conversation demonstrates), in many cases secrecy is necessary to act ethically and legally, and indeed to stay safe in some political contexts (this was pronounced in Katherine's case).

The form that scholar-activism takes in law, or even the possibility of it, is mediated by locational and other factors. Potential dangers, for example, are robustly outlined by Cambodian geographer Sopheak Chann (2024, 3) in his reflections on the risks of scholar-activism in particular country contexts (such as Cambodia), and especially for local scholars who can face heightened 'physical and emotional threats' in comparison to Western scholars largely based out of country. He argues that controversial '[r]esearch topics and approaches are shaped by international donors and collaborators leaving little room for local researchers to initiate' or even sometimes participate in at all (2024, 4). It is evidentially the case that *inter alia* 'national governments, security regimes, and socioeconomic inequalities influence how geographical research and teaching unfolds' in uneven ways (MacFarlane 2023, 1). This goes for legal entanglements in scholar-activism in which the ethics and politics of both academic knowledge production, circulation, and application, in the legal domain are pronounced. How participative and open different geographers can be in undertaking research with distinct legal implications or pursuing the legal impact of justice-focused research (either

intentionally or responding to external invitation for example) is highly conditional. Not only this, but there are also (as Katherine and Ariell's respective conversations reveal) other asymmetries of power and privilege which are felt in undertaking scholar-activism, yet in some cases are ones that geographers are asked to wield to 'make a difference'.

Such reflections stemming from our roundtable have implications, third, for the future of disciplinary dialogue on, and support for, scholars engaged in legal-oriented activism, broadly defined. How public these discussions should be, or could be, is a complex matter. 'Thinking aloud' as this roundtable does is not always possible or preferable. *Where* conversations take place is also contentious. Our own coming together was facilitated largely through in-person contact that while solidaristic in aim, is, at the same time, based on forged ties which themselves speak to some of the stark inequalities in the discipline internationally and sometimes even sub-nationally (e.g. financial resources for visiting scholar positions or accommodation for co-writing retreats). An obvious 'home' for in-person dialogue would be, for instance, at geography conferences, including the American Association of Geographers (AAG) conference where the AAG's Legal Geography Specialty Group organises aligned events. Yet academic conferences, through the dominance of English language (Müller 2021), the impact of childcare responsibilities (Henderson and Moreau 2019), feelings of 'outsider-ness' (Oliver and Morris 2019), the costs of attendance and travel, and the visas that can be required, all create exclusions and barriers. It is for this reason why we chose the open access journal *ACME* to kickstart and hopefully continue supportive and critical conversations in geography. We do not wish to be prescriptive however in the fora for such interactions. Our own coming together shows the value of reaching out where possible to exchange experiences and learn from one another through different forms of connection in the academy.

Fourth, the roundtable has illustrated how scholar-activism in the legal realm can mean 'shape-shifting' identities, disciplinary and institutional affiliations, and positionalities dependent on audience, insider/outsider status, place, and (political) goal. In other words, positionality is not static, but tends to be dynamic when engaging in scholar-activism. The conversations above, in different ways, trouble any presumed boundary between academia and activism, highlighting the messiness of juggling multiple professional identities and dealing with an array of ethical dilemmas, emotions, and personal and professional relationships across a broad range of geographies. A large part of the labours, and indeed anxieties, of scholar-activism in the legal domain appears to be sensing and navigating when and how to engage in these manoeuvres. A lack of certainty and/or control over the outcomes (if any) of these labours is also poignant (as vexed in Katherine's conversation). They return us to thinking about the possible tensions, even dangers, of scholars emerging from secrecy to visibility. As Sara Koopman's (2016) work has forewarned, geographers also need to be careful about their research being misused and/or 'weaponized' against justice goals.

In sum, our roundtable is encouraging of legal geographers and scholars engaged in legally oriented scholar-activism (who may not identify as a 'legal geographer') to be more open to thinking about their positionality and activism. How can scholar-activist endeavours advance justice goals through different legal channels and venues? The dialogues we have entered into within this roundtable have been cathartic and solidaristic, speaking to a desire for collectivity and connection. In offering snapshots of what geographers *do* in the legal realm, our conversations have revealed some of the personal, emotional, and professional

challenges and opportunities of such legal scholar-activism. We hope that this roundtable has begun to unshroud the secrecy of such endeavours in geography and inspires others to reflect, and potentially share more, on their 'behind the scenes' legal engagements in scholar-activism.

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