

Journal of Law and Public Policy

Call for Papers: Special Issue on Social Accountability for Commons

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Deadline: 31 March 2025

ABOUT THE JOURNAL

The *Journal of Law and Public Policy* is an open access journal with a double-blind peer review process that publishes original scholarship on the interface between law and public policy at the national, regional, and international levels. Contributions that examine the process of public interest decision making are especially welcomed. Articles must advance interdisciplinarity in the field of law and justice with a strong focus on socio-economic and political contexts. In addition to academic quality, the journal encourages writing that is accessible to a wide range of readers such as policymakers, researchers, faculty, and students of law and public policy across the world. We welcome empirical, historical, and comparative analyses that are grounded in theoretical debates.

Founded in 2014, the *Journal of Law and Public Policy* is published twice a year by the National Law School of India University, Bengaluru. This includes one general issue and one theme-based issue.

FRAMING NOTE: SPECIAL ISSUE ON SOCIAL ACCOUNTABILITY FOR COMMONS

From forests and fisheries to digital platforms and folklore, commons play a crucial role in nurturing diverse ecosystems and ensuring community resilience. Shared ownership and governance of commons is also linked with identities. More

importantly, well governed commons provide tremendous resources for sustainable livelihoods. However, fulfilling the promise of commons depends not only on efficient design principles (Ostrom 1990, Agrawal 2001, Cox et al. 2010) but also on navigating the complex actor institutional dynamics and multi-level government systems that often give rise to different, and sometimes conflicting, rules that commons persist in.

There is significant research on the legal instruments to protect commons globally (Sand 2017). This is primarily because of the global treaties to respond to climate change. Yet, scholarship on national and sub-national level accountability mechanisms to protect commons is limited. Scholarship on commons emphasises the responsibility of communities in protecting their resources, inherently embedding accountability within the concept. Yet, the notion of 'community' itself is to be understood as a contested space fraught with power imbalances that permeate social, economic, and political lives, while bearing in mind that the boundaries of 'communities' are getting increasingly ruptured. It is in this context that social accountability emerges as a promising theoretical and practical framework that can empower people to define, sustain, and protect commons.

Unlike traditional governance structures, where accountability is often hierarchical and formalised, commons governance operates within decentralised and often informal systems. Commons have also been facing a growing threat amid the shifting landscape of public policy, which increasingly leans towards privatisation (Leyronas et al. 2023). State control is also expanding under the pretext of resource protection, leading to the marginalisation of people, cultures, and livelihoods, further exacerbated by shrinking spaces for dissent.

In response to these challenges, various efforts have been made to recognise and uphold the rights of communities over their commons and to facilitate their meaningful participation in decisions regarding their use and management. These efforts have manifested as sustained social movements, scholarly research, progressive judgements, and the establishment of numerous state-supported regulations and institutions dedicated to commons management. In the Indian

context, there is rich jurisprudence on the question of commons (Land Conflict Watch 2021).

Yet, there is still plenty to be achieved. On the one hand, national level legislations provide frameworks, which have evolved responding to the challenges faced by communities from encroachments. Despite clear mandates securing peoples' rights over various common resources such as those outlined in the Forest Rights Act, Street Vendors Act, National Rural Employment Guarantee Act, among others, the practical implementation often falls short. The machinery at the ground level often fails to uphold the accountability of officials responsible for implementation. This deficit is often attributed to bureaucratic inefficiencies, corruption, and a lack of awareness about rights, resulting in the failure to realise the intended benefits of these legal frameworks. On the other hand, legal pluralism as a frame prompts us to think beyond existing national legislations and established law. Here, how communities could be the fountain for laws suitable to protect the commons is the point of focus.

To effectively steward commons, robust mechanisms for holding all stakeholders, processes, and systems are essential. Accountability processes often include citizen monitoring and oversight of public performance, establishing feedback channels for service delivery, ensuring access to and dissemination of public information systems, implementing mechanisms to address public grievances, and promoting citizen involvement in decision-making processes. In recent years, there has been a significant focus on transparency initiatives, such as the Right to Information Act, which enables citizens' access to government records; social audits, where communities monitor government programme implementation; and community monitoring of health services to improve healthcare quality. While these initiatives demonstrate the potential of transparency to drive accountability outcomes, there is a pressing need to reflect and inquire into their functioning and impact. It is essential to assess whether existing priorities align with the overarching goal of promoting accountability and whether these mechanisms effectively address the diverse needs and concerns of communities. Moreover, there is a need to deliberate over the risks

of potential co-option of the promise of civic engagement by vested interests, such as corporations or political elites.

CALL FOR PAPERS

In this special issue, we aim to bridge the gap between theory and practice to inform the design, implementation, and evaluation of social accountability interventions that strengthen the ownership and governance of commons. We ask 'what works' in the realm of accountability for commons, recognising that while practice in the field is advancing rapidly, empirical research and theory often struggle to keep pace. We are interested in papers that seek answers to the questions of:

1. What are the public policies that consider accountability as a measure to protect the commons? What is the difference or agreement in the conceptual understanding of public good between grassroots movements and policy epistemic communities?
2. Are stakeholders and communities of commons able to influence policy processes to enforce accountability? How far have communities been successful in making use of existing instruments of accountability?
3. What are the contestations both within and with the public institutions when accountability is demanded?

Capturing answers to these questions, we welcome papers in the following modalities:

1. Theoretical foundations and conceptual frameworks of accountability that enable commoning or re-commoning.
2. Case studies and empirical analyses of successful and failed accountability mechanisms in diverse settings.
3. The role of local communities in designing and implementing accountability mechanisms, as well as the role of state and non-state actors in fostering accountability.

4. Methods to strengthen capacities and the potential of digital tools, platforms, technology, and innovations in promoting transparency, participation, and more.
5. Negotiation spaces for commons and their navigation by different vulnerable groups like tribals, women, Dalits and livelihood groups like forest-produce collectors, small-scale fishers.
6. Intersectionality of gender, caste, and other axes of identity in building and strengthening accountability mechanisms.
7. Novel and innovative approaches and methodologies for evaluating accountability processes and outcomes.

SUBMISSION GUIDELINES

Please refer to our submission guidelines at repository.nls.ac.in/jlpp.

All submissions will be through *JLPP*'s Digital Commons platform. Papers submitted for this themed issue must mention the paper is for the themed issue of Social Accountability for Commons as part of the article title when entering the field in the submissions portal as well as in the document uploaded.

Example: Title of Article (for Social Accountability for Commons)

Last date to receive the full paper is 31 March 2025 (with expected publication in July 2025).

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