

Workshop

Governing Land and Water Resources The Demise of the Collective Voice

*Columbia's Global Center South Asia &
Center on Global Legal Transformation*

*Located at Studio X in Mumbai
[4th Floor, Kitab Mahal, 192, Azad Maidan, Fort]*

Day 1: Friday, 21 March, 2014

9.00 – 9.30 am Arrival

9.30 – 9.45 am **Welcome and Introduction**
Katharina Pistor

9.45 – 11.15 am **Governing Access to Essential Resources:
Normative Principles**

Why “essential resources”? On the importance of specifying normative goals for assessing governance regimes, even if full goal realization is impossible. Infrastructure case studies to illustrate how governance choice affects normative outcomes.

Sai Balakrishnan & Katharina Pistor

11.15 – 11.30 am *Coffee Break*

11.30 – 1.00 pm **Framing Allocative Decisions between Spatial and
Legal Constraints**

Legal and jurisdictional constraints for managing essential resources; misalignment between legal & jurisdictional constraints on one hand, and spatial demands of infrastructure projects, urban sprawling, on the other. Filling the void through subaltern and state informalities.

Nikhil Anand, Anupama Rao

1.00 – 2.15 pm

Lunch at Studio X

2.15 – 3.45 pm

Reordering Access: Private Rights, Social Power and Resource Control

Effects of social power relations on the allocation and exercise of formal and informal access rights. Reordering of access rights through privatization; distributional effects; effects on sustainable use of resources.

Matilde Adduci, Marie-Helene Zerah

3.45 – 4.00 pm

Coffee break

4.00 – 5.30

Beyond the Public/Private Divide: Mediating Agents and Organizations

On the limits of formal governance regimes; democratic deficit as a function of ineffective or necessarily incomplete formal governance; the role of mediating organizations in filling the governance void; the function of mediating agents: organizing collective voice vs. extortion.

Solly Benjamin, Meenu Tewari

Dinner at 7.30 pm. Location to be announced

Day 2: Saturday, 21 March 16, 2014

9.30 – 10.45 am **Scarcity: Measurement, Pricing, and Access**

On the importance of measuring scarcity for effective resource management; pricing as representation of scarcity, or economic value, or as a means of excluding access; effects of pricing on capitalization of essential resources and delineating access to them.

Sripad Motiram, Jessica Seddon

10.45 – 11.00 am **Coffee Break**

11.00 – 12.30 pm **Access Rights and the Judicialization of Governance**

On courts as substitutes for effective collective governance; access to courts, including the role of mediating agents; implications for politicization of the judiciary; efficacy of judicial governance; delivery of normative goals; implications for legitimacy of formal governance.

Menaka Guruswamy, Sudhir Krishnaswami

12.30 – 13.45 **Lunch**

13.45 – 15.15 **Reconstituting the [Public] Space for Essential Resources**

On the need for public (not necessarily state) governance of essential resources; possibilities for reconstituting the public space between predatory state governance and self-interested private governance

Fikret Adaman, Katharina Pistor

15.15 – 15.45 **Open Discussion on Research Questions, Projects, Collaborations**

15.45 – 16.15 **Reception and Farewell**

Dinner at 7.30 pm for all staying over! Location to be announced