

# The Article 51A Crucible

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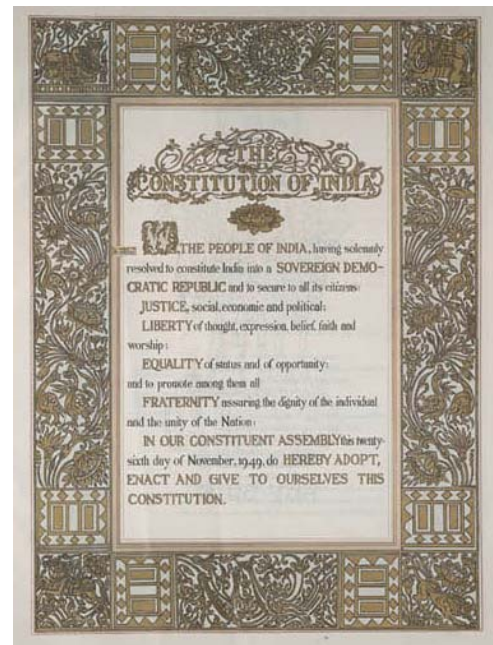
## Creating Public Citizens in India

*The Article 51A Crucible is a new initiative of CUTS International to create Public Citizens in India by research-based advocacy on economic governance issues through fellowships etc. to young and passionate citizens so as to promote reforms. The programme will seek philanthropic and moral support from donors and socially conscious business.*

Much has been discussed on the Fundamental Rights under the Indian Constitution. However, Article 51A of the Constitution which lays down Fundamental Duties is often lost sight of. The origins of the new programme centre of Consumer Unity & Trust Society (CUTS) can be traced to sections ‘h’ and ‘j’ of the above-referred Article. To quote:

- “to develop the scientific temper, humanism and the spirit of inquiry and reform;” and
- “to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement.”

Across the world, eminent personalities have been reminding citizens of their duties. Former US President, John F Kennedy’s immortal words “...ask not what the country can do for you but what you can do for the country” has become one of the most popular references to the issue. Added to this, Daisaku Ikeda, the Buddhist thinker’s words: “A great human revolution in just a single individual will help achieve a change in the destiny of a nation and, further, will enable a change in the destiny of all humankind” is another guiding principle. India’s noted jurist: Nani Palkhiwala’s statement “One citizen is



worth a 1000 individuals” is equally inspiring in the context.

The underlying message is to help create Public Citizens, who can question things so that the nation constantly rises to higher levels of endeavour and achievement.

One way to address the concern for developing an involved citizenry and promote the spirit of inquiry and reform with the aim of nation building is through interdisciplinary policy research, which, unfortunately is relegated in the background.

Recently, Manmohan Singh, Prime Minister of India, speaking at 99<sup>th</sup> Annual Session of the Indian Science Congress lamented that spending on Research & Development (R&D) in the country is a dismal one percent of the Gross Domestic Product (GDP). In the neighbourhood, China's budget for social sciences, including research has been increasing at 15-20 percent per annum since 2003.

The role of private sector and philanthropy is crucial to augment resources for such interdisciplinary policy research. At the recently concluded third annual Indian Philanthropy Forum, the discussions rightly focused not on the question "how do we encourage Indian philanthropy" but "how do we encourage them to think strategically." The current focus of philanthropists need to build in the felt acuity of such research which would go a long way in nation building and a responsible citizenry.

**A**ttracting qualified and talented scholars in such an activity is a challenging task. However, there are several success stories where young and talented researchers have performed wonderfully, given an opportunity. Focus on youth is also desirable in view of increasing erosion and devaluation of morals being reflected in poor governance in the country.

CUTS has been working on interdisciplinary research and advocacy relating to trade, regulation and governance, among others, for nearly 30 years. For this purpose, CUTS has been recruiting researchers on individual subjects and also working with renowned subject-specialist researchers across the world. There is, however, scope for augmenting such efforts on a larger scale with a focused view to encourage a pool of public citizenry and spread the force across the country.

It has often been felt that a large pool of bright young researchers is available but their potential remains untapped for want of both opportunities and guidance. At a time when the nation seriously lacks research capacity on burning

socio-economic subjects, the proposed programme centre intends to fill the void in a small way to start with.

**T**he Article 51A Crucible would be deemed as a new centre to support young researchers to pursue public policy research and advocacy to be hosted at CUTS as exclusive and carved out. The identified researchers will usually be young people already employed somewhere but willing to devote a part of their time to pursue their own big ideas. It is proposed to establish a corpus fund to begin with and use these funds to roll out small grants on a no-profit basis.

The proposed activity of the Article 51A Crucible is within the objects of CUTS as defined in its Constitution.

## Objects



- To create Public Citizens by targeting those already working and willing to devote some time to the cause as a part of their Fundamental Duties under Article 51 A of the Constitution of India
- To achieve desired changes by promoting interdisciplinary policy research and advocacy on socio-economic issues
- To encourage philanthropy for such interdisciplinary research

## Activities



- Organising interactive sessions in law schools and other faculties on contemporary issues to help identify causes with solutions and candidates. This effort would be tied up with leading newspapers. Please see page 4 for an indicative list of contemporary issues
- Organising annual public lectures by distinguished public spirited personalities

within and outside the country on the identified issues

- Providing scholarships to write papers/ articles and facilitating their publication in newspapers and/or compiling a book and/ or assisting young researchers to implement small and innovative projects on public policy issues
- Granting Article 51 A Fellowships to change makers (programme scholars and otherwise) with the condition that they are able to multiply their breed
- Recognising Public Citizens on public platforms
- Advancing the economic scenario and service to the country for the benefit of the nation by researching on similar initiatives elsewhere in the world
- Establishing research and training centres for advancement of socio-economic policy issues
- Spreading promotion of research-based public policy issues and disseminate findings amongst all stakeholders including policy makers
- Undertaking research, advocacy, training and education of masses on its own or in cooperation with similar agencies and to publish, sell, distribute such materials as needed for furtherance of the objects

### Proposed Initial Set up and Management



With a view to assist the centre to achieve its objectives, it is proposed to incubate the Article 51A Crucible within the wings of CUTS to start

with. The reasons are twofold: one that the relevant expertise is already available in CUTS to promote the proposed activities; and secondly that the centre could save on start up costs.

As the centre grows, hiving it off as an independent unit could be considered. It may be recalled that CUTS initiated CUTS Institute for Regulation & Competition (CIRC) on similar lines, under the leadership of Dr. C. Rangarajan, when the latter was incubated at CUTS for about three years. Later it was registered as an independent organisation under the Societies Act at Delhi and the accounts were duly adjusted.

Though the accounts of the centre would figure within the accounts of CUTS till such time that it is hived off, there would be no intermingling of accounts both in income and expenditure. CUTS would maintain a separate account of the centre and a notional balance sheet would be prepared at the end of the financial year.

The centre would have its own independent mandated Steering Committee comprising of members from a diverse field. Well known people with a track record from business, media, government and civil society organisations would be approached. The Steering Committee would have a major say in the programme and assist in raising funds and giving credibility to the initiative.

### Funding



It is proposed to aim for a large corpus that can enable scholarships/fellowships to be given out of its interest income. Some contributions from individuals have already been secured and promises held from others. Funds would also be raised from other development partners, foundations and government sources.

## An Indicative List of Contemporary Issues with Annotations

- 1. Proactive Optimism:** How can the nation move from despondency and gloom towards proactive optimism? The opposition needs to display greater maturity in helping the government in the passage of pending but important Bills in the Parliament. Should the business and general citizens not demand better performance from not just the government but also the opposition? Self-flagellation needs to be replaced with optimism and confidence. Does the present Parliamentary system need a change to a better system?
- 2. Policy Paralysis:** What can be done to dilute the perceived policy paralysis at the Centre? This perception has emerged over several past decisions on allocation of natural resources, etc and is being strengthened by lack of clarity in many areas causing frustration amongst domestic and foreign investors. Will the adoption and implementation of National Competition Policy and Regulatory Impact Assessment improve the situation? Will a Policy Coherence Unit at the PMO and CMOs lead to better inter-ministerial coordination?
- 3. Foreign Investment and Investors:** Should the nation woo foreign investment and investors with big and small measures? Opening of foreign direct investment in more sectors by creating an environment conducive to ease in doing business is required. For instance, foreign direct investment (FDI) by large retailers would help improve the supply chain and would eliminate intermediaries.
- 4. Energy Sector:** How can the power and energy sectors be revived? For this to happen, many surrounding issues have to be addressed such as tariffs, ability to buy power from private generators, under recovery, theft, etc. Should not the State Electricity Regulatory Commissions be made independent of the government to carry out their role effectively?
- 5. Agriculture Reforms:** Are big reforms indicated in the agriculture sector? The cost that the consumer pays for agricultural produce is far too much and the price the farmer gets is too little. Should the Agriculture Produce Marketing Act not be dismantled in the states?
- 6. Urban Renewal:** Is there not a dire need to build new cities and make existing ones better? According to an estimate, about 70 percent of the country's GDP would come from the cities and 40 percent of the Indians are expected to live in urban areas by 2030. What modifications are called for in the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) including increasing funding, incentivising performing states and promoting public-private partnerships?
- 7. Fair Land Acquisition Policy:** How can we expedite devising a fair land acquisition policy and resolving related conflicts? Landless labour, small and marginal farmers constitute 82 percent of the rural population. Is manufacturing the way forward for their gainful employment as being witnessed in a small measure in the Special Economic Zones (SEZs)?
- 8. Education as a for-profit Business:** Should education not be allowed to function as a for-profit business? There is a need for opening up the sector to improve quality and quantity with private participation. Is a mindset change not required in education and healthcare to promote private participation?
- 9. Transparency in Political Funding:** Is there a need to encourage transparency in the political funding to weed out corruption? Various solutions are being debated – from having an institutional arrangement to enforce traceability of funds, to containing the politician-civil-servant-collusion, maintenance and disclosure of party accounts, etc.
- 10. Peripheral Issues:** Other peripheral issues, such as:
  - Involving people in decision making;
  - Improving infrastructure financing to attract private capital flows;
  - Putting in place a National Integrated Logistics Policy;
  - Good Governance; and
  - Labour Reforms.