

**A PROPOSED CENTRE FOR STUDIES AND RESEARCH IN DEMOCRACY AND
CONSTITUTIONAL GOVERNMENT
THE KARNATAKA STATE LAW UNIVERSITY, HUBLI**

The Preamble:

The Democracy in India is maturing and it is able to build fairly stable and viable democratic traditions and structures by exhibiting commitment to constitutionally incorporated democratic principles and through establishing competent and effective public institutions of governance. However, it is often asserted that even after six decades of independence and constitutional governance, Indian democracy is at cross roads. Its survival is threatened by concentration and abuse of power, ineffective and unaccountable civil service, criminalization of polity and society, terrorism and abusive counter terrorism, governmental lawlessness and open resistance to law, corruption, poverty, illiteracy, crime and atrocities against women and weaker sections and the like. There is wide spread disenchantment with the functioning of the governments and the common man sees the governments to be exploitative and they epitomize corruption, inordinate delays, long winded procedures, lack of transparency and extreme rudeness and insensibility often bordering callousness. The foremost test of good governance is the respect for rule of Law and it is unfortunate that even after sixty years of independence one cannot say with confidence that governance in India in most states is based on rule of law. One of the reasons attributed to the dismal state of governance often described as 'Governance deficit' appears to be political elites lack of commitment to democratic principles and rule of law enshrined in the Constitution. It is not an exaggeration to say that ruling elite including representatives of the people show little regard for the constitutional values and principles. After Nehru era, at times elements not committed to basic constitutional values and principles began to operate the system may be because democratic structure easily allows them to operate.

The cumulative effect of rule by such elements is that in the contemporary society two classes of people who may be described as politicians of Churchill's description and majority of corrupt civil servants who are highly visible and dominant and enjoy the fruits of modern social life. A further group consisting of private businessmen joined the dominant political class through the ongoing process of liberalisation, privatisation and globalisation.

This combination of three classes, it appears, is at the root of all problems persisting in this contemporary Indian society and they are also responsible for the disintegration of institutions of good governance. Good governance must focus on the primary responsibility of the Government and its institutions. They must include maintenance of law and order, administration of justice and welfare of economically and socially weaker sections of the society. The Government will also have to take the responsibility for provision of primary



education, public health, water supply and the like. Here again it is seen that in its anxiety to do thousand and one things, these primary responsibilities have been neglected over the years.

It must be admitted that the governance in India has not been changed since independence. However, some gesture have been made and noises such as adoption of citizens charter, passing of (retrograde) laws on Right to Information, Mouthing the platitudes of down sizing of the Government and promoting the manthra of public accountability and transparency. But impact of these measures is hardly perceptible to common man as the institutions of governance are increasingly becoming incompetent to discharge there functions perhaps due to indifferent attitudes of individuals composing them. The best way to rejuvenate these institutions of good governance is to study in detail moral, ethical, constitutional and legal foundations of these institutions through academic research and through enlightening individuals manning them about the importance of democratic principles and constitutional values. Hence, the centre for studies and research in democracy and constitutional Government.

The Government of Karnataka in recent years introduced important reforms aimed at good governance such as establishment of one of the most effective Lokayukta system in India, Sakal programme and the like. The success of these reforms and welfare programmes like Yashaswini etc. depends on committed civil servants and effective political supervision. For this purpose the Centre intend to act as a motive force and try to establish a Government wherein justice is rendered at all levels of society.

Objective of the Centre:

The primary objective of the centre is to provide knowledge base to the Government through interdisciplinary research so that it can evolve good policies and programmes to ensure good governance with following specific purposes to be achieved over a period of time.

Firstly, to undertake detailed research in the areas of democratic politics and institution building with a view to make them responsible and responsive to the will of the people.

Secondly, to direct the research towards institutional reforms such as electoral reform, reform of police, administrative reform, judicial reform etc. so as to enhance institutional commitment to constitutional values and principles.

Thirdly, to undertake studies relating to evaluation of Governmental policies and programmes relating to welfare of the poor and the disadvantaged.



Fourthly, to study the effectiveness of the service delivery by the governmental agencies such as food and civil supplies and the like.

Fifthly, to analyze and evaluate the role of governmental agencies involved in programme implementation.

Sixthly, to ascertain and evaluate the reasons for ineffective role of political or other agencies involved in ensuring good governance.

Seventhly, to create awareness and sensitivity towards constitutional values and principles which is essential for good governance. This includes bringing attitudinal changes among the civil servants.

Eighthly, to study in general performance of various public and private agencies and instrumentalities in ensuring good governance and accountability.

Last but not the least through research it aims at providing various alternatives to the government and policy makers to ensure highly civilized, people friendly and proactive government in the State of Karnataka.

Projects, Programmes and Activities of the Centre

It is highly desirable that the centre shall have a well qualified manpower and infrastructure to carry out its objectives. With the help of such infrastructure the centre would like to undertake the following activities:

1. The first priority of the centre is to take up minor and major research projects involving detailed multi-disciplinary study of normative and institutional framework of constitutional democracy as contemplated in the Constitution. To state a few examples (i). The study of working of the state legislature, effectiveness of the role of legislative council, contribution of various political parties in ensuring good governance (ii). The Study of nature of representation in legislature (iii). Functions of legislature and effectiveness of legislative control over the government and the role of individual legislators and the like.
2. The second class of projects relates to the working of various government departments and their policies and programmes. The projects are concerned with providing academic input to the governmental agencies.
3. The third class of activities relates to capacity building amongst civil servants and other officials involved in the administration. For example: Sensitizing revenue officials about Sakal, the Right to Information and other new laws so that the administration becomes more sensitive to the poor and oppressed.
4. The fourth class of activities relates to creating awareness about democratic principles, rule of law, rule of government and peoples participation in government in

minds of general public in general and public officials in particular by organizing short duration training courses or classes.

5. Lastly, organizing training/refresher course for public officials, legislators, local government members and others involved in good governance. These programmes are primarily meant to sensitize them about the role of public officials in modern governance so that they will be more receptive to the plight of common man.

Organizational setup

The Centre shall be part of the Karnataka State Law University and shall be governed by its rules, regulations, ordinances and the like. However, the centre is different from the college or the department imparting education in law but its thrust is research and training. It shall consist of a Director who is Professor of Law with sufficient experience in research guidance. It shall consist of as many research associates and assistants depending on the requirement from time to time. The other supporting staff shall be from the University. The salary and other allowances shall be as prescribed by the University from time to time.

The Director shall be a Professor of Law appointed for a particular period depending on the requirements or any fulltime Professor may act as Director in-charge of the centre.

Budget and Financial Support

The centre shall be funded by the Government, University and other agencies like UGC and ICSSR and the like for specific projects. The State Government through the University shall provide for certain recurring expenses out of general fund of the University. The centre may also raise revenue out of fees collected from participants of various training programmes, services and the like. The centre may also accept generous donations from the general public and other agencies for achieving its objectives. It can also seek financial support from various Governmental agencies, Social and Commercial organizations and the general public.

For initiating the activities of the centre, the Karnataka State Law University requires **Rs. 200 Lakhs** as initial seed money for setting up the infrastructure, books and journals, for the field visits of the researchers and for other related contingencies.

T. R. Srinivasan
VICE CHANCELLOR