



LAW EDUCATION IN INDIA: REVAMPING IS THE NEED OF HOUR

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ABSTRACT

Legal education in a country, whether developed or developing, operates in a particular socio-economic and political context and aims to fulfill the needs of society by producing law graduates who are competent enough to take up a wide range of responsibilities as legal professionals. Today legal education has to meet not only the requirements of the Bar but also of the new needs of trade, commerce and industry in the context of growing internationalization of the legal profession. Problems existing in current law education system are obstacles in the path of its development and quality output in the form of law graduates. Legal education system need new ideas, thinking and innovations to make it more relevant, effective, trustworthy, authentic and focused on research and legal training to produce qualitative lawyers in the country. This paper highlights the lacunas present in existing law education system in India and suggest measures to reform it.

KEYWORDS :**Introduction:**

The legal education stands for enhancement of human sensibility and injects a sense of protecting human liberty and equality before law. Legal education works not only as an instrument of social control but also as instrument of social change which is imperative to create cultured law-abiding citizens, who are inculcated with the concept of human rights and values which is the essential medium of the change.

Over the years, there has been a considerable degeneration of academic standards in the law colleges with little scope for innovation in the design of courses, development of appropriate teaching modules, formulation of research agenda including undertaking of research projects, and also the promotion of advocacy in lawyering. As a result, the ability to attract serious students with a passionate commitment to study law in all its ramifications dramatically reduced culminating in institutionalized mediocrity in law faculties across the country.

Problems and Challenges of Law Education:

There are number of Law Colleges, which lack basic facilities, Good Faculty, Good Infrastructure, Good environment, no placements, no jobs, and no activities. Attendance is not compulsory thus students do not attend the classes. The lack of researchers in law and absence of due emphasis on research and publications in the existing law schools have led to the absence of an intellectually vibrant environment. Some of the major problems in the field of law education are as follows:

1. Mushroomed growth of law Institutes:

There has also been the mushroom growth of law colleges in the country. These colleges work as money spinners and has put the legal education at the back seat. Admission to these colleges is also easy as the eligibility criteria prescribed for getting admission is the minimum marks in qualifying exams. Most of these mushroomed law institutes do not fulfill all the criteria and are not serious about the attendance of the students. Students from these institutes turn out a law graduate while sitting at home without visiting the colleges. These absentee law graduates in turn play havoc with the clients.

2. Law degree as an ornament:

Some of the students acquiring Law degree as an ornament, not serious about attendance, knowledge, performance, social objectives. They pursue law course particularly LL.B. only to acquire a degree with no intention to enter into legal profession.

3. Awful system of examination and evaluation:

Most of the universities adopt an awful system of examination and evaluation. Previous years questions are repeated and that are also

of descriptive type. Because of the lacunas present in the system non-serious kinds of students along with quality students enters the legal profession, increase the competition and sometimes get indulge in negative advocacy. Lack of thorough knowledge of law and desire to make money fast insist them to do so.

4. Profit making objective of law Institutes:

Most of the law institutes have been set up with the sole motive of earning profit. These law institutes do not spend much on their infrastructure, teachers and on other necessary requirements.

5. Flawed system of teacher's recruitment:

The qualification criteria for teacher recruitment in India is flawed which includes clearing competitive exams called UGC NET or SET/SLET. Just because someone has great subject knowledge, doesn't mean s/he would be able to teach students. Secondly, all these exams are testing the memory power of the prospective teacher. It is nowhere concerned with the teaching capability of the individual concerned.

6. Reckless attitude of State government:

A number of government law colleges particularly in MP have been shut down because of lack of infrastructure, basic facilities and inappropriate staff particularly teaching. An educational institute requires proper economical resources to manage all its activities and in this regard the law institutes are left orphaned by the state government and these law institutes have to maintain them by arranging all financial resources by themselves which is called self financing.

7. Non-exposure of clinical legal experience:

Many of the law colleges/schools in India are hardly in a position to run clinical legal training courses in a befitting manner because of the resource crunch and the lack of faculty expertise in providing such education. Indeed, planning practical training objectives, managing clinical teaching and designing the programme, supervision and evaluation continue to be a daunting task for most of the law schools and colleges. As we all know, full time law teachers are unable to impart practical training and clinical experiences to students due to lack of their experience at the bar.

8. Problems with National Law Schools:

The national law universities are indeed designed to provide the best quality education, but they have they completely left to the whims and fancies of the state government to decide on funding, quota of state reservation for students, and all other aspects related to their administration. How do we expect the National Law Universities to compare with the IITs and IIMs whose overall management is centrally governed, while the former are 'deemed state universities' by the University Grants Commission?

Suggestions:**1. BCI/State Gov./ Universities must be strict in according affiliation:**

Affiliation should be granted by regulatory bodies on strict parameters like infrastructure, sufficient full time qualified faculty members etc. Conditions laid down in granting affiliation to law institutes must be crossed checked during the time of next inspection. Inspection must also be done every year in the cases of renewal of courses.

BCI should stop the mushrooming of law institutes. In this way also the quality in Law education can be maintained.

2. Change in context of Globalization

The rapid increase in the volume and diversification of international business transactions and international trade, technology transfer, and the international development of investment funds make it imperative that law students acquire an international perspective and understanding of law in a global context. To meet the present requirement of global legal service market in the wake of globalization is to ensure that students are taught a fair mixture of courses that give them information and training in Indian law, but at the same time prepare them for facing the challenges of globalization.

3. Curriculum development:

Curriculum should be upgraded in responding to the fast-changing profession of law and global trends in legal education. Curriculum development should include expanding the domain of optional courses, mainstreaming legal aid programs and developing innovative pedagogic methods. Legal education must also be socially engaged to sensitize students to issues of social justice.

4. Clinical legal education programme

Clinical legal education programme when properly designed and implemented will enable students to learn not only the professional skills but also acquire deepening understanding and the role of legal profession in society.

To bring about an improvement in the teaching of these courses a national institute of legal education should be established for the purpose of extensive teacher-training programmes. Law schools must engage practicing advocates as part time lecturers for running their legal aid clinics and providing training to students. In addition, University Grants Commission (UGC) should explore the possibility of granting six months to one-year professional leave for law teachers to enable them to gain practical experience in the courts of law.

5. Qualified and trained teachers and researchers:

Qualified and trained teachers and researchers should be appointed. Practicing advocates should also be hired particularly to teach procedural laws. Law institutes should not be allowed to run with only part time or visiting faculties.

6. Up gradation of NET/SLET qualified teachers:

As discussed earlier just because someone has great subject knowledge, doesn't mean s/he would be able to teach students. Teaching is something different and for this purpose law teacher training academy is required to be established to train and upgrade the teaching standards of law teachers. Special emphasis should be given to improve the skill of research, teaching and ethics. We need to produce a number of qualified, experienced, committed and dedicated teachers who in turn need to produce a new crop of hard working lawyers, honest judges, distinguished jurist and academicians.

7. Regulatory bodies should seriously focus on conditions of teachers:

BCI along with UGC should also check the conditions of teachers engaged in law institutes particularly in private institutes. Most of

the private law institutes in India are making enough money but they are not paying to teachers as per the standards laid down by UGC. BCI should not only make the recommendations to pay the teachers as per UGC scale but it should make this as the mandatory requirement for getting or continuing the affiliation. There are generally three regulatory bodies the state and none of these is serious about this financial exploitation of the teachers

8. Strict examination and evaluation system

Examinations should no longer be a test of the memory and reproduction skills. Assessment of the students should be made on the basis of written examinations, project work, assignments, seminars, and group discussions, reports of organizations providing internship / placement facilities to students and the work done by students in the legal aid clinic of the law school.

Along with what suggested above wide range of questions including MCQ's should be included in question papers so that the thorough knowledge of the examinee can be checked and in this way non serious students will be filtered out.

9. State should facilitate the Private Law Institutes:

State should afford grant-in-aid to recognized private law colleges, similar to other faculties, which qualify for the receipt of the grant. If the state government extends this support then there will be continue monitoring on its part and thus the private law institutes cannot evade to pay accordingly.

10. Creating research culture in Law institutes:

It becomes imperative for law schools to undertake original and path breaking research to create new knowledge and ideas. Making analytical writing skills and research methodology an integral aspect of the 3 year and 5 year LL.B. programmes are the measures need to be taken without any further delay to develop a serious culture of research in our country.

Conclusion:

The society is growing more and more complex. Technology has posed enormous challenges to the earlier system of law and justice. Trade has become vast and technology oriented. A lawyer has to comprehend the new social and economic changes in the world. The legal profession is not what it was a century or even a decade ago. Its role in the society is different now because it has a wider set of economic, political and social roles. Keeping this paradigm in mind, there is an emergent need to review law education so that it meets the needs of the society and to strengthen India as a global power.

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