

Quality of Legal Education in India

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“The legal educator of today often lacks the depth and breadth of understanding necessary for this transformed curriculum and scholarship. Many will find the prospects of “retooling” daunting indeed. While not all will need to change markedly, some will be called upon to move boldly in new directions.”----- Neil Gold

The focus of legal reform has historically been limited to improving infrastructure for the judiciary but the one aspect that has been ignored is the lawyer – the most basic pillar of the judicial system. At the onset we must ask ourselves two fundamental questions – what is the true state of the current system that we are trying to reform and what is the goal we are striving to achieve?

The process of reform begins with assessing the country’s needs that the legal profession seeks to fulfil– among others the requirements across the various levels of the judiciary; the gaps in the criminal justice system; the specific areas within the law which will require an increased number of practitioners in the near future. Our approach for reform has to be guided by a thorough and detailed understanding of the current shortcomings and the future needs of the system – it is only then can we define what our practitioners of law should be.

Reform cannot be limited to an infrastructural challenge of building more courts, increasing the number of judges, providing computers and solving corporate cases efficiently. It must entail a fundamental transformation of the mindset with which we view each of our roles and responsibilities as a part of the overall legal system. Our system of education must identify and cater to various special interests within the professional legal sphere – only then will our needs be matched with the requisite skill set.

The Indian lawyer must not only have improved legal skills but most importantly, embody social responsibility and a strong professional ethic – a commitment to the integrity and working of the Legal system.

For more than a half century, and certainly since Independence, the great minds in India have struggled to improve the nation’s institutions, including its legal systems and especially its law schools. These grand, well-intentioned and high-minded efforts by scholars, politicians, legal practitioners, jurists and even U.S. foundations, largely have foundered. In 1948, a notable reform effort focused on teachers of the law, aiming to improve law schools and the lives of students in part by elevating faculty scholarship; in the decades that followed, attention went to students, their classes and qualifications, or to efforts to provide model study plans and schools

1. Yet another chapter in this long effort has opened with the submission of the recommendations from a working group on legal education.
2. These latest would-be reformers, no less, have emphasized the need to improve faculty and teaching standards in India’s legal academies. They have urged that law schools take a more

rational view of legal educators' work load and that they put greater emphasis on research and publication. This, of course, assumes that more research and publication also will boost the quality of teaching and faculty and raise the standards of legal education. History makes a different case and it is crucial to review the past and present state of Indian law schools before taking on what arguably are the necessary next challenges to fix or improve them. The legal Academy everywhere seeks to find that institutional alchemy, in which a perfect balance is struck among the needs of students and the duties of their faculty to research, publish, teach, and to make a living, all while practicing law in the wider world. Indian law schools should implement the recommendations of the knowledge commission with caution, giving proper weight to teaching as well as research and publication in peer-reviewed journals. Law schools also may wish to conduct the same rigorous peer-review of faculty classroom work, for example, by creating committees of outside experts to review and evaluate recorded lectures. Law schools should establish the criteria for assessing teaching quality based on course objectives, just as journals set standards for the papers they publish. The schools should also determine how to weight teaching evaluations in setting faculty pay. Because Indian law schools deal so heavily with undergraduate studies, teaching must be given primacy and there must be strong deterrents to those who seek only to focus on their own research and aggrandizement through publication. In the end, however, the goal must be clear—to emphasize a culture of legal scholarship in all its forms. True progress in India's legal Academy will be measurable and remarkable when reformers embrace this holistic approach, dealing with practical realities, recognizing the needs of students and instructors, and rewarding all scholarship—teaching as well as research, writing, and publication.

Here, it is expedient to mention The Vision Statement 2010-2012 of the Chairman of the Bar Council of India, published on June 2, 2010, commenced with a promise to the Nation, of ' Ensuring equality before the law and the supremacy of the rule of law in the Indian democracy.' The Vision Statement recognised the need to address various issues as well as the several different constituents of the legal profession in India to fulfil this promise. The Vision Statement specifically identified: the inadequate quality of legal education and infrastructure, and lack of relevant skills training to meet with the ever-changing demands of the modern world, as two of the issues affecting the image of the legal profession in India. One of the steps identified in the Vision Statement towards resolving these issues is ' Creating clear quality standards for legal education and a common entry level standard for entering law schools across the country.'

However, the Indian legal fraternity has fought all odds and has come up a long way and made a mark by keeping our democratic setup intact, constitutional principles upheld and rule of law prevalent. The need is to strive together for guaranteeing a legal education system of global standards and be a leader in the global legal industry. We have expertise of our learned senior practitioners, judges & academicians, enthusiasm of our new breed of law graduates and aspirations of even younger students to use law as a tool to ensure common welfare. All what is to be done is to put these in good use, wherein, one is benefited by the other, and together, it should be our own legal fraternity that enjoys respect in terms of professional credits in the global legal industry.
