



Evaluation of the present state of legal education in India

Mr. Abhishek Sanwaria

Assistant Professor, Baba Mastnath University, Rohtak

Abstract: Legal education refers to the education of lawyers before they start practicing in the court of law. This paper evaluates the present state of legal education in India. It throws light over historical background of legal education in India. It further evaluates the establishment and role of National Law Universities regarding the enhancing graph of legal education among people. It analyses the role of Law Institutions in imparting legal education. It throws light over the role of Moot Courts in enhancing legal education in India.

Introduction: Law is an expression of the will of any government. It is an embodiment of the will of the people and is a manifestation of social and political needs of any country. Consequently, the study of law is very essential for any governmental setup, we need good lawyers and good judges to interpret the law and provide legal assistance to the citizens. Legal education refers to the education of lawyers before they start practicing in the court of law.

A historical trace of legal education in India

- I. Legal education in India traces its origin to the Ancient period when the kings and princes were given teachings about *Dharma* and *Nyaya*.
- II. Then in the Mughal Period, the concept of legal representatives of people or vakils came into existence.
- III. In the colonial era, the right to act as counsel was granted only to the British or the Irish. In the post – Independence era legal education has been traditionally offered as a three years graduate degree.
- IV. However, the structure has been changed since 1987. Law degrees in India are granted and conferred in terms of the Advocates Act, 1961, which is a statute regulating the aspect of legal education and also regulation of the conduct of legal profession.



- v. Traditionally the degrees that were conferred were of LL.B. (Bachelor of Laws) or B.L. (Bachelor of Law). To be eligible to get a law degree, one needed to have a Bachelors degree in any subject of the choice.

National Law Universities: A major step towards reforming legal education in India

However, owing to this system of offering of a law degree as an additional degree after graduation, law as a profession could not flourish as a specialized course. Hence the Law Commission and the Bar Council clamored for a more specialized form of legal education in India.

These law universities were meant to offer a multi-disciplinary and integrated approach to legal education. Therefore, it was for the first time that a law degree other than LL.B. or B.L. was granted in India. NLS offered a five years law course upon the successful completion of which an integrated degree with the title of “B.A.LL.B. (Honors)” would be granted. The credit for establishing the National Law School cut in India goes to Prof. NR Madhav Menon. Due to the highly specialized legal education that NLSIU offers, it is popularly known as ‘Harvard of the East’. Thereafter other law universities were set up, all offering five years integrated law degree. The next in line was National Law Institute University set up in Bhopal in 1997. It was followed by NALSAR university of law set up in 1998. The National Law University, Jodhpur offered for the first time in 2001 the integrated law degree of “B.B.A, LL.B. (Honours)” which was preceded by the West Bengal National University of Juridical Sciences offering the “B.Sc., LL.B. (Honours)” degree.

CLAT: A major step towards reforming legal education

Till the year 2008, these National law Universities used to separate entrance test but then the Common Law Admission Test (CLAT) was brought into existence for unifying the system of law entrance in India just like in medicine and engineering. The turn of the century has witnessed a revolution in legal education. This has resulted in better infrastructure, greater private involvement and increased investment in legal education. Private universities like Jindal



University in Sonipat, and Symbiosis University in Pune are adding are creating a new niche for themselves in the realm of legal education in India.

Thus any student in India who wants to pursue a specialized course in law after 12th standard has a multitude of options, be it the NLUs or the private institutes. Even if one wants to pursue law after graduation the option of three-year LLB degree is available to him or her in Delhi University or Punjab University etc . As a matter of fact the entrance coaching for law entrances has also become really specialized owing to centers such as Career Launcher or Time.

A look inside legal education institutions

The laws schools in India have a proliferating culture of moot courts which has made legal education for more practical and behavioral than just simply rote learning the letter of the law. There is also a development of an active debating circuit amongst the law schools which has made the budding lawyers more eloquent and expressive. There are various research centers within the law schools dealing with different branches of law publishing various journal and newsletters and thus encouraging the students to write research paper, this trend has, in turn, led to increasing the level of research in law on the whole. Almost every law school has an internship committee which mandates a certain number of compulsory internships for the students in order to make them well verse with the practical nuances of law.

The fact that law firms such as Amarchand and Mangaldas and Luthra and Luthra offer campus placements have given a great boost to the students to join the legal profession as they no longer have to worry about setting up their own legal practice from scratch. Many law schools even offer to coach for judicial services exams as well which is a great boon to the students.

As far as post graduation in law is concerned almost every law school in India offers an LLM degree by the way of an entrance exam. As a matter of fact, there is a rising number of law schools which offer a doctorate degree as well.

Conclusion: Thus, the scenario of legal education is becoming more and more specialized as was envisioned by the well wishers of the legal profession. The role of the UGC in providing



assistance and guidelines for the functioning of the upcoming law schools has been indispensable. The new era of legal education in India has opened up avenues for students in law students an India and completely revamped the image and structure of the legal profession of the country and it is no longer viewed in the parochial manner as it used to be before.

References:

- Rushda Pathan, *Legal Education in India*
- N.R. Madhava Menon, *Reflections on Legal and Judicial Education* 75 (2009).
- G. Singh, *Revamping Professional Legal Education: Some Observations on the LLB Curriculum* • , 27(1) Indian Socio-Legal Journal 41, 46 (2001).
- A. Lakshminath, *Legal Education, Research and Pedagogy* • , 50(4) Journal of Indian Law Institute 606, 620 (2008).
- K. Singh, *Legal Education in the New Millennium*, 31(1) Indian Socio-Legal Journal 103, 108 (2005).
- R. Singh, *A Survey of Legal Education: Delhi and Haryana*, 29(3) Indian Bar Review 73, 81 (2002).
- A.K. Avasthi, *Role of the Bar Council of India: Judicial Interventions and Suggestions* • , 29(3) Indian Bar Review 9, 23 (2002).
- N.R. Madhava Menon, *Reflections on Legal and Judicial Education* 78 (2009).
- Robin K Mills, *Legal Research Instruction In Law Schools the State of the Art*, 2nd Edn, ILI, New Delhi, 2001, at p. 633.