



**NEED OF REFORMS IN LEGAL
EDUCATION IN INDIA:
GLOBALISATION AND JUDICIAL
OUTLOOK**

By *Isha & Somya Gaur*
From *Law College Dehradun,*
Uttaranchal University

ABSTRACT

This Article analyzes various evolutionary stages of legal education and profession in India. The thesis of this article is that though legal education in India is fundamentally strong and is potentially capable of guiding its destiny, but it is required to cope up with contemporary challenges arising from technology, globalization and evolving social values. At present the demand is to introduce internationally prominent subjects like Intellectual Property, Corporate Law, Human Rights, Alternative Dispute Resolution, Media Laws, Sports Law, and International Business Transaction. This article also argues that mere improving the quality of course contents will not improve the quality of legal education unless delivery system is also improved. It focuses on recommendations given by various committees viz., Committee on Governance of Universities, 1969, Bar Council India Trust 1974, National Convention of Legal Education, 1981, UGC Curriculum Development Report, 2001 etc. and highlights importance of Bar Council of India and Supreme Court to lay down the foundation of legal education in India. As Indian society is facing severely institutionalized problems relating to the administration of justice, the law schools in India should engage themselves in the task

of conducting and supporting various research projects in law and related fields. This article further emphasizes upon the importance of legal education and research in institutions for developing and establishing justice and rule of law, and focusing on this aspect along with the essence of legal education system and morals of our nation a step is taken to make the readers aware of the intricacies involved herein.

Keywords; Legal Education, Globalization, Institutional Framework, Clinical Education, Legal Research.

INTRODUCTION

“If you spiritualise the practice of law, it is not to make your profession subservient to the interests of your pursuit, as is unfortunately too often the case at present, but to your profession for the service of your country. There are instances of ancient lawyers in all countries who led a life of self-sacrifice, who devoted their brilliant legal talents entirely to the service of this country. It is not necessary for lawyers to be philosopher, secluded judges, mediating saints or devoted musicians, but they have to be active citizens in launching wars against poverty, disease, hunger, illiteracy, discrimination and a host of other evils,”

-M.K. Gandhi¹

The nobility of legal profession has its essence in its roots of Legal education as it is a science, which imparts to students knowledge of certain principles and provisions of law to enable them to enter

¹M.K.Gandhi, *Law & Lawyers*, 211 (1st ed.,1962)



into legal profession.² Legal Education is a broad and comprehensive concept.³ It includes not merely the profession which is practiced in courts, but also covers law teaching, law research, administration in different branches where law plays a prominent role and, in fact, commercial and industrial employments and all other activities which postulate and require the use of legal knowledge and skills.⁴ Consequently, the responsibility on the Legal Education and Legal Profession is very heavy, as lawyers are meant to preserve the society and act as ‘healers’⁵ and have to contribute not only to their purse, but also to the administration of justice. Therefore, the legal education requires promoting congenial ethical environment and skill, which may help in the effective administration of justice.

Law in action has given birth to the concept of justice⁶ and justice is the highest thing desired by men on earth.⁷ Undoubtedly, a sound system of the administration of justice should possess three ingredients, viz. well-planned body of laws based on wise concepts of social justice; a judicial hierarchy comprised of the Bench and the Bar, learned the law and inspired by high

principles of professional conduct and existence of suitable generation to ensure fair trial.⁸ The existence of suitable generation, securing all the facets of legal profession and its ethics, is paramount and essential for the administration of justice. Learned C.L. Anand has rightly stated that the advocates share with the judges the responsibility for maintaining order⁹ and justice in the community. It is generally said that ‘law is what law does’. And, what law does is to a large extent structured and influenced by the activities of the legal profession.¹⁰

EVOLUTION OF LEGAL EDUCATION IN INDIA

The Legal system in India is the natural outcome of its deep roots in Ancient Indian traditions.¹¹ But, the legal profession as it exists today was created and developed during the British Period. The Legal Practitioners Act, 1879; India Bar Committee, 1923; India Bar Councils Act, 1926 have played a vital role in enforcing and consolidating the law relating to legal practitioners. But it was in 1950 that with the attainment of independence, and the consequent responsibility of developing a Constitutional Republic Government, the need was felt to evolve a stable and effective legal system. However, the beginning of reforming legal education was made with the 14th Report of Law Commission of India, 1958 that made exhaustive

² Report of the Curriculum, “The Curriculum Development Centre in Law”, Vol. 1, U.G.C., New Delhi, 1990, p.14

³ S. Gupta, *History of Legal Education*, 18 (1st ed., 2006)

⁴ S.P. Sathe, *Access to Legal Education and the Legal Profession in India*, 165 (1st ed., 1989)

⁵ S. Gupta, *History of Legal Education*, 36 (1st ed., 2006)

⁶ P. Ramanatha Aiyer, *Legal and Profession Ethics-Legal Ethics, Duties & Privileges of a Lawyer*, 122 (3rd ed., 2010)

⁷ Dr. Kailash Rai, *Legal Ethics-Accountability for lawyers and Bench-bar Relation*, 14 (11th ed., 2013)

⁸ C.L. Anand, *General Principles of Legal Ethics*, 43 (1st ed., 1965)

⁹ *Ibid.*, p.31

¹⁰ Prof. N.R. Madhava Menon’s *Reflections on Legal and Judicial Education*, 8 (Dr. G. Mohan Gopal, 1st ed., 2009)

¹¹ *Ibid.*, at 102



recommendations with regard to the syllabus, teaching methodology and examination system *etc.* Subsequently, with the enactment of the Advocates Act, 1961, early reforms in the legal education started acquiring an authentic shape. The Act sought to integrate legal education across the country under a uniform standard to be monitored by the various State and Central Bar Councils.

RECOMMENDATIONS BY DIFFERENT COMMITTEES

Legal education in India has taken its true essence not only from enacted statutes but also from various recommendations by different committees. The Committee on Governance of Universities, 1969 was appointed by the University Grants Commission under the chairmanship of Dr. P.B. Gajendra gadakar, which suggested following recommendations to achieve excellence in legal education-

1. The Universities must come out of the "ivory tower", not only because the intellectual should have a commitment to social problems and the cause of humanism and justice, but also knowledge should be related to social purposes, and research should contribute materially to the transformation of society.
2. In view of the rapid advances in various fields of knowledge, it is imperative that the prevailing system of education and methods of instruction should be critically reviewed from time to time.
3. To improve the quality of instruction as well as to impart it a social relevance, there should be a greater contact between higher education and the problem of life and society.

4. In the interests of higher education the number of colleges in a university should not be too large; also that as far as possible at least one university should be a City University. And further, as far as possible postgraduate education should be limited to university departments, if extended to colleges, it should be on a very carefully planned and selective basis (to ensure adequate standards).

Apart from these recommendations, efforts made through All India Seminar on Legal Education, 1972; role of Bar Council India Trust 1974; recommendation made by Seminar on Legal Education, Bombay, 1977; National Convention on Legal Education, 1979; National Convention of Legal Education, 1981, Hyderabad *etc.* were truly the systematic efforts to bring excellence in the legal education in India. Further, UGC Curriculum Development Report, 2001 has contributed immense help by recommending numerous suggestions for renewing and updating the curriculum in legal schools.

OBJECT AND SCOPE OF LEGAL EDUCATION

Legal education is a *sine-qua-non* for the development of rule of law and a sustainable socio-democratic order. It is essentially a multi-disciplined as well as a multi-purpose education which can develop the human resources and idealism needed to strengthen the legal system.¹² Legal education aims to answer different theoretical and practical questions related to legal profession *viz.*; how the concept of "law" emerged and how it

¹²Segal, R. and Bhosale S.R., "Legal Education in India: Restructuring and Reshaping" Indian Bar Review, 26 (1999)



developed?; What will be its future requirements ?; what are the various role of judiciary, executive and legislature to strengthen legal profession?; what are the substantial and procedure laws? *etc.*

As per the recommendations made by National Knowledge Commission, 2008, the vision of legal education is to provide and safeguard justice-oriented education, paramount to the realization of values enshrined in the Constitution of India. In keeping with this vision, legal education must aim at preparing legal professionals who will play decisive leadership roles, not only as advocates practicing in courts, but also as academics, legislators, judges, policy makers, public officials, civil society activists as well as legal counsel in the private sector, maintaining the highest standards of professional ethics and a spirit of public service. The Commission has further suggested that legal education should also prepare professionals equipped to meet the new challenges and dimensions of internationalization, where the nature and organization of law and legal practice are undergoing a paradigm shift.

IMPORTANCE OF PROFESSIONAL ETHICS IN LEGAL EDUCATION

Lawyers constitute a potential force to protect the rights and interests of individuals in society¹³ which has its source from the Constitution of India. Therefore, it is instructive to make an assessment of the formal code of ethics, which the Indian Legal Profession has adopted to realize the high moral principles laid down by the

¹³Dr. V.N. Paranjape, *Legal Education Research Methodology*, 61 (1st ed., 2011)

Indian Constitution.¹⁴ Since the duty of a lawyer is to assist the Court in the administration of justice, the practice of law has a public utility flavor- and, therefore, he must strictly and scrupulously abide by the code of conduct making it the noble profession and not indulge in any activity which may tend to lower the image of the profession in society.¹⁵ To maintain the honour, dignity and prestige of the law profession, there are certain kinds of ethical code which are required to be followed by lawyers while maintaining their relation with the society. Unfortunately, there are plethora of cases¹⁶ delineating 'Professional misconduct' on the part of lawyers directly suggesting failure of law schools in inculcating legal ethics among students and indicating degradation of the legal education system. The main ethical responsibility of law schools, of course, is neither to students nor to the profession, it is to the citizens who depend upon law, and therefore derivatively upon lawyers, to provide a fair, coherent, and efficient framework within which to live their lives.¹⁷ Hence, law school's failure to study and teach about the profession is an

¹⁴ Prof. N.R. Madhava Menon's *Reflections on Legal and Judicial Education*, 9 (Dr. G. Mohan Gopal, 1st ed., 2009)

¹⁵ India Council of Legal Aid and Advice v. Bar Council of India & Anr., (1995) 1 SCC 732

¹⁶ Bhupinder Kumar Sharma v. Bar Association, AIR 2002 SC 47; Shambu Ram Yadav v. Hanuman Das Khatri, AIR 2001 SC 2509; Rama Talkies v. Government of A.P., AIR 2003 S.C 175; Dhanraj Singh Choudhary v. Nathu Lal Vishwakarma, AIR 2012 SC 628; Vishram Singh Raghubanshi v. State of U.P., AIR 2011 SC 2275.

¹⁷ David B. Walkins, *The Professional Responsibility of Professional Schools to study and Teach about the Profession*, " *Journals of Legal Education*, Vol. 49, No.1, March 1999, p. 243.



affront to the academy's ethical obligation to the public.¹⁸

Unexpectedly, the range of professional misconduct and misbehavior is not only confined to legal practitioners but has extended to judges¹⁹ also. Succinctly, it is necessary to extend value education in the agenda of higher education to moral and ethical practices in individual and collective behavior.

Therefore, the legal education must aim at preparing legal professionals who will play decisive leadership role, not only as advocate practicing in courts but also as academicians, legislators, judges, judicial officers, policy maker, public officials, civil society activists as well as legal counsels in the private sector, in order to maintain the highest standard of professional ethics.

PRESENT LEGAL EDUCATION SYSTEM AND INTERNATIONAL CHALLENGES

Today, Legal Education in India is at the cross-road of its destiny. Legal Education in a sense has become mass education rather than a specialized training. On the flip side, the emergence of new economy-globalization, privatization and deregulation have thrown up new challenges to legal system. Presently, there are revolutionary changes in information, communication and transportation technologies which require corresponding changes in the legal system. The advent of economic liberalization and globalization under the World Trade

Organization has brought new challenges to the system of delivery of legal services. In addition to this, cyber-crimes are growing fast into a menace. Globally, crimes like Cyber Defamation, Data Didling, Identity Theft, Salami Attack, Social engineering *etc.* have emerged as a great threat to Cyber Laws. Moreover, rapid advances in science and technology has posed considerable challenges in delineating the contours of the “*Right to Privacy*”. Therefore, it is expeditious to impart quality legal education as well as global legal education with the help of proper advancements in information technology and telecommunication for our

Also, it is pertinent to point out that the Law Commission of India, XIV (1) Report 35 notes that India legal Education had failed to promote the growth of juristic thought. Our Legal Education system has disappointedly failed to produce internationally known exponents of jurisprudence and legal studies. The amazing fact is that we have so many able practitioners and well qualified judges, rather than there is a scarcity of gifted legal scholars and researchers.²⁰

The changes in Legal Education and Legal Profession have been long over-due. There have been voices sometimes sharp and sometimes subdued for such changes.²¹ However, SAARCLAW has strived to meet these changes by suggesting certain proposition in the field of law reforms, enforcements and justice

¹⁸ S. Gupta, *History of Legal Education*, 3(1st ed., 2006)

¹⁹ In re: Justice C.S. Karnan, Suo Moto Contempt Petition (C) No. 1/2017 (Supreme Court, 09/05/2017)

²⁰ Report of *University Education Commission* (1949), Vol.-I, Chapter-VII available at <http://academics-india.com/Radhakrishnan%20Commission%20Report%20of%201948-49.pdf>, last seen on 14/04/2018

²¹ State Of Maharashtra vs Manubhai Pragaji Vashi & Ors, 1995 SCC (5) 730



administration from time to time at international level.

Hence, the need for effective and well-established legal education is absolutely necessary to meet the emerging requirements of present scenario and to tackle the ever-growing challenges. The Legal education should be able to meet the ever growing demands of the society and should be thoroughly equipped to cater to the complexities of different situations.²² Also, in the globalized world, the role of lawyers has evolved from being traditionally a legal advisor to that of active business advisor and negotiator. This evolution has challenged the entire legal education system and now the reform has become an urgent need.

ROLE OF BAR COUNCIL OF INDIA IN LEGAL EDUCATION

The Bar Council of India has indeed played a very important role in the development of Legal Education in India as it is a pioneer for structuring the Legal Education system in India as it exists today. Bar Council of India has been conferred extensive power for promotion and improvement of the Legal Profession. As the Apex Professional Body²³, the Bar Council of India is concerned with the standards of the Legal Profession and the equipment of those who seek entry into that Profession.²⁴ *Section-49 sub-section (1) clause (d)* of the Advocates Act, 1961 provides that the Bar Council of India may make rules for

discharging its functions under this Act, and, in particular, such rules may prescribe the standards of legal education to be observed by Universities in India and the inspection of universities for that purpose. *Section-7 sub-section(e)* of the Advocate Act, 1961 elucidates that the functions of Bar Council of India shall be to promote and safeguard law reform. Further, under *Section- 7 sub-section (h)* of the Advocate Act, 1961, the Bar Council of India is empowered, amongst others, “to promote legal education and to lay down standards of such education” in consultation with the Universities in India imparting such education and the State Bar Councils. It is under the aegis of these sections that the Bar Council of India Rules (1975), Bar Council of India Training Rule (1998) and Bar Council of India Rules on Legal Education (2008) has been enacted. The Study of these rules reveals that the Council is quite conscious to make up law study practical oriented and effective to enable the students to find answers to the legal squabbles that they encounter in their fast- changing problem-oriented society.

These powers provided to the Bar Council of India have been enlarged and elongated by necessary implications from time to time to meet the necessary requirements of the legal system. The Bar Councils have been created at the state level as well as the central level not only to protect the rights, interests, and privileges of its members but also to protect the litigating public by ensuring that high and noble traditions are maintained so that the purity and dignity of the profession are not jeopardized.²⁵

²²State of Maharashtra

vs Manubhai Pragaji Vashi & Ors, 1995 SCC (5) 730

²³ Sec-4, Advocates Act, 1961

²⁴ Bar Council of India v. Board of Management Dayanand College of Law and Ors. (2007) 2 SCC 202

²⁵India Council of Legal Aid and Advice v. Bar Council of India & Anr., (1995) 1 SCC 732



ROLE OF UNIVERSITY GRANT COMMISSION IN LEGAL EDUCATION

The University Grants Commission Act, 1956 is an Act of Parliament which states that it shall be the general duty of the commission to take, in consultation with the universities or other bodies concerned, all such steps as it may think fit for promotion and coordination of university education and for the determination and maintenance of standards of teaching, examination and research in university and under section 12(d) the UGC may recommend to any university, the measures necessary for the improvement of the university education and advise the university upon the action to be taken for the purpose of implementing such recommendations. The UGC is also possessed of statutory powers to co-ordinate standards of higher education including law. In addition, each university has its own autonomy in matters which vitally affect the improvement of legal education, for example, size of enrolment, the nature of examination system, policies concerning affiliation of the college, the nature of planning for the development of law, provision of law libraries etc.²⁶

Referring to the role of the UGC, the Supreme Court said in *Osmania University Teachers' case*²⁷ "the UGC has therefore greater role to play in shaping the academic life of the country. It shall not falter or fail in its duty to maintain a high standard in the universities".

²⁶Meenu Paul, "Legal Profession - One of the Objectives of Legal Education and the Role of Bar Councils in Legal Education in India in 21st Century", 312-313.
²⁷AIR 1987 SC 203.

LEGAL EDUCATION IN INDIA: JUDICIAL OUTLOOK

The legal system and education in India have always remained under the scrutiny of the Apex Court. The Supreme Court of India in its landmark judgment such as *Deepak Sibal v Punjab Univeristy*²⁸, has held that the study of law should be encouraged as far as possible without any unreasonable intervention. Further, in *Bar Council of India v Aparna Basu Mallick*²⁹ the apex court held that if the acquisition of a degree in law is essential for being qualified to be admitted on a state roll, it is obvious that the Bar Council of India must have the authority to prescribe the standards of legal education to be observed by universities in the country. Conditions of standard laid down by the Bar Council of India as to attendance in the law classes, lectures, tutorials, moot courts, etc. must be fulfilled before enrolment as an advocate.

With reference to part-time legal education by an employee and thereafter availing an opportunity for enrolling himself as an advocate the Supreme Court of India in *Dr. Haniraj L. Chulani v Bar Council of Maharashtra*,³⁰ observed that the Fundamental Purpose of Education is the same at all times and all places. It is to transfigure the human personality into a pattern of perfection through a systematic process, the development of the body, the environment of the mind, the sublimation of the emotions and the illumination of the spirit. Education is a preparation for a living and for life here and hereafter. Lastly, the court observed that part-time legal education of an employee is — "For a living and for

²⁸ AIR 1989 SC 493

²⁹ 1994 AIR 1334

³⁰ AIR 1996 SC 1708



life, here and hereafter”, and thus its denial is quite unjustified.

In *Vandana Kandari v. University of Delhi*³¹, the Delhi High Court quoted the remark of eminent jurist Nani Palkhivala that lawyers “education is a process extending over a whole career. It starts with the academic stage, extends through training in courts and continues through a mix of self-education and learning from peers for long as a person is involved in legal work. The stress is on the importance of the capacity to learn, which must be developed at the earliest possible stage i.e., the law school.” Thus, it is this vital capacity, which marks the distinction between getting a degree and having an education.

The Honb’le Supreme Court has rightly observed in *State of Maharashtra vs Manubhai Pragaji Vashi & Ors*,³² *The explosion in population, the vast changes brought about by scientific, technological and other developments, and the all-round enlarged field of human activity reflected in modern society, and the consequent increase in litigation in courts and other forums demand that the service of competent persons with expertise in law is required in many stages and at different forums or levels and should be made available. The legal education should be able to meet the ever growing demands of the society and should be thoroughly equipped to cater to the complexities of the different situations. Specialisation in different branches of the law is necessary. The requirement is of such a great dimension, that sizeable or vast number of*

dedicated persons should be properly trained in different branches of law, every year by providing or rendering competent and proper legal education. This is possible only if adequate number of law colleges with proper infrastructure including expertise law teachers and staff are established to deal with the situation in an appropriate manner.”

SIGNIFICANCE AND NEED OF RESEARCH IN LEGAL PROFESSION

Law is a dynamic discipline and it is essential that laws, principles and their interpretations develop with time and conform to the challenges posed by social, economic and political transformations in the country. The law schools in India need to establish a sound institutional foundation on the basis of which the intellectual and scholarly abilities of its legal scholars can be actively promoted. Thus, the role of law schools is overarching in forgoing these understandings as it has been aptly said: “Law is what the lawyers are, and the law and lawyers are what the law schools make them”.³³

Research can contribute significantly towards improvement in teaching and, more importantly, addressing numerous challenges relating to law and justice. Research in law should pave way for developing greater clarity in the law and its interpretation. But ignorance to promote researchers in law and absence of due emphasis on research and publications in existing law schools have led to the degradation in the intellectual intensity of

³¹170 (2010) DLT

³² 1995 SCC (5) 730

³³ Benjamin H. Barton, *The lawyer Judge Bias in American Legal System*, Cambridge University Press (2011)



environment of the legal education system. Therefore, Law schools in India need to go on a long way in developing an institutional culture that promotes and encourages research that has the capacity to foster many positive changes in society at large.³⁴ And thereby help India get transformed from being only a consumer of available legal knowledge to being a leading producer in the world of new legal knowledge and ideas. Law schools or legal institutions are required to cultivate greater opportunities for students as well as faculty to undertake original and extensive research on contemporary issues relating to law and justice. A proper research culture enabling scholars to identify issues that serve as an impediment to the efficient and effective administration of justice is necessary to promote. This is possible through a comprehensive examination of the legal framework and justice delivery mechanisms in India.

The emerging concept of lawyering and legal education would necessarily demand from learners and practitioners to know not only the local legal normative regimes but also to acquire knowledge of different system with comparative perspectives and this is all possible with a strong and extensive research mechanism in law schools.

CONCLUSION AND SUGGESTIONS

Legal education in the country is required to undergo for a complete transformation so that the Legal Education and Profession can translate the ideals enshrined in the Indian Constitution into reality and thereby achieve

³⁴ Swati Deva, Law and inequalities 298 (1st ed. 2010)

Justice- Social, Economic and Political. Any negligence towards reform in the legal profession can cause hardship and be detrimental to the general public who will be deprived of standard legal assistance.

Standard of Legal Education is a yardstick to measure the Rule of Law which is the foundation of modern democracy³⁵. The status of the legal profession is directly linked with the legal education process. It is high time that the law students understand that there is no royal road to education and education teaches only those in attendance. In our Country, admittedly, a social duty is cast upon the Legal Profession to show the people a beacon light by their conduct and actions.³⁶ Therefore in all professional functions, an advocate should be diligent and should conform to the requirements of the law by which an advocate plays a vital role in the preservation of society and the justice system.³⁷

Relying upon the Report of Knowledge Commission (2008), one can conclude that the vision of Legal education is to provide justice-oriented education essential to the realization of the values enshrined in the Constitution of India. In keeping with this vision, the legal education must endeavor to prepare legal professionals who will play influential leadership roles in various fields of the Legal Profession. Legal education should also prepare professionals equipped to meet the new challenges and dimensions

³⁵ Vandana Kandari v. University of Delhi 170 (2010) DLT

³⁶ R.D. Saxena v. Balram Prasad Sharma, (2000) 7 SCC 264

³⁷ O.P. Sharma v. High Court of Punjab, AIR 2012 SC 2101



of internationalization where the nature and organization of law and legal practice are undergoing a paradigm shift. Therefore, the Objective of the Legal education should be to cultivate and develop skills required by the person acting as a lawyer, judge or researcher.

Accordingly, it is suggested that Legal education in India should adhere to ever-growing demands of the society in order to cater to the complexities of the different situations. However, no educational scheme particularly in our present context can be perfect or can last for all times. The process has to continue by trial and error. The task of reform should therefore encompass changes not only of curricular and pedagogic arrangements but also the regulatory structures, the pattern of recruitment, funding and management of law teaching Institution. Hence, the situation demands consideration of alternative strategies at appropriate levels

Moreover, the next phase of reform in legal education will have to think of the world of Globalization and the role that law will be playing in it and plan a programme of action which can enable the legal system to fulfill the unfinished tasks in the constitutional agenda of Justice, Social, Political and Economic. At last, it can be stated that legal education in India is solid in its fundamentals and is potentially capable of guiding its destiny if it can cope with contemporary challenges arising from technology, globalization, and erosion of values.

With the purpose to confer upon present legal education system the ability to meet changing demands of legal profession both at domestic as well as international level,

there are some suggestions as hereinaftermentioned-

1. As recommended by the Law Commission of India³⁸, the regulatory mechanism of Bar Council of India and the University Grants Commission in the area of legal education should be harmonized. In addition to the prescriptions from regulatory bodies, the universities and also the educational institutions should be given the required amount of freedom in the selection of teaching methodologies and syllabus suited to the local needs as well as international needs. Legal education should impart conventional and indigenous skills on negotiation, conciliation, mediation and arbitration as alternative strategies of dispute settlement.
3. Clinical legal education³⁹ should be introduced to make education socially relevant, intellectually challenging and professionally competent. Clinical work enables the law student to learn by doing himself the practice of law including the techniques of interviewing, collection of facts, critical decision-making, preparation of legal documents, appreciation of evidence, examination and cross-examination of witnesses in real life situation *etc.* Consequently, it helps students to develop the perceptions, attitudes and skills as perceptual, instrumental and operational aspects of the

³⁸ 184th Law Commission Report, 2002 available at lawcommissionofindia.nic.in/reports/184threport-PartI.pdf, last seen on 14/04/2018

³⁹ Report of Bar Council India Trust, 1974



- lawyering process and the legal system are all present in clinical work.⁴⁰
4. Law teaching must be interwoven with related contemporary issues including international and comparative law perspectives. The curriculum and syllabi must be based in a multidisciplinary body of social science and scientific knowledge. Further, the end semester examination should be problem-oriented, combining theoretical and problem-oriented approaches rather than merely test memory.⁴¹
 5. Mere improving the quality of course contents will not improve the quality of legal education unless delivery system is also improved. Therefore, a series of conferences and workshops on teaching techniques must be organized as regular feature the efforts should be made by U.G.C. as well as Bar Council of India and State Bar Councils.⁴²
 6. Universities and other Controlling Authorities shall endeavor to promote research and analysis among law students. It is important that, whatever subjects may be offered, the students should acquire the powers of clear thinking, accurate analysis, and cogent expression.⁴³
 7. As there are revolutionary changes in information, communication and transportation technologies, many highly specialized areas of law like intellectual property, corporate law, human rights, alternative dispute resolution, media laws, sports law, international business transactions, are desideratum to introduce in legal schools.
 8. Philosophical studies should be promoted to logically cultivate the principles of jurisprudence and juristic thoughts among students.
 9. A comparative study of different countries on legal education system must be provided in law schools to groom the law students into specialists in varied foreign legal systems and use their services for a variety of purposes.⁴⁴
- In the light of the changed scenario in the last fifty years, the needs of globalization after 1991, and the gaps and deficiencies in the existing system as referred to above which have to be filled up, it is clear that present legal education mechanism is required to be enhanced to meet the new challenges both domestically and internationally. It is, therefore, necessary to constitute and establish a new mechanism with a vision both of social and international goals, to deal with all aspects of legal education. Further, there is a need for original and path-breaking legal research to create new legal knowledge and ideas that will help meet these challenges in a manner responsive to the needs of the country and the ideals and goals of our Constitution. To sum up, our legal education system needs a lot of improvement and reformation over its traditional methods in order to meet the needs and demands of the present day society. It is pre-eminently a time for deep,

⁴⁰ N.R. Madhava Menon, *Clinical Legal Education*, 4 (3rd ed., 2006)

⁴¹ Recommendation by National Knowledge Commission, 2008 available at <https://nationalknowledgecommission.wordpress.com/2008/11/>, last seen on 14/04/2018

⁴² Sec-7(1), (h) and Sec.-6(1)(e), The Advocates Act, 1961

⁴³ Report of University Education Commission (1949), Vol-I, Ch. VII

⁴⁴ S. Gupta, *History of Legal Education*, 34 (1st ed., 2006)



national introspection where we must be self-critical enough to meet the truth face to face and let not the soul of law get sacrificed which is continuously striving to achieve a better status and be held in high regard with due respect and civility among its aspirants and the players of the entire legal field.

