

## Importance of Legal Education

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**Abstract-** Legal education plays an important role in promoting social justice. Law professionals are characterized as 'Social engineers'. Law as a profession and legal education as a discipline was not a popular choice of the students in India prior to the introduction of five year law course. India being a common law country has an advantage of having a legal system which is similar to many other countries of the world Due to expanding role of law professionals legal Education curriculum should be enriched with all interdisciplinary courses which are must to produce the competent law professionals. This articles aims at the need and importance of Legal Education in Indian Context.

Keywords: Law,Education,Justice,Society.Constitution.

### Introduction

*“Education- is that the manifestation of perfection already in man”- Swami Vivekanda.*

Legal education is the education gained by individuals to become legal professionals or practitioners. Unlike other types of professional education like medicine and engineering, legal education is both professional and liberal. Legal studies are multi-disciplinary in character and aim at promoting 'Justice' instead of just resolve disputes and improve relationship. “Legal Education is actually a multi-disciplined, multi-purpose education which may develop the human resources and idealism needed to strengthen the system ...A lawyer, a product of such education would be able to contribute to national development and social change in an exceedingly way more constructive manner.”

Salmond defines law as “a body of principles recognized and applied by the state within the administration of justice”. Basically, law is that the body of rules or principles, which regulate the external conduct of human behaviour within the society. The object of law is twofold, viz., primarily, it seeks to shield and guarantee the interests and promote the welfare of the people and

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secondly, it seeks to administer justice in line with the rule of law or procedure established by law. The celebrated legal statement - “People's good is that the highest law” of the Roman lawyer Cicero best reflects the primary objective.

Law, as a profession brings profound money, power and intelligence with it; things that eventually make individuals successful in their careers. Law and legal education has a crucial role to play in protecting the rule of law and democracy as an entire. Lawyers are the backbones of the society and that they are social engineers. Law as a career option compares well with other lucrative career options like Management, Medicine and Engineering and even excels them; depending upon individual's capabilities. India being a common law country has a bonus of getting a system which is comparable to several other countries of the globe. As a consequence, firms from other countries visit the highest law schools to handpick talent.

### **Importance and regulation of Legal Education**

Legal study promotes accuracy of the expression, facility in arguments and skill in interpreting the written words, similarly as some understanding of social values. It is the cementing material of society and an important medium of social change. A well administered and socially relevant legal education could be a *sine qua non* for a correct dispensation of justice. Giving legal education a person's face would create cultured law abiding citizens who are able to function professionals and not merely as business men. The quality and standard of legal education acquired at the grad school is reflected through the quality of Bar and Bench and consequently affects the system. The first focus of law schools is to spot the varied skills that outline a lawyer so train and equip its students with requirements of the fast growing field of law. It's pivotal duty of everyone to understand the law. Ignorance of law isn't innocence but a sin which cannot be excused. Thus, legal education is imperative not only to supply good lawyers but also to make cultured law abiding citizens, who are inculcated with concepts of human values, legal ethics and human rights. The Constitution of India basically laid down the duty of imparting education on the states by putting the matter regarding education in List II of the Seventh Schedule. But it now forms a part of List III, giving concurrent legislative powers to the Union and therefore the States. However, the Union is empowered to co-ordinate and determines standards in institutions for teaching or research and scientific and technical institutions besides having exclusive power, inter alia, regarding educational institutions of national importance, professional, vocational or

technical training and promotion of special studies or research. Empowered by the Constitution to legislate in respect of profession, Parliament enacted the Advocates Act, 1961, which brought uniformity within the system of legal practitioners within the variety of Advocates and provided for fixing of the Bar Council of India and State Bar Councils within the States. Under clause (h) of sub-sec (1) of Sec.7 of the Advocates Act, 1961 the Bar Council of India has power to mend a minimum academic standard as a pre-condition for commencement of a studies in law . Under clause (i) of sub-sec (1) of Sec. 7, the Bar Council of India is additionally empowered "to recognize Universities whose degree in law shall be taken as a qualification for enrolment as an advocate and for that purpose to go to and inspect Universities". The Act thus confers on the Bar Council power to prescribe standards of legal education and recognition of law degrees for enrolment of persons as Advocates. However, for promoting legal education and for laying down standards of legal education, the colleges and State Bar Councils must be effectively consulted. The University Grants Commission has within the course of time evinced interest in improving legal education and has taken various steps towards that end, through adequate funding, creation of senior posts and other means.

### **Position of Legal Education in India**

Historically legal education was imparted in India in law departments of universities where courses were taught as three-year programmes after under-graduation leading to the award of an LL.B. degree. Legal education and its importance to ascertain a rule of law society didn't receive any serious priority or attention in these universities, although because of the sheer motivation of scholars themselves the departments were successful in producing many of the brightest lawyers and a few of the most effective academics within the country. Over the years, there has been a substantial degeneration of educational standards within these law departments with little scope for innovation within 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. The departments also suffered from lack of independence and institutional autonomy as they were within the university system whose priorities failed to always match. As a result, the power to draw in serious students with an avid commitment to check law altogether its ramifications dramatically reduced culminating in institutionalized mediocrity in law faculties across the country. Establishment of the national law schools starting

with the National school of law of India University (NLSIU) in Bangalore successfully challenged this institutionalized mediocrity and succeeded in attracting serious students to the study of law. In fact, the study of law has received better attention among high school leavers within the country with the introduction of five-year integrated programmes. This has mentioned new issues referring to pedagogy and approach to undergraduate studies for imparting legal education for prime school leavers. National law schools have contributed in their own ways toward promoting excellence in legal education and research, particularly by attracting a number of the brightest students to contemplate law as a preferred career option. However legal education is facing challenges like:

1) **Physical infrastructure and financial resources:** Law schools in India need to recognize that there's a requirement for creating sound physical infrastructure. There should be more funds for this and for developing research projects and other initiatives to encourage faculty members. Generally, the infrastructure of the national law schools is best than what exists within the law departments of traditional universities, but improvement in infrastructure should be across the board, especially in universities that also produce most of the law graduates. University campuses should be places which will inspire students and college to reflect upon the varied problems that confront society. Freedom to think and contribute cannot be ensured if universities lack the required physical infrastructure and financial resources.

2) **Need for developing philanthropic initiatives:** Legal education in India always remains a state-sponsored endeavor or an unimpressive commercial enterprise barren of high academic standards. Philanthropy in legal education is rare. There's an urgent need for encouraging philanthropic initiatives that promote excellence in legal education and research within the country. The National Knowledge Commission (NKC), constituted by the Union Government in 2005, recently submitted its first annual report. Legal education was one amongst the main focus areas; among the various issues considered as a part of the NKC's consultations with law academics and practitioners were "methods of attracting and retaining talented faculty" and "developing a heavy research tradition that's globally competitive." The NKC report noted the subsequent with relation to philanthropic contributions: "It is obvious that we've got not exploited this potential. In fact, the proportion of such contributions in total expenditure on teaching has declined from quite 12 per cent within the 1950s to but 3 per cent within the

1990s.” Philanthropy in legal education is crucial for its growth and development. All stakeholders, including the law schools, the Bar, the bench, the law firms, and corporations should make every effort to push philanthropic initiatives in legal education and research.

**3. Hiring good teachers and researchers:** The present system doesn't sufficiently recognize the key problem with respect to legal education—lack of college members who are good teachers further as sound researchers. To identify talent among young lawyers in order that they will be encouraged to contemplate academia as a career option. There's little question that poor financial incentives discourage many young and brilliant lawyers from considering a career in academia. It's important to deal with this issue urgently. But there might be other areas where improvements and changes are feasible like development of career opportunities within the law schools; development of research infrastructure, including the resources to arrange and participate in national and international conferences and to undertake serious research; creation of a harmonious environment that fosters mutual respect; governance of the law schools during a transparent fashion; and, above all, faith that the leadership of the institution won't only promote excellence as a general policy, but also will make affirmative efforts to encourage and support excellence. Globalization and also the changing dimensions of the Indian economy and polity have thrown up new challenges of governance. Rule of law altogether its dimensions remains the only most vital challenge the country is facing. The criminal and civil justice systems are under severe stress. The role of law schools in imparting legal education and developing lawyers who are rational thinkers and social engineers is central to the long run of legal education and therefore the development of a knowledge economy in India. This could be done on condition that the law schools are ready to attract a number of the most effective and also the brightest lawyers to create a lifelong commitment to teaching, learning, and research in order that they're ready to inspire generations of scholars to figure towards establishing a rule of law society in India.

### **Role of Lawyer in Changing World**

The conventional role of a lawyer is to step in after the event to resolve disputes and dispense justice to the aggrieved party. Within the changed scenario, the extra roles envisaged are that of policy planner, business advisor, negotiator among interest groups, expert in articulation and communication of ideas, mediator, lobbyist, law reformer, etc. These roles demand specialized

knowledge and skills not ordinarily available within the existing profession. The five-year integrated programme of legal education could be a modest response to those challenges as perceived within the 1980s well before the tip of conflict and advent of market-oriented globalization. The lawyer of tomorrow must be comfortable to interact with other professions on an equal footing and be ready to consume scientific and technical knowledge. In other words, together with science subjects, the law curriculum for the longer term must provide integrated knowledge of an entire range of physical and scientific discipline subjects on which legal policies are now being formulated. These areas include biodiversity, bio-technology, information technology, environmental sciences, air and space technologies, ocean and marine sciences, forensic sciences, public health, petroleum and minerals related subjects, etc. Lawyers are naturally called upon to specialize in assorted branches of legal practice, because it is impossible to be a practitioner on all emerging areas of legal practice. The image of a lawyer in society still because the self-image of the profession isn't what it must be given the various roles. A change is required and it's important that the profession exists for the people and not the opposite way round. The way the profession is organized today also requires change to let a more rational distribution of labor and to market standards of efficiency and accountability. The way a lawyer thinks acts and conducts him must change if legal services must be a strong tool for justice in an unequal society. It's here legal education has got to take its lesson on value addition. Justice must become central to the law curriculum and community-based learning must give the specified ethic within the making of a lawyer. The professional education will need to be imbued with a spirit of work and there's no better way of inculcating it except to reveal them while studying law to real world experiences crying out for justice. The politics of legal education and therefore the economics of legal practice should be subjected to academic scrutiny if the profession must be saved.

### **Conclusion:**

Legal education is considered the backbone of society, because it facilitates society to function peacefully without much conflict. It's essential for all the citizens to receive general legal education, because it would impart them the relevance and significance of basic democratic values. Legal education aims to cherish the aspiration and hopes of the masses by securing them fundamental human rights. It is viewed as an investment, if sensibly made will generate valuable

results for the event of the state. Legal education has the potential to make an organized and civilized globe. Brooding about the changing era of globalization and also the changing needs of the society, legal education is that the heart and also the soul of various people. The legal education granted at the law schools should be streamlined from the standard to the contemporary needs of the legal community. Law schools must improve support for research and make an environment that inspires students and college. Bright young lawyers should be encouraged to require up teaching.