

THE CHANGING DIMENSION OF LEGAL EDUCATION

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Abstract

In today's changing era the legal education has become one of the fastest educational sector not particularly in India but in other parts of the world as well. With new challenges and changing interests number of students are pursuing law as their career path and therefore educational dimensions in legal education has been steadily on the rise and this is evident from the fact that the year 2019 saw the highest number of students that have appeared in law entrance examination. For example, in India more than 47,000 students appeared for "Common Law Admission Test (CLAT)" and more than 40,000 students appeared for LSAT UK examination. Thus, this surge in interest of the students in the changing dimensions of our world will offer a wide range and also variety of opportunities in the legal arena. I have tried to address some global issues that can be overcome by facing certain challenges, with the help of creating such kind of environment that promotes effective teaching, efficient learning, and researching methods.

I REFORMS IN LEGAL EDUCATION

In the ancient era, not much importance was given to the legal education system. But as the society grew complex and with the changing mind-set of people leads to complexity in crimes also. This is one of the major causes by which numbers of reforms in legal education were brought up. In India for instance, early reforms were made by enacting **Indian Advocates Act, 1961**. This act was basically enacted to integrate legal education under uniform standard and to be monitored by State and Central Bar Councils. Although this does not help in maintaining standards and other reforms were introduced. The most successful one was the introduction of "model law school with university status" and this led to the establishment of **National Law School of India** in Bangalore in 1986 to pioneer reforms for improving the quality of legal education. With such an influential success, several other national law universities were established to serve the purpose and later on a central examination system was set-up to get admissions in these universities i.e., CLAT.

As the world changes from 20th century to 21st century, dimensions of legal education system expanded and the interest & enthusiasm level in the students to pursue law was on its peak. Changing dimensions and growing interest resulted in better infrastructure, participation level and investment in legal education increased mostly by great private entrepreneurs. Most surprisingly, private participation played the most significant role in pioneering the changing needs and objectives of reforms made in legal education system.

Private universities like **Symbiosis University in Pune, Jindal University in Sonipat, University of Melbourne** etc. are only few universities which are among the key participants that are striving to improve the quality of legal education and engaged themselves completely to achieve their objectives and goals.

The changes brought by these universities are providing a tough competition to other universities doing same job but on a greater scale everyone is providing a good organization, management and are delivering same up to the mark.

II AIM OF LEGAL EDUCATION

The prime object of legal education is to produce professional lawyers. The term "Professional lawyer" does not only cover the 'litigating, lawyer, viz., "the lawyer who argues before the ordinary courts but all persons trained in law, whose employment is mainly dependent on their degrees in law. A lawyer is not merely a craftsman or even an artist. He has a special role in our society. He is the principal laboratory in the mixing of the governmental prescriptions. He is an important hand at the wheel of our economy because as a lawyer he has a profound important voice in business transactions.¹

The famous statement by the Committee of Legal Education of the Harvard Law School² lays emphasis on the double purposes of a law school, (i) to train men for the legal profession and (ii) to provide a center where scholars might contribute to an understanding of law and government and participate creatively in their growth and improvement. Mr. Dean Wright of the University of Toronto has suggested three objectives of a law school: (a) education in the qualities that

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¹ Ibid

² See Preliminary Statement of the Committee on Legal Education of the Harvard Law School, 4 and 6 (1947) and also see in Justice J.M. Shelat, In Defining the Proposes of Legal Education.

should be found in a legal practitioners; (b) education which would train a man not merely in the work of solving problems of individual clients but of the society in which he lives; and (c) to act as a center of research and criticism and contribution to the better understanding of the laws by which societies are held together.

Lord Denning in his address to the Society of Public Teachers of Law, expressed his view by emphasizing three purposes of legal education, firstly, to show how legal rules have developed, the reasons underlying them and the nexus between legal and social history; secondly, to extract the principles underlying the existing legal rules; and thirdly, to point the right road for future development.³

The prime aim of legal education at present day should be to transmit to the rising generation 'the accumulated knowledge' about the management of the legal process. What is necessary is that the student should be enabled to gain a comprehensive picture of his legal system. He should have a deeper and detailed knowledge of some parts of the law, which may be prescribed or selected by the student. He should gain the capability to know by himself any part of the law and know it at gain. This basic aim should be more to inculcate the knowledge of the principles rather than detailed rules.⁴

Thus, a legal education serves a number of objectives and has a number of aims to be achieved in lieu of the changing society. For the same reason, it is important for all the law professionals, students, research scholars, legal faculty of different universities that we all are one unit and has to shape our future as well as the future of next generation.

These aims help us remember that we are the one who will be helping achieving the biggest goal among all the small ones to make this world a better place for upcoming legal pursuers and for the existing ones also.

III THE CHANGING FACE OF LEGAL EDUCATION: IMPACT ON LAWYERS

The traditional working definition of a lawyer has been someone licensed to engage in the "practice of law". But that definition is circular; it presupposes that we know what it means to

³ See *supra* note (2) and also see in L.C.B. Gower, "English Legal Training-A Critical Survey," 13 *Modern Law Review*. (1959), p. 167

⁴ See Mayres S.Mc. Dougal, Presidential Address, AALS, Proceedings 166 (part I), pp.33, 36.

practice law. The practice of law, in turn, has been said to consist of applying the whole body of law to a specific clients question or problem.⁵ This definition might seem broad enough to let the idea of being a lawyer remain constant. But changes from globalization, to the way clients get information to the skills needed to perform many legal tasks foreshadow significant changes in what lawyers will actually do over the next twenty years and beyond.

Secondly as economy growth improves, the legal market is unlikely ever again to absorb traditional lawyers at its previous rate. The use of new technology means that legal services once thought of as unique to each client are likely to become like commodities produced by persons that each plays only a modest part.⁶ In addition to the growth in the number of legally trained people around the world and the widespread availability of legal information, the rising power of in-house counsel promises to transform the way legal services is delivered. Today, the people many lawyers have to please are other lawyers. This time lawyers acting as general counsel to corporations, government agencies, and other organizations.⁷

What Does It Mean to Be a Lawyer in the New Reality of Delivering Legal Services?

For the foreseeable future, law school accreditation likely will have to continue to look at how lawyers are being trained. But at inputs more than outputs. But if only because the inputs can be more reliably observed. But inputs are only relevant in terms of what clients will expect lawyers to be able to understand and to do. Does everyone involved in delivering legal services need to be trained in a three-year program, for example? Might the title a “lawyer” be reserved for people with broad understanding that lets them to oversee the work of less-trained staff? Existing lawyers, clients, students, and the ABA will have opinions on such questions, and the process of reviewing accreditation standards is one in which those issues can be raised but only if the ABA

⁵ This definition was used in ABA Code of Professional Responsibility, Ethical Consideration 3B5 (1970). A law professor does not practice law when teaching, for example, because he or she teaches the law as it relates to hypothetical, not real, clients. Similarly, one who writes a book about law is not thereby engaged in law practice.

⁶ E.g., THOMAS D. MORGAN, *THE VANISHING AMERICAN LAWYER* (2010); RICHARD SUSSKIND, *THE END OF LAWYERS?: RETHINKING THE NATURE OF LEGAL SERVICES* (2008); William D. Henderson & Rachel Zahorsky, Law Job Stagnation May Have Started Before the Recession & It May Be a Sign of Lasting Change, ABA J., July 1, 2011.

⁷ The Changing Role of Corporate Counsel, 46 EMORY L.J. 1201 (1997); See also, Carl D. Liggio, Sr., A Look at the Role of Corporate Counsel: Back to the Future? Or Is It the Past?, 44 ARIZ. L. REV. 621, 621-24 (2002)

Section on Legal Education and Admission to the Bar takes seriously the implications of what it calls an accredited law school.⁸

With all such collected information it can be asserted that this changing dimensions have both good and bad effect on the persons already in the noble profession or are planning to be. One has to face reality with more confidence and allowing us to accept all the challenges and help one another while facing the problems in order to sustain ourselves in the changing dimensions of legal education.

IV PROBLEMS IN THE PRESENT LEGAL EDUCATION SYSTEM

Today, most of the developing countries face several hurdles and obstacles in developing their education system due to which the development of legal education also suffers which is an effective & efficient instrument of social control. Most of the countries think that understanding does not imply acceptance. Rather, acceptance is the only key to make new changes. In addition, in so many developing societies services of legal profession both economic and social are poor. Like in rural areas in India and in countryside of many different countries income level are comparatively low and thus, economic life is not that good and thus people living in these areas lacks legal knowledge. Also, if we see legal professionals of many of the developing countries lacks creative role which is widely accepted on most of the developed countries. Another difficulty or problems that legal education system faces is that requirement of adequate cost and money supply to these educational institutions. For instance, countries like India, Pakistan, Bangladesh, and Brazil etc. have to deal with the problem of acute poverty and unemployment, caste system, reservation and many more. Thus, to improve such conditions a solid foundation has to be made first.

V SUGGESTED REFORMS TO CURB THE PROBLEMS

As for the number of problems discussed above in this article, although the present laws are somewhat meeting the changing needs of the society. These changing processes have been well

⁸ <https://scholarship.law.gwu.edu/>

documented and discussed extensively. Therefore, I have some suggestions that can be used to reduce the problems faced by the legal education system.

- **PROGRAMS AND EXPERIENCE ON INTERNATIONAL LEVEL**

Law schools and universities should consider other innovative methods while offering the degree programmes. Students should be given exposure at international level and global programmes such as international conferences and summits should be organised so that students gain the worldly knowledge.

- **BETTER CURRICULUM AND EFFECTIVE TEACHING METHODS**

For effective legal education system law schools must not afford traditional teaching methods. Rather, international and comparative law methods should be used so that one can gain information of other countries and try to use those in their own. Also, one must try to strike a proper balance to ensure that students are taught a fair mix of courses that give them knowledge and training in Indian law, but at the same time prepare them for facing the challenges of globalization, whereby domestic legal mechanisms interact with both international and foreign legal systems.⁹

- **GLOBAL INTERACTION AND COLLABORATIONS**

The law schools of the future ought to provide academic space for engaging in teaching and cutting edge research on issues of global significance. The institutions ought to constantly reinvent themselves for facing the challenges of globalization through exchange and collaboration programmes.¹⁰

- **LEGAL RESEARCH**

Globalization of legal research has become a universal trend. Legal scholars working in a particular country or researching on the law and legal systems of that country do not limit their research to that country or its neighbours. With the development of web-based research and other online research tools and databases, there has been a remarkable transformation in the development of comparative and international law research. It is important for law schools to have or provide access to legal material from jurisdictions all over the world. These needs are to be constantly updated to keep up with the changing dimensions of law in all societies.

- **EMPHASIS ON PROFESSIONAL ETHICS AND RESPONSIBILITY**

⁹ Prof. C. Raj Kumar, "Global legal education: opportunities and challenges" in Halsbury Law, April 2009

¹⁰ <http://www.jgls.org/global-legal-education.pdf>: visited on 20.4.2010

Though somewhat misguided, public demand for law schools to place more emphasis on formal instruction in legal ethics is increasing. Globalization of law and legal practice has added a new set of issues to the traditional inquiries about how a professionally responsible lawyer should meet duties to clients, courts and the public.

VI CONCLUSION

The law is the one and only strength of all the societies of the world and is the essential and effective medium of revolution of the world. It is one and only single profession that deals with the whole society and its problems as whole. If we compare ancient legal education with present day system it has drastically changed from past 15 years but it still requires reforms for effective and fast delivery of justice.

There are still number of global issues relating to legal education system which requires repairing and according to me more importance should be given on research, publication activities, global interaction, practical knowledge based curriculum and also some basic legal knowledge should be provided from the school period irrespective of the streams choose by students. These certain changes will help in overall growth and development of legal education around the world.