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CONTEMPORARY ISSUES IN LEGAL FIELD AND LEGAL EDUCATION

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ABSTRACT

There is a huge difference between these two terms in the term of their implementation as well. Legal is not just the study of law, it is an understanding of the law and how it should be implemented in this progressive society in the effective manner. The issue in this legal field is that there are many law colleges for providing legal education but the question is how many are succeeding in this race. We have education but is this quality of education or just an education nothing else? This article makes some observations related to the issue of legal education in India.

KEYWORD – Legal issues, legal education, issues related to the legal field and legal education, issues in Indian legal studies.

LEGAL FIELD

As crime is increasing day by day so the issues related to security and safety should be increased but here the issue related to the legal field is not all about crime. Legal field or we can say a student after completing his or her law degree becomes an advocate or judge and they got respect because they are the one of them who can make changes in society, hence the legal profession is considered a Nodal profession in India and we can say in World as well. But now this profession is overcrowded in India and the problem is not related to the overcrowdedness the problem is related to the value addition in society.¹

LEGAL EDUCATION

Education is the base of any country and in terms of the legal system or legal education, this is more important to look at it carefully because legal education can or break society. The purpose of higher education is in many

folds like providing a better understanding, making a responsible person etc. It is related to the growth and development of the particular person whether it relates to the study of law or any other study.

Purpose of legal education:

Legal education is a specific stream of education which includes the study of different laws and not only the study includes understanding the law, providing legal assistance, analyzing it to criticizing the laws. It also gives the power to individual freedom, focuses on development of the society and mainly strengthens the rule of law which every country should follow.

Indian Legal Education System:

In terms of India, we can see that traditionally there are 3-year law courses but after some time 5-year law courses also started and now they also gain popularity. Indian law colleges should be recognized by the Bar Council of India (BCI) because they recognize the degree of law.

¹ Academia.edu,
https://www.academia.edu/53017715/Legal_Education_in_India_Problems_and_Challenges



According to Justice. Krishna Iyer, 'Profession of law is a noble calling and the members of the Legal profession occupy a very high status.' Law is the foundation of every society and it develops abiding citizens, lawyers, academicians and aspiring judges. Legal education in India refers to the education of lawyers before their entry into practice.²

RELATIONSHIP BETWEEN THE LEGAL FIELD AND LEGAL EDUCATION

Law schools do not expect the student who is of a dream to become a successful advocate, schools don't expect that they know all the laws prior to taking admission to law school or in the stage or pre-education of law but they do accept that the student who is coming for admission has a good idea about law and understand the what is the law and why we have to study about it.

One of the recent decisions of the Supreme Court of India said that, if we will reconsider the structure of LL.B courses so they will become outdated.³

The legal profession is a profession where a legal practitioner understands the study of law and its understanding.

CONTEMPORARY ISSUES IN THE LEGAL FIELD AND LEGAL EDUCATION

When we talk about the legal profession, we can see that we have many law schools so we don't have less number of colleges or schools, which means we have ample opportunity to choose this field, hence we can see that every year across the country approx. 12 lakhs.⁴ That much huge number we have but the quality is now in the stage of compromising with this profession.

² Jayaram Swathy, Legal education in India, Legal service India E-Journal, <https://www.legalserviceindia.com/legal/article-76-legal-education-in-india.html>

³ Live law, <https://www.livelaw.in/news-updates/law-courses-combination-courses-legal-field-delhi-high-court-bar-council-of-india-218702>

⁴ Bar Council of India, <http://www.barcouncilofindia.org/about/about-the-bar-council-of-india/vision-statement-2011-13/#:~:text=The%20Indian%20legal%20profession%20today,the%20legal%20profession%20in%20India.>

CONSTITUTION:

Our Indian constitution talks about education as our Fundamental right which is given by the constitution maker and under the seventh schedule, list 2. It is added by the 86th constitutional amendment in 2002, education is the fundamental right for 6 to 14-year-old children if we talk about a specific article for that then the 86th Constitution 21A was added and it changed the Directive principle of state policy under article 45 and changed Fundamental duties under article 51 k.

OUTDATED SYLLABUS:

In the legal field, it is a mandate for everyone that they have to be up to date every time but the curriculum of Indian universities is totally outdated. And hence it is creating a problem for a young advocate to stay in this field.

NO PRACTICAL APPROACH FOR LAW:

In the traditional approach it is good to have theoretical knowledge about the subject but as well as student should have the practical exposure as well of their better understanding. And on the point of better understanding colleges allow them to join any internship for once their whole law college duration. How to can expect to form any student that they have to learn a lot but not practical implementation, only one or two internships is enough. And due to this approach, students have to face many problems.

LACK OF SKILLED TEACHERS:

Every private university, while recruiting teachers/professors they never put a bar on their practical knowledge about that subject only theoretical knowledge is enough for them but the issue here is students can take the theoretical knowledge from books as well, students need to take the exposure of practical implementation, which they are not getting. If their teachers are unaware of the real fact of the law then how students will get the same?



LAW SCHOOLS AND ADVOCATE

There are many law schools and colleges, some of them are recognized and some of not, so the issue is when there are many law schools but with no recognition from the bar council of India, their students will not be considered advocates as valid advocates.

Recently, SC in their decision said about the advocates, that we have a huge number of advocates and mostly are from unrecognized colleges or we can say not have a valid degree to become advocates and ordered verification of their licensing on the basis of their college 40% of them are not validated as a valid law graduate. Hence it is totally proved that the number of advocates is more than valid advocates who hold valid law degrees.⁵

While deciding this matter SC, in the case of *Bar Council Of India V. Bonnie Foi Law College*⁶, some advocates not having a law degree and are still enrolled under the state bare council as an advocate. And Bar Council of India have the power to make rules related to that.

CHALLENGES BEFORE LEGAL EDUCATION IN INDIA

As in the above points we have got a basic understanding of the legal system of India now here, we will consider the challenges to improve it. The emergence of a new world by the new economy, globalization, privatization, new inventions and innovations and further discoveries, in every field we can see the changes and with these new challenges also emerging with that. And with all these changes in the legal area also coming.

Revolutionary changes coming the in the field of changing information and communication technology, these are growing fast and hence development should be done in accordance with this. With all this development crime also increasing day by day and time by time so the expectation of the people of any country is also increasing.

Legal education in India faces several challenges and it is affecting the legal education and further competency of legal professionals. Recognizing and addressing these challenges is crucial to producing well-rounded and ethically responsible lawyers and advocates.

After corona vires, we can see the major development in online services like our online payment scheme and everything is now transferring online this education also shifted from the traditional way to the modern way like the online education system came and now everyone is able to get the online educations and teachers are also able to teach the students online. It saves the time and money of the students and of teachers as well. But here the issue is when we talk about online things it makes students lazy for everything and this is another big problem.

SUGGESTIONS

So in my suggestions, these issues can be tackled by some changes in this legal field and legal education. And few suggestions are as follows:

UPGRADE THE CURRICULUM: As above it is mentioned that the legal education system means the curriculum of our colleges are now up to date and due to the changes that emerge in this society, the changes should also be done by the college teachers and the authority who is responsible for doing that. Now the legal profession requires some skills and training and some disciplinary subjects. Legal research is also included in it which is mostly small colleges or immaterial about the college status, they don't have this thing in their syllabus curriculum.

ENHANCING PRACTICAL TRAINING: this is one of the issues which is pointed out in the above discussion which should be taken into consideration by every college and university of law because practical knowledge is again lacking behind everything which is again the most important thing for solving the issue in the legal field and legal education.

⁵ Prachi Bhardwaj, SCC ONLINE

⁶ 2003, SC 130.

FACULTY DEVELOPMENT PROGRAM: one this I would like to suggest to the colleges is that if the faculty is well educated with their theoretical knowledge as well as their practical knowledge that would be the best thing for students as well as the faculty members.

LAW STUDENT TRAINING: Law students should be trained before entering the actual field and that is possible by their college. They should take care of their skills like their research skill, their legal knowledge, and society's perspective for better understanding.

Students should join all the main societies of the college like their Moot Court society, debate and discussion society, legal aid society etc so that they also develop the major skill to become a good advocates. And the most important thing is that the college society should be in the working mode and active and organize the event.

COLLABORATION WITH LEGAL PROFESSIONALS: Law schools should foster collaboration and partnerships with professionals, law firms and the judiciary. Should organize guest lectures, seminars, and mentorship programs involving legal practitioners that can provide valuable insights into the practical aspects of the legal profession and facilities network opportunities for students.

INDUSTRIAL COLLABORATIONS AND INTERNSHIP OPPORTUNITIES: now at last college placement is one of the student's targets to sit and grab opportunities and settle their self so colleges should conduct internship programs and placement opportunities for the students.

CONCLUSION

All the above contemporary issues which are mentioned above can be solved by implementing the suggestions. it is very much needed to solve all these issues because the legal field is created by legal education and hence it is important to improve it. We have a lot of pending cases and for solving them we need to do appointments because the

pendency is created by the judiciary because they don't have sufficient judges. A huge number of seats are vacant in the judiciary which should be fulfilled by them.

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