
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

**DEMANDING A BETTER LEGAL EDUCATION IN THE 21st:
CHALLENGES FACED BY RECENT TREND IN LEGAL EDUCATION
CURRICULUM**

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“The study of Laws, on condition they are good laws, is unrivaled in its ability to improve students.”

- Plato

ABSTRACT

Education is a part or component of human evolution. While considering legal education, it is essential to remember that the present era does not confine itself to the method of theoretical phase or knowledge. Still, it includes more than that and makes practical applications much more in use, and helps while in courtrooms or their related areas. Also, the curriculum nowadays imparted in law schools must be more prone to practical applicability, and the curriculum must be well-structured to meet the challenges of the current trends and changes around the global era. My research findings show that while making a broad inquiry at the courtrooms, tribunals, or courts of judicature, and in my own experience, it is well said that many law students face problems while making presentations before the bench and this increases their fear of getting withdrawn from appearing in the courtrooms. And also, students need to be dealt with the code of conduct to be dealt with for maintaining discipline and courtesy in the courthouse. It proves to be a significant factor as the students are at the level of graduating and knowing only law; it also explores the degree of their advocacy level in their latter stage of life. My research reflects the current trends in law schools and how they could be made over to make it a more practical analysis in the phase as is required to be made wisely.

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INTRODUCTION

Legal education in India was formalized by establishing the first Board of Studies in Law at Elphinstone College. Legal education at that time was heavily influenced by English Common Law traditions, which were generally inappropriate in the Indian context. As a result, legal education became self-directed learning.² People practicing law mostly played a technical role. Since then, the edge of legal education is constantly evolving. In 1967, BCI implemented a 3-year LL.B course to add vocational training. BCI has launched a 5-year integrated course to improve the legal education standard in India. The National Faculty of Law of the University of India was established in a move away from the traditional mainstream education model and in line with its goal of developing professional skills. However, BCI has repeatedly pointed out that the curriculum of NLU is better suited to the private enterprise sector, which is opposed to its goal of producing educated professionals for the bar and judges.³ The focus of legal education must change from technical education to imparting professional skills. A law student must be able to stay away from the problem and solve it objectively. He must have the knowledge and the ability to understand and communicate. Only then can he deal with social issues?⁴

MAIN OBJECTIVES OF LEGAL EDUCATION

Education, be it in any field, deals with increasing the learner's development of human ability and personality. Likewise, legal education has also gained significance in this era too. Therefore, the study concept must be on the track of giving more importance to the learners to grasp them in a much-enhanced way. The main objective of legal education is to understand the functioning of law in society and to appraise law students about the law's role in the country's social, practical, and economic advancement. Through this process, the students or learners can understand the prospects of their study and connect with society by improving the social and legal aspects and making a direct link with the community, thus helping in the administration of justice.

²ARTHUR TAYLOR VON MEHRAN, LAW AND LEGAL EDUCATION IN INDIA SOME OBSERVATION, 1180 (HARVARD LAW REVIEW, APR 1965)

³ NR MADHAVA MENON, THE TRANSFORMATION OF INDIAN LEGAL EDUCATION, (HARVARD LAW REVIEW, PROGRAM ON LEGAL EDUCATION, 2012).

⁴ AM VARKEY, LEARNING OBJECTIVES OF LEGAL EDUCATION IN INDIA: A CRITIQUE, 444-454, (COCHIN LAW UNIVERSITY LAW REVIEW, 1991).

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Legal Education also enables the learner to understand more about the law and thus help to have a practical aspect in understanding the good and evil consequences that happen in their way of making the excellent decision of understanding the actual utility of legal concepts. Thus, the idea of legal education must be given importance as it proves their ability to withstand in their difficult situations. But this is subject to certain limitations, as there is a lack of updated and inadequate curriculum, which needs to be updated and improvised to meet the challenges of the learners of law prospects.

CHALLENGES FACED BY TREND IN LEGAL EDUCATION

The various universities, under the Advocates Act 1961, have the directions of the Bar Council of India, in collaboration with the Universities of India and the State Bar Councils, among others, to promote legal education to set standards for such education. The Rules of the Bar Council of India prescribe the compulsory and optional subjects to be taught in the course of LL.B. Rule (9) (1) lists six subjects in Part 1 (Mandatory): Part 11 (Mandatory) Rule 9(2) lists 21 subjects. Rule 9(3) lists 15 subjects (optional) out of three, from which three must be chosen.⁵ The Curriculum Development Committee constituted by the UGC in 2000 prepared a new UGC Model Syllabus distributed to various universities to review law courses. Despite the measures and recommendations to provide better professional skills to Indian law graduates, international and ski institutions face a challenge. Some of the challenges faced by the legal education system in India are:

1. Outdated Curriculum

Even after the UGC Committee and the Bar Council of India sought to improve law curricula, the law curricula of various universities continued to be uneven. In addition, the addition of too many subjects to the curriculum needed to be revised in the notion of teaching skills and research orientation. Legal education must become more relevant to the profession and its challenges.⁶ The tax laws, now modernized under the GST system, remain stagnant for some universities and colleges following outdated curricula and syllabi.

⁵The Advocates Act, 1961, S.7 (1) No.2, Acts of Parliament, 1961(India).

⁶E Eugene Clark, *The Legal Education and Professional Training*, 184 Report, Law Commission of India, 53, 2002.

2. Written Exams

Charles Colton's statement shows education's deplorable state: "Examinations today are terrible even to the dumbest, that the most prepared can ask more questions than the wisest can answer. The critical point about the Indian education system is that India has an examination system, not an education system. Grading reform has become essential to all progress. It must go hand in hand with improving student skills based on the exam, evaluating student skills based only on the exam, evaluating student skills, and assessing actual skills. Using the old written test methods does not make them compliant because they push the phase of a more globalized world where almost practical application prevails.

3. Study Workload

The workload of full-time teachers must be at least 40 hours per week for 30 working weeks (180 academic days) per academic year. The teacher must stay at the university/college for at least 5 hours a day, for which the university/college⁷ must provide the necessary space and infrastructure. Using the traditional teaching method presents a significant challenge to teachers who have increasingly bored the class.

4. Limited Practical Training

Clinical legal education aims not to produce future lawyers who are simply masterminds manipulating influencing skills in a traditional courtroom⁸ conflict resolution role. Problems of Clinical Education are: Lack of adequate, stable funding is behind all obstacles to the growth and sustainability of clinical legal education in developing countries, including India; the lack of practical knowledge of legal teachers is another obstacle to the proper implementation of clinical legal education, there is also a feeling among professionals that legal education in India is neither meaningful nor essential, a legal clinic that offers free legal work can damage the relationship between law schools and local attorneys. Using hands-on learning methods allows students to be cautious in courtrooms. It also makes students more careful to get the best out of their courtroom performance.

⁷UGC REGULATIONS, <http://www.ugc.gov.in> (last visited on 15th July, 2023).

⁸ DIGITAL LIBRARY @ CUSAT, <http://dspace.cusat.ac.in/jspui/bitstream> (Last visited on 18th July, 2023)

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PROPOSAL FOR LEGAL EDUCATION

The following are the suggestions regarding the same:

1. Open book system in the written exam

After hearing the evidence and considering the matter, the committee recommends encouraging the open book examination system, although it must only be implemented in some subjects. Although the committee has a good memory, it dares to say that the real test of a lawyer's ability is not so much his ability to determine precedents of memory in some respects as his ability to perceive the right, knowing where it lies. The introduction of the open book system is justified in this area of the lawyer's work. Therefore, an available book system must be launched immediately.

2. Union with Foreign Universities

Knowledge has no boundaries or limits. Justice is a subject that has great potential to be broader and must be fully expanded. Cooperation with such universities gives students access to case reports, journals, articles, etc.

3. Scope for Extracurricular Activities

Extracurricular activities allow students to be more exposed to their talents. Therefore, adding mock competitions, trials, mediation, etc... will help students become more competent to face the bench and better understand the courtesies that must be followed when dealing with the practical aspects of the judicial process.

CONCLUSION

In the age of globalization, the challenge of legal education is to use the latest and most fashionable training methods and techniques. Only then will it be done in an understandable way to the whole community? Therefore, the updated and improvised curriculum must facilitate its use in courtrooms and on the bench.