

**DESIGNING AN UNDERGRADUATE LAW PROGRAMME:
WHERE ARE WE HEADED?**

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ABSTRACT

Legal education plays a crucial role in shaping the legal system and the broader societal framework. However, its purpose and structure remain subjects of debate. While traditionally perceived as a means of professional training, concerns have been raised regarding its status as an academic discipline. This paper examines the evolving role of legal education in India, considering the impact of technological, social, and economic transformations on both the legal profession and legal instruction. It explores the need for a reimagined curriculum that balances doctrinal knowledge with practical skills while addressing the intellectual and moral dimensions of law. Additionally, the paper underscores the necessity for law universities to assert their autonomy in curriculum development and pedagogical approaches, shifting the focus beyond mere employability to a more comprehensive model of legal education. In doing so, it advocates for a hybrid approach where foundational legal training occurs within universities, followed by industry-driven skill development. Finally, the paper highlights the urgent need for

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regulatory reforms that align legal education with contemporary societal needs, ensuring that law schools remain intellectually rigorous and socially relevant.

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I. INTRODUCTION

The legal system is a complex web of numerous intricately related elements, such that a change in any resonates throughout. One such element, Legal Education, acts as a lens to examine the entire legal system with close eye. It helps to see the actual and ideal operation of the system, including the role of lawyers. The legal system is also deeply interwoven with both technological advancements and societal structures. As these elements have evolved, expanding and transforming over time, the legal system has inevitably experienced their reverberations, make it imperative for adapting in response to new challenges and complexities.

It is through legal education that legal culture in the growing society is transferred from one generation to another, providing a glimpse into the future of the society.¹ The content and methodology of instruction to law students in law universities has a profound impact on the role that those students might play in the society. Therefore, the challenge is to have a vision for future legal education and accordingly, design undergraduate law programmes which can prepare students for meeting the requirements of the legal professions and articulating the hidden needs of the pluralistic society. While both the legal education and the legal profession have been considerably reshaped by technological, social and economic forces, in terms of their respective form as well as substance, the regulatory

¹ John Henry Merryman, *Legal Education There and Here: A Comparison*, 27(3) STAN. L. REV. 859, 859 (1975).

requirements for law programmes in India have remained unchanged for more than a decade.

This paper, while limiting its focus to designing the undergraduate law programme, will also offer valuable insights about the evolving trajectory of legal education in India. Towards these objectives, Section II of the paper expounds the diverse debates about the purpose of legal education. Section III includes a concise overview of the history of legal education in India. Section IV covers regulatory compliances and their impetus for legal education. Based on the regulatory push, Section V explains the model of law universities, prevalent in India. Eventually, Section VI examines whether the developments in legal education, the legal profession and regulatory frameworks are congruent with the future requirements.

II. PURPOSE OF LEGAL EDUCATION

Of various approaches, one approach to deciphering the purpose of legal education is based on the historical development of legal education. Legal education has been impacted by the societal and technological forces, and will continue to face the impact of such forces along with other additional emerging forces. Historically, there have been two contrasting views about the purpose of legal education. The first view holds that legal education is an intellectual field of study that provides holistic knowledge about law, legal theory and legal systems. William Twining, in his work,² has

² WILLIAM TWINNING, 'PERICLES AND THE PLUMBER', *LAW IN CONTEXT: ENLARGING A DISCIPLINE* (Oxford University Press, 1997).

illustrated the competing objectives of legal education as a tension between two polar images: the lawyer as “Pericles” or “the Plumber.” “Pericles” represents the enlightened policymaker, lawgiver, and wise judge, while “the Plumber” symbolizes a specialist with technical expertise in law. He rejected rigid dichotomies such as “education” vs. “training,” “academic” vs. “practical,” and “theory” vs. “practice,” arguing for a more integrated approach to legal education. In essence, main concerns were revolving around legal theory and legal methodology as compared with other disciplines in the social sciences.³

The second view asserts that it is essentially practical and vocational training, intended to prepare individuals for legal practice. This thought has evolved from a strict focus on the acquisition of legal knowledge to greater emphasis on learning skills relevant to legal practice.⁴ Though some jurists, including Twining, have rejected or criticized these perspectives as “*crude, over-simplified and unrealistic*”, the sentiment about the contrasting views on the purpose of legal education remains evident.⁵ Based on the above two views, two models of law schools were developed, the “*professional school model*” and the “*academic school model*”, as have been mentioned in previously referenced works.

³ DAVID BARKER, *A HISTORY OF AUSTRALIAN LEGAL EDUCATION* 239 (Federation Press 2017).

⁴ *Id.*

⁵ Daniel Goldsworthy, *The Future of Legal Education in the 21st Century*, 41(1) *Adelaide L. Rev.* 243 (2020).

The law as a discipline has been considered unexciting, uncreative, and comprising a series of intellectual puzzles scattered among the large areas of description whereas lawyers are not really academic but are arcane, distant and alien: an appendage to the academic world.⁶ There are contrary views on why legal education may or may not be considered as an academic discipline with a few in favour of its categorisation as an academic discipline. Law as an academic discipline has been criticised more by its fellow-academics, in comparison to other disciplines.⁷ Such criticism arises from the point that in many common law countries, law is considered as a professional discipline rather than an academic discipline.

Law's place in academic disciplines has been questioned based on the implied methodology of conducting legal studies, its inclination towards legal practice and its long usage of textbooks, case notes and commentaries on statutes.⁸ The justification of place of 'legal research' in the university system has often been challenged, as it deviates from preparation for legal practice.⁹ Doctrinal legal research, the natural backbone of legal scholarship, was challenged by the empirical approach of the social sciences. Thus, the emphasis on interpreting legal rules for practical use by

⁶ Tony Becher, 'Towards a Definition of Disciplinary Cultures', in *STUDIES IN HIGHER EDUCATION* 6, 2, 111 (1981).

⁷ CAREL STOLKER C.J.J.M., *RETHINKING THE LAW SCHOOL, EDUCATION, RESEARCH, OUTREACH AND GOVERNANCE* (Cambridge University Press 2014).

⁸ ANTONIO GARCÍA Y GARCÍA, 1 *A HISTORY OF THE UNIVERSITY IN EUROPE*, (Cambridge University Press 1992).

⁹ JAN M. SMITS, *THE MIND AND METHOD OF THE LEGAL ACADEMIC* (Edward Elgar Publishing 2012).

lawyers and producing law reports, rather than on juristic research has contributed to the discussion that law is not an academic discipline.¹⁰

Alternatively, law is also considered primarily as a social science, an area in the field of studies of men's relations with one another.¹¹ The effect of law on human beings in their lives, securing and protecting not only the freedom of individuals but also protecting the weak against the powerful and settling disputes, are the reasons which contribute to the understanding that law may be regarded as an academic discipline.¹² Law schools are considered as knowledge communities which exist to collect, critique, produce and disseminate knowledge.¹³ Law has become a complex discipline with constant addition of new laws, rules and regulations in view of domestic as well as international developments. This is also increasing society's expectations from the law and lawyers. It may thus be said, that law has always been interdisciplinary and connected to many other disciplines.

The aim of legal education is exactly that of the *Bildungs Ideal*. The university generally has a formative task, primarily related with the intellectual development of students and independent of professional interests.¹⁴ Though all law students might not practice law in future but legal

¹⁰ Richard W. Bourne, 'The Coming Crash in Legal Education: How We Got Here, and Where We Go Now', CREIGHTON L. REV. 45, 4, 46 (2012).

¹¹ DAVID M. WALKER, THE SCOTTISH LEGAL SYSTEM 2 (EBC 2001).

¹² *Id.*

¹³ H.W. Arthurs, 'The Future of Law School: Three Visions and a Prediction', ALBERTA L. REV., 51(4), 705 (2014)

¹⁴ PETER BIRKS, 2 PRESSING PROBLEMS IN THE LAW-WHAT ARE LAW SCHOOLS FOR? (Oxford University Press 1996).

education is such a programme that engages not only the intellect of students during studies but also equips them to contribute to the world.¹⁵

The professional model of law universities focuses on preparing practice (industry) ready lawyers. The curriculum is designed in a manner that the skills required to practice the law are carefully crafted. For instance, the inclusion of courses on clinical legal education, development of mooted skills, conduct of mock trials and mandatory internships are indicative of the practical skills that universities want to impart to students. Students are also introduced to contemporary niche courses in law to make them practice ready in all upcoming areas of law.

Such a focus of law schools coincides with the two out of three positions that HW Arthurs has suggested as the predominant positions of the purpose of law schools.¹⁶ The first position is to prepare either practice ready lawyers for today's legal profession, or, to produce in second position, future ready lawyers with the capacity to adapt to the rapidly and radically changing circumstances of legal practice, or lastly, to prepare their students with a large and liberal understanding of law, for a variety of legal and non-legal careers. The third position envisages the role that law schools should play in the creation and transformation of legal knowledge, legal practice, and the legal system, and provide holistic knowledge to their students. The position taken on the purpose of legal education in any jurisdiction sets the model of law schools.

¹⁵ *Id.*

¹⁶ *Id.*

III. BRIEF HISTORY OF INDIAN LEGAL EDUCATION

India's legal education has evolved from colonial-era based training for practitioners to a more structured and professional system. Post-independence reforms aimed to integrate Indian legal principles and improve teaching quality but faced challenges like rote learning and mediocre standards. By the 1960s, efforts led by the Bar Council of India ("BCI") focused on standardizing curricula and fostering academic debates, but a comprehensive impact on legal education was not visible.¹⁷

The 1970s and 80s introduced a socially relevant approach, addressing inequality culminating in the establishment of the National Law School of India University (*hereinafter* "NLSIU"). This marked a shift to an integrated programme, blending academic rigor with professional training. The need for establishment of more similar institutes of excellence in legal education was felt afterwards, resulting in the establishment of NALSAR Hyderabad, NLIU Bhopal, WBNUJS Kolkata, and NLU Jodhpur ("NLUs"), a decade after the establishment of NLSIU.¹⁸

The advent of NLUs gave impetus to legal research in a remarkable way. The emergence of dedicated centres for research propelled scholarship. The multidisciplinary curriculum structure led to the constructive integration of social sciences, management and other technical

¹⁷ N.N. Mathur, *National law Universities, original intent & Real founders*, LIVE LAW (July, 24, 2017), <https://www.livelaw.in/national-law-universities-original-intent-real-founders?fromIpLogin=78294.44755587658>.

¹⁸ *Id.*

fields. This approach has been seen as instrumental for equipping the emerging lawyers with the requisite skills and passion for navigating through the legal profession with excellence.

At present, India has 25 NLUs and about 1721 law faculty and colleges.¹⁹ NLUs predominantly offer 5-year integrated undergraduate law programmes. In developing such integrated law programmes not only the regulatory compliance requirements were required to be met but also, social, economic and technological considerations were also considered equally important. It is noteworthy that the NLUs are characterised by the coexisting desires to make higher education available to everyone without distinction and to recognise academic merit. These are encapsulated in the two seemingly inconsistent terms ‘democracy’ and ‘meritocracy’. Towards these ends, the NLUs conduct their own entrance test through the CLAT Consortium, wherein the inherent injustice caused by meritocracy is balanced and mitigated through the introduction of state domicile quotas.

However, it is imperative to gauge the real impact of such schools or universities of excellence of legal education and the professionals produced by them. It includes the examination of elements like the structure and curriculum of the programme, the availability of quality faculty, and the resources available with such universities, among others. The analysis of these issues provides mixed indications towards their overall impact.

¹⁹ *List of Participating NLUs*, CLAT CONSORTIUM (2024), https://consortiumofnlus.ac.in/clat-2025/participating_universities.html.

IV. REGULATORY COMPLIANCES - PUSH IN WHICH DIRECTION?

Regulatory compliances have played an important role in giving direction to legal education, and developing and establishing the model of law universities in India. In the present section, a few important regulatory requirements have been discussed.

A. BAR COUNCIL OF INDIA AND ITS REQUIREMENTS

The Bar Council of India (“**BCI**”) is responsible for regulating the standards of legal education, recognising universities offering degrees in law, and inspecting them for their compliance with standards set by it.²⁰ It framed the BCI Rules, 2008 to maintain and raise the standard of legal education in universities and colleges.²¹ It formed the first curriculum development committee in 2010 to formulate the course design of undergraduate law degree. It provides a list of core courses, liberal arts courses and stream courses/ honours courses along with clinical courses to provide uniformity to the curriculum across law schools.²² The focus on clinical courses with mandatory requirements about practical exercises like moot court undoubtedly indicates that the law universities are required to produce professionals ready for litigation in courts.

²⁰ The Advocates Act, 1961, No. 25, Acts of Parliament, 1961 (India).

²¹ Rules of Legal Education, Bar Council of India, 2008 (India).

²² *Curriculum Development Committee*, BCI (2010), [https://www.barcouncilofindia.org/info/curriculum-developmentcommittee#:~:text=The%20first%20Curriculum%20Development%20Committee,for%20both%20Unitary%20\(three%20Years](https://www.barcouncilofindia.org/info/curriculum-developmentcommittee#:~:text=The%20first%20Curriculum%20Development%20Committee,for%20both%20Unitary%20(three%20Years)’.

B. UGC REPORT, 2001

In its 2001 report, the University Grants Commission (“**UGC**”) Curriculum Development Committee (“**CDC**”) stated that, in addition to being a tool for reforming legal education, LL. B. (Honours) courses can be adopted as part of a long-term policy to sustain higher standards in the country’s legal education. The initiative served to mitigate mediocrity and provided a viable alternative with improved student participation, facilities, pedagogy, and learning.

The CDC considered that the UGC would be able to provide more assistance and support to the LL.B. (Honours) courses in accordance with its statutory responsibility to uphold higher education standards.²³ The CDC believed that, unlike other professional courses such as medicine, engineering, and accounting, the LL.B. program was not solely intended to train professional lawyers; rather, professional training was just one of its objectives.²⁴

C. RECOMMENDATIONS OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE ON PERSONNEL, PUBLIC GRIEVANCES, LAW AND JUSTICE

The Standing Committee was of the view that the Advocates Act, 1961 was passed with a narrow view of producing only lawyers for practice in courts.²⁵ It was of the view that legal education should impart skills

²³ UNIVERSITY GRANTS COMMISSION, CURRICULUM DEVELOPMENT COMMITTEE REPORT (2001), <https://www.ugc.gov.in/oldpdf/modelcurriculum/law.pdf>

²⁴ BAR COUNCIL OF INDIA, 1 CURRICULUM DEVELOPMENT COMMITTEE REPORT ¶ 3.6, at 16, 17.

²⁵ DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON PERSONNEL, REPORT NO. 142; PUBLIC GRIEVANCES, LAW AND JUSTICE; STRENGTHENING LEGAL

required for legal practice beyond courtrooms for pursuing diverse legal professions. It recommended limiting the powers of BCI to regulate only the basic eligibility for practicing at the bar. It further recommended that the regulation of legal education beyond this should be entrusted to an independent authority.²⁶

The Standing Committee observed the differences in the curriculum between law colleges and universities which arise out of the adoption of curriculum of affiliating universities by law colleges and universities. Such curriculum deviates from the curriculum prescribed by the BCI. The Committee recommended redefining the role of the BCI to ensure that it sets a uniform curriculum for undergraduate courses in law colleges and universities. It noted that comprehensive curriculum reform was essential to ensure that future lawyers were well equipped to address emerging legal challenges, and therefore, the curriculum be designed to foster ethical, rational, and compassionate professionals while also preparing them for gainful and fulfilling employment. It was further observed that innovative approaches to curriculum development and course structuring were needed to provide a sharper and more specialised focus on training and capacity building for future juridical officers.²⁷

EDUCATION IN VIEW OF EMERGING CHALLENGES BEFORE THE LEGAL PROFESSION,
(Parliament of India 2024).

²⁶ *Id.*

²⁷ *Id.*

D. NEP, 2020 AND ITS REQUIREMENTS

It is noteworthy that although legal education was exempted from its purview, the National Education Policy, 2020 (*hereinafter* “NEP”), recommended that Indian legal education required to be globally competitive, adopting best practices and embracing new technologies for wider access to and timely delivery of justice. It was recommended that the curricula for legal studies must reflect the socio-cultural contexts along with the history of legal thinking, principles of justice, the practice of jurisprudence and other related content appropriately and adequately.²⁸

E. NATIONAL HIGHER EDUCATION QUALIFICATIONS FRAMEWORK REQUIREMENTS

The National Higher Education Qualifications Framework (“NHEQF”) was developed in 2023 on the recommendation of the NEP, 2020 on the premise that the country needed to progress towards developing a nationally accepted, and, internationally comparable framework of qualifications to facilitate transparency and comparability of higher education qualifications at all levels. It provided an integrated national framework for recognizing and accrediting qualifications offered by different types of institutions engaged in higher education, including vocational education and training, and technical/professional education in India.²⁹

²⁸ GOVERNMENT OF INDIA, MINISTRY OF HUMAN RESOURCE AND DEVELOPMENT, NATIONAL EDUCATION POLICY (2020), para 20.4.

²⁹ GOVERNMENT OF NEW DELHI, UNIVERSITY GRANTS COMMISSION, NATIONAL HIGHER EDUCATION QUALIFICATIONS FRAMEWORK (2023), https://www.ugc.gov.in/pdfnews/2990035_Final-NHEQF.pdf.

The NHEQF is based on the premise that higher education qualifications are awarded based on demonstrated achievement of learning outcomes and academic standards. These formal awards, such as certificates, diplomas, and degrees, are granted by competent authorities like colleges or universities upon successful completion of undergraduate or postgraduate programmes. Within this framework, the learning outcome descriptors for a bachelor's degree with Honours are set at Level 6, encompassing knowledge, understanding, and generic learning outcomes. They also outline the general, technical, and professional skills necessary for task performance, application of knowledge, employability, job-related competencies, and entrepreneurial abilities.

Thus, this qualification framework, within which the higher educational institutions in India operate, has reshaped and further expanded the skills requirements for enhancing employability and entrepreneurial skills amongst graduates under the professional programmes.

F. 184TH LAW COMMISSION REPORT, 2002

Though the Law Commission of India is not a regulator of legal education, it is important to refer to its 184th Report of 2002 on the subject: 'Legal Education & Professional Training and Proposals for Amendments

to the Advocates Act, 1961 and the University Grants Commission Act, 1956', which referred to the Mac Crate Report of USA (1992).³⁰

The Mac Crate Report, in Chapter V(A), outlined essential legal skills, including legal research, factual investigation, communication, counselling, and negotiation. It also highlighted the ability to advise clients on litigation and alternative dispute resolution mechanisms, the administrative skills required to organise and manage legal work efficiently, and the capacity to identify and resolve ethical dilemmas.³¹

Chapter V (B) identified nine 'fundamental' skills essential for legal practice. The report emphasised that law schools and the practising bar should view the development of lawyers as a shared responsibility, recognising their distinct yet complementary roles in equipping future lawyers with the skills and values needed for competent and ethical practice. It further recommended that each law school actively support students in acquiring key professional skills, engaging them in areas such as problem-solving, fact investigation, communication, counselling, negotiation, and litigation.³²

The Law Commission recommended that members of the Legal Education Committee of the BCI and UGC carefully examine the Mac

³⁰ ABA, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT — EDUCATIONAL CONTINUUM: REPORT OF THE TASK FORCE ON LAW SCHOOLS AND THE PROFESSION: NARROWING THE GAP (AMERICAN BAR ASSOCIATION 1992).

³¹ LAW COMMISSION OF INDIA, REPORT NO. 184: THE LEGAL EDUCATION & PROFESSIONAL TRAINING AND PROPOSALS FOR AMENDMENTS TO THE ADVOCATES ACT, 1961 AND THE UNIVERSITY GRANTS COMMISSION ACT, 1956 (2002).

³² *Id.*

Crate Report and its subsequent modifications to incorporate its insights into legal education reforms.³³

V. MODEL OF LAW SCHOOLS IN INDIA

Law programmes typically provide a bouquet of courses, with new additions introduced periodically to incorporate various fields of law. However, students can only enrol in a limited number, inevitably omitting others. A similar process applies to specialisation streams in the advanced years of study, where course selection by students, is guided by academic interest, professional relevance, or bar examination requirements. However, it is pertinent to note that the mechanical expansion of the bouquet of courses may impede the broader objective of equipping students with a broader understanding of the legal system.

As evidenced from the regulatory requirements and the 184th Law Commission Report, law schools in India have traditionally followed a professional model, primarily training students for litigation and courtroom practice rather than treating law solely as an academic discipline. However, the Law Commission recognised the diverse career paths like advocacy, judiciary, consultancy, civil services, or academia which may be pursued by law graduates, and stressed the need for a holistic legal education.³⁴ Nevertheless, it is essential that students first develop a broad

³³ *Id.* at ¶ 5.15.

³⁴ *Id.* at ¶ 5.18.

understanding of law before focusing on specific areas in their professional careers, given the wide range of legal specialisations available.

VI. LEGAL EDUCATION, LEGAL PROFESSION, REGULATIONS AND FUTURE REQUIREMENTS

This section will examine the question that whether the prevalent regulatory requirements for Indian legal education, resonate with future needs of the discipline and the profession. Towards this enquiry, it has been divided into five parts namely, changing legal education, legal profession, curriculum requirements, pedagogy and, instruction of law in regional languages.

A. CHANGING LEGAL EDUCATION

The global shift towards a digital and knowledge economy has a profound impact on the law, legal systems and legal education. This has resulted in an economy and society in which the quantity, quality and accessibility of information becomes more valuable than the means of production.³⁵ Abundance of knowledge has impacted all knowledge disciplines. It becomes imperative for the professional model law schools and the legal profession to consider such impact in the society where knowledge becomes infinitely replicable with no loss of quality and where information networks create a new mode of production.³⁶ It is imperative to consider the competing claims regarding the object and purpose of law schools along with sociopolitical and technological forces shaping the

³⁵ Paul S. Adler, *Market, Hierarchy, and Trust: The Knowledge Economy and the Future of Capitalism*, 12(2) *ORGAN. SCI.* 215 (2001).

³⁶ PAUL MASON, *POST CAPITALISM: A GUIDE TO OUR FUTURE* 123 (Allen Lane ed., 2015).

society generally and legal systems more specifically.³⁷ It is also imperative that legal education keeps pace with the changing legal landscape.

B. LEGAL PROFESSION

Legal profession itself has undergone transformation due to dynamic and interconnected world landscape which is shaped by rapid technological advancements, globalisation, and constant social and economic shifts. This evolving reality presents significant challenges to the traditional framework of law and justice. Consequently, the age-old methods of legal education are no longer considered sufficient. Under the professional school model, it is expected that methods must be revitalized to equip future legal professionals with the intellectual agility and practical acumen necessary to thrive in this complex and interconnected world. This necessitates a paradigm shift, one that emphasizes critical thinking, problem-solving, and a nuanced understanding of the societal impact of legal decisions. This occasions an examination into the question that whether the move towards a hybrid model between academic and professional school models should be made.

C. CURRICULUM REQUIREMENTS

There are significant disparities among law faculties and NLUs in India. Even within NLUs, a hierarchical distinction exists, with a few institutions leading in academic excellence, while others follow in an informal descending order. (The hierarchy of NLUs is further exacerbated by the considerable gap in the financial resources of different NLUs,

³⁷ Goldsworthy, *supra* note 5.

occasioned by differential allocation of funds to each by the respective state government.) The programme structure and curriculum are primarily shaped by the leading NLUs, which benefit from high-achieving students, distinguished faculty, extensive library resources, robust extracurricular activities, and substantial financial and state support. Other law schools attempt to emulate these institutions but often do so superficially.

Recognising these disparities, the Standing Committee on Personnel, Public Grievances, Law and Justice had recommended that the BCI establish a uniform curriculum for undergraduate law courses. While this approach offers advantages, it also presents limitations.³⁸ A standardised syllabus could enhance accessibility and consistency, particularly if the course content from leading NLUs is made publicly available online, allowing emerging law schools with limited faculty expertise to benefit. This would ensure that while the core curriculum remains consistent across institutions, differences would persist in teaching methodologies, pedagogical approaches, and faculty quality, preventing drastic deviations from the established model.

However, two key limitations of curriculum uniformity must be acknowledged. First, that, standardisation may stifle innovation and fail to accommodate specialised requirements. Certain courses, such as agricultural law, may be essential for some institutions but irrelevant for those in urban settings, potentially leading to calls for their removal. Similarly, law schools in tribal areas may require a substantially different curriculum to address region-specific legal issues. The second is that

³⁸ Standing Committee, *supra* note 25.

uniformity assumes equal access to resources, which is not the case. For instance, in courses such as technology law, institutions with limited infrastructure may struggle to offer the same depth of instruction as better-equipped universities.

Thus, while a uniform curriculum may foster consistency and accessibility, it must allow for flexibility and resource-based adaptations to ensure meaningful and contextually relevant legal education across diverse institutions.

D. PEDAGOGY

The dominant approach to legal education in the 20th century has been described as a teacher-focused “traditional model”, characterised largely by “*teachers uncritically replicating the learning experiences that they had as students, which usually meant that the dominant mode of instruction was reading lecture notes to large classes in which students were largely passive*”.³⁹ There is a need for law teachers to evolve pedagogy for teaching core law subjects. For instance, in Australia, legal academicians found it challenging to re-imagine the way in which law should be taught, particularly the 11 Priestley subjects, (mandatory to be studied by students in Australia to become lawyers), that are conceptualised in traditional ways because the traditional thinking stifled the development and reform of the law itself.⁴⁰

³⁹ Mary Keyes & Richard Johnstone, *Changing Legal Education: Rhetoric, Reality, and Prospects for the Future*, 26(4) SYD. L. REV. 537, 539 (2004).

⁴⁰ Kate Galloway, *A Rationale and Framework for Digital Literacies in Legal Education*, 27(1) LEGAL EDUC. REV. 117, 141 (2017).

There is a need to become involved in pedagogical writing and research for law teachers. Law teachers should engage in pedagogical activities to examine the educational structures that are built upon the solid foundation to pass on core values and skills. It would help to test and disseminate the effectiveness of legal education. The purpose of this is to know whether the structures and methods of delivery are robust and engage students as well?⁴¹ For determining the robustness, a standard setting for systemic consideration would be required, and the process for setting such a standard has to be decided. A choice has to be made between the top-down model, (which has been followed hitherto), where the regulator sets the process and the universities follow it; and the market model, where each law university innovates, and its success marks the success of the approach it has adopted. It is also to be seen that whether the desired standard should be something in the mean, balancing the two extremes.

E. INSTRUCTION OF LAW IN REGIONAL LANGUAGES

There is a growing discussion on the need to teach law in the regional languages in India. It is believed that if law students are well-versed with regional languages and laws related to regional issues, people's access to the legal system can be improved.⁴² However, the challenge of teaching law courses in regional languages lies in unavailability of resources like books, journals and the faculty for instruction in such languages.

⁴¹ Simon Brooman, *Enhancing Student Engagement by Building upon the "Tectonic Plates" of Legal Education*, 32(2) LIVERPOOL L. REV. 109 (2011).

⁴² *Teaching law in regional languages can improve legal system's access: CJI*, BUSINESS STANDARD (2024), https://www.business-standard.com/india-news/teaching-law-in-regional-languages-can-improve-legal-system-access-cji-124071300768_1.html.

VII. CONCLUSION

There is a conflation of purpose, between that of legal education, and that of various models of law schools. Learning outcomes of law programmes prepared as per regulatory requirements provide us an indication about the role, we envisage for our students in the society as lawyers, judicial officers, bureaucrats or social engineers, (who can be instrumental in the solution of social problems.) Legal education in India hitherto, has followed the professional model of law education as laid down by the regulatory regime. However, concerns have been raised by a few academicians as to why legal education cannot be a part of the academic disciplines. Today, the industry demands future ready lawyers and the law universities struggle to provide relevant skills to students to meet such expectations. It is essential that an assessment be made about the relevance of skills for professionals, at different points of their careers, including an estimation of skills that would be required in the future. Not only should the expenditure of time in making such assessments has to be justified, but also, the assessment so made, should also be timely and correct, pursuant to which, proper and timely administration of such skills is another challenge for the universities.

There is a need to know what can be conceived as major ends and purposes of legal education. A pertinent question to be asked is whether we envisage ends or purposes at all or are we so completely habituated to a routine that we find no room to ask what the room is for, and feel no need

for objective standards to test it?⁴³ The purpose of legal education must be to understand the law and the legal process in a diversity of social contexts,⁴⁴ and it, undeniably needs to align with societal demands. If legal education is viewed principally as professional or vocational training, the definition and societal role of the ‘profession’ become crucial.⁴⁵ Should legal education appear detached from legitimate societal expectations, a critical reassessment is necessary to determine whether professional skills have been prioritised over contextualising law as a social discipline.⁴⁶ This is specifically important for a country like India where we have a pluralistic and diverse social structure having diverse needs and stimuli. Therefore, in a society undergoing substantial change, legal education must be in a constant flux. The legal education can either reflect the responses of the legal system to social change or ill-afford to degenerate into something artificial, useless, and perhaps, even socially harmful.⁴⁷

The Curriculum Development Committee of UGC (2001) observed that unlike other professional courses, the LL.B programme is not confined merely to training for professional lawyers; the training is only one among the various objectives of the course.⁴⁸ The Standing Committee on Personnel, Public Grievances, Law and Justice Committee recommended

⁴³ John Dickinson, *Legal Education and the Law School Curriculum*, 79 U. PA. L. REV. 424 (1934).

⁴⁴ Galloway, *supra* note 41; *A Rationale and Framework for Digital Literacies in Legal Education*, 27(1) LEGAL EDUC. REV. 117, 141 (2017).

⁴⁵ UPENDRA BAXI, NOTES TOWARDS A SOCIALLY RELEVANT LEGAL EDUCATION: A WORKING PAPER FOR THE UGC REGIONAL WORKSHOPS IN LAW 42 (1975-1977).

⁴⁶ Sir Anthony Mason, *Occasional Address at the Opening of the Deakin University Law Program*, 1(1) DEAKIN L. REV. 1, 2 (1994).

⁴⁷ John Henry Merryman, *supra* note 1.

⁴⁸ BCI, *supra* note 24.

that innovative approaches towards curriculum development and course structuring are required to provide a sharper and specialised focus towards training and capacity building for the future juridical officers.⁴⁹ This point indicates that legal education and therefore, law universities should work on intellectual development of students and prepare them for multifarious legal professions, and not only lawyers. This can only be realised by giving required attention to the broad scope of the *metajuridica* in which law studies are rich.⁵⁰ It is also essential to pay sufficient attention to the major core subjects and the intellectual and moral dimensions of law. A member of the legal profession must be trained and educated in every subject of the curriculum.⁵¹ The deep substantive legal knowledge that law schools traditionally fostered, should also continue to be administered.

Currently, the challenge for Indian law universities is to rethink their relationship with the legal profession. They must assert their autonomy in matters of curriculum, teaching, learning and research, so that legal education can aim for more than preparing students for work in private legal practice.⁵² The question as to whether legal education should be continued to be linked with employability, remains pertinent for the law universities to answer. The purpose of legal education must be broader and deeper than this and it should encompass more than merely training

⁴⁹ Standing Committee, *supra* note 25.

⁵⁰ Peter Birks, *supra* note 15.

⁵¹ *Id.*

⁵² *Id.*; Mary Keyes & Richard Johnstone, *Changing Legal Education: Rhetoric, Reality, and Prospects for the Future*, 26(4) SYD. L. REV. 537, 539 (2004).

students for the bar.⁵³ It should not be the primary function of legal education to supply students with information which will be immediately useful to them in practice. A hybrid model may be followed where legal education does not end with the university, and rather, the university education is considered as the first phase of learning of the discipline of law. The second phase of learning may come from the industry where the students join after obtaining their degrees, Instead of insisting on hiring future ready lawyers, it will be better if industry gets ready to invest into their training. This disjunction between the first and second phase is the gap over which a bridge must be built.

The curriculum of a law school constitutes its major part and to that extent the more or less standardised curriculum prevailing in law schools is an important constituent element of the existing system of legal education.⁵⁴ As discussed earlier, the curriculum in law universities is generally prepared on the basis of BCI requirements, and the differences lie mostly in stream courses, electives or value addition courses. It is also important to modify the regulatory requirements in view of the technological progress since both the legal profession and legal education are considerably shaped by such forces in current times.⁵⁵ Careful consideration and re-imagining of the continued role and importance of law schools, into the second machine-age is required, irrespective of the formers' characterization.⁵⁶

⁵³ Shamnad Basheer & Sroyon Mukherjee, *Regulating Indian Legal Education: Some Thoughts for Reform*, SSRN (2010), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1584037.

⁵⁴ Dickinson, *supra* note 44 at 424-439.

⁵⁵ Daniel Goldsworthy, *Socrates and Smartphones: Why the Future of Legal Education Must Be Philosophy*, 10 J. AUSTRALASIAN L. TCHERS ASS'N 61, 66 (2017).

⁵⁶ *Id.*

Each law university should have a strategy to provide it a direction. Initially, it might be difficult for some of them to strategise their directions due to lack of resources, but effort should be made by each university to think, from time to time, about what it wants to be, and what it does not want to be. Whether it wants to provide holistic knowledge, research or create opportunities for entrepreneurship and incubation? Legal education has an academic rigour associated with it; therefore, the primary focus should be on providing quality legal education. The law schools have to invest into training teachers, ensuring quality course content and delivery. Capacity building of law teachers should be undertaken for engaging them in research, which can, as a corollary, be employed by themselves, while administering their respective courses.

Therefore, there is an imperative need to introspect on the achievements and failings of the system of legal education that has been developed so far. It is of paramount importance that there are clear objectives for the reform of legal education, by reference to which, the modifications or alterations carried out (so far and in the future), can be reconciled.⁵⁷

⁵⁷ Dickinson, *supra* note 54.