

INAUGRAL ADDRESS
OF
HON'BLE SHRI JUSTICE DIPAK MISRA
THE CHIEF JUSTICE OF INDIA
ON
LEGAL EDUCATION REFORMS FOR
NATIONAL CONFERENCE OF VICE-CHANCELLORS OF
NATIONAL LAW UNIVERSITIES
AT INDIAN LAW INSTITUTE
SEPTEMBER 1, 2018

Hon'ble Justice Ranjan Gogoi, Hon'ble Justice Madan B. Lokur. Hon'ble Justice Kurian Joseph, My Esteemed Colleagues from the Supreme Court, Hon'ble Judges from Delhi High Court, Mr. K.K. Venugopal, Learned Attorney General for India, Professor N. R. Madhava Menon, Professor (Dr.) Manoj Sinha, Director, Indian law Institute, Vice-Chancellors and other delegates from National Law Universities, Faculty Members of the Indian Law Institute, Friends from the Electronic and Print Media, ladies and Gentlemen.

It is an honour for me to inaugurate this National Conference of Vice-Chancellors of all the prestigious National Law Universities, who have congregated here today to deliberate upon the long due legal education reforms in our country. The deliberation is meant to be one of sincerity and concern.

Dr. Sarvepalli Radhakrishnan had once said and, I quote:-

*“The most important and urgent reform needed in education is to transform it, to endeavour to relate it to the life, needs and aspirations of the people and thereby make it the powerful instrument of social, economic and cultural transformation necessary for the realization of the national goals. For this purpose, education should be developed so as to increase productivity, achieve social and national integration, accelerate the process of modernization and cultivate social, moral and spiritual values.”*¹

Though, Dr. Radhakrishnan had said these words in context of the larger perspective of education but they are also apt in context of legal education.

To understand the seriousness and importance of the much-awaited legal education reforms, we need to understand that the utility and usefulness of any structure or system depends upon the strength and firmness of its foundation. The foundation of the Indian legal system, or for that matter any legal system, rests upon the law schools where legal education in a country is imparted. It is the

1. Report of the University Education Commission, (Dr. S. Radhakrishnan Commission), 1948-49

education of law which trains the students to take up various roles in the society, it prepares them to become lawyers, judges, corporate executives, public servants, social activists as well as take up a career in politics.

That being said, it is axiomatic that law is ever-changing and ever-growing. The dynamic nature of law can only be understood with the help of right and contemporary legal education. Therefore, there is always a heavy onus on the law schools of a country to adopt and grow with the changing needs of the time so as to keep pace with the transformative nature of law.

Today, I welcome you all here at this National Conference to engage with my colleagues from the Supreme Court and Senior Advocates on the diverse issues and challenges with which the Indian Legal Education System is being confronted so as to determine whether any legal education reforms are needed in our country and, if affirmative, then in what magnitude.

While saying so, I am absolutely aware that we have come a long way in transforming the legal education in our country. The experiment which we undertook in the late eighties and which led to the establishment of National Law School of Indian University, Bangalore has been, by far, the most successful reform in the history of Indian legal education. This, in turn, led to the establishment of

other National Law schools across the country. Today, we have almost 25 National Law Schools and a few more are expected to be established soon.

The National law Universities, though are doing well yet they are plagued by their own set of problems. There is a heavy and immediate requirement of well-qualified and talented faculty members. The graduates of the reputed NLUs do not opt for academia as a profession. They instead are lured by the corporate jobs and law firms. We may have to devise some mechanism for attracting young, dynamic pool of law professionals who can join teaching profession and meaningfully help to improve the quality as well as standards of legal education in the country.

There can be several measures to improve the quality of the faculty in law schools. Traditional teaching style involving one-way communication has possibly lost its acceptability and is ineffective in creating efficient law professionals. There is a requirement of introducing new teaching methodologies such as engaging in debates, collaborative teaching, learning through technology and exposing law students to real-life situations would lead to a more practical approach of the legal education. Use of modern technology can facilitate informal communications amongst the students and faculty, allowing more feedback to students and greater autonomy learning.

Legal education has to be both intellectually stimulating and socially relevant. The traditional methods of imparting legal education should be adequately supplemented by practical and clinical courses. Though Bar Council has prescribed four practical papers yet it has not been implemented seriously by majority of law colleges. The major challenge which lay ahead is to enhance a sense of practicality.

A time has come to realise the need to strengthen the faculty resources of the existing as well as the upcoming National Law Universities. It is to be borne in mind that faculty is the spine of imparting knowledge.

There is also lack of support from various State Governments in the form of funding. Apart from the initial seed money, State Governments have shown reluctance in granting funds for development and expansion of infrastructural needs of the National Law Universities. The current infrastructural challenges faced by the National Law Universities need to be addressed at the earliest.

Another aspect that I would like to draw your attention to is that we have quite often seen that even the brightest of law school graduates are well versed with the Constitutional principles and other substantive laws but they lack tremendously in the understanding of the fine principles of procedural law of CPC, Evidence law and Code of Criminal Procedure. This is because they are perhaps never exposed

to the practical side of these statutes during their law school days. Such courses require teaching under the supervision of the experienced lawyers and judges in order to provide the necessary exposure the students as to how the provisions of these procedural laws work out in reality.

Legal research is certainly one of the biggest areas where despite several revolutionary reforms of establishing NLUs, our country has not been able to make a mark in the international sphere. We need to invest heavily in upgrading our research techniques and methods. Law Schools must view this quite seriously that they should make extra efforts of training their teachers in legal research and methodology, then only the quality of over all legal research and scholarship will improve.

I am aware of the fact that there is always resistance to change. But, there is an obligation which cannot be shrugged off by the law schools as well as those who are associated with the teaching of law, to adjust and embrace new and innovative teaching methods, to adopt a curriculum which is at par with the evolving international situation. In that context, I may quote a Chinese proverb which is to the following effect:-

*“The best time to plant the dream was 20 years ago,
The second best time is now”*

I am sure that Vice-Chancellors will make most of this Conference and indulge in meaningful dialogue to come up with a meaningful solution in the three planned working sessions for this conference covering critical areas like - legal education in India; Issues and challenges; exploring research domains opened by constitutional challenge and its impact on legal education; and innovative methods of teaching and sharing of best practices. Tomorrow this will be followed by a concluding session on necessary reformative steps for improvement of legal education. I am sure we will be able to take a cue from meaningful dialogue and orchestrate a road-map for the future of legal education in India.

With these words, I wish you all a very thought provoking conference which would witness fruitful exchange of thoughts and experiences amongst the participants. This conference will, I am sure, go a long way in arriving at our targeted destination in a glorious manner.

Thank You.
