



## CONTEMPRORY ISSUES IN LEGAL EDUCATION AND LEGAL FIELD

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### Abstract

*Law is the foundation of every society and helps the society to maintain law and order and balance society. Legal education brings social change and awareness about the law among the children and produces new lawyers in the country which helps the needy person and maintains the law and order in the society. It encourages people to become judges, respectable lawyers, etc. Legal education is necessary because everyone must know about the law. Legal career is a very important profession and is considered to be the most responsible role to play in the country and it is one of the noble professions. There are lots of difficulties and issues in a legal career but if people don't choose a legal career then there will be no justice and as we know crimes are never-ending. To maintain law and order in society then people must choose a law career and all the problems in a law career and legal education must come to an end. Currently, there are many issues in the legal education system in the legal field because of which there is necessity to do reforms in the legal sector, which we are going to discuss in this article and see what could be suggestions to put all the issues to an end.*

**Keyword** – Legal education, legal field, noble profession, social change, society, law and order

### Introduction

In *Keshvanand bharati vs. State of Kerala*, Hon'ble Supreme Court held that basic foundation of Indian democracy is rule of law. Rule of law says law is above you, no matter how high you are. Therefore education of law has wider implications which stand for the development of a being. In this article, we will focus on the issues arising in legal education and the legal field. Law is the foundation of society, and if there are or will be problems or issues, it is questionable to the community how to work and maintain peace and harmony. Legal education is important so that people know their competency and get professionally independent in this world and perform their role.

Law and justice is the one thing that keeps the world protected from illegality and unites it. My main agenda behind this topic is to spread awareness among the people about where we are lacking in our legal profession and legal education system. The focus of legal education

is on integration of cross-border and international dimensions of practice with the existing curriculum with greater emphasis on problem-solving, negotiation focus on litigation, use of technology, and greater use of clinical legal education for bridging the existing gaps between theory and practice of law. Legal education is one of the tremendous and difficult courses. Legal students have full and compact knowledge of legal subjects, making them social engineers because the law can only maintain society. Law is a set of rules which regulate the function of society, so legal education gives so much power to graduates, and with that knowledge, they maintain the law and order of the society. Legal education has been experiencing various numbers of challenges over the past few years. These challenges include such as outdated syllabus, poor infrastructure, lack of practical skills, and entry of foreign lawyers and so on.



## Drawback In Legalized Training Organization

Legal education in India is regulated by multiple organizations such as University grants commission (UGC), Bar council of India (BCI), The government and respective authorities of the respective universities. Because of countless reasons the quality of the legal education didn't get satisfactory. To make it satisfactory Bar council of India made many changes in the curriculum of the universities and established national law university for better result. 1<sup>st</sup> National Law University was established in Bangalore in year 1986. Even the changes are not sufficient to meet the challenges of 21<sup>st</sup> globalization. There are some drawbacks that are mentioned below which needs to be rectified:-

### 1. Outdated syllabus

Society changes time to time because of which all the things get changes weather in legal sector, economic sector or political sector. Society is bound to change so that people adopt new things and new things can be learnt by people.

If we talk about legal education sector, many schools and collages often go with the outdated curriculum which often fails to keep pace with the evolving legal environment. Many law schools teach those subjects which are no longer relevant and due to which we remain behind in the society because the society has progressed and we are studying the outdated syllabus which is not relevant anymore.

In many law schools, faulty mostly focuses on learning legal provisions rather than critical thinking and helping student with problem solving skills which can affect their learning process and affect their future.

### 2. Lack of practical skills

In legal sector, psychological study matters a lot. In this field advocates need to understand the mentality and behavior of the other person which is not possible by only being depended on the theoretical learning. In many colleges there are very limited opportunities of practical

learning, this can lead to unsuccessful advocates in future because in this field practical knowledge is totally different from the bookish knowledge. This lack of opportunities can the leave the graduates unprepared for the realities of the legal practice. Universities are so focused on theory based study that don't focus on even soft skills of the students such as communication skills, writing skills as these both skills are the important part of the legal study. As there are so many professions in legal field to choose, but due to lack of practical knowledge people get confused that what they should choose because of lack of practical and soft skills.

### 3. Poor Infrastructure

This include over populated classrooms, lack of access to advance technology, small libraries etc. In this field books are the best friend of the students and in this filed person can never stop studying if there is small libraries with shortage of books then how can anyone expect the student to excel in studies. In overpopulated classroom is it very difficult for teachers to concentrate on every student which lead to an unfavorable student-teacher ratio and make problematic for student to receive teacher's attention and support.

### 4. High cost of legal education

Many poor people of rural areas are not able to study because of high tuition fee which they cannot afford plus they have to balance the budget of living in urban area which may cost them a fortune. This economically backward people have to struggle and fight a lot to get equal opportunity and quality legal education for themselves.

### Essential alteration in legalized education organization

According to **C. Rajkumar:-** Legal education must be free of mediocrity. There cannot be any shortcut for law schools, because universities have the greater role to play in shaping the future of the societies.



There is urgent need to do reform in legal education sector because many law schools are opening without having sufficient quality and excellence to run the law school, which deteriorate the conditions of law education sector and future of upcoming lawyers.

Manubhai Vashi vs. State Of Maharashtra- Hon'ble Supreme Court held that ---the legal education should be able to meet the ever growing demands of the society and should be thoroughly equipped to cater to the complexities of different situations.

In Inamdar Vahab Badasha and Ors. Vs. Symbiosis Society's Law Colleges- In this case bar council of India said that it is very difficult for students to enter into Law College with such a high cut-offs. The prescribed minimum qualification therefore has a rational nexus to the purpose sought to be achieved. We also do not feel that; the percentage fixed is in any manner arbitrary. It is reasonable and more so in view of the general pattern of percentage of marks generally obtained at the qualifying examinations.

In 2015, meeting held by Bar Council of India in Chennai, BCI chairman Manan Kumar Mishra said that "30% of all lawyers in India are fake, holding fraudulent law degrees". Reason behind this is out-dated curriculum, lack of skills which are very essential in law practice. Nowadays law graduates are book worms, they don't have sufficient practical knowledge because their university don't focus on skills and practical knowledge and don't help the students to cope up with current legal affairs.

Some summarise points and steps that should be taken for the betterment of the legal education system mentioned below:-

- Out-dated curriculum needs to be changed according to the time and changes in the world. The curriculum must be followed of 3 year course syllabus. Curriculum must include international law so that students get the knowledge about it so that

they get able to participate in such international level of competitions.

- Practical knowledge should be increased and skills should be improved such as writing skills, speaking skills. These skills will boost the confidence in the student and will help children to mould themselves and know their importance and role in the legal field.
- Infrastructure needs to be improved such as huge libraries in law universities, smaller classroom so that there will be limited number of students to teach so that teacher can concentrate and pay attention to every student.
- There should be a very good and friendly relation between Student and teacher. This is the biggest drawback which needs to be changed.
- Moot courts, court visit, research paper writing, debates competition needs to be done in universities for booting student's confidence and providing them a stage so that they can learn.

In many law universities they do organise moot courts competitions where international schools and universities are also participants. So universities should encourage the study of international law so that future lawyers do have the knowledge of international law.

#### **Stumbling block in Legal field**

The legal sector is a multi-billion dollar industry with extensive opportunities. Legal practice is one of the most highly paid professions and most respected professions in the world.

The legal sector includes professions like litigation, judicial services, solicitor, corporate lawyer, legal advisors, and so on. In this profession, the person has to be a king of practical knowledge also theoretical knowledge.

There are many stumbling blocks in the path of the legal profession because there is a lot of writing effort, research work which makes the process slow, and so on. After covid-19 it's been onerous to get into the legal profession.



Issues that are being faced by the lawyers and advocates in the legal field are mentioned below:-

### 1. Ratio of judges and cases

There is less budgetary allocation around 0.08 – 0.09% of the GDP in the judiciary system. There are very less judges in the ratio of the currently pending cases in India.

A maximum number of cases are being continued for more than a year, now it's been very common for the cases to be continued in the court for more than a year, the reason behind it is there are a very less no. of judges in comparison to the cases.

How many cases a judge can hear, after all, he is also a human being, to decrease the number of pending cases the government should appoint more judges and encourage people to study for the judiciary exam for the betterment of society.

### 2. Delay in justice

Legal procedures involve lots of money, paperwork and it is very time consuming. There are many people who don't have the knowledge that how to approach the court but that is the only governmental body which helps a person to achieve a justice but because of lots of delay in judgment people are very afraid to approach court because they think they will never get justice and all their savings will be gone.

### 3. Discrimination

Discrimination can occur in different aspects of the legal system including hiring, promotion, and decision making. On the ground of gender, religion etc. which may lead to unethical and unequal treatment.

In this field, gender discrimination is commonly noticed because in our society it's considered that women are not allowed to work but now this thinking is being changed but in this field promotion, hiring are still continued on the bases of gender, because this profession is considered as risky for women because in daily routine lawyers have to meet criminals.

### 4. Legal ethics

Legal ethics means ethical standard which should be followed and obeyed by the advocates while practicing law. Issues related to legal ethics are conflicts, confidentiality, and lots of professional responsibility.

### 5. Criminal justice system

Criminal justice system has many loopholes, such as racial and ethnic disparities which refer to unequal treatment of youth of color in the juvenile justice system.

Another biggest and common loophole in the criminal justice system is wrongful conviction.

The psychological research says that wrongfully convicted shows that their years of imprisonment are profoundly scarring. Innocent people go through trauma and depression due to wrongful conviction and actual guilty person is free in the country.

### 6. Other points

- Legal field has so many issues which need to be clarified such as all the work is done on paper there are lots of paper work which is time consuming of the court as well as the parties.

These organizations should learn the new technologies so that work done fast and judges can hear more cases which will directly help in the reduction of pending cases.

Because of these cases go on hold because sometimes parties forget some paper to bring to the court due to which they get next date for the hearing.

Other issue in legal field is excessive use of technical words. Judgments are passed for the public so that they learn from it and read it that what happened in the country but due to excessive use of technical language people fail to understand the judgment so what is the point of giving the judgment is.

### Conclusion

Society cannot exist without law. Legal sector is one of the important sectors in our country as we know if there will be no legal sector or social engineers then there will be no justice and no mediation between the parties for the conflicts



and issues. There are issues in family, company, tax issues property related issues etc. These conflicts can be solved by the masters of legal education which are lawyers. A University teaches a person everything because of which he can create his place in this world.

Currently there are many drawbacks in the education system of legal sector because many universities focus on theory rather than practical knowledge. Legal education is totally based on practical knowledge because the practical world is totally different from the bookish language. If a person does not have a practical knowledge, then he cannot become a good advocate which hinders the future of him. As society changes time to time for the betterment of the world and introduces new traditions, cultures and customs because of which law needs to be changed accordingly. Legal universities should focus on current legal affairs of the world and introduce international law which helps the future advocates to participate in international competition. Other reasons are mentioned in the above article which can help in the betterment of the society as well as the legal education system.

Now let's talk about issues and barriers that are currently in the legal field. The legal field is a huge field and has lots of jobs and professions. In the legal field there are many issues such as delay in judgments, ratio of judges according to the cases, Criminal justice, so many technical words in the judgment which do not come into the use of the public because they can't understand the meaning properly. The legal field has to be less time-consuming; less paperwork should be encouraged so that cases get solved easily. The legal field maintains the peace in the society. And all the loopholes and drawbacks should be brought to an end as soon as possible.

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