

## Metamorphosis of Legal Education in India: A Progressive Evolution

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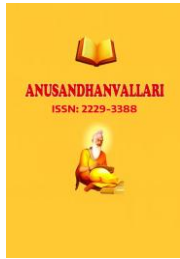
**Abstract:** The landscape of legal education in India has undergone a significant metamorphosis over the decades, transitioning from a colonial legacy rooted in procedural training to a dynamic, interdisciplinary, and socially responsive domain. This progressive evolution reflects the broader socio-political and economic transformations of the nation. In the early post-independence period, legal education was largely theoretical and detached from real-world application. However, reforms introduced by institutions like the Bar Council of India, the establishment of National Law Universities (NLUs), and the integration of clinical legal education have reshaped the framework to emphasize practical skills, critical thinking, and ethical lawyering. Globalization, digitization, and the demands of a rapidly changing justice delivery system have further accelerated this evolution. Contemporary legal education now incorporates comparative jurisprudence, international law, human rights, gender justice, environmental law, and technological jurisprudence. The rise of interdisciplinary approaches and the increasing focus on research, public policy, and legal aid reflect a shift towards producing socially conscious and globally competent legal professionals. Despite these advancements, challenges persist, including regional disparities, outdated curricula in traditional law colleges, and limited access to quality legal education. This paper critically analyzes the metamorphosis of legal education in India, tracing historical developments, evaluating current pedagogical trends, and proposing strategic reforms to align legal education with the ideals of justice, equity, and constitutional values in the 21st century.

**Keywords:** Legal education, India, reform, interdisciplinary approach, National Law Universities.

### I. Introduction:

The educational wisdom is strongly manifests the principle of *Upanishad* “*Tamaso Maa Jotir-Gamaya*” which means lead us from the darkness to light i.e., only education can eradicate the darkness of unjust, superstitious, and unscientific, non-progressive thoughts. The concept of education is the greatest manifestation which creates the revolution towards establishing an ideal society. Therefore, a society needs constructive educational system as well as law and justice for its transformation. Hence, to promote justice through the principle of supremacy of law there must be the essence of progressive system of legal education. In India, the nexus of legal education can be traced since the *Vedic* age where *Manu* had stated in his classic creation *Manusmriti*, that Veda inculcates all knowledge and, in this regard, it may be stated that “*yahkascitkasyaciddharmomanunaparikirtitah ; sasarvobhithovedesarvajnanamayo hi sah*”<sup>1</sup> where Manu had opined that the Veda is the prime source of

<sup>1</sup> See *Manusmriti*; Verse 2.7 यःकश्चित्कस्यचिद्धर्मोमनुनापरिकीर्तितः।ससर्वोऽभिहितोवेदेसर्वज्ञानमयोहिसः॥७ cf. <https://www.wisdomlib.org/hinduism/book/manusmriti-with-the-commentary-of-medhatithi/d/doc145580.html> (Accessed on March 18, 2024)



Dharma and it embodies the knowledge and wisdom. Hence, post-independence the Constitution of India incorporates the concept of social justice as well as the principle of rule of law to inculcate the social development. Therefore, it may be stated that in order to achieve the constitutional dream of social justice hand rule of law the spirit of legal education would be the *sine qua non* towards maintenance of the orderly growth of the society.

## II. Historical Perspective of Legal Education in India:

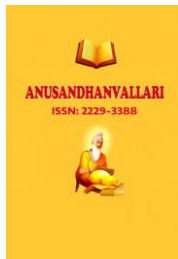
The cultural heritage of India has a strong background of education which manifests the divine inner morality. The legal education in India has a strong and eternal historical background. In the ancient ages the traditional ancient philosophers, *smritikars* had emphasized on the *naya, dharma* and other philosophy of laws. In the pre-ancient era there was the custom of shruti and the eternal *naya* shastra was to be preached by the smritikars to their disciples. For example, *JimutbahanaSmriti*, or the *YajyabalkaSmriti, Dharmashastrs*, and *Dharmasutra* etc. had created the immense scope in the field of legal education for its promotion. The concept of legal education in the vedic era was mainly pioneered by smritikars like *Goutama, Baudhayana, Vasistha, Manu* etc. with reference to *Manusmriti* the multidimensional aspect of law and the administration of justice has been elaborated. The basic essence of preaching the law was mainly emphasized on the customary values of law. During the tenure of gurukul age, the students or disciple were used to preach about the *dandaniti* and the *rajdharm*. Even the same can be traced in the age of Ramayana and the Mahabharata. The ancient text of Yajyabalka *Smriti* massively advocated on the concept of the *dandaniti* and the King's power and authority of promulgating rules and ordinance for the administration of justice i.e., *Rajyashasana*. Similarly, the *Naradasmriti* also advocated the same principle of that the king is the administrator of justice and he had also the law enactment powers.

In the medieval India the rulers of *Vijyanagarat* Deccan had also believed on the concept that king must rule in accordance with the dharma. The king was considered as the head of the administration of justice and the apex body of the court of appeal. In the reign of *Shivaji Maharaj* although there was no conventional concept of legal education was evolved but there was dominance of uniform code and the highly efficient hierarchy of courts and administrative system. Even in the era of *Shivaji Maharaj* he was the highest court of administration. The "*Astapradhan*" were the chief advisor of *Chatrapati Shivaji Maharaj* and among these "*Astapradhan*" the "*Peshwas*" were the played the most crucial role. During that time the Chief Justice was known as "*Nayadhish*", and the village administration of justice was vested in the hands of "*Despande*" or "*Patil*" and "*Mamlatdar*" was mainly looked after the administration of justice at the provincial level only.

In India, during the British India, the formal concept of legal education gathered its actual momentum when the Britishers conquered the Bengal after the battle of Passasy. Although in 1726 the East India Company established Mayor's Court by virtue of Charter of 1726 but the actual momentum was gained towards the growth of formal legal education as well as the uniform justice delivery system by virtue of the Regulating Act, 1773. The concept of the Court system was mainly divided into two parts i.e., *Diwani Adalat* and the *Faujdar Adalat*. All the civil cases were mainly administered by the *Diwani Adalat* and the *Faujdar Adalat* was exclusively concerned with the cases of penal nature.

## III. Importance of Legal education in India:

From the close perusal of the classical common law principle "*ignorantia juris non excusat*" which means ignorance of law is not an excuse and we must know the basic principles of law. Hence, apart from the conventional educational system a uniform legal education must also be given primacy for the promotion of the ancient common law maxim "*salus populi suprema lex*" which means that welfare of the people is the primary



concern of the law. Post Constitution era, the Right to education<sup>2</sup> is the *sine qua non* of the principle of Right to life<sup>3</sup>. Our constitution of India promotes the concept of rule of law in article 14 which opens that “*State shall not deny to any person equality before law equal protection of law within the territory of India*”. Therefore, it emphasizes that in the eyes of law all are equal and there must be the supremacy of law. Article 21 A which is talking about the right to education is considered as the *sine-qua-non* of the right to life as enshrined under Article 21 of the constitution. Hence, these provisions of the Constitution inter-alia promote the importance of the legal education. In *Indian Council of Legal Education v. Bar Council of India*<sup>4</sup> the Apex Court had observed that, one of the most cardinal roles of the Bar Council is to promote the legal education. In *Bar Council of India v. Aparna Basu Mallick*<sup>5</sup> the court had opined that “*the Bar Council of India must have the authority to prescribe the standards of legal education to be observed by the universities in India and the inspection of universities for that purpose*”. The Court with reference to Rule 21 of the Bar Council Rules had further recommended the universities imparting the legal education for the adoption of modern techniques of lecture methodology, the moot court facilities etc. as well as the Court had further emphasized about the constitution of legal aid committee for the promotion of legal education. In *State of Maharashtra v. Manubhai Paragji Vashi*<sup>6</sup> the Apex Court had opined that,

- It is the obligation of the State to render free legal aid under the directive principle of state policy as well as to provide legal education to a good number of students so that the general public would not be deprived.
- The court had further opined that, the legal education must meet the emerging demands faced by the society and also to be well equipped to cater the societal complexities as well as the vast number of dedicated people must be properly trained in different branches of law to render the legal education.
- The Court had again advised that high standard is to be maintained in the promotion of legal education as well as all the necessary and adequate steps must be adopted towards achieving excellence in the field of legal education.

#### IV. Development of Legal Education:

Since the ancient age the law has been considered as the most powerful instrument in the process of social upliftment. Hence, with the passage of time concept of legal education has also been changed in a progressive manner. After independence when India became politically submarine the uniform legal education and its implementation for the promotion of legal education was the most pivotal concern. Therefore, in the year of 1949 the university education Commission was established, and the Bombay legal education company was formed for the parts of the legal education in India. With reference to *Setalavad Committee's Report*<sup>7</sup> it has been observed that “the need for reform in the system of legal education in our country world's failed as far back as 1885”. In the words of *Mr Justice Muthuswamy Iyer* the committee opined that, a college dedicated to providing legal education in a systematic manner would be highly valuable for the nation and positively impact the practice

<sup>2</sup> See Article 21A of the Constitution of India. “*State shall provide free and compulsory education to all children of the age of six to fourteen years in such a manner as the State may, by law, determine*”. [Added by the Constitution (Eighty-Sixth Amendment) Act, 2002.

<sup>3</sup> See Article 21 of the Constitution of India. “*No person shall be deprived of his right to life and personal liberty except according to procedure established by law*”.

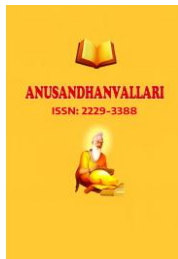
<sup>4</sup>(1995) SCC (1) 732

<sup>5</sup>(1994) SCC (2) 102

<sup>6</sup>(1995) 5 SCC 370

7. See Law Commission of India (Reform of Judicial Administration) Vol-I; Ministry of Law, Government of India (1955-58) [First Law Commission] Pg. 520.

[<https://lawcommissionofindia.nic.in/1-50/report14vol1.pdf>(Accessed on March 18, 2024)]



of law as a skill.<sup>8</sup> The committee had again observed that the university aims to produce law graduates well-versed in legal theory and principles. After graduation, individuals must choose between academic and professional paths. Those inclined toward studying the science of law and conducting research in its branches can pursue Master's and Doctoral degrees through university research<sup>9</sup>. In the changing dimensions of the legal education in India, apart from the Central and the State Universities the introduction of national law universities as pioneered by **Dr. N.R. Madhava Menon** is equally gathered the momentum and growth in its segment. In the promotion of the legal education the Bar Council of India is also playing the most cardinal role. According to **Section 7(h) of the Advocate's Act, 1961**, the Bar Council of India shall promote legal education and to prescribe standards of legal education after consultation with the Universities in India imparting legal education and the respective State Bar Councils<sup>10</sup>. The Bar Council of India must also conduct seminars on various legal topics by eminent jurist as well as to publish journals for the promotion of legal education and awareness.<sup>11</sup> The Bar Council of India also recommends for the constitution of a legal education committee for the promotion of legal education in India.<sup>12</sup> With reference to Section 49(d), the Bar Council of India also recommends that the standards of legal education to be observed and inspected by the universities in India.<sup>13</sup>

In the recent times the legal education has the interdisciplinary approach like the law education can be combined with the subjects of economics, political science, sociology, international relations etc. even now a days the modernization of educational system also incorporates various seminars and discussions forum on multidisciplinary subjects with a positive notion to merge legal education in its promotion. Therefore, recent developments of the legal education may be summarised in the following manner:

- i. modernization of legal educational system also welcoming the in-depth research study in the doctoral as well as post-doctoral study scenes the inception of independence of India after formal bachelor's degree and post-graduation degree in law.
- ii. Introduction of LL. B 5 years degree course since 1988 for the purpose of promotion of progressive legal education.
- iii. Introduction of the common law admission test 4 do pursuing of bachelor's degree of law and the master's degree of log at the 22 national law universities in India.

<sup>8</sup> See Law Commission of India (Reform of Judicial Administration) Vol-I; Ministry of Law, Government of India (1955-58) [First Law Commission] Pg. 520. cf. **Mr Justice Muthuswamy Iyer** "a college therefore where legal education is to be imparted on a scientific basis will be of great value to the country and exercise a very beneficial influence on the practice of law as an art" **Bombay Legal Education Committee Report, 1949; Pg.17** [https://lawcommissionofindia.nic.in/1-50/report14vol1.pdf (Accessed on March 18, 2024)]

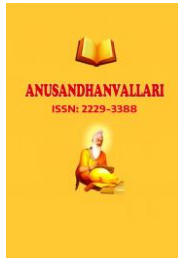
<sup>9</sup> See See Law Commission of India (Reform of Judicial Administration) Vol-I; Ministry of Law, Government of India (1955-58) [First Law Commission] Pg. 525-526. cf. "The law graduate produced by the university has to be a person who has a mastery of legal theory and legal principles. The young law graduate would then have to make his choice between an academic and a professional career. If he prefers for the study off the science of law and wants to undertake research in any of its branches, he could do research at the university and qualify for a Master's degree and thereafter for a Doctor's degree" **Bombay Legal Education Committee Report, 1949; Pg.17** [https://lawcommissionofindia.nic.in/1-50/report14vol1.pdf (Accessed on March 18, 2024)]

<sup>10</sup> See Section 7(h), the Advocate's Act, 1961, "to promote legal education and to lay down standards of such education in consultation with the Universities in India imparting such education and the State Bar Councils;" [https://legislative.gov.in/sites/default/files/A1961-25.pdf (Accessed on March 18, 2024)]

<sup>11</sup> See Section 7(ia), the Advocate's Act, 1961, "to conduct seminars and organise talks on legal topics by eminent jurists and publish journals and papers of legal interest;" [https://legislative.gov.in/sites/default/files/A1961-25.pdf (Accessed on March 18, 2024)]

<sup>12</sup> See Section 10(2)(b), the Advocate's Act, 1961, "a legal education committee consisting of ten members, of whom five shall be persons elected by the Council from amongst its members and five shall be persons co-opted by the Council who are not members thereof;" [https://legislative.gov.in/sites/default/files/A1961-25.pdf (Accessed on March 18, 2024)]

<sup>13</sup> See Section 49(d), the Advocate's Act, 1961, "the standards of legal education to be observed by Universities in India and the inspection of Universities for that purpose;" [https://legislative.gov.in/sites/default/files/A1961-25.pdf (Accessed on March 18, 2024)]



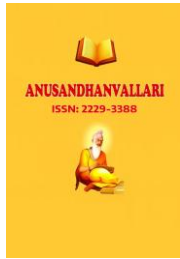
- iv. Since 2001 the integrated BBA LL.B (Honours) has also been introduced to foster the new dimensions of legal education.
- v. Since 2006 Indian Institute of Technology, Kharagpur has inaugurated the law degree with specialization in the intellectual property rights.
- vi. The National Forensic Science University, Gandhinagar, Gujarat has introduced BSc LL.B in the specialization of forensic science since 2021.
- vii. The private universities and deemed universities are also offering the law degree from graduation level to post-doctoral level in various subject specialization of law in the promotion of legal education in India.  
(etc.)

#### V. Conclusion:

Thus, in the concluding remarks it may be stated that the concept of education emancipates the true essence of wisdom which promotes the universal fraternity. The institution of legal education not only upholds the screw spirit of rule of law but also promotes the Adam of social justice with a very pragmatic approach. Legal education also helps the people to understand the rights and also gives oxygen to combat against any arbitrary unjust action. d sound legal education is necessary for the purpose of maintaining the equilibrium of Dharma. The understanding of law must emphasis the effective interpretation of application of law against unjust atrocities and it can only be achieved through the promotion of legal education if the society is in the path of Dharma then the entire universe will have the eternal bliss off justice because *dharmar rakshati rakshata*.

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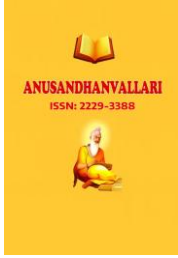
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