

On the inauguration of the *National Law School of Delhi*

September 3, 2008

Address by Justice K.G. Balakrishnan, Chief Justice of India

It is indeed a momentous occasion today as we are here to mark the formal inauguration of the *National Law School of Delhi*. The decision to establish an integrated complex for the same, which on completion will also host the *Delhi Judicial Academy* and the *National Institute of Mediation and Conciliation*, reflects progressive thinking. This will not only ensure that all three institutions can use common library resources but also creates the possibility of active collaboration in the future. Furthermore, it holds the promise of emerging as an advanced centre for legal education which will offer undergraduate, postgraduate and research degrees as well as programmes for continuing legal education and training in alternative dispute resolution (ADR) methods.

The *National Law School of Delhi* is of course the latest in the line of the autonomous law universities which have been at the

forefront of a substantial change in the way legal education is perceived in our country. With every passing year, these National Law Universities (NLU's) have been attracting more and more talented students to prepare for careers relating to the law. The distinctive characteristic of these residential institutions is the due importance given to fundamentals such as regular attendance, classroom participation, project-writing and frequent assessment. This approach inculcates qualities such as self-confidence, insightfulness, perseverance and a mental capacity for healthy competition. Furthermore, in a residential campus with students from diverse social, economic and cultural backgrounds, students not only learn from the faculty members in the classroom, but also learn from each other in a holistic manner. The students are given access to quality research facilities and also exposed to a wide range of academic as well as co-curricular activities. These characteristics are of course at the root of the success of the National Law Universities (NLU's) so far.

The evolution of legal education in India is presently at a crucial stage where it faces several challenges on account of a rapidly

transforming society and economy. Many of these challenges have been the subject of frequent discussions amongst the stakeholders in legal education – but I would like to take this opportunity to briefly reflect on some of these issues. In this regard, it may be useful for all those interested to refer to the recommendations of the *National Knowledge Commission* (NKC) with regard to Legal Education. The changes that we desire in our legal system will only take place if we produce quality law graduates in adequate numbers. The role of the National Law Universities (NLU's) is important in this regard since the onus is on them to lead the way for a meaningful improvement of administrative practices as well as academic inputs in the more than 600 law departments and colleges in India.

The first and the most significant problem faced by the National Law Universities (NLU's) at present is that of an inadequate number of experienced and motivated teachers. Despite visions of competing with the best law schools in the world, almost all of our institutions have found it increasingly difficult to attract and retain qualified and talented individuals. Many analysts have linked this trend to the relatively lower remuneration offered to law-teachers in comparison to

wages offered in sectors such as litigation as well as advisory work in commercial law firms and companies. While this reasoning can be questioned, there is no doubt that Indian law schools need to devise creative solutions to attract talented and motivated faculty members.

The second collective concern for legal education in India today is the need for a rigorous research and scholarship agenda in each institution. While the National Law Universities (NLU's) have considerably improved some aspects of undergraduate teaching, there is a wide gap when it comes to the delivery of postgraduate education as well as research initiatives. There is an urgent need to improve the curriculum and range of subjects taught at the postgraduate level in our Universities, since these programmes are meant to produce academics and researchers for the future. There have been suggestions to modify the structure of the LL.M. programme in Indian universities so as to bring it in line with the one-year degree offered in some Western countries.

In the coming years, the *National Law School of Delhi* can play a leading role in respect of promoting a rigorous research culture.

Since the *Delhi Judicial Academy* and the *National Institute of Mediation and Conciliation* will be operating from the same campus, there will be ample opportunities for faculty and students to regularly interact with sitting judges and legal practitioners. These linkages could result in research initiatives, which will have the benefit of continuous feedback from the judiciary and the members of the bar. The *Delhi Judicial Academy* which has been in existence since 2002 plays an important role in providing training and refresher courses to judicial officers as well as administrative functionaries in the various legal institutions.

Research conducted under the aegis of academic institutions should not merely remain in the books, but should also translate into a definitive impact on law-reform, policy-making and other forms of public discourse. Outlets for legal scholarship should not be confined to journals circulated amongst a limited community of sitting judges, practicing lawyers and libraries of law colleges. Instead, legal research should engage with broader social concerns and should also be easily accessible to the common man. An effective model for Law Schools to distribute their research output is by way of hosting

digital databases on the internet, wherein content such as academic commentaries, case notes, articles, conference documentation, reports and working papers can be easily downloaded by any user. The creation of such databases will make legal scholarship accessible to a larger number of people and if the same is of high quality then it will benefit the reputation of the concerned institution.

It is also important for the various law schools, university departments and colleges in our country to build strong collaborations amongst themselves. In a scenario where there is a shortage of experienced teachers, there is a strong case for increased faculty exchanges as well as joint research projects. Furthermore, student-to-student interactions must also be better structured through institutional support for activities such as moot courts competitions, conferences, legal services initiatives and student-edited publications.

The third issue that I would like to comment on is an oft-repeated one nowadays, i.e. the question of career choices made by the graduates of the various National Law Universities (NLU's). Even though this is only the formal inauguration of this institution, it is my

sincere hope that this issue will be given due consideration when the first batch of students is about to graduate in a few years from now. There is a distinctive trend among fresh graduates of the existing law schools to opt for jobs in corporate law firms or as in-house counsel for large business concerns. Several people have voiced the concern that very few graduates from the top law schools seem to be opting for litigation, hence frustrating their foundational aim, which is to improve the quality of the bar. The reasons behind such a trend are quite obvious. With the expansion of business and foreign investment in India, there has also been a considerable increase in the demand for legal professionals to act in an advisory role. Of late, many young Indian lawyers have also been recruited by leading foreign law firms. For the young law graduates, these jobs are well-paying and offer the opportunity of quickly improving one's lifestyle. In fact one can understand the allure of these jobs for those who are barely able to afford the costs of professional education and seek to improve the living conditions for their families.

It is important for the present generation of law graduates to realise that they have a much wider role to play in our society. A

sound legal training can equip people not just for the courtroom but also for pursuing several other careers which provide the opportunity to make a substantial difference to one's country. Talented law graduates can build careers in higher academia, policy-making, the civil services, journalism, international institutions, voluntary sector organizations and in the long run even become legislators. It is my sincere hope that even those graduates from the top law schools who are working in the corporate sector for the time being, will explore these options after they have attained a certain degree of financial independence. Nevertheless, the first and foremost career choice for all law graduates should be that of courtroom litigation.

While these issues are of general concern for legal education in our country as a whole, this institution has the opportunity to start afresh and learn from the experiences of the existing National Law Universities (NLU's). The *National Law School of Delhi* has the good fortune of being led by Mr. Ranbir Singh. He has had a very successful stint as the founding Vice-Chancellor of *NALSAR University of Law*, Hyderabad. He has demonstrated a very high degree of commitment and resourcefulness in administering that

University, which is now considered as one of the best law schools in our country. I sincerely hope that under his stewardship, the *National Law School of Delhi* will not only gain prominence at the national level but also become an internationally reputed centre for legal education.

With these words, I would like to convey my best wishes to the faculty members, staff and students of this institution and hope for their success in the future.

Thank You!