

# 9. Legal Education and NEP 2020: Emerging Challenges and Prospects

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#### Abstract

NEP insists that stand alone legal Universities must aim to be multidisciplinary in their approach and curricula, NLUs across the country must branch out in the areas of Economics, Political science, philosophy, criminology and such other areas which will bring diversity to the campus and bring about holistic learning for their students. NLUs must attempt [despite the rigid and conservative nature of the UGC] to introduce short term Diplomas, credit courses. Para 20.4 of NEP specifically deals with legal education.

Keywords- NEP-2020, Legal Education, holistic learning, Constitutional Values

## Introduction

NEP 2020 is the government's most ambitious education programme to date. It is a vision plan that aims to reconcile the local and global demands for human resources in the context of the expanding Indian economy. It suggests inclusive and equitable education as a means of achieving social and economic justice. The need for high-quality educational institutions has never been greater thanks to globalization and the interconnectedness of the world's economies, which has increased demand for education. Law schools and universities risk losing out on government funding and grants if legal education does n fit into the "fourth vertical," or if the General Education Council-which is intended to operate under the Higher Education Commission of India (HECI)-does not establish academic standards and take the place of organizations like the UGC as suggested in the NEP. The Bar Council of India is still a major player in legal education. But there is still much to be desired, particularly in terms of improving the standards at nearby colleges where the calibre and pool of faculty members are sometimes influenced by the low compensation for law professors, as more qualified applicants leave for better-paying schools or different paths in the legal industry. The NEP also proposes that by 2040, all higher education institutions (HEIs), including Centres for Legal Education, should strive to become multidisciplinary establishments with the best possible use of available infrastructure. This will enable the establishment of dynamic HEIs and the growth of both public and private universities on a level playing field. The NEP further suggests by 2040 all Higher Education institutions (HEI) including Centres for Legal Education, shall aim to become multidisciplinary institutions having optimal use of infrastructural resources and creation of vibrant higher education institutions resulting in the growth of both public and private universities at par with each other.



# An Evaluation of the Education Policy 2020 and Legal Education

The latest version of the Education Policy, embraced in 2020, reflects the changes that have transpired in the country since the 1991 reforms and the global competitive landscape that requires the nation to harmonize its policies to accommodate the requirements of the global picture.<sup>1</sup>

Since it considers all stakeholders' demands, needs, and ambitions, the NEP 2020 is perhaps the most ambitious education policy put in place to date.<sup>2</sup> It is a vision statement that advocates fair and accessible education to accomplish social and economic justice and match the increasing Indian economy's local and global human resource demands.<sup>3</sup> The hunger for education has grown even more voracious due to globalization and the convergence of international economies, and the need for high-quality educational institutions has never been greater.<sup>4</sup> Apart from other purposes, the National Education Policy 2020 specifies several modifications to be implemented in the legal education sector, which are detailed below:

# **Constitutional Values and Ethics are included**

Legal education is the cornerstone for ethics, morals, and ideals. Morality, fairness, and values are some of the most crucial aspects for any law student.<sup>5</sup> These were also the most critical aspects of our historic Hindu educational system, as already mentioned earlier. The relevance of fairness in a framework has long been emphasized in conventional legal teaching. However, with the passage of time and changes in the legal profession, the severity of such ideals has dwindled.<sup>6</sup> In the past years, there have been various immoral, unethical professional behaviour incidents, one being the recent case of *Prashant Bhushan*. In this case, the Supreme Court sentenced Prashant Bhusan, a well-known lawyer, for criminal contempt for his tweets criticizing the apex court and the former and standing CJIs.<sup>7</sup> While giving the judgment, Arun Mishra J. observed that

[a]n advocate cannot forget his ethical duty and responsibility and cannot denigrate the very system of which he/she is an integral part. Fair criticism is not to be silenced, but an advocate

<sup>&</sup>lt;sup>1</sup> National Educational Policy (NEP), Ministry of Human Resource and Development, *Introduction* (2020) at 3.

<sup>&</sup>lt;sup>2</sup>Conspectus National Educational Policy 2020, MahatMagandhi central university (edsAsheesh Srivastava &PathlothOmkar) at 158–164.

<sup>&</sup>lt;sup>3</sup> NEP, Introduction, at 3.

 $<sup>^{4}</sup>Id.$ 

<sup>&</sup>lt;sup>5</sup> See Whitear-Nel N. & Freedman W., *Historical Review of the Development of the Post-Apartheid South African LLB Degree— with Particular Reference to Legal Ethics*, fundaMina, 236–237, 249 (2015); See Christoffel H van Zyl IV & Jo-Mari Visser, *Legal ethics, rules of conduct and the moral compass—Considerations from a law student's perspective*, 19(1) PotchefstrooM electroniclaW journal, 1–18 (2016).

<sup>&</sup>lt;sup>6</sup> See Zyl IV &Visser, *supra* note 81.

<sup>&</sup>lt;sup>7</sup> See In Re Prashant Bhushan&Anr. (2020) SCC OnLine SC 663.



has to remind himself/herself, where he/she crosses the zone of propriety, and the Court cannot continuously ignore it, and the system cannot be made to suffer.<sup>8</sup>

These offences, including contempt of Court, stem from a vacuum caused by a lack of ethical and moral principles in the legal field.<sup>9</sup> Again, in *Rizwan-Ul-Hassan* v. *State of UP*, the Court condemns any attempt on the part of the advocate to seek judgment in his favour through illegitimate means, including bribing. These are only a few instances where the ethical question of the legal profession has been raised,<sup>10</sup> which also leads the legal profession to be under lack of public trust and confidence.<sup>11</sup> In the case of legal practice, one of the leading causes for the profession's loss of integrity may well be the absence of too much focus on the corporatization of legal education. In fact, when NLUs were not there, 'cause lawyering' was quite prominent. The existing legal education system, on the other hand, puts more emphasis on universal access to education while ignoring the quality assurance component of instilling ethical and moral principles. So, it is critical to clarify that constitutional and ethical ideals should be an intrinsic element of legal education to fulfil that role. Regarding legal education in India, the NEP states

It (legal education) must be informed and illuminated with Constitutional values of Justice— Social, Economic, and Political—and directed towards national reconstruction through instrumentation of democracy, the rule of law, and human rights. The curricula for legal studies must reflect socio-cultural contexts along with, in an evidence-based manner, the history of legal thinking, principles of justice, the practice of jurisprudence, and other related content appropriately and adequately.<sup>12</sup>

The NEP seems to be a reassertion of the constitutional ethos in legal education on the surface. Words such as 'national reconstruction' and 'socio-cultural frameworks', on the other hand, deserve further analysis.<sup>13</sup> The updated NEP draft did explain the phrase 'socio-cultural framework';<sup>14</sup> however, neither the NEP nor its amended draft sheds any light on the precise meaning of 'national reconstruction. Nonetheless, the 2020 NEP made a significant adjustment by including these ideals in the curriculum while also acknowledging the long-term goals of legal education.

<sup>&</sup>lt;sup>8</sup>*Id*. at 53.

<sup>&</sup>lt;sup>9</sup>Id.

<sup>&</sup>lt;sup>10</sup> U.P. Sales Tax Service Association v. Taxation Bar Association (1995) 5 SCC 716; In Re D.C. Saxena, AIR 1966 SC 2481; M.Y. Shareef&Anothers v. Hon'ble Judges of Nagpur High Court &Ors. (1955) 1 SCR 757; S.J. Chaudhary v. State (1984) SCR (2) 438.

<sup>&</sup>lt;sup>11</sup>IpshitaSengupta, *Nurturing Caring Lawyers: Rethinking Professional Ethics and Responsibility in India*, 5(1) JILS, at 14. <sup>89</sup> M. Slabbert, *The Requirement of Being a 'Fit and Proper' Person for the Legal Profession*, PELJ (2011) at 223.

<sup>&</sup>lt;sup>12</sup> NEP 2020, 20.4.

<sup>&</sup>lt;sup>13</sup> See Draft NEP 2019, 16.7–16.7.1. See also NEP 2020, 20.4.

<sup>&</sup>lt;sup>14</sup> See NEP 2020, 20.4; See Draft NEP 2019, 16.7.



To develop a new system that is linked with the aspirational aspirations of 21st Century education while staying compatible with India's traditions and value systems. (Says one of the principal goals of the NEP draft)<sup>15</sup>

The strategy strives to furnish legal education based on constitutional objectives of social, economic, and political equality. With the adoption of these ideas, the importance of the rule of law, democracy, and justice in society will expand.

Here, clinical legal education, as discussed above, can be looked upon as a way out. Besides a mere pedagogical method, one must recognize that clinical legal education also serves as a philosophy of legal professionals' role in society. This method helps law students to get sensitized regarding 'ethical and moral responsibilities' for indulging in public work pro-bono in nature, thereby encouraging 'public interest lawyering'. In this regard, the need is for community participation and training under various institutions, and agencies like Legal aid clinics, Lok-adalat, legal literacy projects, et al. The primary aim of clinical legal education is to provide necessary legal skills and develop a sense of ethical responsibility. Similar developments in pursuance to clinical methods can also be traced from the professional law course in various universities globally.<sup>16</sup>

# **Adding Social and Cultural Contexts**

It has always been a debating point that there is a difference between the function lawyers serve to the public and how lawyers perceive them. With the rise in unethical behaviour among legal practitioners, the profession has also been losing credibility.<sup>17</sup> The profession has a low level of social acceptance, which has impacted the public's trust in the courts.<sup>18</sup> The NEP policy emphasized the necessity of social significance and acceptability to fill in these gaps. In the following terms, the NEP draft expands on curriculum to integrate socio-cultural aspects

It is the function of legal education to transmit the foundational values of Indian democracy to learners in order to give legal studies the necessary social relevance and acceptability. In doing so, the law curriculum has to fall back upon the culture and traditions of people, the history of legal institutions and victory of 'Dharma' over 'Adharma' writ large in Indian literature and mythology. Further, there is growing consensus worldwide that the study and

<sup>&</sup>lt;sup>15</sup> NEP, Introduction.

<sup>&</sup>lt;sup>16</sup> See, for example, Columbia University, Warwick University, and Queen University Belfort.

<sup>&</sup>lt;sup>17</sup> See Angelo Nicolaides& Stella Vettori, *The Duty of Lawyers: Virtue Ethics and Pursuing a Hopeless Legal Case*, 5(2) athens journaloflaW, 149, 161 (2019).

<sup>&</sup>lt;sup>18</sup> See also *Maintaining credibility of judicial system biggest challenge before us: Karnataka HC Chief Justice at farewell*, theindianexPress, 21 August 2021, available at https://indianexpress.com/article/india/maintaining-credibility-of-judicial-systembiggest-challenge-before-us-karnataka-hc-chief-justice-at-farewell-7474662/ (last visited on 13 September 2021); *Judiciary facing crisis of credibility: Chief Justice of India*, business standard, 9 January 2020, available at https://www.business-standard. com/article/current-affairs/judiciary-facing-crisis-of-credibility-chief-justice-of-india-116031300503\_1.html/ (last visited on 13 September 2021).



practice of law cannot be independent of the culture of society, including the study of classical law texts.<sup>19</sup>

The policy draws on people's culture and tradition to accomplish these features, including legal history, literature, and mythology.It stipulates that institutions should integrate the history of law, principles of justice, jurisprudence practises, and other essential values in their curricula.<sup>99</sup> Indeed, the historical context has been jurisprudentially recognized as a necessary aspect of legal theory by Savigny and Henry Maine scholars.<sup>20</sup> However, with time, it has been realized that the historical approach is only one way of studying legal theory and cannot be the sole method and might not suit the current needs of society.<sup>21</sup>

## **Current Perspectives and Contexts**

Legal education in India has been subjected to severe criticism for fostering privilege and being unavailable to the majority, particularly after National Law Universities (NLUs).<sup>22</sup> Even a quick analysis of the system reveals that the critique is not without foundation. These universities mandate English as a language of teaching, which inhibits many persons from seeking legal study at these institutions.<sup>23</sup> Due to the linguistic gap and a shortage of remedial English sessions, it might be difficult for those admitted to an NLU to cope with the curriculum. Furthermore, education at an NLU is pricey, and not everyone can justify paying it—unless they take out student loans.<sup>24</sup> For many people, obtaining and repaying school loans is a hardship. Additionally, there have been systemic caste/class discrimination charges and a lack of compassion and cooperation from university officials and peers.<sup>25</sup> Persons from low-income families, small towns, rural origins, the North-East, and Jammu and Kashmir are underrepresented.<sup>26</sup>

<sup>&</sup>lt;sup>19</sup> Draft NEP 2019, at 303, 16.7.1.

<sup>98</sup>*Id*. 99*Id*.

<sup>&</sup>lt;sup>20</sup> Lewis A. Grossman, From Savigny through Sir Henry Maine: Roscoe Pound's Flawed Portrait of James Coolidge Carter's

Historical Jurisprudence, aMerican university, WCL Research Paper No. 2009-21.

<sup>&</sup>lt;sup>21</sup> Markus Dirk Dubber, *Historical Analysis of Law*, 16(1) laWand historyrevieW, 159–162 (1998).

<sup>&</sup>lt;sup>22</sup> See UpasanaDasgupta, *The Paradox of Elite Law Schools in India: A Comparison with Canadian Legal Education*, quebec journalof internationallaW, 147 (2019).

<sup>&</sup>lt;sup>23</sup> K. C. Deepika, *English-speaking, well-heeled students dominate NLU admissions*, thehindu, 17 July 2015, available at https:// www.thehindu.com/news/cities/bangalore/nlu-admissions-dominated-by-englishspeaking-students/article7431918.ece/ (last visited on 14 September 2021).

<sup>&</sup>lt;sup>24</sup>RohitMoonka, *Whether the Graduates of National Law Schools Cater to the Need of Bar/Bench?* research foundationfor governanceinindia, at 18

<sup>&</sup>lt;sup>25</sup>SiddhartSonkar, *Cultivating Empathy in National Law Schools*, the Wire, 1 September 2019, available at https://thewire.in/ education/cultivating-empathy-in-national-law-schools/ (last visited on 14 September 2021).

<sup>&</sup>lt;sup>26</sup> S. Basheer et al., *The Making of Legal Elites and the IDIA of Justice*, in D. Wilkins, V. Khanna & D. Trubek (eds), theindian legal Professioninthe ageof globalization: the riseofthecorPorate legal sectoranditsiMPactonlaWyersand society (2017) at 578–605.



Specific populations are alienated in NLUs, in pursuance of their 'non-flashy' appearance. Alienation may be caused by various reasons, notably caste, economic status, and the incapacity to converse fluently in English. Numerous requests have been made to improve the heterogeneity of NLUs to eliminate these issues.<sup>27</sup> Most of these problems were initially articulated by the late Professor Shamnad Basheer, who sought to address several of these shortcomings through his efforts at Increasing Diversity by Increasing Access ('IDIA'), which is a pro-bono organization working for the empowerment of the underprivileged children by delivering them quality legal education.<sup>28</sup> However, due to a lack of institutional modifications, the areas of concern have perpetuated rather than diminished.

The problem of eliteness seems to take a new form when it comes to the non-NLUs (including both private and other government institutions offering law degrees). As the number of law colleges (especially private law colleges) is increasing in India without much focusing on the quality of education, the differences between the quality of students graduating from these non-NLUs are growing in terms of their exposure and scope of education. This diversion has led to creating 'elite educational groups', which mainly include NLUs from other institutions. This divide is often found in the behavioural development of the students passing out from these different institutions. Thus, the problem of elites can be said to exist externally among institutions and not restricted only internally. Nonetheless, the authors do not deny that there is more diversity in the state public universities, central universities, institutions managed and funded by the different State Governments than the NLUs or even the private universities due to their excessive fee structure.

#### **Absence of Experiential Education**

The evolving landscape of the legal profession necessitates a greater emphasis on students' preparedness for practice. It is stated that the eventual result of law schools shapes the development of the legal profession.<sup>29</sup> The disparity between legal education and the demands of the legal profession must be addressed as soon as possible. Legal education must be imparted in a clinical paradigm incorporating classroom, simulation, and clinical training.<sup>30</sup> Clinical legal education is a term used to describe the incorporation of legal profession features into legal academia.<sup>31</sup> Establishing legal aid clinics itself is a way to move things forward. It is also suggested that such clinics be made a requirement for the law college to be recognized. It has

<sup>27</sup> S. Muralidhar, Imagining legal education in contemporary livelaW, India, available at https://www.livelaw.in/pdf upload/ pdf upload-381418.pdf/ (last visited on 14 September 2021).  $^{28}$ *Id*.

<sup>&</sup>lt;sup>29</sup> Bar Council ofIndia v. Bonnie FOI Law College(2009) Indlaw SC 2106.

<sup>&</sup>lt;sup>30</sup> Terence J. Anderson & Robert S. Catz, Towards a Comprehensive Approach to Clinical Education: A Response to the New Reality, 59 Wash. u. l. q. 727 (1981).

<sup>&</sup>lt;sup>31</sup> See Hugh McFaul, Does Clinical Legal Education Need Theory? 7(2) asian journalof legal education 152–163 (2020).53 Curriculum 2001.available UGC Development Committee Law Report. athttp://www.ugc.ac.in/oldpdf/modelcurriculum/law. pdf (last visited on 12 September 2021).



also been recommended to conduct a practical assessment on law teaching, research methodology, and clinical practice. Clinical courses in law schools, on the other hand, are frequently confined to an adjunct of classroom instruction. Practical methods should be given more prominence, which would need a transition in the public's view of legal education.

# **Medium of Education**

Several institutes oversee regional language teaching at the undergraduate level.<sup>32</sup> As a result, many students in some states get admitted to institutions despite having just rudimentary English skills. A mastery of the regional language is, without a doubt, beneficial and, in some instances, required if one wishes to practise in a state's Trial or High Courts. However, it cannot be denied that when the language of teaching is regional, the effectiveness of education decreases significantly,<sup>33</sup> even though English as a mode of instruction breeds elitism. This is because the faculty must also be proficient in the language, hindering universities from bringing in decent professors or guest lecturers. Furthermore, most of the legislation, cases, legislation, literature and other resources are written in English. To confront, these constraints there are not sufficient regional language textbooks.<sup>34</sup> As a result, not only does the student lack a thorough comprehension of the subject; however, they also lack the requisite communication skills to perform the job adequately. The BCI has attempted to rectify this by stating that the language of teaching has to be English, and if it is not, it must satisfy the law graduate standard to be certified for enrolment as an advocate.<sup>35</sup>

## The Multilingual Approach is Stressed

The Constitution of India recognizes 22 languages despite India having far more languages than the number of states it has.<sup>36</sup> India's multilingualism confers the country with a distinctive identity.<sup>37</sup> As already mentioned earlier, any society's cornerstone is its educational system; so when deciding the country's prospect, the NEP 2020 is the most important document to consider. In including various languages in improving society,the policy asserted that state institutions offering legal education should perceive education in the state language based on its

<sup>&</sup>lt;sup>32</sup> See N. Jayaram, *The Language Question in Higher Education: Trends and Issues*, 26(1) PersPectiveson higher educationinindia, 93–114, 94 (1993).

<sup>&</sup>lt;sup>33</sup> See Rohan Thawani, *Official languages in district courts: A case to encourage the use of English*, barand bench, 3 June 2020, available at https://www.barandbench.com/columns/official-languages-in-district-courts-a-case-toincrease-the-use-of-english/ (last visited on 15 September 2021).

<sup>&</sup>lt;sup>34</sup> A.K. Avasthi, *Powerlessness of The BCI to Improve Standards of Legal Education*,46(1) journalofindianlaW institute, 55 (2004).

<sup>&</sup>lt;sup>35</sup> See Draft Report of the Curriculum Development Committee (CDC), Vol. 1, Bar Council of India (2010). See also JyotiSagar, *Language and Law: The Incomprehensible Lawyer [Part II]*, barand bench, 12 May 2018, available at https://www.barandbench. com/columns/language-law-incomprehensible-lawyer-part-ii/ (last visited on 15 September 2021).

<sup>&</sup>lt;sup>36</sup> Constitution of India, 1950, Schedule VIII.

<sup>&</sup>lt;sup>37</sup> Jessica Chandras, *Multilingualism in India*, 25 (3) teachingasia's giants: india (Winter 2020). <sup>116</sup> NEP 2020, 4.15.



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demography apart from English.<sup>38</sup> Regarding this endeavour, it can be submitted that it will assist in shortening the time it takes for legal decisions to be made, owing to the necessity for translation. The policy fosters multilingual law instruction at state universities based on local language usage<sup>39</sup> and experience in local courts.<sup>40</sup> It would render legal education more accessible and cause students to study law in their communities rather than move to larger cities, discouraging rural and semi-urban to urban migration. While the goal of fostering multilingual learning in law schools is laudable, it does have inherent flaws. According to the draft NEP, the technique of selecting bi-lingual instructors based on the regional language of the location may aid in the translation of legal documents for students who are acquainted with the regional language and higher courts of law that operate primarily in English. However, it only partially eliminates the language barrier issue for NLU students. While it may be advantageous to a student studying at an NLU in his vicinity, it does not consider students enrolling on institutions in other states. For instance, a law student from Tamil Nadu who was admitted into an NLU in Bihar could not be fluent in either English or Hindi, the local language. Similarly, a Delhi resident seeking enrolment to an NLU of Maharashtra may struggle with English and Marathi. Thus, it is imperative to deliver bilingual education and begin additional remedial classes in English, which is the most frequently used language in the legal sector. Therefore, deemphasizing English instead of vernacular languages is not the key for legal education in India, especially when interstate students are concerned.

#### Stressing the Use of Multidisciplinary Approach

The policy requires all Higher Education Institutions (HEI), including the CLEs, to be multidisciplinary institutions to make the best use of infrastructural resource base and create HEIs leading to equal expansion of public and private universities.<sup>41</sup> NEP strongly favours those stand-alone legal institutions that should strive to be multidisciplinary in their framework and curricula. All the NLUs should branch out into philosophy, economics, politics, and other areas that will generate inclusiveness and provide a holistic education for the students.<sup>42</sup> Despite the UGC's rigorous and conventional nature, NLUs must make an effort to establish short-term diplomas and credit courses.<sup>43</sup> However, there is a concern in the idea that stand-alone universities, such as agricultural and law universities, shall diversify and become interdisciplinary.<sup>44</sup> These universities were established with specific goals in mind for their

<sup>&</sup>lt;sup>38</sup> NEP 2020, 4.14. <sup>118</sup> See *Id*.

at 4.16.

<sup>&</sup>lt;sup>39</sup>*Id*. at 5.4, 22.10.

<sup>&</sup>lt;sup>40</sup> Draft NEP 2019, 16.7.2.

<sup>&</sup>lt;sup>41</sup> NEP 2020, 10.7.

<sup>&</sup>lt;sup>42</sup>*Id*. at 20.2.

<sup>&</sup>lt;sup>43</sup>*Id*. at 10.10.

<sup>&</sup>lt;sup>44</sup>*Id*. at 20.2.



particular area of study.<sup>45</sup> For instance, the NLUs were established when the Indian economy was going to open up to international investment, necessitating a new legal practise culture.<sup>46</sup> The requirements of a burgeoning economy were vibrant, and they necessitated extensive modifications in the commercial laws.Traditional law practitioners were unable to meet the different demands of emerging businesses from the legal profession.As a result, conventional legal education had to be disrupted to create a class of professionals capable of meeting the shifting financial requirements. One of the primary motivations for the establishment of NLU was to address this issue. In the fields of sciences, medicine, engineering and technology, management, and so forth, similar institutions operate.It would never be sensible to wipe out such institutions with a specific approach to specific disciplines.<sup>47</sup>

# Examining the Potential Benefits and Advancements of NEP in Legal Education in India

The NEP 2020 emerges as a significant step towards tracing the contemporary requirements in the educational sector; however, it takes a timid attitude to the challenges and concerns encountered by the institutions imparting professional education, particularly legal education. In the policy, there are just a few brief comments on legal education. It obliquely states that legal education must be internationally competitive, incorporating best practices and embracing new technology to provide more people with timely access to justice. The policy is unchanged regarding constitutional principles of justice, the rule of law, and additional modifications mentioned regarding legal education. Policymakers have not taken the time to sufficiently consult with legal academics or legal education regulators in India to understand the current situation better. So, it is imperative to discuss the shortcomings of NEP in addressing the standing issues under the domain of legal education in India, which are as follow:

# Ignorance of All Other Aspects of Law and Tends to Over-emphasize Culture, Tradition and Mythology

The use of the expression '*must rely on culture and traditions*' cannot be downplayed. The current government in India has professed a desire to revive Vedic traditions in many instances, and the ruling party has preached about fostering Hindu nationalism on several occasions. In this context, using terms such as culture, tradition, and mythology while addressing legal education is alarming. The draft says that law cannot exist without culture and recommends studying

<sup>&</sup>lt;sup>45</sup> Ministry of Education, *Stand Alone Institution, Chapter 2.1.3*, available at https://www.google.com/search?q=stand+alone+uni

versities&oq=stand+alone+universities&aqs=chrome..69i57j33i10i160l4.8836j0j9&sourceid=chrome&ie=UTF-8/ (last visited on 13 September 2021).

<sup>&</sup>lt;sup>46</sup> Tanya Bhilware, *Legal Education in India: Issues & Challenges*, in Kaplesh Kumar Gupta (ed.), legal educationinindia, 2 (2017).

 $<sup>^{47}</sup>$ *Id*.



ancient legal literature.<sup>48</sup> Many of these writings, most notably the Manusmriti, have come under fire throughout the years for promoting anti-non-brahminical caste and anti-women sentiments.<sup>49</sup> Returning to these works for inspiration would do more significant damage to legal education than good.

The law is memorable and must come from the past; yet, it is also an ever-evolving notion that evolves through time—it is a long-running debate. Some recollections can only remind the need to develop and cannot be relied upon as legal documents. In the same breath, one cannot discuss constitutional principles and what comprises our ancient legal books (such as the Manusmriti) hand-in-hand. While a place's culture and tradition are essential in establishing its legal concepts, it is vital to remember that cultures, traditions, and society evolve. As the NEP's wordings (reading along with its draft) suggest, culture and traditions cannot be assumed to be a homogeneous notion. Cultures and traditions should be valued in view of their diversity, and the same has not been appropriately addressed in the NEP, which makes the issue more problematic.

# **Appreciation for Online Learning**

Online education and digital infrastructure will render law schools more accessible to a broader range of students. To meet the demands of students, law schools should transcend the digital gap by implementing cutting-edge technologies as in legal education; innovation is crucial, which is not confined to science or engineering. NEP 2020 is a visionary statement in which law universities may imbibe the vital components by introducing a positive shift in pedagogy linked with the evolving demands of the times to unfold as Centers of Excellence. The first measure is to retain a significant focus on online learning. This is attributable to the fact that the pandemic has altered the dynamics of learning. Higher education, formerly known for its bustling campus life, cultural clubs, and social events, as well as its reliance on regular engagement between faculty, students, and peers for research, study groups, practicals, and theses, went online overnight

## Conclusion

One of the key suggestions of the policy is the establishment of multidisciplinary institutes, where students can network and gain knowledge from academics and fellow students in different fields. However, the absence of funding or physical space for such an institute may make this idea impracticable. However, the majority of NLUs are already having problems with capacity and are unable to accept the current enrollment of students. To operate them, the state and local governments only need to provide a small sum of money. In this case, they might have to create additional departments, which would raise costs and limit their accessibility. NEP 2020 strives to provide students with high-quality academic experiences that are meaningful to them and

 $<sup>^{48}</sup>$ *Id*.

<sup>&</sup>lt;sup>49</sup>GugulothChandu& Mohan Banothu, *The Practice of Manusmriti: A Critical Study on Cultural and Political Transformation in Telangana State*, 3(1) international journalofenglish language, literatureand translation studies, 357–360 (2016).



prioritizes their interest in all decision-making. NEP 2020 places a premium on students' interest in all decision-making, strives to provide them with high-quality academic experiences that matter to them, and gets them ready for a world that is changing quickly. Its goal is to create a vibrant, multifaceted information society within the context of a new period of societal progress. All those involved in education must acknowledge the importance of this revolution, accept personal responsibility for it, and implement it consistently and fully. If properly executed, the NEP 2020 reform proposals for legal education might give the field a never-before-seen level of vibrancy and creativity. The NEP can guarantee a livable wage, respect, decency, and independence by implementing quality control and reporting requirements into the system.

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National Educational Policy (NEP), Ministry of Human Resource and Development, *Introduction* (2020) at 3.

*Conspectus National Educational Policy 2020*, Mahat Magandhi central university (eds Asheesh Srivastava &Pathloth Omkar) at 158–164.

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