

Lecture-41



Legal Education: History and Basic Aims of Legal Education

Introduction of Legal Education

Legal education is a way to give knowledge to the people about the theories, philosophies, principles and others to control the people as well as for the growth of the people. By giving legal education we can prepare people for the better application of law as well as for the research and development of the law. Definition of legal education by The Law Commission of India “It is a science which imparts to students, knowledge of certain principles and provision of law with a view to enable them to enter into the legal profession.”

Objectives of Legal Education

According to a legendary proverb “A man without education is a strange animal.” Dr. Babasaheb Ambedkar was of the opinion that education will liberate all and hence he called each and everyone to be educated, unite and fight against the odds of the society. The main objective of the legal education is to make the ‘Professional Lawyers’. This term not only include the lawyers who do the litigation means who presents the case in the courts but it includes the person who are trained in the law. The lawyers are very important for the society as they are the ones who bring change in the society and also provide help for the betterment of the society.

Harvard Law School’s Legal Education Committee said about two purposes of the legal education:

- Law school trains the men for the law profession.
- It provides the people platform where they will able to provide the understanding of the law and participate in the enhancement and growth.

Society of Public Teachers of law is address by Lord Denning and in this address to the public he conveyed his views by highlighting the three objectives of the legal education which are:

- It shows how legal rules have developed.
- The reason for the development of legal rules and the nexus between social and legal history.
- It points out the road for the future development.

At different point of time different people said about the aim of the legal education and all have said their point of view in it. In today's era the aim of legal education should be to transfer the accumulated knowledge regarding the legal rules and processes to the today's students. The purpose is to give students detailed knowledge regarding the legal system and its working to the students who are studying the law and also about the selected subjects by the students. Legal education should be such which made students capable to apply the law accordingly by knowing it properly by themselves and also able to know the benefits of it. So, the focus should be more on the principles applicable rather than only knowledge.

Legal Profession – A Noble Profession The practice of law is a noble profession. It is a profession that depends upon diverse people of honesty, integrity, compassion, and courage to join its ranks if it is to fulfill its responsibility to preserve and defend liberty and justice. It is a profession that asks its members to make a commitment to the rule of law and accessibility by all segments of society. That brings an obligation to imbue future generations with an understanding of and appreciation for the rule of law, judicial system, and the role of a profession. Ethics in Legal Profession.

Law has maintained its standards by adhering to the code of ethics set by the legal field. These ethics are also known as ethics of legal profession or legal ethics. The people bound to follow these ethics are primarily the lawyers or advocates who are considered to be court officers playing a significant role in the court of law.

There are some rules or codes that the lawyers follow towards the court, the opponent, their client and fellow lawyers. Here is a run down some of them

LAWYERS TO COURT

- Respecting the court
- Follow appropriate dress code
- Don't take up cases of clients who insist on use of unfair means
- Have a dignified behavior

LAWYERS TO LAWYERS

- Do not promote unauthorized practice

- Avoid advertisement and solicitation of work
- Appear after consent of fellow advocate

LAWYERS TO CLIENT

- Don't take cases where the lawyer has to be a witness
- Never withdraw service halfway
- Don't refuse a brief
- Give client top priority
- Don't try to tamper with the evidence or suppress it
- Act according to the client's instructions
- Fees adjustment as per liability is a strict no
- Bidding for purchasing property arising of legal proceeding is a strict no
- Don't take undue advantage of the clients trust
- Variation in charges depending upon the success of the case is a strict no
- Proper accounting of everything is important
- Absolute clarity about things with the client is necessary

LAWYERS TO OPPONENT

- Fulfill the promises made
- No negotiations with party directly

The bar association has also stated that the license of the lawyers who do not abide by the code of ethics would be confiscated besides facing trial and imprisonment, if found guilty.

Challenges in Legal Profession

The main challenges facing the legal market are encompassed by changes in the relationship with clients, the attraction and retention of talent, and innovation. One particular challenge for the vast majority of firms is institutionalization. The world of corporate lawyers has changed. At most companies, we are now seeing young professionals with a different mindset around business

compared to that of traditional lawyers. They see the execution of their functions and responsibilities not only within the legal context, but also in terms of the needs of the industry in which they work. At the same time, clients want a clear and transparent relationship with external lawyers, which often requires a flat fee or other arrangements that give them more control in managing their budget.