

## Legal Education amidst Pandemic

Hon'ble Mr. Justice (Retd.) M.L. Mehta, High Court of Delhi & Chairman, DDRS

*Article (Special Inclusion)*

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As countries across the globe are coping with their “back to school” plans, United Nation International Children’s Emergency Fund (UNICEF) released a report<sup>1</sup> stating that at least 33% of school children globally were unable to access remote learning initiatives started by educational institutions. According to Henrietta Fore, the UNICEF Executive Director, the repercussions of this could be felt in societies and economies for years to come.

In the wake of lockdown imposed as a preventive method against COVID-19 outbreak, many educational institutions opted for virtual classes as a remote learning option using portals like ZOOM, Google classes, Microsoft Teams, Cisco Webex and many others. These platforms have posed umpteen challenges to the users because of lack of training and exposure to both the faculty and the students.

In India, only 24% of households<sup>2</sup> have internet access and owing to large rural-urban divide, socio-economic differences, and gender biases, the learning gap between the privileged and the lesser privileged students widens. In the wake of economic disparity in the country, many students share their screen time or internet with others in the family. And those who do not have access to personal devices or the internet are at the losing end during the COVID-19 imposed restrictions.

Online education has affected the lives of the law students beyond not just in terms of the unavailability of physical classes. Online mode of legal education has a potential to create a gap between theory and practice as internships, visits to courts, physical presentations, mooted competitions, clerkships and class discussions are lacking in this mode. Internet instability and lack of technical expertise, further, hamper the student-teacher relationship which has a threatens to impact the growth of law students today and of the bar & bench tomorrow.

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<sup>1</sup> “COVID-19 and School Closures: Are children able to continue learning during School Closures?” UNICEF, Aug. 26, 2020, available at: <https://data.unicef.org/resources/remote-learning-reachability-factsheet/> (Last accessed: Dec. 27, 2020).

<sup>2</sup> Nandini, “Just 24% of Indian households have internet facility to access e-education: UNICEF”. *The Hindustan Times*, Aug. 27, 2020, available at: <https://www.hindustantimes.com/education/just-24-of-indian-households-have-internet-facility-to-access-e-education-unicef/story-a1g7DqjP6lJRSh6D6yLJl.html> (Last accessed: Dec. 27, 2020).

Pandemic has also impacted the entrance examinations that usually take place from May-July in India and have put them under a lot of discussions and disputes. The government and the universities were not able to make a decision to conduct entrance examinations through online mode and when the decision was finally made; its execution was challenged in Courts.<sup>3</sup> This resulted in delay in initiating the semester for first year students.<sup>4</sup> Under pressure, the universities are opting for flexible time cutting methods like no-semester breaks, teaching on weekends and extra classes. While the effort is completely laudable, the end result is not always the desired one. Pressure to complete syllabus, conduct exams, assessment and language barrier cause stress and anxiety resulting in overall relegation of the student.

The pandemic not only affected the life of an ambitious law student adversely but have also made the legal profession a challenge. This concern was highlighted by the BCI Chairman<sup>5</sup> to the Chief of Justice of India where he emphasized the harsh reality of lawyers in the bar who are currently struggling to adapt to the nuances of online filing and arguing through video conferencing.

The idea is not to oppose the online education but to absorb the same slowly into the system and at the same time to provide the law students with practical training which is *sine qua non* for the growth and understanding of the legal profession and application of the theoretical knowledge imparted through the books within the four walls of the classroom or zoom rooms. It is needed that educational institutions should not unanimously opt for same remote learning method so that failure of one does not create a domino effect. Also it is required to expand the internet spread of Indian household and to increase the overall bandwidth of internet.

It is quite evident that e-learning cannot replace the traditional methods of teaching in true sense. Hence, there is a pressing need to inculcate new teaching skills in teachers in the field of legal education. There is a need to teach not only the domain knowledge but also the skills associated related with the profession and most importantly the attitude required to succeed in

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<sup>3</sup> Shruti Mahajan, "CLAT 2020: Petition filed in Supreme Court for quashing of entrance exam due to tech glitches, seeks direction for re-conducting the exam" *Bar and Bench*, Oct. 4, 2020, available at: <https://www.barandbench.com/news/litigation/petition-filed-in-supreme-court-for-quashing-of-clat-2020> (Last accessed: Dec. 27, 2020).

<sup>4</sup> Jebaraj, P., "Coronavirus | Freshers to start university classes from November 1" *The Hindu*, Sept. 22, 2020, available at: <https://www.thehindu.com/news/national/coronavirus-freshers-to-start-university-classes-from-november-1/article32668320.ece> (Last accessed: Dec. 27, 2020).

<sup>5</sup> Shruti Mahajan, "Continuing Virtual Hearings after lockdown "impractical", 90% lawyers, judges unaware of technology: BCI Chairman writes to the CJI", *Bar and Bench*, Apr. 28, 2020, available at: <https://www.barandbench.com/news/continuing-virtual-hearings-after-lockdown-impractical-90-lawyers-judges-unaware-of-technology-bci-chairman-writes-to-the-cji> (Last accessed: Dec. 27, 2020).

the profession. It is required that college staff, faculty and students are given technical training to better understand the virtual learning mode and to create a new pedagogy involving real and virtual learning.

## References

“COVID-19 and School Closures: Are children able to continue learning during School Closures?” UNICEF, Aug. 26, 2020, *available at*: <https://data.unicef.org/resources/remote-learning-reachability-factsheet/> (Last accessed: Dec. 27, 2020).

Nandini, “Just 24% of Indian households have internet facility to access e-education: UNICEF”. *The Hindustan Times*, Aug. 27, 2020, *available at*: <https://www.hindustantimes.com/education/just-24-of-indian-households-have-internet-facility-to-access-e-education-unicef/story-a1g7DqjP6lJRSh6D6yLJjL.html> (Last accessed: Dec. 27, 2020).

Shruti Mahajan, “CLAT 2020: Petition filed in Supreme Court for quashing of entrance exam due to tech glitches, seeks direction for re-conducting the exam” *Bar and Bench*, Oct. 4, 2020, *available at*: <https://www.barandbench.com/news/litigation/petition-filed-in-supreme-court-for-quashing-of-clat-2020> (Last accessed: Dec. 27, 2020).

Jebaraj, P., “Coronavirus | Freshers to start university classes from November 1” *The Hindu*, Sept. 22, 2020, *available at*: <https://www.thehindu.com/news/national/coronavirus-freshers-to-start-university-classes-from-november-1/article32668320.ece> (Last accessed: Dec. 27, 2020).

Shruti Mahajan, “Continuing Virtual Hearings after lockdown “impractical”, 90% lawyers, judges unaware of technology: BCI Chairman writes to the CJI”, *Bar and Bench*, Apr. 28, 2020, *available at*: <https://www.barandbench.com/news/continuing-virtual-hearings-after-lockdown-impractical-90-lawyers-judges-unaware-of-technology-bci-chairman-writes-to-the-cji> (Last accessed: Dec. 27, 2020).