

# LEGALFOXES LAW TIMES

## OPINIONATED INSIGHTS INTO THE NATIONAL LAW UNIVERSITY V. PRIVATE COLLEGE DISCOURSE

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### ABSTRACT

In the contemporary world, we have seen a paradigm shift in how education is perceived as a 'value-enhancement' activity. With the number of colleges in both technical and vocational fields growing in the private as well as the public sector, higher education is increasingly seeing a huge influx of students. Educational institutes are broadly demarcated based on the stream of education they offer, their accreditation, and infra-structure among other parameters. Narrowing these criteria, we come to the most widely accepted and affirmed classification of these institutes, which subsequently encompass all further subsets - affiliation. There is an informal notion throughout the entire reticulum of the higher-education system that state-funded institutes assume more transcendent positions in the said hierarchy. Since the inception of formal collegiate learning, government universities and other institutions have been accorded with a privileged and patriarchal status in their respective areas of impartment of knowledge.

### INTRODUCTION

In the case of legal education, often reckoned as the most impactful studies to render a dynamic change in the society, the notion is to tear between two such camps. The NLU and non-NLU world. Often touted as 'centers of excellence', these National Law Universities undoubtedly pique the focus of almost every youth vying to imbibe avant-garde legal education in the country. Created

through an act of Parliament, these National Law Universities are, at present, 22 in number, with the presence of at least one university in every major state.

The Common Law Aptitude Test, or CLAT, is regarded as the most rigorous and competitive examination in the under-graduate legal education market, which is the doorway to admission to one of these coveted NLUs. The number of CLAT takers growing exponentially every year, with the acceptance rate of less than 3%, is evident in the craze among 'to-be' law graduates to study in these top-notch universities. What is even more fascinating is the brevity of their splendor. The cult-status achieved by the NLUs doesn't boast of a very long and archaic history as most of the NLUs functional today are not more than 2 decades old. Yet, oddly enough, these premiere institutes have in a short span of their existence, produced some of the most prolific figures, from judges to international attorneys to eminent educationalists, in the legal world we see today.

By and large, the National Law Universities are symbolic of a near-perfect finishing school for legal voyagers. Yet, when we regard NLUs in the backdrop of other non-premier law institutes of the country, we discover some fallacies in the ascendancy of these institutions. In many aspects, the NLUs one up with most other private colleges or universities, but would that reason alone validate the cause of NLUs being accorded a higher stature? Do all the 22 National Law Universities; imbibe the same quality of legal education altogether with every other soft and hard skill of an ideal law graduate? Does the proverbial "NLU tag" speak for itself or is it a product of excessive and extensive campaigning and lime-light projection? Also, while scrutinizing the differences and similarities, I would keep a few private institutions at-par with NLUs, deeming them comparable to the latter in terms of education, infrastructure, research, placements, and rankings awarded by National Institutional Ranking Framework (NIRF) in the recent years.

## **QUALITY OF EDUCATION**

There is no denying the fact that state-funded educational institutes have a better and more advanced resource base for education and research. The teaching as well as associate research faculty at these institutes too has a fair repute of being well-trained and highly knowledgeable in their respective specialization of study. These professional erudite are mostly graduates of the same law schools of which they later become professors, adding more authenticity to the quality of education instructed in these institutes.

Secondly, being established as 'Institutes of Eminence' vide specific Acts of Parliament, the NLUs have already carved a niche status for themselves. While most other Legal education institutes, both private and state-funded, are only colleges or departments dedicated to the specific course of study, NLUs are, in fact, full-fledged Universities solely constituted for the purpose of the study, research and development of the higher education of law, society, and human rights. In terms of endowment too, Universities enjoy a much higher degree of financial freedom. This autonomy granted to the universities enables them to foster an environment of interdisciplinary research, co-curricular activities, access to major legal publications, journals, resource centers, etc. The annual money grant conferred upon some of the tier-1 NLUs is even more than the total budget of many private law institutes or universities combined. Thus, a higher monetary endowment automatically renders every other aspect of the University at-par with international standards.

### **SELECTIVE INTAKE**

It is obvious that such coveted institutes will have a reasonably tougher course of admission than other colleges. With over 60,000 aspirants vying for a handful of seats, the entrance examination by itself creates a filtrate mechanism that helps in accepting the cream of the crop from the test-givers. The entrance examination tests the qualitative, quantitative, legal, and logical reasoning abilities of the prospective NLUites. With soaring cutoffs, renewed each year and the intake approved by the admission committees of the top universities

dropping progressively, the examination itself poses a very formidable saturation point beyond which only the sharpest and most perseverant students are able to advance and seek admission.

Lately, there has been an opinion of educationalists that there should be an additional interview post the entrance exam to further assess the competence of those students who cleared the written test, a course duly followed by few other eminent institutions, such as Symbiosis University, Pune. Yet, it is clear as a day that such rigorous implications imposed on the admission procedure would eventually garner the best of the lot, i.e. the aspirants who clear the aptitude test, and apt only to nurture the legacy of these illustrious institutes.

On the other hand, one of the many reasons owing to which a hopeful lot of CLAT aspirants do not prefer any private law college is due to their shoddy admission tactics. I don't speak for the majority of the law colleges, but certain odd exceptions have tried to capitalize on the eagerness of fresh graduates who wish to study law as a career. In the guise of favorable rankings, luscious campus and other outward charms, colleges are churning out profit from the admission fees, where exorbitant funds are demanded from keen students in the form of 'donation' or 'management quota fund'.

Even after clearing the stipulated entrance examination, students and their parents are lured into paying hefty sums of money to the college administration in order to secure a legitimate seat. Such policies of higher institutions not only hamper the quality of education by introducing the element of avarice and greed for money, but also degrade the value of the said institutions which ply such unfair means of commoditizing education, as was held in the case of *Mohini Jain vs. State of Karnataka (1981)*.<sup>1</sup> Fairness in conducting the entrance examination and admission procedure is one of the stark USPs of National Law Universities that places them ahead of most other private law colleges.

## **COLLEGIATE CULTURE AND PEER-BASED PROGRAMS**

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<sup>1</sup> *Mohini Jain v. State of Karnataka (1981 2 SCR 79)*.

Since the main endeavor of these NLUs is accentuating a holistic varsity atmosphere with a sense of inclusivity, the growth and dynamism of the NLU student culture have seen several changes over the years. With many student-run think tanks, NGOs, journals, editorials, legal-aid centers, the co-curricular atmosphere of these universities is represented by an independent spirit of its young and seeking minds who are tutored to be self-reliant overseeing these initiatives.

NLU Bangalore's Centre for Women and Law (CWL) was the first center dedicated to inter-disciplinary research and study instituted in 1988 among all NLUs. Since then, the sphere of targeted research and development centers and legal-aid clinics have proliferated within the league of National Law Universities, with some of them performing brilliantly in their area of work. Several blogs, magazines, and periodicals edited and managed by the students have been widely praised and accoladed for their quality and expressive research and impactful content.

The recent initiative undertaken by several NLUs to organize a crowd-funding program in order to make arrangements to send stranded migrant laborers back their home via trains and flights was lauded by the legal fraternity nationwide. The students of these universities also get exposure to a wide array of lawyering and advocating activities, such as moots, debates, Model United Nations (MUNs), etc, which help in building the essential qualities and temperament of an ideal lawyer. Apart from the bookish legacy, the extra-curricular tradition of NLUs is also rich and thriving with a fairly lively environment of college festivals, cultural activities, concerts, and other tit bits of generic college life.

### **CORPORATE JUGGERNAUT**

The representation of NLU alumni in various top-tier law firms, Legal Processing Outsourcing (LPOs), consultancies and other sectors of corporate litigation is rock-solid. With NLUs enjoying some of the highest fresher packages in the placement market, the NLUites always have a perennial career

path to bank upon when it comes to campus placements. In fact, the majority of corporate vacancies being absorbed by the Universities speak volumes about the competence and professionalism present in its to-be graduates. Even there is high probability of NLU students interning in a certain organization being offered a PPO for the quality of work and efficiency they might have shown at the workplace.

In addition to the private sector, several Public Sector Undertakings (PSUs), to have a sizeable intake of Law graduates, specifically prefer NLUs. What is more, is that such PSUs have a fixed quota of seats reserved for top rank holders of the Post-graduate entrance variant of CLAT called CLAT-PG which offer admission to these institutes for their master's program. However, the corporate inclination of these law universities is not a new or emerging fashion, after all. The main objectives for which these universities were promulgated was to expand the horizons of legal education and careerism, beyond conventional courses or ones prevalent in the archaic legal world.

The NLU brand may be of well-repute and immense value, however, we can't oversee the fact that how much are private law institutions and other governmental institutes, basically the non-NLU domain, has been eclipsed under the shadow of being second-grade institutions. Despite the fact that graduates of these non-NLU institutions too have been able to leave a mark on every sphere of the legal realm and even beyond. Yet, it is increasingly becoming a sort of yardstick to judge a law graduate on the basis of his/her alma-mater, especially being a non-NLU graduate poses as a serious impediment in one's professional career, from pitching an internship in a reputed law firm or under a famed advocate to working as a junior associate of the senior partner of a firm, mediocrity follows him/her everywhere.

### **THE TAG OF AN AVERAGE LAW COLLEGE**

Gone are the days when miracles could come from anywhere. In this highly competitive industry, beginnings play a crucial role in deciding one's future. As



elucidated earlier in this article, the seemingly miraculous odds that might land a person in one of these National Law Universities are the real course-corrector of one's professional career. As the popularity of these NLUs grow, the perceived hysteria and hype among young law aspirants build to study in these institutions. However, as the NLU-mania gain ground, the prestige and status of other private institutions face a downfall and gradual redundancy.

In India, over 4 lakh fresh law graduates seek to pitch their careers in the industry every year, with a sweeping majority of them being first-generation litigators. In this rat-race of building name, fame, and a stable source of income, many graduates find themselves overwhelmed, under-qualified, and unfit to fend off with the tag of an 'average law college' that has been attached to their resume. Those who have ample family support, contacts, or other means to achieve their ends in the litigation market are able to establish themselves somehow, however, trouble looms for fresh 'off-the-box' advocates who do not find any substantial support from their alma-maters.

Often junior associates are jeered for being an alumnus of a particular law institute, at times private law college students face inferiority complex or hesitation while interacting with NLU or top private college students while attending inter-college events. Even it is rumored that various big law firms and consultancies have unwritten, an informal set of protocols regarding keeping recruitment limited to NLUs only. These are some of the numerous instances of unfair and discriminatory treatment representatives of Private law colleges have to face in various settings and circumstances.

Some people might trivialize these issues in the name of petty elitism or might justify this ascendancy through the theory of 'trial by fire'. But, one cannot overlook the fact that the NLU-worship culture is becoming more and more intensive these days with almost every single legal student, seeing the National Law University as the penultimate medium to realize their passions and ambitions of becoming a successful legal personality. This inclination or

growing affinity towards these premier institutes is similar to the zealous admission hype created by other autonomous institutes of technology and management i.e. IITs and IIMs in the late 90s and early 2000s.

## CONCLUSION

Despite such widespread popularity and uncanny likenesses among professionals and students alike, we should not undermine the fact that NLUs are, after all, plain simple educational institutes like most others. In fact, NLUs have been established for not more than 4 decades. To look at the other side, we have such old and reputed institutes of legal education that possess a rich and diversified legacy of producing some of the finest legal luminaries we have ever witnessed. Government Law College, Mumbai- Mr. Ram Jethmalani, Mr. Harish Salve; Delhi University- Mr. Arun Jaitley, the list goes on. So the principle of 'don't judge a book by its cover' stands satisfied in these instances.

The main advantage and at the same time disadvantage of having such Premier Institutes in pursuance of legal education is their dearth. There are meager 22 NLUs for an annual enrolment of over 5 lakh law aspirants, and the subsequent success rate of getting into an NLU has already been discussed. Hence, the main focus of the Government should not be creating such institutes of eminence just for the sake of representation. Instead, it should be the focus of the State to try and uplift the quality of education in other institutes to try and bring them up to the level of National Law Universities. In this way, a student studying in any average law school with equal passion, zest and eagerness to learn the philosophy of law and society, like any other NLUite, will be able to stand at the same pedestal and attain any amount of success that his caliber and potential will let him/her.