

Legal Education – The Elevation from a Person to a Citizen

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ABSTRACT: The law is acknowledged as the conscience of the public. Legal education has become the ladder to the entity of a citizen. The sovereign nature of the majority of the states further promotes the role of legal education beyond a professional qualification. The researchers found it imperative to explore the relationship between legal education and the becoming of a citizen in its true nature, to the extents of self, family, community, country, and world. Perspectives of students of law, educators of law, law practitioners, qualified professionals in non-legal streams, and judicial officers were included in the sample (N=100, 20 each) and observations were noted using a self-developed questionnaire based on the feedback of 2 members from each group in the pilot study. The findings revealed awareness of rights and duties, self-sufficiency in voicing individual viewpoints, and compassion for mankind in all the groups. The students and teachers credited legal education for the development of critical thinking, leadership in the community, and spirit of the development of human resources in the country and the world. Patriotism, respect for the system, feeling of responsibility towards the fate of the whole society was observed by the law practitioners and the judicial officers. Non-practicing professionals associated their legal education to prudence related to money, a better acceptance of cultures, and planning abilities. The study brings attention to the significance of legal education in development at micro and macro levels.

KEYWORDS: legal education, citizen, awareness, compassion, non-practicing professionals, prudence

Introduction

“Citizens are not born, but made.”
— Baruch Spinoza, *Traité politique*

Mankind has come a long way, transforming from human beings to human civilizations. The inherent agenda of this transformation was exploring the human potential sans conflict. Achievement of social harmony was therefore facilitated through a system of rules, particular to the territories of the societies, also known as the law. Adherence to this system of rules, therefore, created the entity of a citizen. In addition to the obedience of the law, citizens are attributed with characteristics like patriotism, morality, recognition, and access to remedies in the form of rights. While most of such characteristics are attained through experiential learning, the fine-tuning towards the becoming of a citizen in its true nature can be done through objective learning of laws or legal education. H.L.A. Hart emphasized that law is comprised of primary and secondary rules, where the primary rules are duty imposing and the secondary rules confer power (Paranjape 2013, 35). The essence of Hart’s concept of law can also be assigned to the concept of citizenship. Article 1 of the most commonly recognized document of the international law, the United Nations Declaration of Human Rights (United Nations n.d.), which says – ‘All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood,’ also sets the premise to the entity of a citizen.

Citizenship is an active and reflective process, occurring between members of a community; it includes social and collective nature of co-living in everyday life (Stevenson, Dixon, Hopkins and Luyt 2015, 1). Civic initiatives along with market forces are helping shape an emerging global civil society which allows a counter-balance to the exclusionary, inegalitarian and undemocratic nature of global power (Armstrong 2006).

The American Bar Association defines a lawyer as – “A representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice” (American

Bar Association). Legal education in the form of a degree course is associated with qualification and technical proficiency to serve in the legal system, however, in effect, the country or the world benefits from the perspective and efficacy of persons who possess the knowledge of the law and can deliver to the nation as social engineers (Yadav 2016, 12). Moral transformation among law students has been highlighted in an article by (Tan 2010, 420). The author appreciates the manner in which the students become self-aware and more responsible, work on their attitude as future lawyers. There is a natural connection between legal education and social responsibility which compels the people of the most developed civilizations to expect the senior responsibility holders to have studied law formally (Gewirtz and Prescott 2001). Members of the society find themselves disoriented when asked for participation in the political process (O'Brien and Smith 2011, 9); in such situations people with legal backgrounds not only actively participate but also, spread awareness in the society. The history of any country entails lawyers as exemplary citizens (Heineman and Wilkins 2014, 12). Respect for the legal process, ethical compliance and humanity contribute to the acumen of lawyers (Legal Mosaic n.d.). Moreover, quality of justice, creating access to the rights of individuals, self-regulation and pro-bono culture are understood to be lawyers' civic role (Rhode 2009, 1324). Obligations and entitlement are synonymous to the term 'citizen', both of which are also the object of legal education.

The sovereign nature of the majority of the states has led to the establishment of fine areas of entity of a citizen that can be identified as rights and duties as an individual, at the familial level, in the community, in the country, and even at the global level. In a time when everything runs in a system of polity, economy, and society, it is imperative to learn the impact of legal education on the becoming of a citizen in its true nature, especially because the purpose of the law is the uninterrupted exploration of human potential of the citizens as individuals, and as a whole (Gewirtz and Prescott 2001). The logic of legal education being chosen as a major factor to understand the real meaning of the term citizen comes from the fundamentals of law, equality, and liberty (Rani 2016, 71). Legal education is attributed to case method learning which brings about the traits of critical thinking, skepticism, and judiciousness (Heineman and Wilkins 2014, 13). The training in law schools fulfills the requirements of leadership and related qualities like vision, planning, and management as Judges, Attorneys, Heads of the firms and Deans of institutions (Heineman and Wilkins 2014, 10), criticism and growth of laws (Ravi n.d.) and access to rights (Rani 2016, 71). Graduates from law schools hold posts that influence policy and society such as government roles, business managers and foreign affairs experts (Gewirtz and Prescott 2001). Lawyers deal with multi-dimensional issues that arise with the growth in the economy (Heineman and Wilkins 2014, 18), and therefore act as assets to the nation, often serving as alternate dispute resolution practitioners which pacify the enormity of adversarial methods with innovative compassion in quality and quantity (Sullar 2018, 28). All persons associated with legal education, including the educators themselves, understand not just what the law is, but also what it should be; they use reasoned argument to persuade others (Gewirtz and Prescott 2001). Prioritizing the general interest of society is primary teaching in legal education (Rhode 2009, 1324). Research shows that CEOs with legal education were associated with much less corporate litigation (Henderson 2017), which directly indicates traits like problem-solving and regard for peace and harmony (Morgan 2011, 20). A study by Association of American Law Schools suggests that students of law are evidently more inclusive and non-discriminating in comparison to other college graduates (Droddy and Scott 2003, 42).

In the era where citizenships can be bought by making hefty investments in the host country, also known as 'golden passport citizenship', the risk of money laundering, tax evasion and corruption increases (Scherrer and Thirion 2018, 5). Modern risks necessitate modern safeguards, which not only demand for patriotic commitment, but also, legal intellectual readiness.

Objectives

- To understand how the study of law allows one to elevate one's self.
- To understand how the study of law allows one to favour family.
- To understand how the study of law allows one to be a better member of the community.
- To understand how the study of law allows one to contribute to one's country.

- To understand how the study of law allows one to be an effective part of the bigger world.
- To document the expressions of law graduates in favour of becoming a good citizen.

Methodology

A purposive sample was chosen. These included - 5-year B.A./B.Com. LLB. Students (20), faculty in law colleges/universities in and around Chandigarh (20), advocates practicing at the Punjab and Haryana High Court (20), Law graduates working in non-legal streams (corporate managers: 7; administrative officers: 5; businessmen: 4; Journalists; 3; faculty in college in history: 1; total 20), and Judicial Officers serving in Chandigarh, Punjab and Haryana (20, between the length of 5 to 30 years of service). Each group was contacted personally and consent taken, after explaining the purpose of academic research and fully ensuring that all responses be kept confidential if they so desired; and if permitted quoting, the same has been used in the discussions. In phase one, a small pilot study was undertaken and two respondents from each category were chosen on open-ended discussions. Their responses helped to form the questions for drafting the questions in the questionnaire administered in the next phase. The second phase included all the chosen individuals who were contacted and responses were taken. The researchers developed a self-designed questionnaire to enquire on how their education of law brought about change in their outlook as a member of the community, as a person, student/professional, family member, and what would be missing in their learning and understanding as a citizen of the country if they did not choose educational path of studying laws. 20 items were developed after improving on two initial drafts and inputs taken from two faculty members from Education who were experts in applied research. There was no time limit to respond, however, they were expected to connect well to the questions first, and then freely express what they thought about, individually. Most of them took about 70-90 minutes to respond. More senior people in the profession took longer to ponder on the questions in a deep reflection. The researchers clubbed the responses to each question for each category of respondents. The similarities, differences, detailing, and depth of response has been presented in the next section.

Results and Discussions

- The findings revealed awareness of rights and duties, self-sufficiency in voicing individual viewpoints, and compassion for mankind in all the groups.
- All the groups admitted to possessing problem-solving skills, leadership qualities and language of reason, used on day to day basis in the community, and for the individual purposes.
- The students of law developed critical thinking and confidence to choose the right over wrong at a personal level. They admitted to having an influence on their families concerning the creation of a democratic environment and the development of obedience to law and belief in the system. National human resource development was found to be a strong concern for the students of law. Sincerity towards work was considered necessary and practiced with a view of the global development of the economy. Sensitivity towards the environment emerged to be a popular self-perspective for contribution as a good citizen.
- Educators in the field of law habituated honesty and good conscience as a personal asset. The promotion of the larger interest of the society among the family members was found in most of the teachers whereas the role of a wise counsellor was assumed by all the group members. Community work in the form of free legal aid was a common finding. The educators displayed a productive mindset and public spirit, indicated by voting devoid of self-interest. The educators were also found to be sensitive towards the issue of conservation of the environment.
- Hard-core law practitioners displayed self-discipline as the most necessary quality required in their profession. Careful and informed decision making on the matters related to property and wealth in the families of lawyers was commonly found. Lawyer families admitted being tolerant and liberal in the matter of worship. Responsibility towards the community was a common phenomenon throughout the group which was fulfilled by acting as peacemakers in the community and by taking up pro-bono cases. Patriotism and respect for the system of country were strongly

established. From a worldwide perspective, lawyers exhibit key role by assuming big roles in both the public and private sectors.

- Qualified professionals in non-legal streams admitted to possessing qualities like prudence, planning, problem solving and language of reason. Accountability was a prominent characteristic in their families, according to them. Consumer protection, ethical compliance, and acceptance of different cultures in the community were attributed to their sense of justice. The practitioners in the non-legal streams observed grand participation in running the system and at world level as politicians, administrators, foreign affair experts, diplomats, journalists, lobbyists, and business tycoons.
- Judicial officers considered the language of reason, compassion, and courtesy as their primary qualities. They were considered as role models in their family and the community. Respect for the system and responsibility for the fate of the society were fundamentally present in all members of the group. Judicial officers were found to be extremely patriotic and centrally contributing to the nation and the world.

Conclusions

The persons formally educated in the field of law are integral contributors to the sanctity of the system prevalent in a country and the globe as exemplary citizens. The dominant factor of this phenomenon is the nature of the related professions which are indispensably related to justice and harmony. The training of a law school in the identification of dos and don'ts further equips the person to be an asset to any organisation, society and the country, despite working in non-legal streams. Judicial officers determine the quality of justice and hence, act as social engineers. They act as role models in every society. The students and the educators of law are the forces of good behaviour, sincerity and development which lead by example, provide fair perspectives and guidance.

However, misuse of the law by people who have attained legal education cannot be ignored. It has been observed throughout the history of mankind that people who have the knowledge and access to the system which is governed by laws are often found to be the ones who exploit the system through its loopholes.

Way Forward

The fundamental difference between a protector of laws and abuser of laws is compassion. Legal education should include and encourage the practice of pro-bono culture and legal aid clinics. Such practices help in developing strength of character, besides the direct influence on the people who receive the free legal aid.

Basic legal education should be encouraged as a curriculum in schools and colleges for the overall development and real-life skill-building.

Employment opportunities for people who attain legal education must be broadened and considered beyond their technical proficiencies. Skills like problem-solving, analysis and reasoning, research, communication, negotiation, organisation, and management must be considered at the time of recruitments.

When a child is empowered by the parents, he gets transformed into a responsible citizen.

-Former President of India, A.P.J. Abdul Kalam, 2005

And what better way to get empowered than to know the law.

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