

THE CHANCELLOR'S ADDRESS

*Hon'ble Justice K.G. Balakrishnan**

Dr. André Béteille (Chief Guest), Dr. M.P.Singh (Vice Chancellor)
Members of the Governing Bodies of West Bengal National University of Juridical
Sciences (WBNUJS), Distinguished guests, Faculty and staff members, students;

I am happy to be present here in my capacity as the Chancellor of
WBNUJS. I would like to begin by congratulating all the students who have
received their degrees today.

Since its establishment in 2000, this institution has emerged as a
prominent centre of legal education. The graduates from this institution have
indeed made a very bright start to their careers. The wider socio-economic changes
that have been taking place since the beginning of the economic liberalization in
our country have created many promising career avenues for young lawyers. The
choices range from mainstream litigation to openings in commercial law firms and
companies in addition to careers in academics and the public services. This is, of
course, a testament to the first rate training that is being imparted in the National
Law Universities.

In addition to the rigorous classroom study of the prescribed
curriculum, the students have been given excellent library and IT facilities. In the
present day and age, law students have unprecedented access to materials such
as the decisions of Indian as well as foreign courts, legislations, treaties and
academic writings through the medium of computers and the internet. Such
research facilities were unthinkable for our generation and I would urge the teachers
and students to make the best use of these resources so as to produce legal
writing which will actively engage with the problems faced by our legal system. I
must also add that legal writing of an academic nature should aspire to such high
standards that judges, administrators and legislators are kept on their toes. On
this note, I must commend this institution in particular for publishing the NUJS
Law Review which has become a quarterly publication that touches on issues of
contemporary importance.

It also noteworthy to see that the emphasis seems to be shifting from
'rote-learning' to more participatory methods that help the students to develop
their capacity for critical thinking and comprehensive research. Frequent
assessment in a semester system ensures that the performance of the students is
frequently monitored while at the same time generating a sense of healthy
competition. The credit for these changes must of course go to the faculty members
as well as the administrators.

* This address was delivered by Hon'ble Justice K.G. Balakrishnan, the then Chief Justice of
India and Chancellor of West Bengal National University of Juridical Sciences, Kolkata, on
the occasion of the Fourth Annual Convocation of the University on February 20, 2010.

The success of the five year model of legal education can also be attributed to the intensive environment of a residential campus. When students from diverse social backgrounds reside together in such a setting, there is a lot of learning which takes place outside the classroom. While the focus of the curriculum tends to be on the absorption of theories, doctrines and case-law, the peer-to-peer interaction helps in dissolving the traditional social boundaries based on caste, religion, class and regionalism. I am also very happy to note that with each passing year, more and more female students are taking up legal studies and performing exceedingly well. This augurs well for the future, since a larger number of female lawyers and judges are needed to mitigate the existing gender gap in our legal system.

An issue that merits close introspection is that of the larger objectives of legal education and the expectations from the same. In my career as a practitioner and a judge – an important lesson that I have learnt is that laws cannot be interpreted and applied in a mechanical and insulated manner. In the course of interpreting statutes and regulations, we must also account for the policy-concerns and the legislative intent behind them. Very often, judges encounter fact-situations that have neither been contemplated by the legislature nor discussed in judicial precedents. In order to decide such difficult cases, judges need to draw insights from a wide variety of sources, often going beyond the plain reading of statutes and the submissions made by the counsels. In order to prepare for such complexities, legal education must promote a strong inter-disciplinary agenda. The insights gained from disciplines such as political science, sociology, economics, history, philosophy and literature enrich our understanding of the evolution of laws and help us to engineer reforms for the future. With the growth of specialized practice areas such as those related to natural resources, international trade, intellectual property and technology among others, such interdisciplinary inputs must also come from the natural sciences as well as commerce-related subjects.

All in all, legal education must respond to the often competing needs of strengthening our democratic ethos, promoting social welfare and facilitating economic development. The educated sections in our country have a special responsibility to work for the upliftment of those who are on the margins of society. The true social value of a university education cannot be measured by viewing it as a means for personal empowerment alone. It also includes the ability to contribute to the welfare of others. A meaningful education in law is expected to imbibe values such as mutual respect, tolerance for diverse views and the ability to resolve conflicts through informed dialogue.

While the Courts are the primary spaces for lawyers to protect the rights of the voiceless and underprivileged sections of society, motivated law graduates should also consider active involvement in public-service oriented jobs. I do understand that many graduates of this institution would have taken up jobs in the corporate sector in order to ensure financial security for their families. My humble request to all these bright young lawyers is that once you have attained the means to live comfortably, you should consider moving towards

careers in litigation, the judiciary and law-teaching. In today's day and age, it is of course important to earn well, but the pursuit of material success should not come in the way of contributing to societal welfare.

Institutions such as WBNUJS must also act as incubators to train law teachers who can then implement meaningful changes in the numerous law colleges in our country. The success of the National Law Schools can largely be attributed to their autonomous administrative structure which enables flexibility in aspects such as curriculum design, evaluation methods and service-conditions. The dissemination of the best practices evolved at these institutions can perhaps help in improving the state of legal education as a whole. The National Knowledge Commission has also urged that we cannot rely on a few elite institutions to bring about whole-scale improvements in our legal system. Therefore, there is a compelling need to take on the triple mandate of strengthening the teaching, research and extension activities of the institution so that the benefits of a sound legal education can reach more people.

With these words, I would like to thank all of you for patiently listening to me. I must especially thank Dr. M.P. Singh for inviting me here to attend this convocation programme. I would like to conclude by conveying my best wishes to all of you.

Thank you.

