

# LEGAL EDUCATION IN NEPAL

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## **Abstract**

*This article aims to illustrate the general history of legal education of Nepal in line with its gradual development and reforms having remarkably indicated the prospects of it in the changing scenario of growing importance of law at national and international level. Further, it encapsulates the scenario of legal education in Nepal from +2 level to Ph.D. level to make the entire legal community of the world familiar to its historical development, present state and prospects. Having based on historical, descriptive and analytical methods of doing research, this article gives the general synopsis of expanding horizon of legal education in Nepal. Regardless of having the challenge to maintain the balance between theoretical knowledge and practical legal skills while imparting legal education, it reflects the dire need of having coordination of all the stakeholders like the judiciary and other law-related institutions effectively working in Nepal along with the knowledge and skills exchange programs within the South Asian region and across the world via further capacitating the legal academia in Nepal even by establishing the separate law university.*

**Keywords:** *Legal Education, Nepal, Judiciary, Reforms, Universities*

## **1. Meaning and Definition of Legal Education**

Simply, education refers to a process of teaching, training and learning, especially in schools or colleges, to improve knowledge and develop skills.<sup>1</sup> And legal education refers to imparting knowledge related to law formally or informally. In the domain of academics, it indicates that it is an academic endeavor of imparting knowledge related to legal philosophies, doctrines, different schools of thoughts, issues of legal rights and duties, various legal systems, substantive laws or legislations, procedural laws, case laws, and court practices to those persons who aspire to become legal professionals- judges, policy makers, legal practitioners, law professors, legal or socio-legal researchers, and others. Likewise, in the domain of judiciary or legal system, it, being professional education, demands continuous study of law and society and law and state along with required theoretical knowledge of law and its practical

applicability and abundant court or legal practices. Law, being a multi-dimensional discipline, has great significance in the governing system of a particular country or for global governance in the world system or globalized world. Therefore, legal education helps in generating required human resources having theoretical knowledge of law and practical legal skills along with enhancing aptitude, attitude and competency to social engineering so as to establish institutionalized democratic system, rule of law and just society.

## **2. Evolving of Legal Education in Nepal**

While tracing the historical background of legal education in Nepal, there is no long history. *Sanads* and *Dictas* were issued by the then government during the time of Jaysthiti Malla and P. N. Shah. Even then, there was no as such formal education rather there was informal education system. Justice was dispensed by the *Dharmadhikari* or kings. Formal education system was introduced with the establishment of Darbar High School in 1854. However, before 1910,

<sup>1</sup>A. S. Hornby (2010), *Oxford Advanced Learner's Dictionary of Current English* (8th ed.), Oxford: Oxford University Press, p.485.

there was *Gurukul* education system. Law and *Dharma* were not detached. But, right after the introduction of *Muluki Ain (Country Code), 1910*, law and theology were detached regardless of huge influence of Hindu religious philosophy. Notwithstanding that, law became the matter of self-study. For producing low level manpower through formal legal education, *Sresta Pathshala* was established in 1962 B. S. Later, after the establishment of SLC Board in 1990 B. S., *Ain Sresta* was included in the secondary level course as optional subject. In 2021 B. S., *Sresta Pathshala* was removed.

Then, at the university level, for the first time in the history of Nepal, Nepal Law College was established on 2011/07/05 B. S. by obtaining affiliation to Patna University of India to impart legal education in Nepal by adopting the very curriculum of the same university from the incessant effort of Prof. Ramraj Pant, founding principal and Prof. Aashutosh Ganguli. Later, after the establishment of Tribhuvan University in 2016 B. S., Nepal Law College came under it. However, up to 2030 B. S., there was no system of providing practical and professional knowledge.<sup>2</sup> Though the Tribhuvan University had started to impart LL. B. level of legal education since 2016 B. S. incorporating Nepalese laws in its curriculum, very few people could take benefit of this education policy in the national context. Besides, this education policy had provided advantage only to the developed area as the Nepal Law College was established in Kathmandu and Morang Law College in Biratnagar. The LL. B. degree could not become qualitative enough.<sup>3</sup> In 1971, National

Education System Plan was implemented with the objectives of producing necessary, competent human resources at different levels in different areas to meet the country's needs and requirements. It significantly made a great breakthrough in the legal education system. In 1972, the Institute of Law introduced a two year Certificate Level (CL) program and a three year Diploma in Law (D.L.) program. In 1980-1986, Tribhuvan University underwent a massive change. Consequently, the Institute of Law converted into the Faculty of Law.<sup>4</sup> One of the notable academic exercise on the legal education was the National Seminar on Legal Education of Nepal, held on Asar 12, 13 and 14, 2034 B. S. organized by the Institute of Law.<sup>5</sup> In 2034 B. S., Nepal Law Review was introduced and published by the Institute of Law. Later, as per the recommendation of Royal Higher Education Commission Report 2040 B. S., Certificate Level was made Proficiency Certificate Level and Diploma in Law was made Bachelor in Law by ending semester system and introducing yearly system. Then, in 2052 and 2053 B. S., I. L. and B.L. were phased out respectively. Accordingly, 3 years LL.B. and 2 years LL. M program have been started in 2053 B. S. Thereafter, 5 years B.A.L.L.B. program and 3 years LL.M. program have been in operation since 2012 A. D. Likewise, other universities have been running programs like B.A.LLB. and LL.M program by Purbanchal University, B.B.M.LL.B. by Kathmandu University, B.A.LL.B. program by Lumbini Bauddha University and Mid-Western University, and LL.B. program by Open University. Similarly, by realizing the necessity of +2/Secondary level law education, legal education has been provided since 2073 B. S. throughout the country. So, timely reform of the curriculum of legal education is required.

### 3. Objectives

<sup>2</sup>Amber Prasad Pant, (Prof. Dr.) (15 Baishakh, 2014), "Past Forty Three Years on the Development of Legal Education- Few Reminiscences", *Kanoon*, No. 122, Kathmandu: Lawyers' Club, p. 28.

<sup>3</sup>Rajit Bhakta Pradhananga & Kishor Silwal (Dec. 24-26, 1991), 'The Existing Curricular Structure of the Legal Education in Nepal: An Analysis', *Legal Education in Nepal, Three Day, National Seminar, Seminar Proceedings Report*, Kathmandu: International Commission of Jurists, Nepal Section, p. 36.

<https://www.icj.org/wp-content/uploads/2013/06/Nepal-legal-education-seminar-report-1993-eng.pdf>, (accessed on 8/14/2020).

<sup>4</sup> <http://www.nlc.edu.np/>, (accessed on 8/14/2020).

<sup>5</sup>*Supra note 3*, p. 37.

The main goal of education is to impart knowledge and skills; to implant good attitude and moral character; to produce required human resources for a country; and good human being. Every subjects have their own special features and areas of specialization in addition to general knowledge. So, legal education has various objectives ranging from secondary level curriculum to the higher level curriculum including +2 level, Bachelor's level, Master's level, Ph. D. or PDD level. Mainly, legal education in Nepal has been ranging from secondary level to Ph. D. level. Accordingly, legal education is required to prepare and produce human resources like judges, government and private attorneys, legal officers-administrators, researchers and professors on the one hand, and thinkers, professors and jurists on the other. So, the main objective of present legal education is to maintain balance and coordination between theoretical aspects of legal knowledge and practical and professional knowledge and skills as realized by all the developed countries and most of the developing countries of the world regardless of the focus of traditional education on theoretical aspects of knowledge.<sup>6</sup>

The objectives of legal education in Nepal have been changing along with the change in socio-economic, legal and political aspects. So, there has been progress in the scope and objectives of legal education from the time of establishment of *Sresta Pathshala* in 1962 B. S. to till date requiring to produce low level clerical job to high level judges, jurists and academicians respectively. Therefore, the objectives of legal education in general in Nepal can be enlisted as such below based on the curriculum of all levels of legal education without repetition.

<sup>6</sup>Amber Prasad Pant,(Prof. Dr.)(2060 B. S.),"Determination of Educational Criteria and Present Situation of Legal Education in Nepal" (in Nepali), in Laxmi Prasad Mainali (edr.), *AnuBhabh Smarika*, Bhadrapur, Jhapa: Nepal Bar Association, Jhapa Bar Unit, p. 95.

- Faculty of Law, Tribhuvan University is the only one academic institution or university running Ph. D. program in Law with the objective of preparing specialized manpower for enhancing research in various avenues of law, developing Nepalese jurisprudence and strengthening the Nepalese legal system.<sup>7</sup>

The main objectives of four semester/six semester LL.M. Program sound alike are:<sup>8</sup>

- To impart legal knowledge from socio-cultural and development perspective;
- To produce human resources equipped with legal skill, competence, and integrity;
- To inculcate in students a sense of responsibility towards the society, the nation and the world and of respect for human life;
- To develop a base of legal excellence with international and indigenous understandings; to promote research by the faculty and the students in order to understand the insights of law and justice;
- To prepare legal scholars, jurists and academicians for the professions of law teaching, research, judicial and government services and consultants for public and private enterprises.

The objectives based on the current syllabus of 3 years LL.B. program are:<sup>9</sup>

- To develop professional skills through moot court, client interviewing, mediation/conciliation etc. and to develop effective oral argument of advocacy;

<sup>7</sup>Bal Bahadur Mukhia,(Prof. Dr.)(2018-19), "Legal Education and Teaching Methodologies", *Nepal Law Review*, Kathmandu: Nepal Law Campus, Faculty of Law, T. U., Nepal, Year 41, Vol. 28, No. 1& 2,p. 42.

<sup>8</sup>Tribhuvan University, Faculty of Law, Master of Laws (LL.M.)(2017),*Curriculum in Semester System (Four-Semester)*, Kathmandu:Curriculum Development Center, TU, p. 3.

<sup>9</sup>*Bachelor of Laws*, Curriculum Development Center, Faculty of Law, Tribhuvan University, Kathmandu.

- To involve student into the practical application of the law through clinical education and seminars;
- To familiarize the students with the various steps of the trial and hearing proceedings and technique of interviewing to clients.

The objectives of B.A.LL.B.Program under TU reflect the aforementioned objectives. Likewise, the objectives introduced by the LL.B. Syllabus under PU reflects newness having same intent such as:<sup>10</sup> to run professional and career-oriented legal education facilitating study, research and teaching programs related to law and promote all round development of its student, teachers and scholars abilities and personalities; and to contribute to the creation of a comparative high competitive environment in legal education by extending and disseminating knowledge by fostering its efficient and effective application. In the same way, 5 years B.A.LL.B. and 2 years LL.M. Program of Purbanchal University, 5 years BBMLLB program of Kathmandu University, 3 years LL.B. program of Open University, 10 semesters B.A.LL.B.Program of Mid-western University, and B.A.LL.B.Program of Lumbini Bauddha University has somehow same objectives being inclined towards promoting legal education in Nepal. Similarly, secondary level legal education (+2 level) has the main objective of imparting basic knowledge regarding law and legal practice and to produce clerical manpower having capacity to work in the court.

#### 4. Nature, Scope and Importance of Legal Education

As law is indispensable to regulate behaviors people in the society, there is growing demand of it for the creation of rule of law, good governance, and peaceful and prosperous human society. The scope of law and legal education is wider. Therefore, to introduce any

<sup>10</sup>LL.B. Syllabus, Faculty of Law, Purbanchal University.

laws and their timely reforms as per the changing dimensions of human society and human civilization of any country or of the world, there is dire need of legal education. For the very purpose, countries of the world having any political or legal systems have been imparting legal education informally or formally since the time immemorial in the history of mankind. Accordingly, to impart legal knowledge; to produce skilled human resources like policy makers, judges, lawyers, bureaucrats, legal consultants, academicians, researchers and others; to strengthen legal and institutional mechanisms; to promote rule of law and democratic system; to institutionalize federalism or other changing political systems; to maintain peace and stability in the country; to promote international relations via international conventions, treaties or agreements; to systematize and regulate the human activities in the world; and so on, there has been and there is and there will be great importance of legal education explicitly or implicitly. In the same sense, legal education is important to impart theoretical knowledge regarding rights and duties of the citizens and to provide legal education is a device of socio-economic and political justice and a means of achieving democracy.<sup>11</sup>

While talking about the importance of legal education, internationalization (of legal education) saw the world as an archipelago of jurisdictions, with a small number of lawyers involved in mediating disputes between jurisdictions or determining which jurisdictions applied; trans-nationalization saw the world as a patchwork, with greater need of familiarity across jurisdictions and hence a growth in exchanges and collaborations; and now globalization is now seeing the world as a web in more ways than one, with lawyers needing to be comfortable in multiple jurisdictions.<sup>12</sup> Law matters most for holding in thrust

<sup>11</sup>*Supra note 5*, p. 95.

<sup>12</sup> Simon Chesterman (July 2008), "The Globalization of Legal Education", *Singapore Journal of Legal Studies*, National University of Singapore (Faculty of Law), p. 58.

for past, present and future generations the promise of equal justice under law. As important as legal education is to 'why law Matters', so is the bench and bar, the policy makers and the public.<sup>13</sup> Legal education can play significant role in establishing just and equitable society. It is also the basic requirement for sitting in the legal practitioner's examination conducted by Nepal Bar Council and obtaining licenses for law practice.<sup>14</sup> That is why, law is significant at national and international level, and so is the legal education as a pathway to rule of law, good governance (local, national and global), justice, human rights protection, democracy, and international relations. Therefore, legal education has worldwide value in case of producing efficient, skillful and competent manpower.

By recognizing the importance of education, *the Constitution of Nepal 2072 (2015)* has mentioned that every citizen shall have the right to get compulsory and free education up to the basic level and free education up to the secondary level from the State.<sup>15</sup> As there is one popular and applicable legal maxim articulated *ignorantia juris non-excusat* (Ignorance of law is inexcusable), even at secondary level, there is necessity of legal education to make all the citizens of the country familiar with the basic laws of the land. Furthermore, under policies of the State, Nepal has envisioned to prepare human resources that are competent, competitive, ethical, and devoted to national interests, while making education scientific, technical, vocational, empirical, employment and people-oriented,<sup>16</sup> to make private sector investment in education service-oriented along with enhancing the State's investment in the education

sector<sup>17</sup>, and to make higher education easy, qualitative and accessible, and free gradually.<sup>18</sup> From the very essence, inherently, we can say that legal education, being professional one, has great importance in order to produce human resources for judicial, quasi-judicial and other institutions and agencies.

### 5. Gradual Reforms of Legal Education in Nepal

By realizing the necessity of legal education in line with the change in the politico-legal and socio-economic dimensions or aspects of the country, gradual improvements have been carried out in the legal education and its curriculum in Nepal. The question of 'how far is the quality of legal education?' depends on various measuring criteria like curriculum, teaching methods, testing methods, physical educational infrastructure, regularity of class, diligence and hard labor of the students, and others.<sup>19</sup> On the basis of the very fact, to bring reforms in the legal education in Nepal since the establishment of *Sresta Pathshala* in 1962 B. S., various efforts have been made. The efforts to bring reforms in legal education can be pinpointed as follows:

- To uplift the standard of legal profession, there is necessity of gradual reforms in legal education of school level to university level curriculum.
- At the university level, the curriculum of legal education has been changing in different phase of time framework having the historical development ranging from 2011-2016, 2016-2030, 2030-2042, 2042-2046/47, 2047-2063, 2063-72, and 2072 B. S. onward with a purpose of bringing reforms in legal education along with the change in the political system of the country.

<sup>13</sup>Kellye Y. Testy (Summer 2016), "Why Law Matters", *Journal of Legal Education*, Vol. 65, No. 4, Association of American Law Schools, p. 709. The very article is based on the presidential address made by the Dean of University of Washington School of Law Prof. Kellye Y. Testy at 2016 AALS Annual Meeting.

<sup>14</sup>Bal Bahadur Mukhia (July 2005), "Contemporary Legal Education in Nepal and Relevance of its Contributions", *Tribhuvan University Journal*, Vol. 25, No. 1, p. 11.

<sup>15</sup>Article 31(2) of the *Constitution of Nepal, 2072 (2015)*.

<sup>16</sup>Article 51 (h) 1 of the *Constitution of Nepal, 2072 (2015)*.

<sup>17</sup>Article 51 (h) (2) of the *Constitution of Nepal, 2072 (2015)*.

<sup>18</sup>Article 51 (h) (3) of the *Constitution of Nepal, 2072 (2015)*.

<sup>19</sup>*Supra note 6*, p. 101.

- By the establishment of the Tribhuvan University on 2016 B. S., this (Nepal Law) College was affiliated to this University shifting from Patna University of India. As such, the curriculum of this College was modified and included certain Nepalese laws in its curriculum. In fact, this event could be considered as the initiation of legal education in Nepal.<sup>20</sup> However, legal education was not accessible to poor people from 2016-2030 B. S. due to having LL. B. level education imparted from Nepal Law College Kathmandu and Morang College, Biratnagar.
- In 2028 B. S., National Education System Plan was introduced to bring reformation in education. And it was implemented from 2030 B. S. Accordingly, there was huge impact of this on legal education. So, semester system was introduced in legal education introducing two years Certificate level and 3 years Bachelor level under Institute of Law.
- Then, in 2040 B. S., as per the report of Royal Higher Education Commission, annual system was introduced by ending semester system. And Institute of Law has been converted into Faculty of Law.
- Along with the political change after **First Mass Movement 2046 B. S.**, there was necessity to change the curriculum. For that purpose, Faculty of Law and Curriculum Development Center jointly organized 'Law Curriculum Reform Workshop' from 2-8 *Ashadh*, 2048 B. S. by incorporating the suggestions of the Workshop, new curriculum has been implemented from the academic session of 2048 B. S. In the very year, National Education Commission was established to bring reform in the education system.
- While implementing the report of the National Education Commission submitted to the then Prime Minister on 14th *Jestha*, 2049 B. S., PCL level and B. L. level of law was phased out in 2052 B. S. and 2053 B. S. respectively. Immediately, LL.B. and LL.M. programs have been started since 2053 B. S.
- Then after, along with the change in the political system after the **Second Mass Movement 2062/63 B. S.**, Bachelor Level and Master Level curriculum has been reformed in 2065 B. S.
- As special program, under Faculty of Law T. U. five years B.A.LL.B. program and three years LL. M. program have been running since 2012 A. D.
- Since 2015 and 2017 A. D. respectively, B.A.LL.B. and LL.M. programs have been running in semester system as per the policy and direction of T. U. by repealing yearly system.
- To fulfil the assistant or clerical level manpower in the judiciary (a gap in education after the curtailing of PCL Level in Law) due to the difficulty in case management, around 600 students have been studying +2 level legal education started since 2073 B. S. from the effort of Central Judicial Sector Coordination Committee established as per Supreme Court Regulations, the then HSEB Council and Government of Nepal.
- In the same manner, other universities have been striving to bring change in the curriculum and legal education.
- To recommend for proper educational standard of the legal profession in consultation with the university to increase

<sup>20</sup>*Supra note 3*, p. 36.

the standard of legal education<sup>21</sup> and to make provisions for necessary training to maintain the legal profession prestigious by providing practical experience to the Legal Practitioners,<sup>22</sup> Nepal Bar Council has been legally propelled in its Act for the purpose of bringing reformation in legal education in Nepal. Therefore, Nepal Bar Council can play vital role to bring uniformity and efficiency in legal education of all universities in Nepal. For which, Tribhuvan University and its Faculty of Law must play effective role as the oldest educational institutions providing legal education in Nepal timely under its leadership by doing coordination with all the stakeholders to promote good quality legal education in Nepal.

#### 6. Present Scenario of Legal Education in Nepal

While mentioning about the current scenarios of legal education in Nepal, the striking queries could be: how many universities and institutions of Nepal are there to provide legal education?; what are the programs offered?; how like is the curriculum- progressive or stagnant?; what are the set objectives?; what is the situation of teaching faculties?; What are the major problems of legal education?; how is the quality of the products?; how is the flow of students in the faculty of law; how is the demand of human resources produced from law colleges; and who are playing roles in the promotion of legal education in Nepal? In dealing with such queries, there is necessity to mention the following facts:

#### Institutions/universities imparting legal education in Nepal

Out of 12 Universities namely Tribhuvan University, Kathmandu, Nepal Sanskrit University, Dang,

Kathmandu University, Dhulikhel, Purbanchal University, Biratnagar, Pokhara University, Pokhara, Lumbini Bauddha university, Lumbini, Mid-Western University, Surkhet, Far Western University, Mahendranagar, Agriculture and Forestry University, Chitwan, Nepal Open University, Kathmandu, Madan Bhandari University of Science and Technology, Chitlang, and Yogmaya Ayurveda University, Shankhuwasabha, only 6 universities have been imparting legal education in Nepal. Regarding the very fact, Tribhuvan University, being the oldest university imparting legal education in Nepal, has been running various programs such as: Ph. D. program under Faculty of Law; four and six semester LL. M. program (50 seats at Day and 35 seats at Morning program respectively), three years LL. B. program, and ten semester B.A.LL.B. program (105 seats) in Nepal Law Campus, Kathmandu having around 15000 students; five years B.A.LL.B. program (out of Valley only in P. N. Campus, Pokhara having 70 seats) and three years LL.B. program in the constituent Campuses- Prithvi Narayan Campus, Pokhara, Butwal Multiple Campus, Butwal, Mahendra Multiple Campus, Nepalgunj, Mahendra Bindeshwari Multiple Campus, Rajbiraj, and Mahendra Multiple Campus, Dharan; and three years LL. B. program in the T. U. affiliated (public) campus named Hari Khetan Multiple Campus, Birgunj and five years B.A.LL.B. program (105 seats) and four semester LL.M. program (50 seats) in the T. U. affiliated (private) college named National Law College, Lalitpur. Similarly, 5 years B.A.LL.B. and 2 years LL.M. Program have been running in Kathmandu School of Law, Bhaktapur, Chakrabarti HaBi Education Academy College of Law, Kathmandu, and Bright Vision Law College, Biratnagar being affiliated to Purbanchal University. Likewise, 5 years B.B.M.LL.B. program of Kathmandu University, 3 years LL.B. program of Open University, 10 semesters B.A.LL.B. Program of Mid-western

<sup>21</sup>Section 8 (1) (i) of the *Nepal Bar Council Act, 2050*.

<sup>22</sup>Section 8 (1) (k) of the *Nepal Bar Council Act, 2050*.

University, and 5 years B.A.LL.B. program of Lumbini Bauddha University have been running in order to provide legal education in Nepal. Similarly, since 2073 B. S., under Higher Secondary Education Board, +2 colleges have been imparting legal education at around 120 places throughout the country at present.

Curriculum has been revised time and again as per the need and demand of the time. Teaching faculties have been getting refreshment training occasionally. Human resources related to judicial, quasi-judicial and others have been produced each year. Very few manpower have got chance to international exposure or career access at international level. Still there is necessity of producing highly skilled manpower by bringing improvement in the quality of the academic institutions. Faculty of Law, Tribhuvan University, has been striving for bringing improvements in the legal education as to the changing needs of the globalized world by introducing new curriculum, bringing reforms in existing curriculum, preparing and submitting Strategic Plan for Upgrading Law at Tribhuvan University to Higher Education Improvement Project, Tribhuvan University timely, discussing the issues to be addressed related to curriculum and teaching strategies having nine subject committees and coordinating with all the stakeholders through 29 members Faculty Board.

All the stakeholders like all Universities (mainly T. U. being oldest and most reputed university of Nepal) must play vital role in promoting legal education in Nepal. Likewise, there has been pivotal role of Faculty of Law, T. U., judiciary, Nepal Bar Council, Nepal Bar Association, National Judicial Academy, Ministry of Law, Justice and Parliamentary Affairs, various research institutions, and INGOs like UN, USAID and others in the promotion of legal education in Nepal. However, that is not satisfactory. As legal education requires theoretical knowledge and practical

or professional skills, there is vital role of Bar Council. So, it must play pivotal role in balancing theoretical knowledge with the practical legal skills. Now, Supreme Court of Nepal has managed the opportunity to do post-B.A.LL.B. internship to 10 students of Nepal Law Campus which is remarkably praiseworthy. Accordingly, to produce competent, skillful and efficient human resources through legal education in Nepal, there is necessity of providing internship opportunity in almost all judicial and quasi-judicial bodies. Therefore, all the stakeholders must play their respective roles to make legal education in tune with the changing demands of the time, thereby making legal profession and professionals highly prestigious.

### **7. Challenges of Legal Education in Nepal**

Legal education has always borne an ambiguous relationship to the practice of law.<sup>23</sup> So, there is a challenge to maintain balance between theoretical knowledge and practical legal skills while imparting legal education. Similarly, there are few challenge in promoting good quality legal education in Nepal. The major challenges are enlisted as follows:

- To implement semester system of various programs like LL.M. and B.A.LL.B.
- To produce effective, efficient and competent human resource as there are 23000 students studying under Tribhuvan University. Particularly, due to the growing scope and interest in legal education, there is huge flow of students in LL. B. program.
- To coordinate with all the stakeholders of legal education like universities, Nepal Bar Council, Nepal Bar Association, Courts, Ministries and others in order to bring uniformity, reforms, and efficiency in legal education in Nepal.

<sup>23</sup>*Supra note* 12, p. 59.

- Lack of adequate human resources and financial resources while comparing the need and demands of qualitative legal education in order to institutionalize federalism in Nepal.
- Political interventions in academic sectors is another great challenge to deal with.

Therefore, due concern must be shown by all the stakeholders to tackle with such problems and challenges to achieve the targeted goals and objectives of legal education for fulfilling human resource needs of the country and competitive manpower at international level.

### 8. Prospects of Legal Education in Nepal

In the context of Nepal, legal education has wider scope because Nepal has been constitutionally declared as federal democratic republic state.<sup>24</sup> Accordingly, in order to institutionalize federalism in Nepal in the parameter of legal and institutional mechanisms, there will be greater role of manpower produced from legal education. So, to the best of their efforts to real implementation of law of the land for effective and efficient governance in the country and for smooth socio-economic development sustainably, we cannot deny the significance of legal education. Similarly, human resources produced from academic institutions of law in the federal democratic republic Nepal will have the pivotal role to play in the 753 judicial committees of rural municipality and municipalities, district court, high courts, supreme court, special court, labor court, various tribunals like revenue tribunal and military tribunal, Ministry of Law, Justice and Parliamentary Affairs, department of different ministries, judicial and quasi-judicial bodies, international agencies, embassies, consular, academic institutions, research institutes, mediation and arbitration and so on. Due to the very fact, good quality legal education is required. In doing so, Bar Council of Nepal must play significant role like that in

<sup>24</sup>Article 4 of the *Constitution of Nepal, 2072*.

other countries of the world to maintain quality education by specifying basic criteria of legal education along with monitoring and implementation as such. And, all the stakeholders like universities, Bar Council, Courts, Bar Association, Judicial Service Commissions must work collaboratively to enhance the quality of legal education in Nepal to produce competent human resource saleable at national and international level.<sup>25</sup>

Consequently, faculties will seek ways to ensure that their graduates are both intellectually and culturally flexible, capable of adopting not merely to new laws but to new jurisdictions. Comparative and international subjects will receive greater emphasis in this present time of globalization.<sup>26</sup> But, in doing so, competent faculties must have chance to frequent refreshment trainings and they must involve in research activities continuously. To impart quality education, sufficient budget must be allocated by the government along with the capability of universities to collect more funding from internal (and international) sources to meet the needs for developing well equipped libraries and conducting extra-curricular activities like refreshment trainings for faculties, international conferences, seminars, workshops, mooted competitions, role plays and faculty and students exchange programs.<sup>27</sup>

Due to the federal structure of the government of Nepal, Public Service Commission must be directed towards encouraging legal manpower produced after completing +2 Level Law degree to be recruited at least second class non-gazetted officer or equivalent in the office of the Government Attorneys, judicial

<sup>25</sup> Binod Karki (15 Baishakh, 2069), "Monitoring Quality of Legal Education: a Context of Responsibility and Concern", *Kanoon*, No. 92, Kathmandu: Lawyers' Club, p. 49.

<sup>26</sup>*Supra note 5*, Pp. 66-67.

<sup>27</sup>Tara Prasad Sapkota (Prof. Dr.) (2018-19), "Teaching comparative Constitutional Law in Common Wealth Countries and Non-Commonwealth Countries with Reference to South Asian Countries", *Nepal Law Review*, Year 41, Vol. 28, No. 1 & 2, Kathmandu: Nepal Law Campus, Faculty of Law, T. U., Nepal, p. 68.

service sectors of court, police, military service etc. In the context of federalism, T. U. has its law teaching institutions in all provinces except Karnali province and Far Western Province. Now, voices have been raised for the establishment of separate law university. In case of having such as reality, the need and importance of legal education could be furthered in the direction of providing high quality education.

Thus, due to the prospects of job opportunities within an outside the country, good quality legal education is required in Nepal. In order to build the nation, develop the country, maintain rule of law and good governance, institutionalize federalism and democracy, ensure justice and protect human and fundamental rights of the citizens, alleviate poverty, end corruption, maintain sound diplomatic relations with other countries, safeguard the interest of nation from foreign deception and interference through agreements and treaties, coordinate with and get support from UN and other international agencies, move in line with the international legal standards, conventions and treaties and so on, there is high prospect of legal education. Therefore, Government of Nepal must show adequate concern in the promotion of good quality legal education in Nepal by mitigating unwanted political interferences and by creating conducive environment for infrastructural and human resource development.

## 9. Conclusion

Legal education, being a multidimensional education, requires to be imparted to all the citizens for general knowledge of law. At the same time, it is indispensable for producing skilled human resources to work for peace, democracy, rule of law and justice. Further, it is obligatory to produce researchers, academicians, judges, lawyers, policy makers and others in the present time of globalization. So, to make competent, efficient human resources for the country and for the globe, there necessitates legal

education. Therefore, in order to promote legal education in Nepal, there must be concern of all the stakeholders like Faculty of Law, Nepal Bar Council, Judiciary, Nepal Bar Association, Universities, Ministry of Law, Justice and Parliamentary Affairs, national and international agencies and others.

Not only that, there is necessity of timely reforms of the academic curriculum, training to the teaching faculties, legal and professional trainings to the judges, lawyers and legal officers, regulating all academic activities systematically, faculty and student exchange programs with the foreign universities, conduction of socio-legal or legal researches, conduction of seminars and conferences, change in the teaching methods, examination system and evaluation system, development of infrastructures, promotion of both physical library and e-library, moot court competitions, focusing on skill based education balancing theoretical and practical knowledge, global interaction network, international exposure to the students and teaching faculties, and so on for fulfilling or achieving the desired targeted goals and objectives of legal education in Nepal in the rapidly changing scenarios of the scientifically and technologically advanced global community having the demand of competent human resource in the international labor market due to globalization of trade, goods and services, language, culture, help and support and so on. That is why, we need to establish separate Law University in Nepal to enhance the quality of legal education by fulfilling necessary pre-conditions to achieve targeted goals to the greater extent possible in the days to come in order to do outsourcing of legal manpower and to make this small and beautiful country hub of legal education in the world.