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## FROM POLICY TO PRACTICE: AN OVERVIEW OF CLINICAL LEGAL EDUCATION IN INDIA

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### ABSTRACT

*Education evolves with time, and teaching evolves with it. Today, learning is no longer limited to the classroom or to memorizing legal doctrines. Modern teaching demands that students not only understand concepts but also know how to apply them. Clinical Legal Education represents this shift within legal studies. CLE moves students from theory to practice by placing them in situations, real or simulated, that mirror the challenges of legal work. Through this model, students learn how to analyze problems, interact with clients, understand professional responsibility, and develop practical confidence. This blog discusses the meaning of CLE, its historical roots, how it took shape in India, and the policies that continue to support it, especially UGC initiatives and the National Education Policy (NEP) 2020<sup>1</sup>. Before Clinical Legal programs emerged, law schools were dominated by doctrinal teaching, casebooks, and lecture-based methods. Skills training, community engagement, and exposure to real legal issues were nearly absent. Legal education focused on studying the law rather than preparing students to practice it. CLE altered this landscape by aiming to shape not just knowledgeable graduates, but also competent professionals with a sense of ethics and social responsibility. Its goals extend beyond improving drafting or advocacy<sup>2</sup>. Hence, CLE equips students with the intellectual, practical, and moral grounding required to enter the legal profession with purpose and preparedness.*

**Key Words:** - Clinical Legal Education, Legal Pedagogy, Experiential Learning, NEP 2020, Professional Skills Development

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<sup>1</sup>Government of India, Ministry of Law and Justice (Department of Justice), *Global Practices in Continuing Legal Education: Emerging Platforms for Professional Development of Advocates* (Final Project Report, June 2021) (Prof. K. M. Baharul Islam ed.), available at

<https://cdnbbsr.s3waas.gov.in/s35d6646aad9bcc0be55b2c82f69750387/uploads/2021/11/2021112350.pdf>

<sup>2</sup>*Clinical Legal Education*, Ipleaders Blog (June 8, 2021), <https://blog.ipleaders.in/clinical-legal-education/>

## INTRODUCTION

Every system in the world is bound to evolve, whether technology, machinery, methodologies, or education. Evolution is the basis of progress, ensuring that a system remains relevant and effective. Without continuous adaptation, a system becomes obsolete, failing to fulfill the purpose for which it was originally designed. Education, along with its teaching methods, follows this fundamental principle; it risks stagnation, rendering itself ineffective and irrelevant. A nation's education system must continually evolve and update itself if it hopes to prepare its young people for the future. Continuous refinement is vital for students to acquire quality education and the skills they need to grow. Darwin's theory suggests that those who adapt to an ever-evolving environment are more likely to thrive. This principle aptly illustrates how skill-based education supports lifelong learning. By continuously updating their knowledge and abilities, individuals can remain competitive and relevant in a constantly transforming world. Skill-based education not only enhances adaptability but also encourages a mindset of continuous growth, ensuring long-term personal and professional success.<sup>3</sup>

In the modern era, and even more in the future, traditional academic education alone will not be enough for students to achieve success, secure a well-paying job, or run businesses effectively. The evolving job market and business landscape demand a diverse set of additional skills that go beyond textbook knowledge. Educational institutions and educators must rethink their teaching methodologies to prepare students for these challenges. A shift towards skill-based education is essential, integrating practical, hands-on learning with theoretical concepts. Skill-based learning focuses on hands-on practice and real-world application, allowing students to cultivate necessary skills such as reading, writing, speaking, and overall literacy through repeated exposure and practical demonstration. This method not only improves competency but also fosters adaptability, making skills transferable across various fields and real-life scenarios.<sup>4</sup> Skill-based education emphasizes practical learning and real-world application, equipping students with essential abilities rather than just theoretical knowledge. Unlike traditional education, which primarily focuses on rote learning, skill-based learning nurtures critical thinking, problem-

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<sup>3</sup>Why Skill-Based Education is Important, 21K School (online), <https://www.21kschool.com/in/blog/why-skill-based-education-is-important/>.

<sup>4</sup>Skill-Based Learning – Definition, TechTarget (HR Software), <https://www.techtarget.com/searchhrsoftware/definition/skill-based-learning>.

solving, adaptability, and hands-on experience, guaranteeing learners' capability to face real-life challenges.

As the researcher is primarily related to the legal field, the study will revolve around Clinical Legal Education, an application of skill-based learning in legal studies, providing students with practical training through real or simulated legal work, instead of solely relying on theoretical knowledge from textbooks. Clinical Legal Aid (CLE) integrates hands-on legal experience through, legal aid clinics, moot courts, internships, and negotiation & mediation trainings. It enhances legal research, drafting, client counselling, and courtroom advocacy, bridging the gap between academic learning and professional practice. By fostering practical exposure, it ensures law graduates enter the profession with real-world skills, making them more competent and confident practitioners.

### **CLINICAL LEGAL EDUCATION**

Clinical legal education provides students with the real-life opportunity to handle real-life crises under the guidance of experienced lawyers and faculty members. These programs allow students to engage directly with clients, analyze legal matters, develop related documentation, and sometimes present arguments in court. Such hands-on experience helps students understand the practical complexities of legal practice while honing essential skills like client communication, problem-solving, and case management.<sup>5</sup> This enables students to understand how the law functions in a real-world scenario. This immersive approach enhances their understanding of legal principles and helps them develop essential skills such as legal research, client counselling, negotiation, and case management.

The term 'clinic' is similar to medical education, where trainee doctors gain practical experience by treating patients under supervision. Similarly, legal education clinics allow students to work on live cases, offering them a direct insight into the legal process and helping them understand the challenges practicing lawyers face. Clinical Legal Education (CLE) programs in law schools serve a dual purpose: equipping students with practical legal skills while providing essential legal services to underserved communities through legal aid clinics. These programs play a

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<sup>5</sup>*Evolving Law Education: Moving from Theory to Practice*, Best Colleges – India Today, <https://bestcolleges.indiatoday.in/news-detail/evolving-law-education-moving-from-theory-to-practice>.

crucial role in addressing the access to justice gap by offering affordable legal assistance that might otherwise remain unavailable.<sup>6</sup>

Clinical Legal Education (CLE) represents one of the most significant advancements in legal education since Langdell introduced the case law method, a method in which students examine actual judicial decisions to grasp legal principles and doctrines. CLE holds immense potential to enhance the quality of legal training by merging academic study with applied learning. It is fundamentally a practice-based learning approach aimed at equipping law students equipped with core practical competencies while advancing the social justice mission of legal education.

Clinical Legal Education offer a practical, experiential approach to learning law through “learning by doing”. This method enable students to apply their legal knowledge in real world context, fostering critical evaluation, reflection, and self-examination, thereby enhancing self-motivation and commitment. It facilitates the development of essential skills for legal practitioners, including research, communication, counselling, client and witness interviewing, drafting, negotiation, and problem-solving. This hands-on experience enriches students’ comprehensive understanding of law and better prepares them for the demands of legal practice.<sup>7</sup>

CLE has been integral to legal education since the 1960s, embedded in the Legal Aid and Legal Education Reform Movement. The first legal clinic in the United Kingdom was established in 1970, followed by Australia’s adoption of a CLE program in the 1990s. In India, the roots of CLE can be traced back to the mid-20<sup>th</sup> century.

## **EVOLUTION OF CLINICAL LEGAL EDUCATION**

Legal education in the early United States primarily occurred through self-directed reading and apprenticeships in law offices.<sup>8</sup> However, formal legal instruction began to emerge in the late 18<sup>th</sup> century. In 1779, Thomas Jefferson, the Governor of Virginia, restructured his alma mater, the College of William & Mary, establishing a law school as one of its six facilities. This institution operated till 1861 and was later revived in 1920.<sup>9</sup> Other notable developments included the founding of Litchfield Law School in Connecticut in 1784, Benjamin Franklin’s College of

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<sup>6</sup>*Clinical Legal Education in India*, IJLIS (PDF), <https://www.ijlsi.com/wp-content/uploads/Clinical-Legal-Education-in-India.pdf>.

<sup>7</sup>Cornell Law School Faculty Publications, Article at <https://scholarship.law.cornell.edu/facpub/1485/>.

<sup>8</sup>Duke Law Journal, Article at <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=2982&context=dlj> .

<sup>9</sup> ALFRED ZANTZINGER REED, TRAINING FOR THE PUBLIC PROFESSION 116 (1921)

Philadelphia in 1790, which later merged with the University of Pennsylvania, and Transylvania University in Kentucky in 1799. Harvard Law School, established in 1817, is recognized as the oldest constantly operating law school in the United States.<sup>10</sup>

By 1860, around twenty- one law schools were functioning in the United States, although they looked very different from the law schools we know today. A major turning point arrived in 1870 when Christopher Columbus Langdell took over as Dean of Harvard Law School. He transformed legal teaching by introducing the case-method approach, where students learn the law by closely studying court judgments. This method reshaped legal education and continues to be a foundational teaching practice even now..Despite these advancements, practical training was still largely acquired through apprenticeship well into the 20<sup>th</sup> century. To address this gap, early forms of clinical legal education emerged. For instance, a law club at the University of Pennsylvania established a legal aid dispensary in 1893. The University of Denver followed with a similar initiative in 1904. By the 1950s, only about 28 law schools offered clinical programs based on the legal aid model.<sup>11</sup>

## INDIAN SCENARIO

The growth of Clinical Legal education in India is slow, but steady, shaped by decades of reform efforts aimed at making legal learning more practical and socially meaningful. Formal legal education in 1855, but for many decades it remained heavily theory-based. As the need for practical exposure became clear, committees like Bombay Legal Education (1949) recommended compulsory practical courses, group discussions, seminars, and moots. Despite their value, suggestions took time to translate into real change.

A major boost came with the 14<sup>th</sup> Report of the Law Commission, which highlighted the importance of professional training. It encouraged universities to use methods such as seminars, mock trials, and simulations, teaching tools that naturally build practical skills. Implementation was slow, but the report set the foundation for later reforms.

A real turning point arrived in 1978 when the Bar Council of India introduced the five-year integrated LL.B. course. Unlike the earlier three-year postgraduate model, this new structure

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<sup>10</sup> *Our History*, Harvard Law School (online), <http://www.law.harvard.edu/about/history.html> .

<sup>11</sup>Catholic University of America Law Scholarship, Article at <https://scholarship.law.edu/cgi/viewcontent.cgi?article=1025&context=scholar> .

blended theory with practical components from the start. It opened the door for clinical learning to formally enter the curriculum of law schools.

The establishment of NLSIU Bengaluru in 1987<sup>12</sup> led to the transformation of legal education. As the first law school to adopt the five-year course, it placed strong emphasis on practical learning, community engagement, and legal aid clinics. The model was so effective that, in 1997, the BSI directed all universities to revise their syllabi on similar lines, adding compulsory courses and structured practical papers.

### UGC CONTRIBUTION

The University Grant Commission<sup>13</sup> further strengthened this movement. Its Curriculum Development Committee specifically recommended that law schools introduce dedicated clinical courses, such as interviewing, counselling, legal aid clinics, and specialized fieldwork. As a result, many institutions across India began integrating clinics and placement-based learning into their programs.

Clinical legal education shifts the focus from rote learning to practical immersion. Under the guidance of faculty, practicing lawyers, and judges, students learn how to listen to a client's story, identify legal issues, analyze facts, draft documents, negotiate, and even participate in community outreach. These experiences help students understand that legal education is not just about interpreting statutes; it is about solving human problems. Such training is also deeply enshrined in the National Education Policy.

### NEP 2020

NEP 2020 offers an opportunity to address the gaps in the education system that have been created due to the outdated curriculum, unequal access, and limited practical exposure, by underscoring inclusivity, technological adoption, interdisciplinary study, and ethical grounding<sup>14</sup>. It has quietly but firmly changed the way we look at legal education in India, and its influence is most visible in the growth of Clinical Legal Education. For years, CLE struggled to find space in the mainstream law curriculum, but NEP has given it the push it needed.

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<sup>12</sup>Case Reference, IndianKanoon, <https://indiankanoon.org/doc/154644006/>

<sup>13</sup>Case Reference, IndianKanoon, <https://indiankanoon.org/doc/48937>

<sup>14</sup> P. Agarwal, *Legal Education in India: Challenges and Opportunities*, *International Journal for Multidisciplinary Research*, Vol. 7, Issue 1 (Jan–Feb 2025), available at <https://www.ijfmr.com/papers/2025/1/34995.pdf>

One of the strongest features of NEP 2020 is its call to update what students learn. Law schools have now begun adding subjects that reflect the world we live in, such as technology, digital rights, environmental issues, and new regulatory areas. This shift helps clinics design practical work that mirrors real situations instead of sticking to old textbook problems.

NEP 2020 places strong emphasis on practical learning, making activities like moot courts, internships, legal aid, client interaction, and simulations a regular part of legal training rather than occasional accompaniments. This shift has helped Clinical Legal Education become a recognized part of classroom learning. The policy also encourages the use of technology in legal education, in forms such as virtual hearings, online research tools, and digital learning platforms.

The policy also focuses on ethical grounding and social responsibility, which aligns directly with the core value of CLE. In essence, NEP 2020<sup>15</sup> provides the structural, pedagogical, and ethical framework needed to elevate Clinical Legal Education in India, making it more relevant, accessible, and future-ready.

## CONCLUSION

Clinical Legal Education has steadily reshaped the way law is taught, moving the system away from a purely classroom-bound model to one that prepares students for the realities of legal work. What began as an effort to bridge the gap between theory and practice has now grown into a full educational shift, supported by government policies, university reforms, and the broader recognition that law cannot be learned from books alone. CLE proves that effective legal training must involve real problems, real people, and real responsibility. By bringing students into simulations, legal aid work, field-based learning, and community engagement, it allows them to understand the profession from the inside, unlike the traditional teaching approach of merely reading about it. This transformation has been strengthened by national guidelines that encourage experiential learning, innovation in teaching, and the use of technology to expose students to the changing landscape of the legal system.

As education continues to evolve, CLE stands out not as an optional add-on but as the future of legal teaching. It signals a permanent shift towards a more responsive, skill-oriented, and socially

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<sup>15</sup> National Education Policy 2020, Ministry of Education, Government of India, pt. I (2020), [https://www.education.gov.in/sites/upload\\_files/mhrd/files/NEP\\_Final\\_English\\_0.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf).

aware approach. When pursued with purpose, Clinical Legal Education becomes not just an educational method but a pathway to strengthening the very fabric of our justice system.