

# Tuning

India

## Reference Points for the Design and Delivery of Degree Programmes in Law

P. Puneeth, Sonia Nagarale,  
Sanjeevy Shanthakumar (eds.)





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## **Reference Points for the Design and Delivery of Degree Programmes in Law**

Reference Points are non-prescriptive indicators and general recommendations that aim to support the design, delivery and articulation of degree programmes in Law. Subject area group including experts from India and Europe has developed this document in consultation with different stakeholders (academics, employers, students and graduates).

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# Preface

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India moves towards becoming a true knowledge society and because of the imminent fourth industrial revolution, the Higher Education System in India faces several challenges.

The three biggest challenges identified for Indian Higher Education for the upcoming years are those of expansion, excellence and equity. To make sure all the students who enrol in Higher Education institutions across the country benefit from comparable high-quality educational experience, Indian Higher Education needs to develop comparable and compatible degree programmes (curriculum development) and build the capacity of university teachers (enhancing the quality of education and teaching).

The National Education Policy-2020 (NEP-2020) is grounded on the principles of Access, Equity, Quality, Affordability and Accountability. The NEP-2020 provides a “new” and “forward-looking” vision for India’s HES and its quality. The policy emphasizes, among other, on:

- Enabling faculty and institutional autonomy;
- Revamping of curriculum, pedagogy, assessment and student support;
- Enabling increased access, equity, and inclusion through a range of measures, including greater opportunities for outstanding public education;
- Moving towards a more multidisciplinary undergraduate education.

In this backdrop, the NEP-2020 proposes to revise and revamp all aspects of the education structure, including its regulation and governance, to create a new system that is aligned with the aspirational goals of 21st-century education. The NEP-2020 recommends that all undergraduate and graduate programmes be developed on an underlying foundation of holistic education, which enhances the intellectual, social, ethical, analytical, and aesthetic capacities of all students.

According to the NEP-2020, teachers are at the heart of the learning process-their recruitment, continuous professional development, positive working environments and service conditions are an important aspect of quality and excellence in higher education. The policy further states that it is critical to empower the faculty with high competence and deep commitment to energize them for excellence in teaching and research. It recognizes that the most crucial factor for the success of higher education institutions is the quality and engagement of its faculty. Hence, the NEP-2020 makes critical interventions in reforming the current state-of-affairs to energize and engage faculty members towards excellence in teaching and research.

Modernisation of Indian Higher Education is also seen through equipping Indian Higher Education Institutions with procedures, tools, human resources and continuous professional development mechanisms necessary for Curriculum Internationalisation and creating institution-wide thriving cultures of internationalisation for all.

The motivation behind the Tuning India project comes from 2013, when the European Commission offered the University of Deusto the possibility to undertake a "Feasibility study into the relevance of a Tuning approach for Higher Education in India" within the broad cooperative relationship between India and the European Union. The Tuning India project builds on the recommendations formulated as an outcome of that 9-month study, which combined a policy documents analysis with interviewing key actors of Indian Higher Education: University Grants Commission, Indian Government Planning Commission, Association of Indian Universities, All India Council of Technical Education, Federation of Indian Chambers of Commerce and Industry (FICCI), National Assessment and Accreditation Council, as well as more than 25 of the most relevant universities from the five sub-regions of India. The target groups of the study were the policymakers, higher education authorities, university staff and students in India.

“Expansion”, “excellence” and “equity” is what Indian higher education strives for—every university student should have a high-quality educational experience, while every person dreaming of higher education should have the right to enter a university. The Tuning India project brings together 15 Indian universities, along with 5 European Union (EU) partners, to try and make this dream come true. Academics, students, graduates, employers and other relevant stakeholders from the five sub-regions of the country have been involved in the process of (re)designing degrees to make them learner-centred, comparable and compatible, as well as relevant for the society and the labour market.

The Tuning India project uses the “Tuning Methodology”, which has been successfully implemented in 130 countries since 2000. It is a university-driven project which aims to offer higher education institutions and subject areas a concrete approach to implementing competency-based and student-oriented approaches. Most importantly, Tuning has served as a forum for developing reference points at subject area level. These are relevant for making programmes of studies comparable, compatible and transparent.

According to Tuning, the change from a staff-centred approach to a student-oriented approach emphasises the fact that it is the students who have to be prepared to the greatest extent possible for their future roles in society. At this moment in the global process of reforms in higher education, it is experientially clear that it is not enough just to desire change, or even to programme it at the general level, but rather it is necessary to consider processes and tools at the institutional and degree programme level.

Tuning India has brought together a group of experts, highly qualified in their fields, from Indian reputed higher education institutions. It has provided a structured way for them to work together, both on issues regarding 4 subject areas (ICT, Law, Medicine and Teacher Education) and on aspects relevant to the entire area of higher education. Much of Tuning’s work focuses on the role of subject areas. This aspect of Tuning reflects the conviction that only those who have actual knowledge and experience in teaching, learning processes and research at an advanced level can create the framework for developing new programmes and guarantee their quality, in design and delivery, in the new global context.

Tuning India has provided a platform for developing understanding and insight into how this can be best accomplished. In a carefully

organised process of dialogue and debate, all the universities involved have reached deeper levels of understanding regarding the elements which constitute the essence of degree programmes in a national and international setting. Both common and diverse elements have been identified and formulated in wording which is commonly understood. For the last twenty years, Tuning has proved to be an effective way of reaching international consensus while respecting-and indeed positively implementing-the rich diversity of educational traditions and the specific experience and insight of different subject areas.

In the course of its operation, the Tuning India project has developed a common language and conceptual framework. Thus, it favours dialogue between different academic traditions and facilitates mutual understanding and transparency between universities and the broader community of stakeholders-i.e. ultimately society at large. It has stimulated a process of reflection, development and innovation in higher education programmes. All of this has constituted an intense and demanding, but ultimately useful and rewarding, learning process for all those involved. The Tuning India project empowered those who are directly responsible for the design and implementation of curricula. The hands-on experience gave them the know-how and confidence to roll it out to their colleagues in other degree programmes.

The four subject area groups in Tuning India (ICT, Law, Medicine and Teacher Education), developed final documents following a similar procedure to obtain their results. Through discussion, creation of reciprocal knowledge and mapping the ways the discipline is learned and taught in the various countries, insight was gained and consensus built on what constitutes the vital core of each subject area.

This book reflects the outcomes of the work done by Law in the Tuning India project and shows in synthesis the consensus reached after intense, prolonged and lively discussions. The outcomes are presented in the standard Tuning format, introducing the methodology developed to design and to deliver degree programmes on the basis of well identified profiles and how this can be expressed in competencies and translated into learning outcomes. In general terms, we may consider that Tuning India developed reference points for the design and implementation of degree programmes in India.

In the carrying out of the Tuning India project, the collaboration of numerous academics and administrative staff from India and EU

Member States has been essential. A remarkable degree of talent, expertise, generosity, loyalty and commitment has distinguished the Tuning India project. We owe great gratitude to all the academics involved directly and indirectly in the elaboration process. They have shown tremendous commitment and imagination, finding new solutions and ways forward in an open and constructive dialogue. They have shown that Indian academics have the calibre and the vision necessary to tackle vital issues at an international level. Today's global society requires this kind of vision and commitment.

This project would never have been possible without the dedication and wisdom of the Subject Area Coordinators. They have been the pillars of the project, not only carrying great responsibility but also channelling discussions and debate in a constructive and stimulating manner. They have shown their ability to build consensus and reach outcomes which will prove useful for Indian Higher Education institutions in general.

We express our sincere gratitude to all participating universities who through their academic and administrative staff have offered us their time, energy and support to help meet our goals, piloting a concrete Tuning experience.

We would like to thank the European Commission, which through its Erasmus+ Programme has offered us the support that has made this project possible.

We also thank the European colleagues, who have greatly enriched the project, both with their wealth of knowledge and insight, and new questions and ideas.

This project means dreaming-imagining ways in which current practices can be transformed and improved. But it means not only dreaming of this future, but of getting down to the work of making it a reality. The consortium as a whole has demonstrated admirable integrity through its involvement and commitment working with determination in a disadvantaged situation during a historical moment of suffering at the international level, proving to be an example not only for the world of higher education but also for the entire society.

We would also like to highlight the important contribution made at each Policy Forum and plenary session by the people who spoke about their experiences enriching the discussions.

Finally, we would like to acknowledge the work of the project management team and the steering committee, whose devotion contributed to keep alive the activity, allowing the project to be completed on time and within budget. Whose enthusiasm kept teams motivated and on track, and whose dedication ensured that the project obtained the best possible result.

We hope and believe that the material contained in this publication will be very useful for all higher education institutions wishing to implement a competence-based and student-oriented approach, and that it will help them find and use the most suitable tools for adapting or creating higher education programmes to respond to the needs of today's society.

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# 1

## Introduction

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One of the objectives behind higher education curriculum reforms being envisioned in the contemporary era of globalization is to make the Programmes of studies offered in different disciplines by different Universities across the globe comparable, compatible and transparent. The "Tuning Academy" (TA) of the University of Deusto, Spain has, with the financial support of the European Commission, initiated the process in the year 2000 for realization of this objective. The TA has started "tuning" projects in several countries within Europe and outside with the aim of implementing Bologna tools through building a framework of comparable, compatible, and transparent programs of studies within each country by involving the universities and higher educational institutions of the respective countries. The Tuning India (TI) is a project initiated by the TA with the aim of implementing Bologna Tools in Indian universities.

For the TI project, the TA has brought together 15 Indian universities (both private and public), along with 5 EU partners. It started in 2018. The TI project is initially focusing on four selected subject areas-Law, Information and Communication Technology (ICT), Medicine and Teacher Education. Accordingly, four Subject Area Groups (SAGs) are constituted consisting of representatives from both Indian and EU Universities.

The Subject Area Group-Law (SAG-Law) consists of six partner universities (both private and public) in India and one expert from the University of Deusto, Spain. Main objectives of the SAG-Law are:

- Compare, identify and analyse similarities and differences between the undergraduate law Degree Programmes offered by the partner universities in India.
- Define competences (generic and specific), which every law student must acquire during his/her undergraduate Degree Programme and able to demonstrate.
- Develop a competence based meta-profile for law degree programme.
- Develop degree profile(s) in accordance with Tuning methodologies for implementation at partner universities offering appropriate Degree Programmes.
- Develop student learning guide(s) for any of the course(s) as a model to be followed for all other courses of the Degree Programme.
- Publish a document (Reference Points) elucidating the process followed and the results reached, which can be used as reference book by partner universities and others for developing Degree profiles and student learning guides according to Tuning methodologies so that Degree Programmes offered by them become comparable, compatible and transparent.

## 1.1. The Partners in the SAG-Law

The partner universities represented in the SAG-Law are (in alphabetical order):

- Adamas University, Kolkata, India, initially represented by Dr. Silla Ramsundar and later by Dr. Ripon Bhattacharjee.
- GD Goenka University, Gurgaon, India, represented by Prof. Sanjeev Shanthakumar.
- Jagran Lakecity University, Bhopal, India, represented by Prof. Yogendra Kumar Srivastava and Mr. Abhishek Kumar Jain.
- Jawaharlal Nehru University, New Delhi, India, represented by Dr. P. Puneeth.

- Savitribai Phule Pune University, Pune, India, represented by Dr. Sonia Nagarale and Prof. (Dr.) Naresh Waghmare.
- Vinoba Bhave University, Hazaribagh, India, represented by Dr. Jaydip Sanyal

The SAG-Law also comprises an expert from European Partner University: Prof. Marian Alaez, University of Deusto, Bilbao, Spain.

The Group initially elected Prof. Sanjeevy Shanthakumar and Dr. P. Puneeth as Coordinators. Later, when Prof. Sanjeevy Shanthakumar has shifted from GD Goenka University on his appointment as Director, Gujarat National Law University, Dr. Sonia Nagarale has been elected as another Coordinator.

## 1.2. The Relevance of the Tuning Methodology for Universities Imparting Legal Education in India

In India, the Government has recently adopted a new National Education Policy in 2020 (NEP, 2020) replacing the nearly three and half a decade old earlier policy adopted in 1986 (revised in 1992).

At a broader level, the NEP 2020 focuses on promoting flexibility, multi-disciplinarity, developing creative and critical thinking abilities, imparting life skills and inculcating ethics, human and constitutional values.

As regards higher education, it envisions autonomy to Higher Educational Institutions (HEIs) to innovate on matters of curriculum, pedagogy and assessment. It however, requires the HEIs to “move away from high-stake examination towards more continuous and comprehensive evaluation”<sup>1</sup> and “move to criteria-based grading systems that assess students’ achievements based on the learning goals for each Programme, making the systems fairer and outcomes comparable”<sup>2</sup> NEP, 2020 also

<sup>1</sup> Para 12.2, National Education Policy 2020. Available at: file:///C:/Users/Dr.%20P%20PUNEETH/Downloads/National\_Education\_Policy\_2020.pdf (visited on August 10, 2021).

<sup>2</sup> *Ibid.*

aim at internationalization of higher education by envisioning, *inter alia*, credit transfer system.<sup>3</sup>

Tuning methodologies are eminently suited for achieving these objectives.

Tuning methodologies, to state broadly, aim at promoting Competency Based Education (CBE). CBE focuses on assessing and grading students based on their ability to demonstrate well defined “competences”- learning outcomes.

Tuning methodologies, thus, primarily focus on defining and articulating “competences” that the students pursuing a particular Degree Programme must be able to demonstrate on successful completion of the said programme. Thereafter, it focuses on designing appropriate systems of instructions, assessments and grading of the students based on their ability to ‘demonstrate’ those defined competences. It is axiomatic to state that the high-stake end semester examinations are not compatible with the CBE.

Tuning, further, aims at building a framework of comparable, compatible and transparent Programme of studies within each country by applying Bologna Tools. The idea is to ensure that all students, on completion of their Degree Programmes in any particular field/discipline in any Institute/University in a country, would be able to demonstrate similar competences.

Ensuring comparable, compatible and transparent Degree Programmes within each country is a first step towards internationalization of education, which is also one of the aims of India’s NEP, 2020.

As far as legal education is concerned ensuring comparable, compatible and transparent Degree Programmes offered by law colleges/schools/ universities across the country is the need of the hour.

Presently there are two streams of undergraduate Law Degree Programmes offered by legal educational institutions in India viz., three year Bachelor of Law Degree and five year integrated law degree. Only a graduate student i.e., a student after completion of 10 + 2 + 3 years of education in any discipline can join the three year Bachelor of Law Degree (LL. B)

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<sup>3</sup> *Id.* Para 12.7.

programme. The eligibility to join the five year law Degree Programme is completion 10 + 2 or 11 + 1 year of education, as the case may be. The latter is an integrated dual Degree Programme comprising courses of bachelor Degree in any branch of knowledge (*viz.*, Arts, Commerce, Science or Business Administration etc.) integrated with law courses in such manner as may be designed by the University/Institution concerned. On completion, dual Degrees are awarded, the nomenclature of which may vary according to the choice of courses in the liberal discipline, for example, B.A.-LL.B., B.Com.-LL.B., B.Sc.-LL. B., or B.B.A.-LL. B as the case may be. There is no provision for lateral entry or exit even in the five year integrated Degree Programme. Relevant Rules governing legal education in India, in fact, explicitly prohibit both lateral entry and exit.<sup>4</sup>

In addition to the aforesaid two streams, it may also be interesting to note that the Rules governing the legal education in India permit introduction of six years B. Tech-LL. B. Programmes. As on today, as per the available information, no Indian university is offering this Programme.

Bar Council of India (BCI), a statutory body constituted under section 4 of the Advocates Act, 1961, regulates Professional Legal Education in India. As per the Rules framed by the BCI i.e., the Legal Education Rules, 2008, only the institutions approved by the BCI can impart Professional Legal Education. The Rules also specify minimum number of courses to be taught in both the streams and set standard for those courses. As per the Rules, for acquiring a regular three year Law Degree, one has to study not less than 28 papers (18 compulsory papers, 4 clinical papers and 6 optional papers) and for acquiring a five year integrated law degree, one has to study, in addition to the minimum of 28 law papers, not less than 14 papers from the liberal disciplines such as Arts, Commerce, Science or Business Administration.

In both streams-three year as well as five year integrated streams-honours Degrees may also be awarded. For obtaining an honours Degree in law, one has to study not less than 36 law papers (18 compulsory papers, 4 clinical papers, 6 optional papers and 8 papers in specialized/honours courses in any Group).

In India, Institutions/Universities offer either regular or honours Degree in either or both the three-year and five-year streams.

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<sup>4</sup> See Rule 13 of the Legal Education Rules, 2008 issued by the Bar Council of India.

The prescribed medium of instruction ordinarily is English for both the streams. However, the Universities/Institutions are at liberty to allow in full or in part instruction in any regional language other than English.<sup>5</sup>

Further, there is no uniformity as regards nature of institutions offering legal education in India. There are: (i) private or government standalone law colleges affiliated to either multi-disciplinary or mono-disciplinary universities, (ii) constituent colleges of public or private universities, (iii) standalone national law universities. In India, currently there are more than one thousand institutions approved by the BCI for imparting professional legal education. Even though all of them are subject to BCI regulations, level of autonomy they enjoy in several respects vary according to the nature of institutions.

No doubt, the BCI Rules ensure that Law Degree Programmes offered by different educational institutions are broadly comparable owing to the prescription of minimum number of courses and specific compulsory courses to be taught and certain other standards. Even though they are (only) broadly comparable it cannot be said that they are entirely compatible. With respect to those matters, where BCI Rules are silent or allows discretion to the Institutions/Universities to design curriculum, pedagogy or method of evaluation, different educational institutions, depending on level of autonomy they enjoy, have designed them differently. For example, as regards methods of evaluation, some Institutions/Universities prefer high-stake examinations over continuous evaluation whereas others prefer continuous evaluations in addition to semester-end-examinations that are not high-stake. One may find, on a closer scrutiny, many more disparities.

It is also very pertinent to note that curriculum and pedagogy designed for imparting legal education including assessments and grading systems are not "competency" based. As a result, even though Degree Programmes are broadly comparable (at least as regards compulsory courses and contents thereof), students on completion of their Degree Programmes cannot be said to have acquired the ability to demonstrate competencies that are comparable. The process of evaluation does not ordinarily involve the assessment of ability to demonstrate those competences. Even the students who have acquired the Law Degree from the self-same institution during the same academic period may not have acquired the comparable

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<sup>5</sup> Para 1, Schedule II of the Legal Education Rules, 2008.

competences. These discrepancies seem to be more between students who have acquired Degrees from different institutions.

It is in this context that the Tuning Methodologies seem to be very well suited for reforming the legal education in India. Reforming legal education curriculum and pedagogy according to the Tuning Methodologies would also pave the way for realizing some of the goals set out in the NEP, 2020. Making the Law Degree Programmes offered by different educational institutions across the country comparable, compatible and transparent is a first step towards internationalization of legal education in a true sense.

### 1.3. Law Programmes at Partner Universities: A Broad Overview

Four out of six partner Universities offer Bachelor's Degree Programmes in Law. They are: Adamas University (AU), Kolkata, India; GD Goenka University (GDGU), Gurgaon, India; Jagran Lakecity University (JLU), Bhopal, India; Vinoba Bhave University (VBU), Hazaribagh, India.

All the four Universities are multi-disciplinary Universities with constituent law colleges/schools. Whereas AU, GDGU and JLU are private Universities, VBU is a government University established by the State Government.

JLU offers four different Bachelor's Degree Programmes in Law of which three are five-year integrated dual Degree Programmes *viz.*, BBA-LL.B (Honours), B.A.-LL.B. (Honours) and B. Com.-LL. B. (Honours) and one three year LL.B. Programme. VBU offers two Bachelor's Degree Programmes *viz.*, three-year LL.B. Programme as well as five-year B.A.-LL.B dual Degree Programme. Both these programmes are non-honours programmes. AU offers three Bachelor's Degree Programmes. All three are five-year integrated dual Degree honours Programmes-B. A.-LL. B. (Honours), B. B. A.-LL. B. (Honours), B. Sc.-LL. B. (Honours).<sup>6</sup>

In addition to the Bachelor's Degree Programmes, all the four partner universities mentioned above also offer Post-graduate Programmes in Law. Two other partner Universities *viz.*, Jawaharlal Nehru University (JNU), New Delhi and Savitribai Phule Pune University (SPPU), Pune, India offer only post-graduate/research Programmes in Law.

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<sup>6</sup> As GDGU did not continue in the SAG-Law, information about Degree Programme offered by it was not made available and, thus, not included in the analysis.

In this section, only the five year integrated dual degree programmes offered by the partner Universities before implementation of Tuning Project are compared to understand the “convergences” and “divergences” between them. The comparison only focuses on the law courses offered and not the courses of the liberal discipline. The Degree Programmes compared are:

- BA.-LL.B. (Hons) Programme offered by the JLU.
- BA.-LL.B. (Hons) Programme offered by the AU.
- BA.-LL.B. Programme offered by the VBU.

It is also pertinent to note that the partner Universities have selected only the aforementioned Programmes for Tuning India Project and they are revising these Programmes according to Tuning Methodologies.

### 1.3.1. *Convergences*

As stated earlier, owing to the BCI Rules, which lay down the standards of professional legal education in the country, the law Degree Programmes offered by different educational institutions in India are broadly comparable. It is evident on comparison of the aforementioned Degree Programmes offered by the partner Universities.

All the partner Universities follow semester systems. In the first four semesters, even though couple of law courses are taught, the focus is mainly on the courses of liberal disciplines. All the courses of liberal disciplines are taught in the first four (in some cases in the first six semesters) and in the remaining semesters focus is exclusively on law courses. All the partner Universities are required to and do teach certain compulsory courses viz., Jurisprudence, Law of Contract, Special Contract, Law of Tort, Family Law, Law of Crimes, Constitutional Law, Property Law, Law of Evidence, Civil Procedure, Administrative Law, Company Law, Public International Law, Taxation Law, Environmental Law, Labour and Industrial Law. In addition, they also teach several optional courses.

All the partner Universities have adopted “credit” system for teaching, assessing and grading students. Their pattern of evaluation combines both continuous evaluations as well as end semester examinations. Their clinical courses include moot-courts, client counselling, internships,

training in drafting of pleadings and conveyances etc., Medium of instruction for all the three Programmes is English. None of them teach “Research Methods” in the five year integrated Degree Programmes even though research skills are very important for legal practitioners.

### 1.3.2. *Divergences*

It is evident from the above that there are broad similarities between the Bachelor’s courses offered by the partner Universities. There are significant dissimilarities as well. Some of them are obvious and some are hidden.

Both JLU and AU offer B.A.-LL.B. (Honours) Programmes whereas VBU offers regular B.A.-LL.B Programme without honours. Even though all of them follow credit systems, total number of credits assigned to their respective Degree Programmes vary significantly. Though both JLU and AU offer B.A.-LL.B. (Honours) Programmes, JLU’s programme is a 262 credits programme whereas AU’s Programme is a 240 credits programme. Surprisingly VBU’s B.A.-LL.B. Programme, which is not an honours Programme, has higher number of credits (i.e., 300 credits) than the honours Programmes offered by the JLU and AU. Even though total number of courses offered by the VBU is less compared to number of courses offered by JLU and AU, VBU has assigned more credits for each of the courses offered. With differences in the total number of credits assigned, which are distributed across semesters, it is axiomatic to state that students’ workloads also vary significantly.

Further, though similar core/compulsory courses are offered by all of them, as regards the set of elective/optional courses offered by them are concerned, there are no comparisons. They widely vary.

Even with regard to medium of instruction, though “English” is the medium in all the three partner Universities, when it comes to examinations, there are divergences. In JLU and AU students are allowed to write examinations only in “English” but in VBU, though medium of instruction is English, students are allowed to write their examinations either in “English” or in “Hindi”. Level of proficiency in the language of the Court (which is, ordinarily, “English” in the High Courts and the Supreme Court)<sup>7</sup> would differ accordingly.

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<sup>7</sup> Art. 348 of the Constitution of India.

As regards internships, though all the universities now require students to do internships as part of the clinical courses, credit weightage assigned to the internship differ. JLU requires their students to go for internship during the summer break after the end of every academic year and assigns total number of 8 credits (4 internships of 2 credits each) and have well defined criteria for evaluation. On the other hand, AU requires them to do 2 mandatory internships and the VBU requires only one mandatory internship in the entire period of five years.

Pattern of evaluation/grading is another area where one can see divergences. Though all of them combine both “continuous evaluations” as well as end “semester examinations” for evaluation of students in theory courses, weightage assigned to them differ. AU and VBU assign very less weightage for “continuation evaluation” (20 per cent) and hold high-stake “end semester examinations”, which carry 80 per cent weightage. JLU, on the other hand, assigns 40 per cent weightage for “continuous evaluation” and the remaining 60 per cent for the “end semester examination”. Even for the purpose of continuous evaluations, all the partner Universities either conduct internal tests or require the students to write assignments/term papers. So methods of evaluation and grading in no way assess the students’ competences. It is axiomatic to state that the methods of assessing and grading students based on couple of internal tests and end semester examinations are more likely to promote the habit of rote learning among students.

Another important divergence to be noted is that JLU in the final semester requires the students to submit “dissertations” that carry 10 credits. There is no such requirement either in AU or in VBU.

The aforesaid divergences and inadequacies in the Bachelor’s Degree Programmes offered by the partner University in India reinforce the justifications for “Tuning” the Degree Programmes.

### 1.3.3. *Partner Universities with no Bachelor’s Degree Programme in Law*

As stated earlier, two partner Universities i.e., JNU and SPPU do not offer Bachelor’s Degree Programmes in Law.

The SPPU offers one year Master’s Degree Programme in Law i.e., LL. M. It offers the Programme in five different areas of specializations viz.,

Constitutional and Administrative Law, Business and Corporate Law, International Law and Human Rights, Science and Technology Law, and Criminal Law. In addition, SPPU also offers Doctor of Philosophy (Ph.D.) Programme in Law.

The JNU does not offer either the Bachelor's or the Master's Degree Programmes in Law. It has two Law Centres: (i) Centre for the Study of Law and Governance (CSLG), which is an interdisciplinary Centre, and (ii) Centre for International Legal Studies (CILS), which focuses only on International Law. Both of them offer only research Degrees. CSLG offers Master of Philosophy (M. Phil.) and Doctor of Philosophy (Ph.D.) Programmes in Law and Governance and CILS offers M. Phil. and Ph. D. Degrees in International Law.

Since the current focus of the **Subject Area Group-Law** (SAG-LAW) was on Bachelor's Degree Programme in Law, the SAG-Law reviewed the BCI's Legal Education Rules, 2008 and the existing Bachelor's Degree Programmes in Law offered by the Partner Universities. In the light of the findings and extensive discussions, the members of the SAG-Law prepared a List of Generic Competences and a List of Specific Competences for Bachelor's Degree Programme in Law. The idea is to develop and promote CBE in Law. It is, however, very pertinent to note that the Lists of Competences (both Generic and Specific) developed by the SAG are for the non-honours three-years and the five-year Bachelor's Degree Programme in Law. No doubt, all of them are applicable to the Honours Programmes as well but the Honours Programmes must aim at developing additional competences as well. Such additional competences may have to be defined keeping in view the specific area of specialization.

After developing the Generic and Specific Competences for the non-honours Bachelor's Degree Programmes in Law, the SAG-Law held a survey and consultative process and in the light of findings, the SAG has developed a meta-profile for the Bachelor's Degree Programme in Law.

The following sections explain the processes followed in preparing the lists of Generic Competences and Specific Competences.



## 2

# Generic Competences- A Thematic Perspective

The “Generic competences” refers to those general abilities, skills and attitudes, which everyone, whoever has acquired a graduation Degree in any discipline in any Indian University, is expected to have developed during their graduation. These are the competences or qualities, which are very much essential for law graduates as well to be professional and successful in whatever career they intend to pursue.

The list of “Generic Competences” was prepared by the members of the faculty of all Indian and European Universities participating in the project after extensive deliberations at two levels. At the first level, deliberations were held within the SAGs. Each SAG has prepared a separate list of “Generic Competences”. At the second level, deliberations were held among the Coordinators of all the four SAGs and the common list of “Generic Competences” was prepared.

### 2.1. First Level: Identification of Generic Competences by SAG-Law

The SAG-Law, in the first General Meeting held at Bangalore, India, has considered and formulated a list of Generic Competences that a law graduate, like a graduate of any other discipline, should have developed during the course of his/her study. Members perceived Generic Competences as general abilities, skills and attitudes that a graduate should ideally have developed.

Each member of the SAG has suggested numerous abilities, skill and attitudes that a person with a Bachelor’s Degree in any discipline

(including law) should have acquired. Each of the suggestions was discussed extensively in several brainstorming sessions and a tentative list of Generic Competences was prepared. After the preparation of the tentative list, members of the SAG-Law considered the various lists of Generic Competences prepared in previous Tuning Projects in other countries viz., Middle East and North Africa, South Africa, Europe, Russia, Latin America and United States of America. Members found that many of the competences contained in the tentative list, though differently worded, were broadly identical with the Generic Competences prepared in other Tuning Projects. There were some, which were unique in each of the lists. Taking all the aspects into consideration, the tentative list was re-considered by the SAG-Law and the final list was prepared, which consisted 27 Generic Competences. Some of the competences included in the list are unique not only in their form but also in their purport when compared with the list prepared by other Tuning Projects.

The List of Generic Competences prepared by the SAG-Law is as follows:

1	Domain knowledge and understanding
2	Ability to think critically and analytically
3	Ability to think creatively
4	Ability to apply knowledge in practical situations
5	Ability to adopt intra and interdisciplinary approach
6	To be able to identify and adapt to emerging trends in the profession
7	Ability to identify problems accurately, negotiate and resolve
8	Ability to reason and make assertions/decisions
9	To have developed interpersonal communication skills
10	Ability to listen and empathize
11	To be able to articulate and express orally and in writing in English
12	To be able to articulate and express orally and in writing in native language
13	To be able to plan and manage time
14	To have a self-confidence and motivation
15	To strive towards excellence in one's profession
16	To be socially responsible professional
17	To have values and ethics
18	To respect diversity of language, religion and culture

19	To identify and avoid individual and collective prejudices and bias
20	To have developed scientific temper, humanism, spirit of inquiry and reform
21	To have an entrepreneurial spirit
22	Ability to work in a team
23	To avoid practices derogatory to women and other disadvantaged sections of the society
24	To protect and improve the natural environment
25	To have developed research skills
26	To respect and abide by the laws of the land at all times
27	Ability to self-introspect, accept criticism, unlearn and learn

Some of the Generic Competences identified by the SAG-Law are unique, for example, “ability to listen and empathize”, “to identify and avoid individual and collective prejudices and biases”, “to avoid practices derogatory to women and other disadvantaged sections of the society”, and “ability to self-introspect, accept criticisms, unlearn and learn”. There are no comparable competences in the List of Generic Competences prepared in the previous Tuning Projects in other countries.

At the first level, each of the other three SAGs (Teacher Education, Information and Communication Technology and Medicine) have also prepared similar list of Generic Competences.

## 2.2. Second Level: Preparation of Common List of Generic Competences

After preparation of four separate lists of Generic Competences, one each by SAG-Law, SAG-Teacher Education, SAG-Information and Communication Technology and SAG-Medicine, at the first level, Coordinators of the SAGs have met to discuss and prepare the Common List of Generic Competences.

At the second level, each of the separate list prepared by the SAGs were discussed over several brainstorming sessions. The Coordinators of each team have had ample opportunity to peruse through the list prepared by other SAGs and express their opinions. After many rounds of discussions, the Coordinators of the SAGs prepared the common list of Generic Competences consisting of 30 competences. They are:

1	Ability to do research
2	Adhere to ethical principles
3	Be socially responsible and humane
4	Ability to apply knowledge in practical situations
5	Ability to plan and manage time efficiently
6	Be a life-long learner
7	Acquire problem solving capacity
8	Ability to make reasoned decisions
9	Have good interpersonal skills
10	Appreciate and respect diversity and multiculturalism
11	Ability to manage crisis effectively
12	Act within the legal framework
13	Demonstrate environmental and economic consciousness
14	Ability to communicate effectively
15	Ability to work as a team
16	Demonstrate higher order thinking skills (analytical, critical, abstract, creative)
17	Be a reflective practitioner
18	Be innovative
19	Ability to work independently in a responsible manner
20	Possess self-confidence and entrepreneurial spirit
21	Be adaptable to emerging trends
22	Practice professionalism
23	Promote and ensure equal opportunities including gender issues
24	Adhere to and enhance quality standards
25	Demonstrate leadership qualities
26	Ability to use available resources optimally and efficiently
27	Ability to manage stress and maintain emotional stability
28	Have organizational and managerial skills
29	Be motivated for self-learning
30	Be goal-oriented

It is axiomatic to state that the list above is not descriptive of the competences and qualities any person graduating from any Indian University actually possesses. These competences and qualities are those, which every graduate ought to have acquired during their graduation. They are expectations. The importance of these competences and qualities for law graduates was intended to be ascertained through consultation with stakeholders.



# 3

## Formulation of Specific Competences for a Law Programme

The list of “specific competences” includes abilities, skills and attitudes which a person who has an undergraduate Degree in a specific subject area is expected to have developed.

For the Law Programme, the SAG-Law has, after extensive deliberations in the first General Meeting at Bangalore, identified and formulated a list of “subject-specific competences” that a law graduates ought to have acquired during their graduation.

### 3.1. List of Specific Competences for Law Programmes

The SAG-Law has identified total number of 25 Specific Competences. They have been listed under three broad categories viz “knowledge”, “skills” and “attitudes”. The list is as follows:

Knowledge	
1	Knowledge and understanding of basic legal theories, concepts and laws
2	Knowledge and understanding of socio-economic and political context and taking them into consideration in the creation, interpretation and application of law
3	Command over legal language and official language of the court
4	Knowledge and understanding of various dispute resolution systems
5	Ability to learn and derive appropriately the beneficial components of legal systems of other jurisdictions

Skills	
6	To have acquired legal drafting skills
7	Capacity to read objectively and interpret legal texts in context
8	Capacity to dissect the facts and identify core facts-in-issue
9	Capacity to find and apply law to the facts-in-issue
10	Capacity to identify the ratio decidendi and obiter dicta in judicial decisions
11	Ability to do quality legal research: both doctrinal and empirical
12	Capacity to identify the gaps in law and innovate for legal reform
13	Ability for legal and judicial reasoning
14	Ability to simplify and explain law to the common man
15	Ability to plead his case efficiently
16	Ability to examine and cross examine witnesses
17	Ability to critically analyze legal instruments
18	Ability to foresee consequences while enacting and interpreting the law
19	Ability to harmonize the letter and spirit of law
Attitudes	
20	To have developed court crafts and etiquette
21	Ability to practice law without compromising professional ethics
22	Ability to do pro bono advocacy and to take up socio-legal outreach programmes
23	Ability to work as a legal expert in a trans-disciplinary team
24	Capacity to act honestly, diligently and transparently in all professional endeavours
25	Commitment to justice and fairness in all situations

### 3.2. Description of the Process of Formulating Specific Competences for Law Programmes

The SAG-Law had, at the outset, reached the consensus, keeping in view the changing work profile of legal professionals, that the Specific Competences for Law Programmes should not only reflect the learning outcomes of the course in the existing Bachelor's Law Degree Programmes offered by the Partner Universities but also those

competences which every law graduate, ideally speaking, ought to have acquired and able to demonstrate. Decision was to identify such abilities, skills and attitudes that are required to enter legal profession in the contemporary era, which is witnessing a dramatic increase of legal landscape in the country.

In the contemporary era, the work profile of legal professionals is not confined to handling litigations in court rooms, which was the typical occupation of the law graduates in the earlier days. Particularly after the liberalization of the Indian economy in the early 1990s, legal landscape started expanding dramatically which in turn led to a creation of greater demand for legal professionals who could provide legal services in a whole new legal and regulatory environment. Most particularly, corporate legal sector is growing exponentially.<sup>8</sup> Legal professionals are required not only to handle corporate litigation in courts but also, increasingly, before alternative dispute settlement forums. They are also required to provide legal advice and services in the internal legal departments of corporations, banks and various other organizations for dealing with administrative process, regulatory compliances etc.,

Further, increasing integration of economies and expansion of economic activities also have implications on the society and polity, which throw up newer challenges to the legal systems. The lawyers are now required to play significant roles in various spheres of activities in the socio, economic and political life of the nation. Typical occupation of graduates in law is no longer confined to handling court cases.

The SAG-Law also took note of the fact that legal professionals are increasingly expected to work in trans-disciplinary teams. Keeping in view the expanding work profile of legal professionals, it is important for law graduates to acquire new set of abilities, skills and attitudes to enter legal profession. Abilities, skills and attitudes that are required for court room litigation alone are not sufficient to enter the legal profession in the 21<sup>st</sup> century.

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<sup>8</sup> See, David B. Wilkins, Vikramadiya S. Khanna et. al. (eds.), *The Indian Legal Profession in the Age of Globalization: The Rise of the Corporate Legal Sector and Its Impact on Lawyers and Society* (Cambridge University Press, 2017). Also see, D. Y. Chandrachud, "The Future of the Indian Legal Profession", available at: <https://thepractice.law.harvard.edu/article/future-indian-legal-profession/>.

It is in the aforesaid background that the SAG-Law identified the “Specific Competences” for Bachelor’s Degree Programmes in Law. For identifying the “Specific Competences”, the SAG-Law had followed almost a similar process it had followed for identification of the “Generic Competences” at the first level.

Each member of the SAG had suggested numerous abilities, skill and attitudes that a person with a Bachelor’s Degree in Law should acquire during the course of his/her study. Each of the suggestions was discussed extensively in several brainstorming sessions and a tentative list of Specific Competences was prepared. After the preparation of the tentative list, members of the SAG-Law considered the lists of Specific Competences prepared in some of the previous Tuning Projects in other countries most particularly the Tuning-Middle East and North Africa (MEDA) and Tuning-Russia. In the light of Specific Competences identified in other Tuning Projects, the tentative list was re-considered by the SAG-Law and the final list, consisting of 25 Specific Competences, was prepared for the Bachelor’s Degree Programme in Law in India.

As in the case of “Generic Competences”, even the list of “Specific Competences” is also not descriptive of the competences and qualities a law graduate from any Indian University actually possesses. These competences and qualities are those, which every law graduate ought to have acquired during their graduation. They are expectations. The importance of these competences and qualities for law graduates was also intended to be ascertained through consultation with stakeholders.

# 4

## Consultation and Reflections

The lists of “Generic Competences” and “Subject Specific Competences”, as stated above, are actually, “wish lists” consisting of what the members of SAG-Law wish students graduating with a Law Degree from any Indian University should have acquired by the time they completed their Degree Programme. After preparation of the lists, a survey was conducted to assess the “importance” and level of “achievement” of each of those competences in the existing Degree Programmes. Stakeholders participated in the survey are: (i) Students (currently pursuing undergraduate Degree in law); (ii) Law Graduates; (iii) Legal Academics; and (iv) Employers.

In order to get the views of the above mentioned stakeholders, a questionnaire was prepared consisting of two parts. The first part consisted of list of ‘Generic Competences’ and the second part, the list of ‘Subject Specific Competences’. The stake holders were required to estimate each of the competences (30 Generic Competences and 25 Subject Specific Competences) listed in the questionnaire in terms of:

- **Importance:** The importance of the skill or competence, in their opinion, for successful performance in a profession, job or occupation in which law graduates engage in.
- **Achievement:** The Level to which each skill or competence is developed by Degree Programme at the University, where stakeholders consulted are pursuing undergraduate Degree (students); received their graduation (graduates); teaching (academics) or recruit from (employers).

The stakeholders were required to estimate the relative “importance” and the level of “achievement” by using the following four point scale:

- 1 = not important
- 2 = important
- 3 = very important
- 4 = strong

Further, apart from estimating the relative “importance” and the level of “achievement” of each of the competences on a four point scale, the respondents were also requested to choose the five most important competences in each of the list and rank them accordingly. In addition, both parts of the questionnaire also contained three blank columns each for the respondent to additionally add any other generic or specific competences, which he/she thinks important but not part of the list.

All the faculty representatives of the Partner Universities in the SAG-Law conducted the survey. Total number of participants who answered the Part-A (Generic Competences) of the questionnaire was 601 distributed as follows: 194 academics, 113 employers, 133 students and 161 graduates. Since the list of Generic Competences is common to all the four SAGs, other SAGs viz., ICT, Medicine and Teacher Education too have conducted the Survey on Generic Competences. At the project level (i. e., surveys conducted by all the four SAGs), total number of 2859 participants answered the questionnaire on Generic Competences of which 601 participated in the survey conducted by SAG-Law, 858 participated in the survey conducted by SAG-ICT, 721 participated in the survey conducted by the SAG-Medicine and 679 participated in the survey conducted by SAG-Teacher Education.

Part-B of the questionnaire used by the SAG-Law required the participants to assess and rate the subject Specific Competences. A total number of 542 participants answered the Part-B of which there were 178 academics, 102 employers, 128 students and 134 graduates.

The results of the survey were analysed by Jon Paul Laka Murgarza, the Chief Statistician of the Tuning Academy, University of Deusto.

## 4.1. Results Relating to Generic Competences

The results of the survey conducted by the SAG-Law and other SAGs have validated the original common list of Generic Competences prepared by all the SAGs together. All the Generic Competences have been rated as “very important” by all the categories of stakeholders. However, survey results show that none of them have been achieved to a desirable level. On the whole, there are no significant divergences between the findings of the survey at the project level and at the SAG-Law level.

### 4.1.1. The rating of “importance” of the Generic Competences

As regards “importance” is concerned, all the Generic Competences have been rated as being higher than 3 on a scale of importance ascending from 1 to 4 in the survey conducted by SAG-Law. Rating 3 indicates that the competences are “very important”. Ratings 3 for each Generic Competence are not just the overall ratings given by all the stakeholders. Each group of stakeholders’ viz., Academics, Employers, Students and Graduates have rated each and every competence above 3 as far as their “importance” is concerned.

Findings at the project level (i.e., overall ratings by all the stakeholders participated in the surveys conducted by all the four SAGs) also reinforce the results of the survey conducted by the SAG-Law. At the project level as well each and every Generic Competence has been rated above 3 by all the stakeholder groups.

Following table contains the details:

Category	SAG-Law		Project Level (All four SAGs)	
	Total Participants	Rating of every competence in the List	Total Participants	Rating of every competence in the List
Academics	194	All above 3	666	All above 3
Employers	113	All above 3	518	All above 3
Students	133	All above 3	1036	All above 3
Graduates	161	All above 3	639	All above 3

### 4.1.2. *The ranking of most important Generic Competences*

In the questionnaire, respondents were asked to identify and rank 5 important Generic Competences out of the 30 in the list. For analysing the results, points were assigned to each of them. The competence that was ranked first was assigned 5 points, the second 4 points, the third 3 points, the fourth 2 points and the fifth 1 point.

To determine the 5 most important Generic Competences at the project level, firstly, points were assigned to the competences chosen as most important by each of the respondents in each category (all subject areas), and the mean was taken to rank them. At the second level, ranking by all the four categories (all subject areas) were considered to identify them.

Following the aforesaid approach, 5 competences have been identified as the most important at the project level. They are (in the order of their ranking):

- Ability to do research
- Ability to apply knowledge in practical situations
- Be socially responsible and humane
- Be a life-long learner
- Adhere to ethical principles

Similar process was followed to determine the 5 important Generic Competences at the subject level as well. Firstly, points were assigned to the competences chosen as most important by each of the respondents in each category (in the subject area "Law" only), and the mean was taken to rank them. At the second level, ranking by all the four categories (in the subject area "Law") were considered to identify them. Accordingly, 5 competences have been determined as most important at the subject level. They are (in the order of their ranking):

- Ability to do research
- Ability to apply knowledge in practical situations

- Be socially responsible and humane
- Adhere to ethical principles
- Be innovative

It is evident from the above that the first three competences have been identified as the most important in the same order both at the project level as well as at the subject level. The competence “adhere to ethical principle” was identified as the last of the 5 most important competence at the project level whereas it was assigned the fourth place at the subject level. With this little variation, there is total agreement as regards four competences as far as their importance is concerned. “Be a life-long learner”, which is identified as the fourth important competence at the project level does not find a place in the list of 5 importance competences determined at the subject level. Instead, ability to “be innovative” is included in the list at the subject level.

#### 4.1.3. *The rating of the level of achievement of the generic competences*

Overall survey results, both at the SAG level as well as at the project level reveal that none of the Generic Competences are achieved to a desirable level. Whereas, as stated before, all the four categories of stakeholders participated in the survey at both SAG level as well as project level have rated the “importance” of each and every Generic Competence above 3 i.e., “very important”, majority of stakeholders at both the SAG level as well as at the project level, have rated each of the Generic Competence below 3 in term of their “level of achievement” in the existing Degree Programme.

However, respondents in the “students” category at the SAG-Law level and respondents in both the “Student” and “Graduate” categories at the project level have rated the level of achievement of some of the Generic Competences as 3 or above. Respondents in the category of “Academics” and “Employers”, both at the SAG level as well as at the project level, have rated the level of achievement of each and every competence below 3.

Generic Competences, which were rated as 3 or above in terms of their level of achievement, are as follows:

Category	Generic Competence rated as 3 or above at SAG-Level	Generic Competence rated as 3 or above at Project Level (by all four SAGs)
Students	Ability to do research	Ability to work as a team
	Act within the legal framework	
	Ability to communicate effectively	
	Promote and ensure equal opportunities including gender issues	
	Be motivated for self-learning	
	Be goal-oriented	
Graduates	None	Appreciate and respect diversity and multiculturalism
		Ability to communicate effectively
		Ability to work as a team

As stated before, respondents in the category of “academics” and “employers” have not rated any of the Generic Competences as 3 or above as far as their level of achievements are concerned.

## 4.2. Results Relating to Specific Competences

### 4.2.1. The rating of “importance” of the Specific Competences

Respondents in all the four categories have rated all the Specific Competences as being higher than 3 on a scale of “importance” ascending from 1 to 4. As far as the highest and the lowest scores are concerned, the Specific Competence “[K]nowledge and understanding of basic legal theories, concepts and laws” has received the highest mean of the rating of a Specific Competence by all the four categories of respondents (Academics-3.74; Employers-3.74; Students-3.53, and Graduates-3.60) whereas “[A]bility to learn and derive appropriately the beneficial components of legal systems of other jurisdictions” has received the lowest mean of the rating of a Specific Competences by the respondents in the three out of four categories (Academics-3.29; Employers-3.32; and Graduates-3.20). Respondents in the “Students” category have assigned the lowest score i.e., 3.22 to “[A]bility to harmonize the letter and spirit of law”.

As each of the Specific Competences has been rated as higher than 3 on a scale of importance, it is axiomatic that the respondents in all the category are clearly of the view that each and every Specific Competence is “very important” to be developed in the students during their Bachelor’s Degree in the Law.

#### 4.2.2. *The ranking of most important Specific Competences*

In the questionnaires, respondents were also asked to identify and rank the five most important Specific Competences out of the 25 in the List. For analysing the results, as was done in the case of Generic Competences, points were assigned to each of them. The competence that was ranked first was assigned 5 points, the second 4 points, the third 3 points, the fourth 2 points and the fifth 1 point.

Details of the five most important competences identified by the respondents in each of the categories are as follows:

Sl. No.	Academics	Employers	Students	Graduates
1	Knowledge and understanding of basic legal theories, concepts and laws	Knowledge and understanding of basic legal theories, concepts and laws	Knowledge and understanding of basic legal theories, concepts and laws	Knowledge and understanding of basic legal theories, concepts and laws
2	To have acquired legal drafting skills	To have acquired legal drafting skills	To have acquired legal drafting skills	Command over legal language and official language of the court
3	Knowledge and understanding of socio-economic and political context and taking them into consideration in the creation, interpretation and application of law	Ability for legal and judicial reasoning	Commitment to justice and fairness in all situations	Knowledge and understanding of socio-economic and political context and taking them into consideration in the creation, interpretation and application of law

Sl. No.	Academics	Employers	Students	Graduates
4	Commitment to justice and fairness in all situations	Capacity to find and apply law to the facts-in-issue	Ability to plead his case efficiently	Commitment to justice and fairness in all situations
5	Capacity to find and apply law to the facts-in-issue	Ability to examine and cross examine witnesses	Command over legal language and official language of the court	To have acquired legal drafting skills

It is evident from the above table that the respondents in all the four categories have ranked “[K]nowledge and understanding of basic legal theories, concepts and laws” as the first most important Specific Competence. “To have acquired legal drafting skills” has been ranked as the second most important competence by Academics, Employers and Students whereas Graduates have ranked it as the fifth most important competence.

“Commitment to justice and fairness in all situations” has been ranked as the third most important competence by the Students and as the fourth most important competence by Academics and Graduates. Employers have not ranked it among the top five.

Both Academic and Graduates have ranked “[K]nowledge and understanding of socio-economic and political context and taking them into consideration in the creation, interpretation and application of law” as the third most important competence whereas Employers and Students have not put it in the list of top five.

Graduates have ranked “[C]ommand over legal language and official language of the court” as the second most important competence and the Students have ranked it as the fifth most important competence. Academics and Employers have not ranked it in the list of top five.

Employers have identified “[C]apacity to find and apply law to the facts-in-issue” as the fourth most important competence and the Academics have identified it as the fifth most important competence. Students and Graduates, however, have not ranked it among the top five.

Employers have ranked “[A]bility for legal and judicial reasoning” and “[A]bility to examine and cross examine witnesses” respectively as the third and the fifth most important competences. These do not find place in the lists of top five competences of other categories of respondents.

Students have ranked “[A]bility to plead his case efficiently” as the fourth most important competence in the list of five. It does not find place in the lists of top five competences of other categories of respondents.

On the whole, there is total consensus with regard to “[K]nowledge and understanding of basic legal theories, concepts and laws” as the first most important competence. All the four categories of respondents also agree that “To have acquired legal drafting skills” should be in the list of five most important competences even though there is some disagreement as to its exact place in the ranking. Three out of four categories of respondents have also put “Commitment to justice and fairness in all situations” in the list.

#### *4.2.3. The rating of the level of achievement of the Specific Competences*

Survey results regarding the level of achievement of Specific Competences in the existing Degree Programmes in law is very instructive. Though all the Specific Competences have been rated as higher than 3 on a scale of “importance” ascending from 1 to 4, most of them have been rated as below 3 as far as their level of achievements are concerned.

Academics have rated level of achievements of all but one Specific Competences as lower than 3 on an ascending scale of 1 to 4. Level of achievement of one of the competences i.e., “[K]nowledge and understanding of basic legal theories, concepts and laws” has been rated as higher than three. The mean of the rating of this Specific Competence by 178 Academics, who participated in the survey, is 3.20.

Respondents in the Employers category have rated the level of achievements of all the Specific Competences, without exception, as lower than 3.

Students have rated the level of achievements of 22 out of 25 Specific Competences as lower than 3. The levels of achievements of the

remaining 3 competences have been rated as higher than three. The following table contains the details thereof.

Specific Competences rated 3 or above	Mean of the ratings by 128 students
Knowledge and understanding of basic legal theories, concepts and laws	3.21
Commitment to justice and fairness in all situations	3.05
Capacity to dissect the facts and identify core facts-in-issue	3.00

Respondents in the Graduates category, like in the case of Academics, have rated the level of achievements of 24 out of 25 Specific Competences as lower than 3. Level of achievement of one of the competences i.e., “[K]nowledge and understanding of basic legal theories, concepts and laws” has been rated as higher than three. The mean of the rating of this Specific Competence by 134 Graduates, who participated in the survey, is 3.01.

It is evident from the above that respondents in the three out of four categories have rated the level of achievement of the competence “[K]nowledge and understanding of basic legal theories, concepts and laws” as 3 or above. As regards all other Specific Competences, overall survey results show that majority rated their level of achievements as lower than 3. Survey results also indicate that though all the Specific Competences are achieved to certain extent in the existing Degree Programmes they have not been achieved to the extents considered desirable.

The survey results were extensively discussed in the Second General Meeting and following inferences were drawn:

- All the generic and specific competences are ‘very important’ for law graduates.
- There is consensus among all the four categories of respondents with regard to 4 generic competences that are to be included in the list of five most important competences.

- Similarly, there is consensus among all the four categories of respondents with regard to 3 specific competences that are to be included in the list of five most important competences.
- Since all the competences have been rated above 3 in a scale of important ascending from 1 to 4, identification of five most important competences in each list do not in any way undermine the importance of others. They only indicate relative importance of those identified as the most important.
- Even though all generic and specific competences have been rated as “very important”, according to the majority, 24 out of 25 competences are not achieved to a desirable level. That list includes even the four out of five Specific Competences, which are ranked as “most important”.

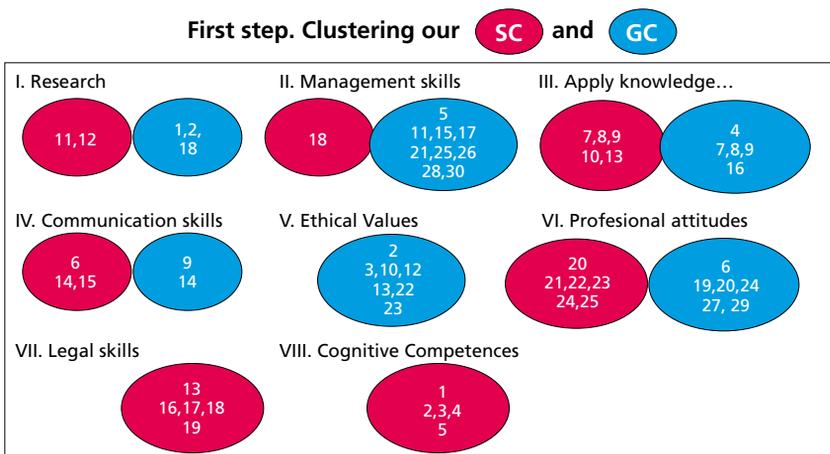


# 5

## Elaboration of Meta-Profile

### 5.1. Description of the Process followed for Finalizing the Meta-Profile

In the Second General Meeting held at Bilbao, Spain from November 19-23, 2018, the meta-profile for the Bachelor's Degree Programme in Law was developed by the SAG-Law. The process began with clustering of "Generic Competences" (GCs) and "Specific Competences" (SCs). There were total number of 55 competences (30 GCs and 25 SCs), which were grouped under 8 clusters viz., (i) Research, (ii) Management Skills, (iii) Apply knowledge, (iv) Communication skills, (v) Ethical values, (vi) Professional attitudes, (vii) Legal skills, and (viii) Cognitive Competences.



After clustering them, the SAG-Law started reviewing and pruning the GCs and SCs in the light of the stake-holders consultation results (survey results). The SAG-Law closely examined the survey results, particularly ratings in terms of their “importance” and ranking of the five “most important” GCs and five most important SCs by the stake-holders.

In determining the final list of GCs and SCs, the SAG-Law took into account:

- Ratings by different categories of stake-holders including the consistencies and inconsistencies in their ratings.
- Identification and ranking of five most important GCs and SCs by different categories of stake-holders. The SAG-Law has noted that there is no vast difference between the mean of the ratings, in terms of their “importance”, of those identified as five most important GCs or SCs and the other GCs and SCs. In terms of their importance, all the GCs and SCs have been rated as higher than 3 and lower than 4 on an ascending scale of 1 to 4 including those that are ranked as the most important. SAG-Law, thus, came to the conclusion that identification and ranking of five most important GCs and SCs do not in any way undermine the importance of other GCs and SCs. They only indicate slight priorities among GCs and SCs all of which are rated as higher than 3 i.e., “very important”.
- Overlappings between competences either listed as GCs or as SCs.

After reflections and extensive deliberations on the survey results and identification of overlappings, the SAG-Law, keeping in view what is important for the law graduates, has reformulated certain competences by merging/combining them in some cases and eliminated certain competences if they were found to be merely repetitive. After this exercise, there were 12 GCs and 18 SCs in the final list in place of 30 GCs and 25 SCs in the original list.

### *Final List of Generic Competences*

1	Capacity to be a life-long learner
2	Demonstrate higher order thinking skills (analytical, critical, abstract, creative)
3	Ability to do methodical legal research
4	Appreciate and respect diversity, gender equality and multi-cultures

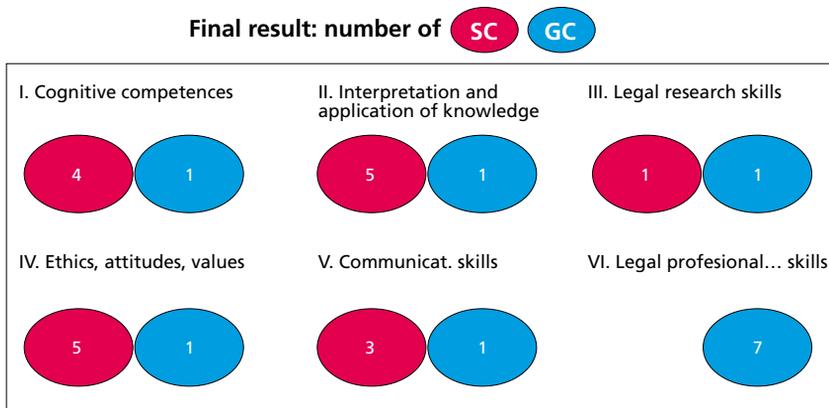
5	Acquired oral and written communication and interpersonal skills
6	Ability to plan and manage time efficiently
7	Ability to use available resources optimally and efficiently
8	Ability to work as a team member
9	Demonstrate leadership qualities
10	Ability to manage crisis effectively
11	Ability to manage stress and maintain emotional stability
12	Possess self-confidence and entrepreneurial spirit

### *Final List of Specific Competences*

1	Acquired knowledge and understanding of basic theories, concepts and laws in the socio-economic, political context
2	Ability to learn and derive appropriately the relevant aspects of legal systems of other jurisdictions
3	Acquired knowledge and understanding of different dispute resolution systems
4	Ability to identify the ratio decidendi and obiter dicta in judicial decision
5	Ability to read objectively and interpret legal texts in context
6	Ability to dissect the facts, identify facts-in-issue and apply law
7	Ability to examine and cross examine witnesses
8	Ability for legal and judicial reasoning
9	Ability to foresee consequences while enacting and interpreting the law
10	Ability to identify the gaps in law and innovate for legal reform
11	Acquired court crafts and etiquette
12	Ability to practice law without compromising professional ethics
13	Capacity to act honestly, diligently and transparently in all professional endeavours
14	Commitment to justice and fairness under all circumstances
15	Committed to render pro bono advocacy and to take up socio-legal outreach activities
16	Acquired command over legal language and official language of the court
17	Acquired legal drafting skills
18	Ability to simplify and explain law to the common man

All the GCs and SCs have been thematically combined and grouped under 6 clusters viz., (i) Cognitive competences (knowledge and understanding), (ii) Interpretation and application of knowledge, (iii) Legal research skills, (iv) Professional ethics, attitudes and values (v) Effective communication skills, (vi) Legal professional management skills. Each cluster is considered as a meta-competence.

The following graph depicts the number of GCs and SCs included under each of the 6 Meta-competences.



The final meta-profile consisting of combined list of competences (both GCs and SCs) is as follows:

Sl. No.	META COMPETENCES	Sl. No.	SPECIFIC AND GENERAL COMPETENCES (COMBINED)	GC/ SC
I	Cognitive competences (knowledge and understanding)	1	Acquired knowledge and understanding of basic theories, concepts and laws in the socio-economic and political context.	SC
		2	Ability to learn and derive appropriately the relevant aspects of legal systems of other jurisdictions	SC
		3	Acquired knowledge and understanding of different dispute resolution systems	SC
		4	Ability to identify the <i>ratio decidendi</i> and <i>obiter dicta</i> in judicial decision	SC
		5	Capacity to be a life-long learner	GC
II	Interpretation and application of knowledge	1	Ability to read objectively and interpret legal texts in context	SC
		2	Ability to dissect the facts, identify facts-in-issue and apply law	SC
		3	Ability to examine and cross examine witnesses	SC
		4	Ability for legal and judicial reasoning	SC
		5	Demonstrable ability for higher order thinking (analytical, critical, abstract, creative)	GC
		6	Ability to foresee consequences while enacting and interpreting the law	SC
III	Legal research skills	1	Ability to do methodical legal research	GC/ SC
		2	Ability to identify the gaps in law and innovate for legal reform	SC

Sl. No.	META COMPETENCES	Sl. No.	SPECIFIC AND GENERAL COMPETENCES (COMBINED)	GC/ SC
IV	Professional ethics, attitudes and values	1	Acquired court crafts and etiquette	SC
		2	Ability to practice law without compromising professional ethics	SC
		3	Capacity to act honestly, diligently and transparently in all professional endeavours	SC
		4	Commitment to justice and fairness under all circumstances.	SC
		5	Committed to render <i>pro bono</i> advocacy and to take up socio-legal outreach activities.	SC
		6	Appreciate and respect diversity, gender equality and multi-cultures	GC
V	Effective communication skills	1	Acquired command over legal language and official language of the court	SC
		2	Acquired oral and written communication and interpersonal skills	GC
		3	Acquired legal drafting skills	SC
		4	Ability to simplify and explain law to the common man	SC
VI	Legal professional management skills	1	Ability to plan and manage time efficiently	GC
		2	Ability to use available resources optimally and efficiently	GC
		3	Ability to work in teams including inter-disciplinary and trans-disciplinary teams.	GC
		4	Demonstrate leadership qualities	GC
		5	Ability to manage crisis effectively	GC
		6	Ability to manage stress and maintain emotional stability	GC
		7	Possess self-confidence and entrepreneurial spirit	GC

It may be noted that while thematically re-organizing all the GCs and SCs under six Meta-competences, survey results were kept in mind but the order in which they are listed or arranged is not entirely based on the analysis of survey results.

## **5.2. Brief Explanation of the Main Components of the Meta-profile**

The results of the survey conducted clearly suggest that though the existing Degree Programmes in law do enable students to develop the enumerated Generic and Specific Competences, these Programmes do not enable them to develop those abilities, skills and attitudes to the extent to which they are considered desirable or necessary to enter into legal profession in the contemporary age and times. One of the reasons behind the low level of achievement of these abilities, skills and attitudes is that the existing Degree Programmes in law are not designed according to the competence based education model.

The survey results indicate that the existing Degree Programmes in law focus more on developing mainly “cognitive competences”, most importantly, on imparting knowledge. Though cognitive competences are very important (survey results also show that) and their level of achievement in the existing Programmes is also satisfactory, other competences, which are also rated as very important by all the categories of respondents, have not been developed to desirable level.

Further, as stated before, the legal landscape is fast expanding. Legal professionals are expected to provide legal services in a whole new legal and regulatory environment in addition to (or away from) court rooms. Nature of litigations in the court rooms is also changing. Competences that are expected and the level of their achievements that is considered necessary are far greater now than before. It is manifestly clear from the survey results.

After duly considering all these aspects and careful reflections, the SAG-Law unequivocally convinced of the urgent need for switching over from “knowledge-based” legal education to “competence-based” legal education. It accordingly developed the meta-profile with 6 meta-competences consisting of 30 competences (both Generic and Specific Competences) in all. These competences, otherwise referred to as “learning outcomes”, are designed to meet the growing expectations of market and society from the legal professionals. Unless

these competences-defined in terms of abilities, skills and attitudes-are integrated into legal education, Degree Programmes in law remain out of tune with the contemporary needs and expectations.

Though there is a need to switch from the knowledge-based legal education to the competence-based legal education, the importance of imparting knowledge cannot be understated. "Knowledge and understanding of basic legal theories, concepts and laws" remains one of the most important competences expected in a law graduate. Survey results also show that. It has received the highest mean of the rating by all the four categories of respondents and is also ranked as the first of the five most important competences. Thus, it is included in the very first category of Meta-competences i.e., "cognitive competences", which emphasises on knowledge and understanding. To effectively fulfil one's role as a lawyer or to render any other legal services, a law graduate should be acquainted with and have fair understanding of basic theories, concepts and laws of the land. In an increasingly integrating world, some acquaintance with the laws and legal systems of other jurisdictions is also very necessary. A law graduate is also expected to be acquainted with different dispute resolution systems and should also have developed a demonstrable ability to choose the most appropriate system for resolution of dispute at hand. Further, as law is not static and is constantly evolving, a law graduate should constantly keep oneself abreast with the developments in the field. "Capacity to be a life-long learner" is, thus, one of the most important qualities that are expected of a law graduate. All these competences are encapsulated in the very first Meta-competence.

Abilities to interpret and analyse the law and facts and apply the law to the facts are competences, which are equally important. Knowledge without demonstrable ability to apply is hardly of any use. Law students should receive adequate training for using logical and other forms of legal/judicial reasoning. He/she should also have demonstrable ability for high order thinking and reasonable foresight to understand the short-term and long-term implications of the legal proposition one is seeking to establish in a court of law or elsewhere.

Legal research skills are, in fact, one of the core competences that legal professionals cannot do without. As existing laws are evolving, legal landscape is fast expanding and legal professionals are expected to provide wide range of legal services in a whole new legal and regulatory environment, well developed and fine-tuned legal research

skills are, thus, indispensable. It is also pertinent to note that legal research is not confined to only finding relevant laws and suitable judicial decisions. Wide variety of legal questions may have to be examined in the context of socio-economic and political realities. Law graduates should, thus, be in a position to undertake both doctrinal and empirical research methodically in order to holistically deal with legal questions.

The importance of professional ethics, certain attitudes and values cannot be overstated. As majority of law graduates choose to practice law as lawyers/advocates in courts and tribunals, developing court crafts and certain etiquettes is very important. In addition, a law graduate must have a holistic understanding of the importance of ethical standards and adhere to them under all circumstances in order to uphold the dignity and integrity of the legal profession. An advocate being an important stakeholder in the administration of justice system must always act honestly, diligently and transparently in all his/her professional endeavours and must always be committed to uphold justice and fairness without ever compromising. Law Degree Programmes should be so designed so as to inculcate these attitudes and values. Further, in a society where inequality is pervasive and vast majority of the population has no means, no facilities and no possibilities of availing legal services to seek justice in a court of law even in cases of glaring injustice depriving them of their basic rights and liberties, it is important for legal professionals to reach out to them or/and take up *pro bono* cases to secure justice to such people. It is important to sensitize the students in law schools to the plights of the less fortunate ones in the society and make them understand how important it is to contribute for the emancipation of such peoples.

Effective communication and interpersonal skills are *sine qua non* for legal professionals. They are expected to have command over the legal language and official language of the courts and tribunals. Further, oral and written communication skills including skills to draft pleadings, conveyances and other legal instruments or documents are all very essential. In addition, legal professionals should have the ability to simplify and explain law to persons not trained in law so that they can make informed decisions.

Professional management skills are also very important. They range from effective time management skills to leadership and entrepreneurial skills and include ability to work in inter-disciplinary and trans-disciplinary teams.

Aforestated are the competences that a legal professional shall minimally possess to reasonably perform well in the profession. The SAG-Law, in determining the various components of the Meta-profile, took into account not only the survey results but also emerging trends and growing expectations from the legal professionals in the contemporary era marked by liberalization, privatization and globalization, which are significantly changing the legal and regulatory landscape.

# 6

## Contrast of Meta-Profile at national level

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In one of the earlier sections “convergences” and “divergences” between the Degree Programmes offered by the partner Universities have been elucidated. It was also highlighted therein that notwithstanding the broad uniformity that exists owing to the standards set by the BCI in the Legal Education Rules, 2008, there are many hidden divergences in the Degree Programmes offered by them.

What is, however, very important to be noted is that, on an overview of the bachelor’s Degree Programmes in law offered by the partner Universities, it is apparent that there are contrasts between the profiles of the Degrees offered by the partner Universities and the Meta-profile prepared by the SAG-Law. Thus, after finalization of the Meta-profile, the partner Universities undertook the exercise of mapping their existing Degree profiles with the Meta-profile. Contents of the courses in the Degree Programmes were matched with the Generic and Specific Competences enumerated in the Meta-Profile to identify the coincidences and differences.

### 6.1. Coincidences between existing degree-profiles and the meta-profile

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Mapping the degree profiles with the meta-profile revealed that all most all the competences in the meta-profile are already covered, in some way or the other, in the courses of the existing Degree Programmes. Most of the competences in the meta-profiles can

be rationally linked to the existing course contents. If the existing courses are taught by adopting appropriate teaching methods coupled with suitable learning exercises, students can develop most of the competences enumerated in the meta-profile.

## 6.2. Differences between the existing Degree-profiles and the Meta-profile

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Though all most all the competences in the meta-profile can be mapped to the contents of the courses in the existing Degree Programmes, there are certain competences which cannot be rationally linked with them. Having regard to the differences in the course contents of the Programmes offered by the partner Universities, the list of competences that cannot be rationally linked to the existing course contents vary. However, some of the competences that cannot be linked to the existing courses are common. They are, for examples:

- Capacity to be a life-long learner
- Ability to examine and cross examine witnesses
- Ability to do methodical legal research
- Ability to work in teams including inter-disciplinary and trans-disciplinary teams.
- Manage stress and emotional stability

Apart from the common list above, there are certain other competences which cannot be linked to the course contents of the existing Degree Programmes of some of the Universities. They include:

- Ability to learn and derive appropriately the relevant aspects of legal system of other jurisdictions.
- Acquired legal drafting skills, etc.
- Command over legal and official language of the court.
- Ability to use available resources optimally and efficiently.

These are the areas that need more emphasis. Existing degree programmes need to be revised to fill these gaps.

In addition to the aforesaid, there are certain hidden discrepancies one can find. Though they are not glaring, nonetheless they are very significant. These discrepancies between the existing Degree profiles and the meta-profiles can be noticed if one examines not just the course contents but the orientation of the entire Programme including methods of teaching and learning exercises, methods of evaluation or assessments of performances.

As the existing Degree Programmes are “knowledge-based”, except in case of few clinical papers, generally it is the lecture method that is adopted for teaching. The lecture method is eminently suitable for imparting knowledge. Even the methods of evaluations adopted by the Universities also aim at testing the knowledge but not the abilities to demonstrate other competences. Even though, all the Universities have earmarked some percentage of the total marks allocated for each paper for continuation evaluation, generally they conduct mid-term or surprise tests to assess the students continuously. They too also aim at only testing knowledge. These methods of teaching and evaluation unwittingly encourage rote learning, which is a matter of serious concern. In the existing test or examination based method of evaluation, whether or not the students have acquired the required competences to enter into legal profession would go untested. There is a need to devise and adopt suitable methods for testing whether a student has acquired and can demonstrate those competences. These hidden discrepancies should also be taken serious note of and addressed while revising the existing Degree Programmes to fill the gaps.

### **6.3. Redesigning Degree Programmes: Bridging the Gaps between Degree-profile and Meta-profile**

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Four of the partner Universities have volunteered to implement the Tuning Project by redesigning their Degree Programmes to bridge the gaps between the existing Degree-profile and the meta-profiles. They followed the Tuning methodologies for preparing the revised Degree-profile consisting of the following ten steps/components.

1	Name and Level of Programme
2	Social Needs for the Programme
3	Future Fields of Occupation of Graduates
4	Description of the Degree Profile of the Programme
5	Link of the Degree Profile with the Meta- Profile
6	Structure of the Programme
7	Length and Student Workload of the Programme
8	Overall Consistency of the Programme
9	Internal Quality Control/ Enhancement
10	Other Relevant Aspects

In the revised degree programmes certain new courses were introduced, changes were made to some of the existing courses and methods of assessments were also modified to ensure that the Degree-profiles confirm to the meta-profile. These are briefly explained in Section-VIII.

# 7

## Student Workload Reflection

After the revision of Degree Programmes (Degree-profiles) to fill the gaps identified and match with the meta-profile prepared by the SAG-Law, a survey was conducted to assess the workload on the students.

The survey was aimed at assessing the actual workload on the students in terms of number of hours spent, which includes both “contact hours” and “independent work” hours. Contact hours represent the amount of time spent on face-to-face teaching of a particular unit/course/module (Including lectures, seminars, clinical practices, supervised labs, project work and field work) as well as on-line interaction in the framework of a learning module and personal counselling. Independent work hours include the time spent for preparation to complete other types of self-work, for example, reading texts or literature including search and reading of internet sources; unsupervised field works, site visits; preparation of assignments: Essays, reports, presentations; preparation and follow-up work for scheduled classes; preparation for assessments, test, final examination, or other similar works.

In the SAG-Law, students’ workload survey was conducted in 3 partner Universities. Total number of 27 Academics and 338 students participated in the survey. Details are as follows:

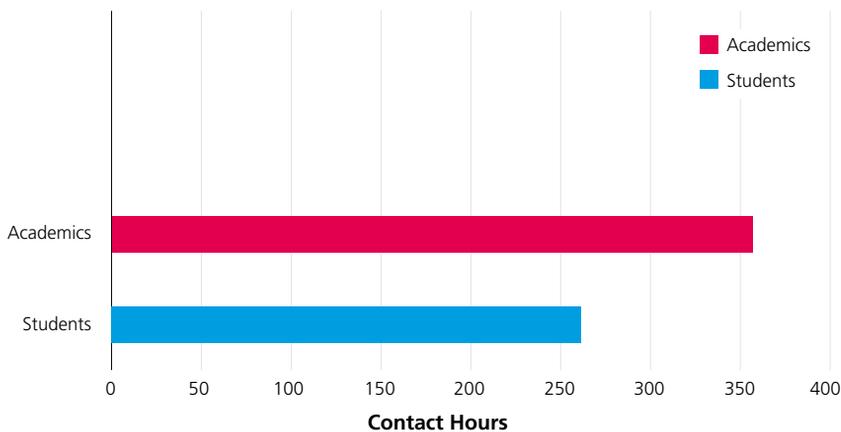
University	No. of Students	No. of Academics
Adamas University	159	7
Jagran Lakecity University	69	7
Savitribai Phule Pune University	110	13
<b>Total</b>	<b>338</b>	<b>27</b>

Data was collected by using the Google form. The raw data collected was cleaned and analysed by Jon Paul Laka Murgarza, the Chief Statistician of the Tuning Academy, University of Deusto. For data cleaning, individual responses where values are well above the expected maximum values were removed and the cases where claims of total number of hours devoted to independent work made no sense were also eliminated.

Mean value of the claims by each group was taken to understand the consistencies and inconsistencies between the claims made by Students and Academics. The results were presented in the Fifth General Meeting held online on March 30, 2021.

### 7.1. Contact Hours: Overview of Survey Results

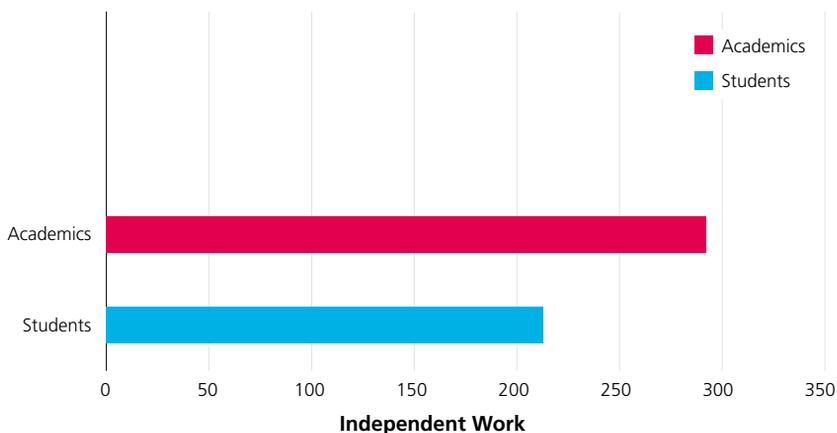
Academics and Students were asked to state the total number of “contact hours” in the semester. Students estimated it at 261.54 hours (mean value of the claims made by 338 students) and the Academics, on the other hand, estimated it at 357.44 hours (mean value of the claims made by 27 Academics).



These disparities in the claims seem to be somewhat hard to explain particularly because one generally assumes, as regards contact hours, that they are clearly defined in the academic calendar and the class time table issued for the semester.

## 7.2. Independent Work Hours: Overview of Survey Results

As regards the “independent” work hours, Students claimed that they work for 212.83 hours (mean value) whereas Academics estimated it at 292.03 hours (mean value).

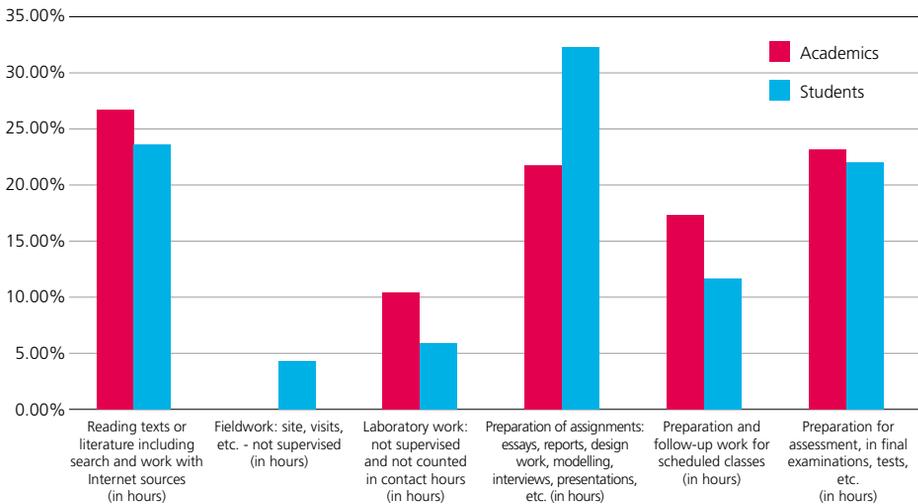


Both Students and Academics were also asked to specify estimated time spent or expected to be spent, as the case may be, on different types of independent work. Following table contains the mean value of the claims made by them.

Sl. No.	Activity	Students		Academics	
		Time Spent (in hours)	Percentage (Out of the total independent work hours)	Time Spent (in hours)	Percentage (Out of the total independent work hours)
1	Reading texts or literature including search and work with Internet sources (in hours)	49.55	23.28	78.08	26.74
2	Fieldwork: site visits, etc.-not supervised	9.07	4.26	0.00	0.00
3	Laboratory work: not supervised and not counted in contact hours	12.68	5.96	30.73	10.52

Sl. No.	Activity	Students		Academics	
		Time Spent (in hours)	Percentage (Out of the total independent work hours)	Time Spent (in hours)	Percentage (Out of the total independent work hours)
4	Preparation of assignments: essays, reports, design work, modelling, interviews, presentations, etc.	69.48	32.65	65.45	22.41
5	Preparation and follow-up work for scheduled classes	25.07	11.78	50.29	17.22
6	Preparation for assessment, final examinations, tests, etc.	46.97	22.07	67.48	23.11
<b>Total independent work hours per semester</b>		<b>212.83</b>	<b>100.00</b>	<b>292.03</b>	<b>100.00</b>

The following chart clearly represents the data above.



The table (and the chart) above shows a striking disparity between the claims made by Students on the question of how many independent work hours they had spent in a semester and the Academics on the question of estimated independent work hours spent by the students.

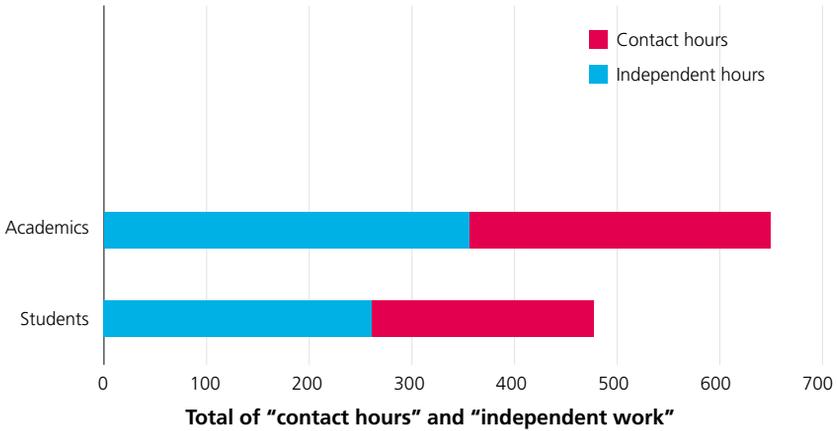
Disparities are not only with regard to total time spent doing independent work, there are noticeable disparities with regard to the hours spent doing different types of independent works. Except in case of hours spent for “preparation of assignments: essays, reports, interviews, presentations, etc.,” where the difference is very marginal (students claim they spent 69.48 hours whereas academics estimated it at 65.45 hours), with regard to all other types of independent works, claims made by different groups widely differ. Students, for example, claimed that they spent 9.07 hours doing fieldwork whereas Academics completely deny that. For “preparation and follow-up work for scheduled classes”, Students claim that they spent 25.07 hours whereas Academics think that students have actually spent double the time actually claimed by students. Academics estimated it at 50.29 hours. Similarly, for “laboratory work”, students claimed to have spent 12.68 hours whereas Academics think that students have spent more than double that time. Further, for “reading texts or literature including search and work with Internet sources”, Students claim that they spent 49.55 hours whereas Academics think that Students have spent 78.08 hours. Same is the case with regard to time spent for “preparation for assessment, final examination, tests, etc.,”. Students claim that they have spent 46.97 hours whereas Academics think that students have spent more time i.e., 67.48 hours. On the whole, it seems that Academics think that students have spent (or expected the students to spend) more time doing independent work.

### 7.3. Total students' workload Estimation: An Analysis

The sum of the previous results indicate that the total workload on the students in term of number of hours spent in a semester is, according to students, 474.37 hours and according to Academics, it is 649.47 hours. The following table depicts the same with specific details:

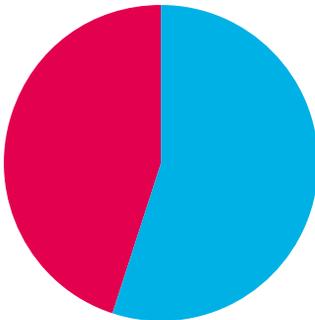
Category	Contact Hours	Total Independent Hours	Total= Contact hrs. + Independent hrs.
Students	261.54	212.83	474.37
Academics	357.44	292.03	649.47

The above data is represented in the chart below:



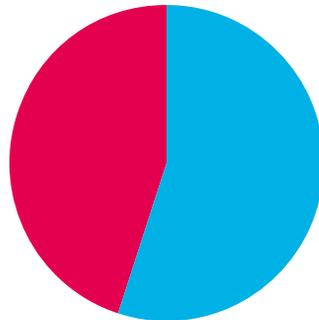
The following pie charts represent the percentage of "contact hours" and "independent work hours".

**Academics**



Pie Chart 1

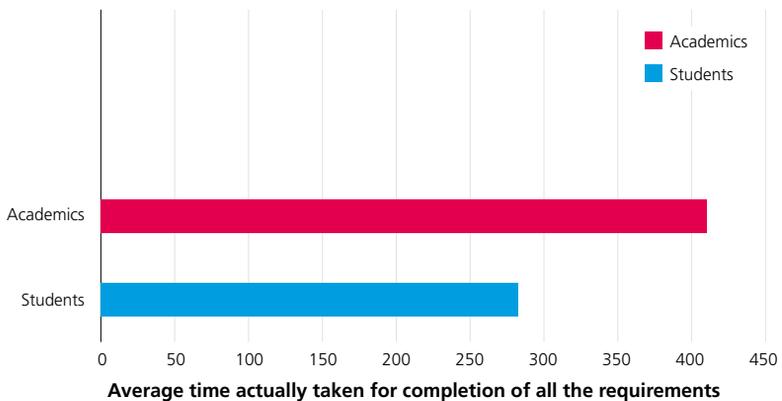
**Students**



Pie Chart 2

Though there is huge disparity with regard to the claims regarding total number of hours spent during the semester by the students, there is hardly any difference with regard to the proportion of the total time spent for “contact hours” and “independent work hours”. The sum of the data shows that students, according to their claim, spent 55.13 percent of the total time for contact hours and spent 44.86 percent of the time doing independent work. Academics also think that students spent 55.03 percent of the total time for contact hours and 44.96 percent of the total time for independent work.

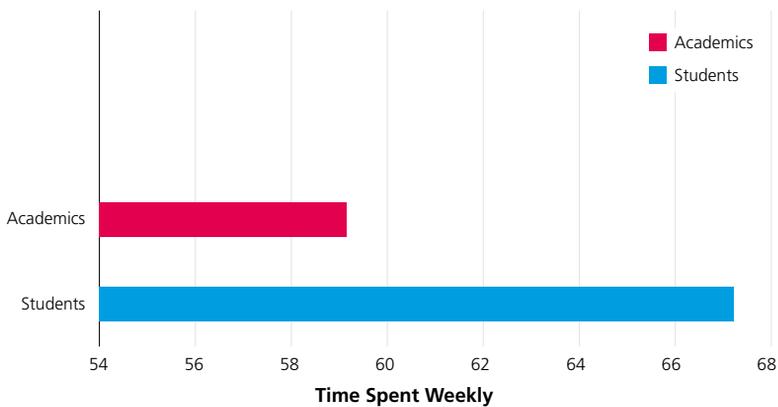
If the sum of the “contact hours” and “independent work hours” spent by the students during the semester are added up, it would be, according to students, 474.37 hours and according to Academics, it is 649.47 hours. However, when the Students were asked to state how many hours did they spend in the semester to complete all the requirements (contact hours and independent work hours), they claimed 282.20 hours only. Similarly, when the Academics were asked to state how many hours an average student need to complete all the requirements in a semester (contact hours and independent work hours), they estimated it at 406.28 hours.



If one compares these claims with the claims made earlier on times spent for “contact hours” and “independent work hours”, he/she can find a glaring disparity in these claims. Students claim of spending total of 282.20 hours in the semester to complete all the requirements (contact hours and independent work hours) is substantially less than the sum of the “contact hours” and “independent work hours” they had claimed earlier, when they were asked to state them separately, which was

474.37 hours. Similarly, Academics claim that an average student require 406.28 hours to complete all the requirements in the semester (contact hours and independent work hours) is also substantially less than the sum of the “contact hours” and “independent work hours” they had claimed earlier, when they were asked to state them separately, which was 649.47 hours.

Further, in the survey, Students and Academics were also asked to state the total time spent for both “contact hours” and “independent hours” in a week. Students claimed that they spend 67.23 hours a week, whereas Academics think that students spend 59.17 hours in a week.



Lastly, in the survey, Academics were asked the following two questions: (i) When planning workload for the unit/course/module they teach, do they consider it necessary to include hours for independent work of students? (ii) Do you take students’expectations and evaluation into consideration when planning the workload for the course? In response, 84.24 percent answered the first question in the affirmative and a whopping 93.94 percent answered the second question in the affirmative.

Students were asked the following two questions: (i) Have you been aware of the number of hours planned for the students for Independent work in the unit/course/module? (ii) Has the professor guided you at the beginning of the unit/course/module on the necessary workload for each part of the independent work? Both questions were answered in the affirmative by an overwhelming majority-71.85 percent and 95.55 percent of the students participated in the survey answered the first and the second questions, respectively, in the affirmative.

## 7.4. Inferences Drawn from Survey Results

On the whole, the survey results discussed above indicate lot of inconsistencies between the claims/estimates made by Students and Academics in respect of all most all queries. There are also inconsistencies between the different claims made by the Students. When they were asked to state separately the time spent for “contact hours” and “independent work” in a semester, they claimed 261.54 hours and 212.83 hours respectively, the total of which is 474.37 hours. But when they were specifically asked to state how many hours did they spend in the semester to complete all the requirements (taking into account contact hours and independent work), they claimed only 282.20 hours. As regards the time spent per week, they claimed that they spent 67.23 hours per week for both contact hours and independent work. Had they been working for 67.23 hours per week for sixteen week (which is a normal duration of a semester in India), the total time would be 1, 075.68 hours.

Similarly, there are inconsistencies between the different claims made by the Academics as well. When they were asked to state separately the time spent by the students for “contact hours” and “independent work” in a semester, they estimated it at 357.44 hours and 292.03 hours respectively, the total of which is 649.47 hours. But when they were specifically asked to state how many hours an average student need to complete all the requirements (taking into account contact hours and independent work), they claimed only 406.28 hours. As regards the time spent per week, they estimated that students spend 59.17 hours per week for both contact hours and independent work. Had the students been working for 59.17 hours per week for sixteen week, the total time would be 946.72 hours. These are glaring inconsistencies, which are very hard to fathom. This may be partly attributed to the fact that the respondents are not used to the “timeframe” way of thinking. From the survey results, following inferences may also be drawn.

- Even though the discrepancies and gaps in the estimates of the hours as calculated by the academics and the students are huge, there is hardly any difference as regards distribution of the percentage of time spent for each of these activities. Thus, it may be useful to focus more on the percentages presented than on the number of hours estimated.
- As stated above, there is consistency between the estimates of both Students and Academics as regards percentage of the total time

spent for “contact hours” and for “independent work”. Both the groups estimated that little over 55 percent of the total time is spent for “contact hours” and over 44 percent of the total time is spent for “independent work”. That means students spend less time doing independent work. It is in stark contrast with the practices in Europe, particularly, in the University of Deusto. During discussions in the SAG-Law, it was learnt that in the University of Deusto, one-third of the total time is allocated for “contact hours” and remaining two-third for “independent work”. That means for every contact hours, students are expected to spend two hours doing independent work. In other words, the ratio of time allocated is 1:2 for “contact hours” and “independent work” respectively.

- Even though 95.55 percent of the Students say that they have been informed by their Professors at the beginning of the course on the necessary workload for each part of the independent work, there is a mismatch between the estimates by the Academics and the claims made by Students on the time spent for independent work. This shows that students are probably not doing the work expected to be done by them independently.

These survey results clearly makes out a case for paying adequate attention to workload related issues and for streamlining the same while designing the Degree Programmes including designing of units/courses/modules to be included in the Programme.

It is advisable to follow 1:2 ratio for allocation of time for “contact hours” and “independent work”. Time for the contact hours can be clearly estimated but it may be difficult to estimate the time needed for independent work. It is because abilities and the actual time needed to complete different tasks vary from student to student. Thus, the time an “average student” requires for completing the task need to be estimated. An average student can reasonably be expected to work for approximately 48 hours a week. Since the normal duration of a semester in India is 16 weeks, the maximum workload for the semester (for both contact hours and independent work) should be around 750 hours (768 hours to be precise). Total number of credits a student can take in a semester and activities students are expected to undertake as part of the independent work (e.g., reading, preparation of assignments, fieldworks, etc.) shall be determined accordingly.

# 8

## Some Examples of Revised / New Programmes

As stated earlier, four of the partner Universities have revised their Degree Programmes to match them with the meta-profile prepared by the SAG-Law.

Jagran Lakecity University had selected their existing B.A. LL.B. (Honours) Programme for implementation. After identifying the gaps between the Degree-profile of the existing programme and the meta-profile, the Degree-profile of the aforesaid Programme was revised to fill those gaps. Their existing B.A. LL.B (Honours) Five-year Integrated Degree Programme was a 262 credits Programme. The total credits assigned to the Programme were increased, by introducing four additional courses, to 270 credits. Following are the four additional courses added:

1. Two credit course titled "Communication Skills-I" in the first semester.
2. Two credit course titled "Communication Skills-II" in the second semester.
3. Two credit clinical course on "Legal Aid" in the seventh semester.
4. Two credit clinical course on "Moot Court and Mock Trial" in the ninth semester.

In addition, they also made changes to the research component of the Programme to encourage to students to undertake empirical research

for writing dissertations in the last semester. Further, to assess the competences/learning outcomes, they had changed the format of the question papers for theory papers to focus more on problem based questions both in tests and final examinations. The format they are using now is in alignment with the Bloom's taxonomy.

Similarly, Adamas University and Vinoba Bhave University have selected, respectively, B.A. LL.B. (Honours) and B.A. LL.B Programmes offered by them for implementing the project. However, they are still in the process of revising their Degree-profiles to ensure their conformity with the meta-profile.

The Savitribai Phule Pune University, which only offers Post-graduate degree in Law i.e., LL. M.-one year course with different specializations, has also decided to revisit the programme in the light of Tuning methodologies. Though, meta-profile consisting of Generic and Specific Competences was designed for Bachelor's Degree Programme in Law, the SPPU had taken certain relevant aspects of the meta-competences to revisit and redesign its LL. M. programme by adding an additional 2 credit course to promote certain competences in the meta-profile which they found their post-graduate students have not acquired during their Bachelor's degree. Department of Law of the SPPU had also developed a degree profile consisting of 10 steps according to Tuning methodologies.

# 9

## Process Followed by Implementing Universities

In the SAG-Law, four partner Universities have volunteered to implement the project. Two out of these four Universities *viz.*, Jagran Lakecity University and Savitribai Phule Pune University have already implemented the project. Their Degree Programmes are revised and new Degree profiles were developed according to Tuning methodologies. Other two Universities *viz.*, Adamas University and Vinoba Bhave University are in the process of implementation.

In the Jagran Lakecity University, the process was initiated with the Course Development Committee (CDC) undertaking thorough review of the curriculum of the B.A. LL.B. (Honours) Programme to identify the gaps with the meta-profile. After identification of the gaps, they developed a new Degree-profile according to Tuning methodologies and ensured that the same is in conformity with the meta-profile. Programme curriculum was thoroughly revised. Apart from modifying the contents of certain existing courses, CDC had also introduced four new courses in order to ensure that all the Generic and Specific competences included in the meta-profile are achieved to a desirable level. After finalization of the process in January 2019, the CDC recommended it to be placed before the Board of Studies of the Faculty of Law for its consideration and approval. The Board of Studies had accorded its approval for the revised Degree Programme in February 2019. The decision of the Board of Studies to approve the recommendation of CDC was unanimous. The revised Degree Programme is being offered from the academic year 2019-2020.

The Savitribai Phule Pune University also had followed almost an identical process. The Departmental Committee of the Department of Law examined the meta-profile prepared by SAG-Law and identified the appropriate competences that need to be promoted at the Master's level. The Departmental Committee had developed a Degree-profile according to Tuning methodologies. Programme curriculum was thoroughly revised, contents of some of the existing courses were modified and one new course was introduced. After finalization of the process, the Departmental Committee forwarded the same for the approval of the Vice-chancellor on May 9, 2019. The Vice-chancellor had approved the proposal of the Departmental Committee on May 11, 2019. The revised programme is being offered from the academic year 2019-2020.

Process of implementation also included development of Students' Learning Guides for all the courses in the Programme. According to the Tuning format, a Students' Learning Guide shall contain all the details of the course including: (i) contribution of the course to the Degree profile, which means, what particular Generic/Specific competences the course will develop in students; which unit or module of the course develop which particular competence; (ii) detailed learning outcomes of the course; (iii) number of "contact hours" and estimated number of "independent work hours" for each unit or module, and (iv) method of assessment or evaluation, etc.,

Both JLU and SPPU have developed SLGs for most of the courses in their respective Degree Programmes and are developing for the remaining few courses. SLG is a self-contained document that consists of all the details about the course. They are given to the students at the beginning of the course for them to know and have clear understanding of what they are going to study, how they are going to study, how much time they are expected to devote for independent work, what competences the course will enable them to develop, the specific learning outcomes and how they are going to be assessed. SLGs also enable teacher to plan their teaching schedules and the defined learning outcomes make them stay focused.

# 10

## Conclusions and Final Considerations

Switching from knowledge-based education to competence-based education is the need of the hour. This seems to be one of the objectives of the National Education Policy adopted by the Government of India in 2020.

Tuning India project laid the road map for switching to the competence based education in India. Since the competence based education focuses on assessing and grading students based on their ability to demonstrate defined competences, it can pave way for making Degree Programmes offered by different educational institutions or universities comparable and compatible.

As far as legal education in India is concerned, differences in the nature and quality of institutions, design of their Degree Programmes are writ large. Differences in the design of the degree programmes are evident from the analysis of Degree Programmes offered by partner Universities. These differences exist notwithstanding the standards laid down by the Bar Council of India.

It is, thus, important to develop degree programmes in law that are comparable, compatible and transparent. Tuning methodologies are better suited for the purpose.

This document as the name itself indicates-Reference Points for Design and Delivery of Degree Programmes in Law-is a ready referencer. It contains details of the entire process followed by SAG-Law from defining and finalizing list of Generic and Specific Competences through consultative process, preparing meta-profile for law, identifying and bridging the

gaps between the profiles of existing Degree Programmes and the meta-profile and the steps taken and process followed for implementation in the partner Universities.

This reference points can be used even by non-partner Universities for redesigning their Degree Programmes in law according to Tuning methodologies. That can lead to degree programmes in law offered by different universities in India comparable, compatible and transparent. Law graduates from any of the university in India can reasonably be expected to possess minimally certain identical competences which are very essential for entering into legal profession in the contemporary era. Further, this would also contribute to student mobility and internationalization of legal education.

In order to promote the competence based education in law throughout India, it is important to approach the regulatory bodies like Bar Council of India and the University Grants Commission. With their involvement and support it is possible to swiftly switch from the knowledge-based education to competence-based education in the field of law.

