INAUGURAL ADDRESS BY HON'BLE SHRI JUSTICE DIPAK MISRA FORMER CHIEF JUSTICE OF INDIA ON THE OCCASION OF THE INAUGURATION OF CHETTINAD SCHOOL OF LAW

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INAUGURAL ADDRESS ON THE OCCASION OF THE INAUGURAL CEREMONY OF CHETTINAD SCHOOL OF LAW, CHENNAI

Dignataries on the dais, members from various faculties, friends from the electronic and print media, ladies and gentlemen:

It is a matter of immense delight to be the Chief Participant in the Inaugural Ceremony of the Chettinad School of Law. At the very beginning, I am tempted to go to our ancients who had observed:

> "Vidya Dadati Vinayam Vinayad Yati Patratam. Patratvad Dhanam Apnoti Dhanad Dharmam Tatah Sukham".

[Knowledge brings humility; from humility comes worthiness; with worthiness comes wealth and when one performs Dharmam, Happiness blooms]

You are required to be the Innovative Initiator while establishing this School of Law and the objective shall be 'Law with urban pulse, nurturing students for life beyond our hedges'. Learning here shall focus on the skills and ways of thinking that address the routine issues of not only careers but far beyond them. It can be achieved only when all of you start to dream big, become bold and courageous, be engaged, and embrace the complexities and the nuances with enthusiasm. That should exalt the status of the School of Law.

Ladies and gentlemen, it is an occasion to remember the predecessors of legal education for cultivating it with such dedication, devotion and good temperament, leaving the present generation a hard act to follow. All of you should strive and do your best to serve without fear or favour in discharging your duties to shape it even better. The rule of law manifests itself in a multitude of facets. Law exists in practice but it shall not only be practised by the lawyers or dealt with by the adjudicators, but shall also be observed and respected by the

community as a whole. The members of the faculty, being responsible for the growth of legal education, shall strive to impart, promote and further the Rule of Law as a fundamental basis of our society.

Legal Education is a lifelong process including the initial phase of University education. Legal education has long endeavoured and is perseverant to pursue two objectives: first, to teach substantive content which gives solid bases of key areas constituting our legal system; and secondly, to teach effective thinking and learning methodology achieved by enhancement of intellectual skills of reasoning, logic, research and curious enquiry which are the distinctive features of classic legal education. It has always been hard to balance the two objectives. The early Indian legal education was dominated by vocational training but focused groups in the practice could shift the same. In my perception, legal education must include an explicit focus on professional skill building in areas such as

oral and written communication, dispute resolution, team work, legal drafting, advocacy and professional responsibility.

The Legal Education Sector is being increasingly changed with the diversity of career visions of students and the growing market demand. Commercialization of legal profession is changing the dimensions of work done by many lawyers and, hence, the requirement of professional skills needs to be satisfied. Further, increasing vision of the law students demand to revisit what we have been teaching and strong and distinct paralegal skills remain to be imparted.

As a legal education imparting institution, you must aim to integrate analysis, critique and doctrinal learning amongst law students in order to build the contextual understanding of law and its sacrosanct role in the society.

Law teachers are the integral part of law, legal education and the society. The teaching of the law is in no manner inferior to the practice of law. The primary function of a law teacher is to teach but that involves enormous research and understanding of the subject. A law teacher is expected to be a master of any subject to the extent of its length, breadth and depth.

The first requisite of effective law teaching is profound scholarship, that is, the scholarship that comes from systematic study in a rather limited field of our jurisprudence, and not the scholarship of the practitioner who gets involved, from time to time, in the parts of subjects to meet immediate professional demands.

A Law teacher ought to be wise, judicial, and scholarly in his attitude and that may help him/her to do constructive work of great importance in the way of reforming our jurisprudence. Instilling the significance and relevance of democratic culture and nurturing ideal citizens of the country is the foremost requirement of a law teacher. Today, with the changing society, legal education needs to be improved and its scope

has to be expanded with the concept of modernization. The law teachers are expected to involve themselves in innovative teaching and learning processes by envisioning and imparting interpretation and research skills amongst the students. A law student should always remember what Roscoe Pound has said:

"Law is practiced in a spirit of public service."

Legal Research is the process of determining and redeeming the answers of legal questions from various sources such as laws, judgments, treaties, conventions, etc. Today the law firms and legal attorneys heavily rely on legal software to conduct legal research online than the traditional methods. It helps to identify not only the backgrounds of previous decisions but also the ways to solve the problem. The basics of law can be learned by conducting legal research. Students thriving to learn law need to be equipped with high research skills. Legal research includes learning about and comparing set precedents and decisions of similar kinds. It is useful to reach to essential case laws as well as statutes.

The classroom sessions must be taken by well qualified and experienced law teachers and ought to be made more interactive by incorporating methods such as class debate, problem solving exercises, case law interpretations and presentations, case study and real life problem discussions. The effective method lies in encouraging group dynamics that involve brining a heterogeneous group into a state of homogeneity and cohesiveness for accomplishing the given assignments.

Court Room Exercises must be made a compulsory practice in the evaluation scheme of law subjects in order to familiarize students with the court room atmosphere. The research skills of students could be sharpened by assigning project preparations, case studies, case analysis, memorial preparation and other drafting exercises. It is pertinent to include workshops, conferences, and seminars as a part of courses which may be dealt with by distinguished attorneys,

partners of law firms, lawyers, eminent scholars, and academicians across the globe. It is because as Mahatma Gandhi tells us:

"By education, I mean an all-round drawing of the best in child and man in body, mind and spirit."

In this context, it is apt to recall the wisdom of Benjamin N. Cardozo:

"Method is much, technique is much, but inspiration is even more."

I have talked about the study of law, research and practice. Presently, I would like to highlight what qualities should be possessed and cultivated by lawyers. I say so today as I am speaking to the future generation of lawyers. I had said earlier, but I am tempted to repeat:

1. "Anyone who enters into the profession must have the sacrosanct feeling that he has entered inside a temple and the purpose is to serve the cause of justice.

- 2. He should harbour the conviction that nothing can lay a foundation stone for success other than hard work.
- 3. He must believe that he can succeed and then alone he can pave the path of success.
- 4. He should concretize the confidence step by step with humility and respect, destroying all conceptions of fear.
- 5. He should avoid any kind of envy as envy destroys the basic marrows of the human soul and when soul is lost no action can ever be good or just.
- 6. He must believe in "Purshartha" as the pure philosophers of India have always said: The 'Purshartha' meets and joins hands with 'Bhagya'. The saying "Bhagyam Phalti Sarvatra Nach Vidya Nacha Parusham', should be regarded as partial truth. It is because 'Karma' and 'Bhagya' go hand-in-hand to have tryst one day.
- 7. He must not be worried of losing battles but must prepare himself to fight the war Winning the war is the embodiment of greatness. Small battles do not matter in life.
- 8. He must conceive of big things in life as the Vedic seers have said one becomes what one wants to be. It has also been so said in the Bible.
- 9. He must develop the sense of introspection to analyze and find out his weaknesses. Justification of weakness is no excuse.

- 10.Acceptance of one's own limitation is a step towards achievement of nobility. Demosthenes, one of the world's greatest orators, was unable to speak. To train himself to speak he put pebbles in his mouth near the sea shore and shouted raising his voice so that he could address a large gathering. This means, no effort goes futile.
- 11.He must interpret what troubles him and it would train him to be adept and competent not to run away from any difficult situation and embolden him to face the problem with an immense sense of responsibility and rationality.
- 12.He must be an inspired being and inspiration must come from research.
- 13.He must remember life kicks every moment and asks one to live. However, to live does not mean to exist but to live with a purpose and the purpose here is to learn and only learn.
- 14. There must be respect for seniors as the elementary principle behind this concept is: today you respect so that you will command the same tomorrow without any effort. Let it be noted 'today' is inherent in 'tomorrow' which is encapsuled in 'today'.
- 15. Presentableness in outer form is not a small thing to be left out. One may not be ostentatious but there should be aristocracy in simplicity. A lawyer has to be an aristocrat in his thought and yearning for learning.

- 16.He must strive for Rule of Law and have compassion for the poor so that liberty lives in human souls and does not become a part of a statue.
- 17.He should abandon fixity of notion and be progressive in outlook.
- 18.He should sanguinely believe that judiciary is an institution of serviceability and he being an officer of the Court is an unshakeable pillar of it.
- 19.He must develop a sense of humour so that he can accept the things of life as the life of a lawyer is full of events.
- 20.A lawyer must get the idea embedded in his heart that a man may be destroyed but he can never be defeated. He must fight for 'Lokdharma' as well as 'Rajdharma' till his death.
- 21.A lawyer must have patience, perseverance, politeness, punctuality, passion for knowledge and must develop the 'Newtonian Complex' every moment.

I have enumerated in my humble way what I have thought sound for the younger generation. I may state with all the humility at my command that, in this field, there never had been and there never would be any generation gap for the field you are in is the field of activist cells where 'prana flows, Let the 'prana' enter into every cell of your body to make you the 'pink of perfection'."

Lastly, I am disposed to say, dear friends, infrastructure has been built with enthusiastic intellect and from today onwards, all of you should endeavour to gradually have the superstructure with cultivated wisdom.

Thank you for being patient.