



COMPULSORY LEGAL EDUCATION IN SCHOOLING: ASSESSING THE 2016 PRIVATE MEMBER BILL

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ABSTRACT

This article critically examines the 2016 Private Member's Bill introduced by MP Chandra Prakash Joshi, which sought to incorporate mandatory legal education into the Indian school curriculum from class VIII. While India boasts one of the world's richest constitutions, much of its population remains legally illiterate and thus hinders democratic engagement and access to justice. The bill sought to fill this void by sensitising students to their basic rights, legal redressal options, and civic duties. It suggested systematic curriculum planning, budget allocations and administrative structures for effective application. Applying international models like the UK's Citizenship Education and Finland's interdisciplinary legal integration, the article contends that legal literacy is pertinent and urgent at the school level. This article also points to the central challenges from insufficiently trained teachers to overcrowded curricula and provides actionable suggestions, ranging from teacher education to curriculum incorporation, policy guidelines and educational software. With a new PIL and increasing judicial interest, this article concludes that legal education needs to become an integral component of India's educational system to empower future citizens, decrease legal illiteracy and build solid democratic governance.

Keywords: Legal Literacy, Indian Education System, 2016 Private Member's Bill, Constitutional Rights, Democratic Participation.

INTRODUCTION

India has one of the most detailed and progressive constitutions in the world. It upholds principles of justice, equality, liberty, and dignity for everyone. However, there is a significant gap between these constitutional ideals and the everyday experiences of average

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citizens, especially regarding legal literacy. Millions of Indians do not know their basic legal rights and responsibilities, which makes it hard for them to access or demand legal help when their rights are violated. Many citizens do not have the basic knowledge needed to navigate the legal system, whether it involves filing a First Information Report (FIR), dealing with unlawful detention, or interacting with state authorities. This lack of awareness weakens democratic participation and increases marginalisation. The constitutional principle of *ubi jus ibi remedium* states that where there is a right, there should be a remedy. This principle falls short when people are unaware of how to claim those rights or even that such rights exist¹. Legal illiteracy is not just a knowledge gap; it also serves as a barrier to justice and empowerment.

Many countries worldwide have tackled similar issues by adding civic and legal education in schools. The United Kingdom requires citizenship education for students aged 11 to 16. This is meant to give them knowledge about laws, institutions, and civic responsibilities². Spain's "Educación para la Ciudadanía" offers a rights-based framework that introduces children to human rights, democratic values, and legal systems³. These examples show that structured legal education from an early age can help develop socially responsible and legally aware citizens who can better engage in democratic life. In contrast, legal education in India is mostly limited to professional law programs at universities, which are only available to a small portion of the population. There is no structured approach to teaching school students about their basic legal rights, duties, or how institutions function. To address this critical gap, in 2016, Shri Chandra Prakash Joshi, a Member of Parliament from Rajasthan, introduced the Legal Education in Schools Bill, a Private Member's Bill in the Lok Sabha. The bill aimed to add legal education to the national curriculum starting from Class VIII and to make legal literacy a mandatory part of school education⁴.

Although the bill did not pass, it was an important moment in the discussion about democratic empowerment and education reform. It underscored the urgent need for institutional action to tackle the long-standing neglect of legal literacy in India. The proposed curriculum included basic rights and duties, consumer protection, filing FIRs, cyber laws, and constitutional values. This education was intended for both government and private schools.

¹ S P Sathe, Right to Know (2nd edn, LexisNexis 2006) 15

² Department for Education (UK), 'Citizenship Programme of Study' (2014)

³ Eurydice, 'Citizenship Education at School in Europe' (2017)

⁴ Legal Education in Schools Bill, 2016 (Bill No. 136 of 2016), Lok Sabha
<<https://prsindia.org/billtrack/the-legal-education-in-schools-bill-2016>> (accessed on 12 June 2025)

This paper critically examines the goals, scope, and limitations of the 2016 Legal Education in Schools Bill. It places the bill within the broader context of civic empowerment and democratic engagement. Through comparative insights and legal analysis, the paper argues that introducing structured legal education is essential for closing the gap between citizens and the state. It also emphasises the need for an informed and rights-conscious society. By advocating for legal education as a public necessity, the paper aims to contribute to ongoing discussions about education policy and participatory democracy in India.

BACKGROUND OF THE 2016 PRIVATE MEMBERS

The demand for organised legal education in Indian Schools has been an old concern because legal illiteracy still obstructs democratic engagement and civic empowerment. Realising this critical shortcoming, in the year 2016, Shri Chandra Prakash Joshi, a Member of Parliament from Rajasthan, put forward a Private Member's Bill in the Lok Sabha entitled: *The Compulsory Teaching in Educational Institutions Bill, 2016*. The bill was made to make legal education compulsory across all educational institutes (governmental or private) from the primary level onwards. The primary goal of bills is to ensure that by the time students complete their schooling, every student must have a fundamental understanding of the law, their legal rights and duties and the Indian legal system. The bill focuses on the following areas:

Mandatory Curriculum: The primary focus is on the introduction and compulsory learning of legal studies in schools, starting from the primary to the secondary level

Formation of a Central Advisory Board: The bill focuses on the formation of a board to administer the following:

- Teaching methods
- Age-based syllabus
- Criteria of Qualification of a Teacher
- Continuous curriculum updates

Areas of study: It must include the Fundamental rights and duties, Legal remedies and procedures, the basic functioning of courts and Consumer protection laws.

Funding and implementation: Bill focused on funding 100 crores annually from the central budget to ensure proper functioning and implementation.

CONSTITUTIONAL BASIS AND LEGAL JURISDICTION OF THE BILL

- Article 21A⁵ mandates free and fair education for all children aged 6-14 years. The article supports the bill as legal education fits within the scope of quality education.
- Article 38(1)⁶ directs the state to promote welfare by securing justice-social, economic and political. The article supports the bill by promoting social justice through legal awareness.
- Article 39A states that justice is not denied to anyone, even to people who are economically weak or have other disabilities. This article supports the bill as it obliges the state to ensure justice to all, which shall be done by providing legal education to all.
- Article 32 and Article 226:⁷ Right to constitutional remedies – a fundamental right enshrined in Article 32 and Article 226, which enables citizen can approach the court if their rights are being violated. This article supports the bill by ensuring that citizens are aware of the legal remedies available to them under the Constitution of India.

WHY LEGAL EDUCATION IS NEEDED IN INDIAN SCHOOLS?

Legal education plays a crucial role in Indian Schools as it promotes a generation with a basic understanding of law, legal rights, legal remedies, awareness and responsible and empowered citizens. Legal education helps to promote justice, liberty and equality enshrined in the preamble to the Indian Constitution. Despite having the world's longest and most comprehensive constitution of India, the people of India still lack a basic understanding of the law, leading to inequalities, injustice and exploitation.

Importance of Legal Education

Reduce Legal Illiteracy: Awareness and a basic understanding of the law can help reduce illiteracy. This can be understood with an example like the Indian constitution grants certain

⁵ Constitution of India 1950, art 21A

⁶ Constitution of India 1950, art 38(1), art 39A

⁷ Constitution of India 1950, arts 32 and 226

laws, including child rights, consumer protection, cybercrime, gender equality and environmental safety, but very few know how to use them.⁸

Promote Active Citizenship in Democracy: Legal education helps citizens understand the functioning of courts and government and how laws affect their daily lives, for better and more involved participation of citizens, as democracy is based on citizen participation.

Empower future citizens: Legal education is essential as it helps children to understand their fundamental rights and duties, respect the rule of law and develop a sense of justice, equality and responsibility.

Prepare for future and modern legal challenges: Legal education can help children to better understand and tackle new emerging challenges like cybercrime, online fraud, privacy violation and rights abuse.

Constitutional Goal: Legal education will help to fulfil the constitutional goal. The goal includes building a just, equitable and informed society. Without awareness, constitutional goals cannot be fulfilled, and people may face difficulty in exercising their rights, duties and protecting themselves from violation.

Judicial pronouncement: In *Mohini Jain v. State of Karnataka* (1992),⁹ the Supreme Court held that the right to Education is directed in Article 21, Right to Life. PIL filed by Advocate Geeta Rani (2024) demanded compulsory legal education and self-defence training in the school curriculum. The Supreme Court issues a notice to the central government stating that the judiciary has recognised the urgency of legal education.

COMPARATIVE PERSPECTIVE OF GLOBAL MODELS

Legal Education or Civic literacy is a foundational part of education in many developed countries. These nations integrate constitutional knowledge, human rights, legal procedures and democratic values into their school curricula from primary or secondary levels.

⁸ Law Commission of India, the Legal Education and Professional Training (Law Com no 184,2002) (accessed on 12 June 2025)

⁹ *Mohini Jain v State of Karnataka* [1992] 3 SCC 666

United Kingdom Citizenship Education: Citizenship is a compulsory subject in secondary schools under the National Curriculum for England, to develop informed and active citizens.¹⁰

Finland-Cross-Curricular Legal & Civic Themes: In this, there is an integration of legal education with other subjects such as History and Social Science.¹¹

Canada Legal Literacy in Civics Courses: Each province has civic education with a legal module to prepare for responsible citizenship.¹²

Germany-Social Studies with Legal Literacy: This social science education is embedded with legal education. **For Example, the** Rule of Law and Democracy, and Fundamental Rights under the German Basic Law.

¹³**United States-Civics and Government Education:** Government and civics classes are mandated by most of the US states.

As India lacks legal education in schools, the above examples of other nations help to show how legal literacy forms better democratic participation, legal empowerment, lower crime and higher social responsibility and respect for the rights and duties of all.

CHALLENGES TO IMPLEMENT LEGAL EDUCATION IN INDIA

Although there is increased awareness of the need for legal literacy, there are various structural, administrative and societal issues that hinder the introduction of legal education in India's school curriculum. The challenges are as follows:

Shortage of Trained Teachers in Legal Subjects:¹⁴ The majority of the schools have untrained teachers, and have no expertise in legal concepts, constitutional values or human rights, which results in the untrained teachers facing problems in delivering the subject effectively, leading to misunderstanding.

¹⁰ UK Department for Education, National Curriculum in England: Citizenship Programmes of Study (Gov.uk, 2013)

¹¹ Finnish National Agency for Education, Finnish National Core Curriculum for Basic Education

¹² Government of Ontario, Civics and Citizenship Curriculum – Grade 10

¹³ National Centre for State Courts (US), Civics Education Resource Hub

¹⁴ <<https://www.scribd.com/document/599156029/National-Curriculum-Framework-2005>> (accessed on 12 June 2025)

Overburdened Curriculum: The main problem is that the school curriculum is already packed with academic syllabi, particularly in secondary education, due to legal education might be opposed if it covers a cross-disciplinary subject or a value-based subject.¹⁵

Lack of Political and Administrative Will: Despite being part of a concurrent list, education lacks coordination and urgency in adoption. Because of that, bills such as the 2016 private member's bill have not gained enough support and momentum in Parliament and the education department.¹⁶

Legal Illiteracy among the general population: The main problem is that a population that is not aware of laws might not require legal education, which leads to low social demand and priority for policies on education and employment.¹⁷

¹⁸Budgetary Constraints: Many public schools in Indian states are challenged with infrastructure and funding, because financial planning would be needed to pay for a new curriculum, training and materials.

Lack of Centralised Policy on the Curriculum for Legal Literacy: There is no national policy framework or NCERT module on legal education, because states might be hesitant to innovate on their own without central direction.¹⁹

India's way to bringing legal education into schools is stalled by inactive institutions, unavailability of trained staff and a reduction in the importance of civic learning. But with increasing judicial scrutiny (such as PIL pending in the Supreme Court) and global models to learn from, the moment is favourable to overcome these challenges with political will and policy change.

RECOMMENDATIONS

India must adopt inclusive and structural strategies to implement legal education in Indian Schools due to the rise in the need for legal literacy. Several recommendations supported by various policies, international models and judicial perspectives are listed below:

¹⁵ Ministry of Education (India), National Education Policy 2020
<https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf>
(accessed on 12 June 2025)

¹⁶ PRS Legislative Research, 'Understanding Private Members' Bills' (PRS India)

¹⁷ Law Commission of India, 184th Report (n-6)

¹⁸ NITI Aayog, Strategy for New India @75 (Government of India 2018)

<<https://www.niti.gov.in/the-strategy-for-new-india>> (accessed on 12 June 2025)

¹⁹ Bar & Bench, 'SC Issues Notice to Centre on PIL Seeking Legal Education, Self-Defence Training in Schools' (Bar & Bench, 2024)

Introduce Multidisciplinary Legal Literacy: Introduce Multidisciplinary Legal Literacy by adding legal topics into existing subjects with other subjects such as Social Science, Civics, Political Science and Moral Science. Adding legal topics with existing subjects will help to make or build an understanding of basic law and reduce the burden of the syllabus. Example: Finland integrates legal knowledge across subjects.²⁰

Approve Legal Modules:²¹ The Ministry of Education and NCERT need to partner with legal experts and law universities to develop age-relevant legal education content because standardisation will lead to uniformity and quality.

Teacher training and certification: Initiate training and certification courses (jointly with NLU or IGNOU) for school teachers on fundamental legal subjects because teachers are the key implementers, and training assures they are qualified and self-assured.²²

Pilot Projects and Integration through CBSE and State Boards: Implement pilot projects in some CBSE and state board schools to pilot curriculum efficiency before national implementation, because a pilot will give feedback and improvement data.²³

Cooperate with Legal Institutions & NGOs: Regular legal literacy camps, mock courts, and law-awareness workshops can be organised by schools in cooperation with National Law Universities (NLUs), State Legal Services Authorities, and NGOs. Because practical exposure to the application of law is critical.²⁴

Leverage Digital Platforms for Wider Access: It creates interactive e-learning modules and mobile apps (in local languages) on elementary legal rights and responsibilities because it encourages inclusion and accessibility in rural/remote regions.²⁵

Policy-Level Action-Enact Central Guidelines: The Union Government, by the Ministry of Education and the Ministry of Law & Justice, must release a policy guideline requiring legal literacy in schools because constitutional literacy is central to creating an educated and empowered citizenry. Legal education is not academic—it is transformative. Its application at the school level will curtail exploitation, secure democracy, and empower the future

²⁰ Ministry of Education (India), National Education Policy 2020

²¹ Ibid 12

²² Law Commission of India, 184th Report (n-6)

²³ Ibid 16

²⁴ Georgetown University Law Center, Street Law Clinic Program

²⁵ <<https://journalsofindia.com/national-digital-education-architecture/?print=pdf>>(accessed on 12 June 2025)

generation to ensure the rule of law. With careful reforms, India can become part of a nation in which legal literacy is as crucial as reading.

CONCLUSION

In a rule-of-law nation, the power to comprehend, read, and respond to legal duties and rights is not just helpful—it is fundamental. India, with its strong and democratic Constitution, boasts one of the strongest legal systems in the world. And yet, ironically, much of its populace remains ignorant of even the simplest legal provisions that govern their everyday lives. This legal illiteracy perpetuates injustice, nourishes social inequality, and undermines democratic participation. The Private Member's Bill of 2016, introduced to the Lok Sabha by MP Chandra Prakash Joshi, was a significant move towards closing this gap. By suggesting the integration of legal education in school curricula, the Bill recognised that legal awareness has to start from the early phases of a citizen's life. Legal literacy can no longer remain the monopoly of lawyers, judges, or experts—it has to be made popular. Abroad, Finland, Canada, the UK, and Australia have already incorporated aspects of civic and legal education within schools. These models offer inspiration and functioning blueprints for India to emulate. Their success has shown that such education does not strain students; rather, it enables them to think critically, act responsibly, and contribute constructively to society.

Whereas issues like the absence of trained staff, infrastructural shortfalls, and political lethargy do present themselves, they are by no means impossible to overcome. The recent Public Interest Litigation instituted in the Supreme Court of India demanding compulsory legal education and self-defence training for students, and the Court's willingness to at least entertain it, constitute a key judicial intervention. Coupled with Article 38(1) values (encouraging the welfare of the citizens) and Article 51A (basic duties), the constitutional underpinning for such a reform is evident. School legal education must not be a discretionary luxury or a reactive response. It needs to be proactive, preventive, and entrenched. Familiarising students with the legal framework, their constitutional rights, and their civic responsibilities can decrease exploitation, safeguard vulnerable sections, and promote legal compliance in the long term. A legally literate citizenry is one of the most solid supports of an operational and just democracy. Thus, policymakers must reconsider the 2016 Private Member's Bill with seriousness and make legal education a compulsory, multidisciplinary, and inclusive school subject in India. Only by doing so can we raise a generation of

empowered citizens who not only are aware of their rights but are also prepared to protect them—legally, ethically, and peacefully.