

INCREASING DIVERSITY BY INCREASING ACCESS (IDIA)

A INTRODUCTION

The National law schools, widely seen as the pre-eminent legal institutions in India, have become increasingly elitist over the years. A variety of factors have contributed to this, including the extremely high fees charged at these institutions, an entrance examination that now requires extensive and expensive coaching as a pre-requisite, and most importantly, a lamentable lack of awareness about law as a career amongst low income students in small towns, rural areas and other non-affluent backgrounds.

The net result is that the current student composition in many of these law schools lack any serious diversity and comprises mainly of English-medium educated students from middle class or upper middle class families. The numbers from rural areas, small towns or non English medium schools are deplorably low. Apart from this, the composition also suffers from under-representation from the economically and socially backward classes, the disabled communities, minority communities, ethnic groups etc.

The IDIA project therefore seeks to find ways to reach out to these hitherto marginalised and under-represented groups, sensitise them to law as a career option and help those interested to acquire admission to these law schools. It is hoped that such access to legal education would go some way towards empowering the marginalised and underprivileged students and the communities that they represent. Indeed, all of us who are part of the legal juggernaut have a collective responsibility in ensuring that marginalised sections are able to directly deploy the instrumentality of law to improve their lot and to contribute towards the creation a more just and fair society. Secondly, an influx of diverse student populations would make for a more optimal mix of views and perspectives at such law schools and consequently enrich the process of education itself.

In short, improving access to legal education would improve diversity at law schools and various other legal institutions (law firms, NGO's, etc. that hire such law students) and contribute to empowerment of marginalised communities.

B SPECIFIC STEPS/PROCESSES

- i) Identifying areas/schools based on local contacts and availability of resources. Volunteers will then travel to such areas/schools and sensitise schools, students, parents and teachers to the myriad benefits of a good legal education and a legal career. They will identify promising candidates, based *inter-alia* on aptitude tests.
 - a. Given that the idea for the IDIA project first grew out of NUJS, a law school situated within the state of West Bengal, the project began with a local focus on Kolkata (city and suburbs) and Pelling (in West Sikkim).
 - b. In the course of time, the IDIA project will scale up and target as many schools in under-represented areas and identify promising students therefrom. The idea is to make this a pan India project with as many volunteers visiting schools across the length and breadth of India to sensitise and identify promising candidates from disadvantaged backgrounds. We are in the process of creating collaborative local networks with lawschools, law firms, NGO's etc to operate in different parts of India. Some local networks have already been formed in the following states:
 - i. Kerala
 - ii. Bihar, Jharkand.
 - iii. Uttar Pradesh (more specifically, Jitholi village, Meerut)

We expect that local networks would drive the project from their end and we will advise and share materials and processes that we create to help them in this task.

- ii) Once promising students have been identified, volunteers will guide them through the CLAT process and train them for taking the CLAT exam. CLAT is currently one of the biggest “access” bottlenecks in so far as candidates from under-represented areas are concerned. Therefore, supporting students to take CLAT is one of the most critical components of this program. We have been lucky enough to have some CLAT training centres agree to give us materials free of cost for distribution. Apart from this, we will begin the process of preparing customised CLAT training material from our end as we intend to impart CLAT training through online educational platforms, as well as offline to the best of our ability and within the constraints of resources that we have. An online platform in this regard, Clathacker, was conceptualised by a student volunteer, Ramanuj Mukherjee and is already operational. It is available at < <http://myclat.ning.com/>>
- iii) Since many students would have come from non English speaking backgrounds, we plan to administer “English” language training as well. Here again, we would do it through a combination of online and offline modules and through collaborations with institutions and groups that are already doing this.
- iv) Amongst the students who do well in our aptitude test, we try and select under-represented categories, based primarily on economic background. Other markers, though secondary ones are gender, ethnic background, disability, etc., so as to ensure an optimally diverse mix. However, it must be reiterated that our initial focus would be on students who qualify as economically backward.

- v) Most law schools have “reserved” categories including SC/ST and disability quotas. By creating more awareness amongst marginalised communities, it is hoped that this project would also result in a larger pool of deserving candidates applying for these reserved seats.
- vi) Once under-represented students make it through CLAT, it is hoped that the various law schools that are sympathetic to this project would offer them a full tuition fee waiver, if they fall below a certain income level. At the moment, NUJS, NALSAR and NLS have a committed policy towards fee waivers in favour of poor students. We’re in the process of speaking to other Universities to institute similar policies.
- vii) If Universities cannot provide waivers or fee reductions, we try and provide funds out of our general pool that we collect from donors including law firms, lawyers, law teachers, students and others who support the cause. In fact, donors could institute scholarships for such students in their name if they wish. Monies provided to students out of scholarship funds would also try to cover living expenses and other expenses related to the purchase of books, laptops, etc. We are also trying to persuade law schools to offer some part time jobs in the library, etc. so that they can earn some pocket money. We will also request local lawyers and law firms to offer them assignments by which they can make some money. If need be, we also propose approaching banks and other financial institutions for loans. And last, but not the least, we will encourage the government (central and state) and industrial houses to institute specific scholarships for this purpose.
- viii) The existence of scholarships for deserving students will be advertised widely to encourage wider participation in our program by prospective candidates from villages and small towns. In

particular, the advertisements will be carried in vernacular media, radio, etc.

ix) Another obstacle to “access” from under-represented students and areas is the current perception of law as a career option. In fact, in an earlier sensitisation program undertaken by a CLAT training centre, a school principal had a volunteer thrown out stating that he did not want any of his students to take up the “dirty” profession of law! To address this cultural bias against law, the following measures would interalia be undertaken:

a. Media articles (in regional languages) and TV programmes that highlights the benefits of law as a career. In particular, the multifarious career options (law firms, inhouse positions, NGOs, academia, LPOs, policy level advocacy, etc.) open to the present day law student would be stressed.

b. Intensive awareness programs during visits to schools to sensitize students, teachers and parents, where possible.

c. Encouraging groups of school representatives and parents of students from such schools to visit law school campuses to get an idea of law school education and prospects. We plan on holding “open days” for this purpose and would encourage all law schools in India to do so.

d. A website and other online material that sensitises students, teachers and parents to the profession of law and its viability as a good career option.

x) The project will aim at engendering a collaborative participation approach, and encourage as many volunteers (law students, lawyers and other well wishers) to participate in this process by approaching schools in their area. To this end, we aim to create an online platform (website, blog, etc.) to enjoin the participation of

law students, faculty and others across India in this project. In particular, we will put together publicity kits containing information pertaining to the various law schools and brochures explaining the prospects of a good legal education and the attractiveness of law as a career.

- xi) As mentioned earlier, the project will look for ways for effectively advertising the fact that under-represented categories with low financial means will secure scholarships and other funding to enable them to study at any law school of their choice.
- xii) The project will not stop with students clearing CLAT. Rather, candidates who clear CLAT will also be allotted specific mentors in law schools to guide them and ensure that they do not feel “socially” awkward in law school but will bloom to their fullest extent. Further, if any of them is supported through contributions from lawyers or other students or alumni, such funders would take on the role of mentors as well. The hope is that the candidate will be able to optimally leverage his or her legal education and make an informed choice at the end of it. Law schools across INdia would be encouraged to frame policies in this regard that would ensure an optimally diverse environment for student coming from varied backgrounds.

C THE PELLING PROJECT

A project has already been executed at a government school in Pelling, comprising the following:

- i) Sensitising students and faculty to the prospects of a good legal education and the attractiveness of law as a legal career.
- ii) Conducting a test amongst students of Class 11 to identify those with basic legal and logical reasoning skills.

- iii) Identifying 8 of the most promising candidates based on test results, candidate background (primarily economic status) and discussions with school teachers.
- iv) Providing free internet access to such students through an arrangement with local cyber cafés so as to foster CLAT training via online platforms. We encouraged students with IT proficiency train the other student. We also picked the most dynamic of the selected children as the group leader to keep the group motivated and to liaise with us.
- v) Encouraging other interested students from Pelling (with adequate financial means) to apply to the law schools and to study for CLAT, perhaps be enrolling in the programs of various CLAT training centres. Where possible, we provide informal help to such students.

D INSTITUTIONAL ANCHORING

While the project has been anchored out of the West Bengal National University of Juridical Sciences (WB NUJS) for the moment, it cannot remain limited as an NUJS project. Rather, it is a pan India voluntary project for which any interested person may sign up. The idea is to encourage mass collaboration and a completely decentralised approach towards achieving the goals of this project.

The process of creation of an independent trust to institutionalise the project (and enable donations, etc.) is underway. Till such time as such a charitable trust is created, donations may be sent to WB NUJS, where a separate account is being maintained in this regard (and Section 80G income tax exemption certificates can be quickly granted).

E LIKELY IMPACT

At the very minimum, this project is likely to lead to greater overall awareness towards law as an enriching career amongst students across the length and breadth of India. At a more specific level, the hope is that this project will result in more students from economically poor backgrounds and hitherto marginalised/ disadvantaged sections benefiting from quality legal education from the top law schools in India. This is likely to empower them and the communities they represent. In fact, we will try and insist that any students who are offered free CLAT training and free legal education will have to contribute back to their communities in specific and meaningful ways.

Further, the entry of such students to the current composition of the various law schools would contribute to “diversity” and enrich the very process of legal education and benefit both the University, students and the profession. Indeed, the legal profession would also gain with this increase in diversity and representation from hitherto unrepresented communities. At some point in future, the project will also seek to actively encourage law firms and other legal institutions to facilitate greater diversity and promote greater access in favour of the marginalised by having more conscious hiring choices etc.

F FUNDING FOR IDIA

- i) As evident from the above, for the IDIA project to work, we require a massive infusion of funds. Any donations, no matter how small, either as a contribution to the general fund or for any specific processes identified above, will be most appreciated. We don't have any specific target for fund collection as yet—but will work with whatever we receive, i.e., if we receive more, we can help more students access quality legal education and better their lives. Although we prefer donations for the general purpose of the project, you could, if you wish, insist that your funding be applied to any of the heads below:
 - a. Visits to schools to run sensitisation programmes. Illustratively, a group of 4 student volunteers along with a faculty member

travelling to schools in Murshidabad (a small town in West Bengal: about a 6 hour train journey from Kolkata) and undertaking sensitisation programs is likely to cost us Rs 15,000/-. If interested, donors could even specify the areas that they would like us to cover and help us by funding that trip.

- b. Buying study materials for students: Our biggest access bottleneck in terms of training students from rural areas and small towns is their lack of proficiency with English. We have to deliver training as will enable them to begin thinking in English. Many of these students in rural and small towns do not even have access to English newspapers. Getting them subscriptions to newspapers, magazines (eg CSR) and buying books on GK and English for them will cost a lot of money.
- c. Having "open" days for teachers, students and parents at law schools wherein the wonders of law as a career option are explained and tours of the campuses given.
- d. Preparing CLAT training material: This is a very intensive task, since it involves several components, including modules on English, mathematics, logical reasoning, legal reasoning and GK. Although some students are likely to volunteer to work for free for this, we're likely to get the best only if we pay for this task. Again, donors could either donate books etc to us or give us moneys generally towards this purpose or indicate specifically that they wish their moneys to be used specifically for this purpose
- e. Creating brochures and publicity materials: these materials can be taken to schools to give students a better idea of law as a career and the benefits of a good legal education. It could also contain information on the various law schools. These materials once created would be made available online for free access. But it may help to print these professionally so that we have

attractive colours and photos that will appeal more to students, their teachers and their parents.

- f. Online Component: An open access website to be structured that would have all information on the project that could be useful to potential CLAT takers and anyone willing to help with the project. The website would also host all our CLAT training materials, past years papers and other relevant materials.
 - g. Funding Students who clear CLAT and are admitted to law schools: This will require a massive infusion of funds. Although 3 of the top law schools have fee waiver policies for poor students, the others don't. We would therefore greatly appreciate the institution of scholarships by lawyers, law firms, industrial houses, associations, institutions and any others that wish to help us in this endeavour. At NUJS, the cost of tuition per year per student works out to around Rs 1.5 lakhs (around Rs 7.5 lakhs for the entirety of 5 years). If not for the tuition fee (either full or a part of it), funding for taking care of the stipendiary expenses of an admitted student will greatly help. This works out to Rs 3000 per month per student for NUJS, situated in Kolkata. Even if 3 lawyers come together with Rs 1000 each per month to help one student, that would help a great deal.
- ii) For the moment, any donations (by either cheque or draft) could be made in the name of "Diversity Project A/c No. SB01005913" and sent to the address below:

Shamnad Basheer
Ministry of HRD Professor in IP Law
West Bengal National University of Juridical Sciences (WB NUJS)
NUJS Bhavan, 12 LB BLOCK
Salt Lake City, Sector III
Kolkata - 700098, India

- iii) Please mention in your covering letter that the amount is being advanced as a donation towards the IDIA (Increasing Diversity by Increasing Access) Project. Please also remember to request a letter to facilitate your availing tax benefits under Section 80G of the Income Tax Act.

- iv) Funds may also be transferred online to the account of the University. If interested in this option, please use the following details below:

IFSC : CORP0000663

A/c No. SB01005913

G PARTICIPATION

- i) We welcome your active participation in the project by volunteering to do any of the below activities:
 - a. Spreading the word. It could as simple as sensitising the people in your immediate environment (chaiwallah outside your campus, your maid at home, your office peon) to law as a profession, the availability of scholarships to study at the premier legal institutions and free coaching to clear the entrance exams to such law schools. Indeed, we have initiated something along these lines at WB NUJS (called the "Diversity begins at home" project) and are actively speaking with the children of all our support staff, cleaning staff, gardeners, etc. to encourage them to take up law.

At a broader level, you could speak to your media contacts for helping spread the word or connect us to school networks, government contacts, etc. that can help us reach out to more schools. You could also help us by:

- i. speaking to people who are likely to be interested in funding this project, and instituting specific scholarships etc.
 - ii. speaking to the various law schools and sensitizing them to this project and requesting them to have policies that will aid this project (such as by instituting scholarships for poor students etc)
- b. Offer to visit schools in your area. Indeed we request all students and lawyers to at least visit their own school and encourage more students to take up the profession of law.
 - c. Mentor students from disadvantaged backgrounds who enter law schools and may find it a bit difficult to navigate in the initial years (both academically and socially)
 - d. Offer to help prepare materials for CLAT training and/or to physically train students for CLAT.
 - e. Offer to help with the English training component.
 - f. Join any of the regional IDIA groups that are being set up to help implement the project in different parts of India.

In order for this project to work, it must be a pan India effort with as many volunteers who can sensitise schools and students across the length and breadth of India to the wonders of law as a career. To this extent, our focus would be on creating processes and materials that can be used by any interested third party. We are particularly looking for collaborative networks with students, faculty, law firms, NGO's and other interested persons and institutions in different parts of India.

H CONTACT DETAILS:

If interested in participating or helping in some way or for further details on the project, please contact Prof Shamnad Basheer (shamnad@gmail.com: +91 9831512975)

I ACKNOWLEDGEMENTS:

Inclusive legal education is not a new idea and many of us who have had something to do with the national law schools have often bemoaned the conversion of these institutions to elitist hubs with a severe lack of representation from marginalised sections, particularly economically weaker sections. This project owes intellectual debts to many who helped conceptualise and better it along the way:

- i) The genesis of this specific project can be traced back to discussions with Tarunabh Khaitan, a fellow at the University of Oxford.
- ii) This project wouldn't have kicked off, but for the exemplary enthusiasm shown by Professor MP Singh, who went out of his way to encourage it, despite his many preoccupations as the Vice Chancellor of NUJS. Indeed, having grown up in a village amidst severe adversity and procured a legal education against all odds, this was something very close to his heart.
- iii) Many NUJS faculty members including Saurabh Bhattacharjee, Nandan Nawn, Jasmine Joseph, Chinmayi Arun, Sarfaraz Ahmed Khan, Shameek Sen and Supriya Routh contributed valuable ideas, some of which were weaved into this note. Many NUJS students, including the current core team that is executing the project helped with refining ideas that went into this note.
- iv) Unique and useful insights were also obtained from discussions with Sachin Malhan of Inclusive Planet, Bhavin Patel of Rainmaker, Saurav Datta of Lexis Nexis and Eshan Saha.

We thank all of them and several others who've encouraged us to take this forward. We look forward to active participation by many others. Our sincere hope is that this IDIA will help improve the vibrancy of Indian legal education and go some way towards empowering the marginalised and enriching their lives.