

## **Preface**

The Law Commission feels that there is a necessity to ensure modern and updated Legal Education to respond to the needs of modern society and economy.

The Law Commission while undertaking the present work took different steps such as meeting stakeholders, collecting expert opinion and arranging regional conferences at different places of Bangladesh.

The Report of the Commission prepared on the matter was approved in its meeting dated 02/12/07 and in the said meeting it was also decided to send three copies of the report to the Government.

Dated: December 02, 2007

Noor Md. Jahangir Sarker  
Secretary  
Law Commission

**REPORT BY THE LAW COMMISSION RECOMMENDING  
ACCEPTABLE MEASURES FOR THE UPGRADING OF LEGAL  
EDUCATION IN BANGLADESH**

"(T)o recommend acceptable measures for the upgrading of legal education in Bangladesh" is described in section 6(i) of the Law Commission Act, 1996 as one of the functions of the Law Commission.

The archaic situation prevailing in the field of legal education in Bangladesh is too numerous to mention. To bring some order into the chaos, the present work commenced in the early part of 2004 on the initiative of Justice A.T.M.Afzal, former Chief Justice of Bangladesh and immediate past Chairman of the Law Commission (2001 - 2004). Department of Justice of Canada's CIDA legal reform project, Part A, shortly the project, provided all monetary and logistic assistance to carry on this undertaking. Prof. Dr. Shah Alam, a former Dean of the Faculty of Law of the University of Chittagong and a former Commissioner of the Law Commission was appointed by the project as the Consultant to the undertaking, with the approval of the Law Commission. Two outside Research Assistants were also appointed by the project for two years specifically for this undertaking and they set up their offices at the premises of the Law Commission.

A Background Paper was prepared by the Consultant. This Paper was analyzed, criticized and reviewed by an expert body of reviewers at a meeting held at Dhaka on July 8, 2004. Six months later the present Chairman of the Law Commission Mr. Justice Mustafa Kamal joined the enterprise to carry it forward.

In the light of the criticisms and suggestions received, a revised Background Paper was prepared by the Consultant. The revised paper was extensively circulated and later discussed, criticized and reviewed at three Regional Conferences at Rajshahi, Chittagong and Dhaka. The list of participants will show the broad spectrum of stakeholders who participated in these Conferences and enriched the discussions. Many important suggestions were received at these Regional Conferences. Different sets of questionnaires were prepared for students, teachers, lawyers, judges and other interested groups. Their robust responses were analyzed, tabulated, conceptualized and categorized. The discussions and exchange of

opinion were rounded up at a Final Roundtable at Dhaka on November 19, 2005. It was participated by leaders of opinion on the subject.

The Consultant prepared the Final Report after studying the feedbacks from the answers to the questionnaires and the Final Roundtable discussions. The Final Report was discussed, scrutinized and finally adopted after necessary changes by the Law Commission.

No one expects unanimity of opinion and recommendations on any of the explosive subjects covered by this Report. The Report is being submitted to the Government with three ends in view. First, the Report will serve as an eye-opener to those who have the eyes to see that such a widespread consultation, exchange of views, attempt to reconcile opposing points of view, reconciling various shades of opinion on the subject of Legal Education in Bangladesh have never been undertaken on such a scale ever before. If the Government were to appoint a separate and independent Commission to review the present state of Legal Education in Bangladesh, the Law Commission believes that the new body can do no better than what has been accomplished by this humble enterprise of the Law Commission in so far as methodology is concerned. Years of sustained research and opinion-gathering have saved the Government from repeating the same exercise all over again. Secondly, the Recommendations are mostly in the nature of policy matters. The Ministry of Law, Justice & Parliamentary Affairs of necessity has to consult the Ministry of Education, the public University Syndicates and appropriate authorities of private law colleges and universities before a policy matter can be finally decided upon. It is only then that relevant laws need to be amended and new laws need to be framed. Thirdly, the Commission expects that the Report will generate further public debate upon the various issues touched upon and will be a dependable launching ground in the armory of the Government for urgent necessary reforms in legal education.

(Justice Md. Sirajul Islam  
Member (1)

(Justice Mustafa Kamal)  
Chairman