

INTERNATIONAL JOURNAL OF LEGAL STUDIES AND SOCIAL SCIENCES [IJLSSS]

ISSN: 2584-1513 (Online)

Volume 3 | Issue 5 [2025] | Page 26 - 32

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LEGAL LITERACY: THE MISSING SUBJECT IN INDIAN CLASSROOMS

-Arush Bindal¹

In recent years, the discourse surrounding curriculum reform in India has been dominated by debates over the inclusion and exclusion of specific subjects in NCERT textbooks. While chapters on history are being revised or removed, there remains a conspicuous silence on the absence of basic legal education—a subject that is not only foundational to civic awareness but also essential for equipping students with practical life skills. The irony is stark: institutions imparting legal education at the higher level are referred to as —law schools, yet actual schools rarely teach law.

Legal literacy is not a niche academic pursuit reserved for aspiring lawyers. It is a civic necessity. A legally literate individual possesses a working knowledge of their rights and responsibilities, understands how and where to access legal information, and knows whom to approach in case of a violation. In 2025, India's child population (0-18 years) is estimated to be around 472 million, which is approximately 39% of the total population, according to The World Bank and UNFPA. This figure is based on the 2011 census data and projections for 2025, according to India's Ministry of Statistics and Programme Implementation—making this omission from the school curriculum not just an oversight, but a systemic failure.

THE CASE FOR LEGAL LITERACY

India has enacted a wide array of laws aimed at protecting children—from the Protection of Children from Sexual Offences (POCSO) Act to the Juvenile Justice (Care and Protection of Children) Act. However, there exists no statutory framework to impart basic legal education to children. The result is a generation that remains unaware of the very rights designed to safeguard them.

¹ 5TH Year B.Com LL.B. (Hons.), University Institute of Legal Studies, Panjab University, Chandigarh.

In 2019, a Private Member's Bill titled —The Compulsory Teaching of Legal Education in Educational Institutions‡ was introduced in Parliament by Sudhir Gupta. Despite its relevance, the bill failed to become law. This legislative lapse reflects a broader indifference towards integrating legal literacy into mainstream education.

In 2022, India recorded 30,555 crimes committed by juveniles, according to the National Crime Records Bureau (NCRB). While overall juvenile crime rates have decreased over the past decade (2013–2022), certain offenses, particularly violent crimes, have seen an increase. These figures underscore the urgency of early legal awareness. Understanding the law is not merely an academic exercise—it is a fundamental requirement for every child to assert and protect their constitutional rights.

BEYOND CAREER STREAMS: LAW AS A UNIVERSAL CONSTANT

Streams such as commerce, medicine, and science are often viewed as gateways to professional success. Yet, irrespective of the career path chosen, legal principles permeate every domain. Contracts, liability, consumer rights, workplace regulations—all are governed by law. The New Education Policy (NEP) 2020 acknowledges the need to strengthen legal education in India, but its implementation remains limited to higher education, leaving school-level learners untouched.

India's commitment to international treaties, notably the United Nations Convention on the Rights of the Child, mandates the protection of children from all forms of violence. However, protection without awareness is ineffective. As Jawaharlal Nehru aptly stated, children are the highest assets of the state and must be nurtured and protected. Legal literacy is a vital component of that nurturing.

CONSTITUTIONAL MANDATES AND JUDICIAL ENDORSEMENTS

Article 21A of the Indian Constitution guarantees free and compulsory education for children aged six to fourteen. Yet, an RTI filed by activist Punj to the Kendriya Vidyalaya Sangathan, which oversees 1,256 schools, revealed that legal studies are not included in the education code. This omission is not just a curricular gap—it is a constitutional contradiction.

The judiciary has repeatedly underscored the importance of legal education. In *Vinod Wilson v. Union of India*² the Kerala High Court observed that including law in the curriculum would enable students to develop a positive approach to societal issues, potentially resolving many of them. Similarly, in *State of Maharashtra v. Manubhai Pragaji Vashi*³, the court held that legal education is essential for providing free legal aid and ensuring justice for all. Article 39A of the Constitution places a duty on the state to promote legal education to facilitate access to justice.

BRIDGING THE GAP: FROM AWARENESS TO ACTION

Legal literacy is not about converting legal studies into a separate academic stream. It is about embedding legal awareness into the fabric of everyday learning. Interactive methods such as discussions, debates, and role plays can make legal concepts accessible and engaging. Real-life cases can be adapted into classroom dramas, allowing students to internalize legal principles through experiential learning.

Griffin University's Professor Frudenberg aptly notes that between good quality legal information and access to lawyers lies a vast gap—and unfortunately, most people fall into it. Bridging this gap requires systemic intervention, beginning with schools. Just as financial literacy has found its way into classrooms, legal literacy must follow suit. One does not need a law degree to be legally literate, just as one does not require a commerce degree to understand financial basics.

Legal awareness enables children not only to refrain from illegal acts but also to avoid becoming victims of violence and deceit. The author's interaction with children in his locality revealed that they were capable of engaging meaningfully with legally relevant issues and welcomed the opportunity to do so. This anecdotal evidence reinforces the argument that children are not only receptive to legal education but also eager to understand the world around them through a legal lens.

SYSTEMIC POWER IMBALANCES AND THE ROLE OF SCHOOLS

The absence of legal literacy perpetuates systemic power imbalances. Authority figures often exploit young people's ignorance of the law, leading to misuse of power. Legal education can act as a deterrent, empowering students to question, report, and resist unlawful conduct.

² Vinod Mathew Wilson Versus State of Kerala, (2021) (India)

³ 1996 AIR 1 1995 SCC

Parents too have a role to play. Schools must collaborate with families to reinforce legal awareness at home. Explaining what is right and wrong, encouraging questions, and fostering open dialogue can create a supportive environment for legal learning.

The reality of bullying and physical altercations in schools further underscores the need for legal literacy. UNICEF reports that slightly more than one in three students aged 13 to 15 experience bullying, and a similar proportion are involved in physical fights. These incidents are not merely disciplinary concerns—they have legal implications. Students must be taught that such actions can invite consequences beyond school punishment, potentially affecting their families and legal standing.

LEARNING FROM GLOBAL MODELS

India can draw inspiration from countries like South Africa and Canada, which have successfully incorporated legal education into school curricula by embedding constitutional principles. These models demonstrate that legal literacy can be taught effectively without overwhelming students or overburdening teachers.

The recent nationwide initiative titled *National Legal Services Authority – Child-Friendly Legal Services Scheme 2024*, launched under the directions of NALSA (New Delhi) and the State Legal Services Authority, Amaravati, is a step in the right direction. However, such initiatives must be scaled and institutionalized to create lasting impact.

THE CONSTITUTIONAL FRAMEWORK: A MISSED OPPORTUNITY

The Indian Constitution provides a robust framework for promoting legal literacy. Article 37 deals with the application of Directive Principles of State Policy, aimed at securing socio-economic justice. Article 14 guarantees equality before the law and equal protection of the law. Article 39A mandates equal justice and free legal aid. Article 51A imposes a fundamental duty on parents and guardians to provide educational opportunities to children aged six to fourteen. Yet, despite this constitutional scaffolding, legal education remains absent from the school curriculum.

Introducing basic legal education at the school level can also serve a preventive function. It may deter the development of *mens rea*—the intention to commit a crime—by instilling a fear of legal consequences. If a person is penalized for an

act they did not know was illegal, the judiciary must recognize the impotence of a system that fails to educate its citizens about the law.

THE WAY FORWARD

Implementing legal literacy in schools will require curriculum design, recruitment of qualified teachers, and coordination with state boards. These challenges are real but not insurmountable. With a detailed implementation roadmap, legal education can be seamlessly integrated into existing structures.

Legal studies were introduced in Classes XI and XII in 2013 and 2014, but only conditionally—based on student demand and faculty availability. This limited rollout fails to address the systemic gap. Legal literacy must begin earlier, ideally in middle school, and be treated as a foundational subject.

Collaborations with legal aid commissions, community legal centres, and government agencies can provide the necessary support. Schools should be staffed by passionate and visionary educators who inspire students and create a supportive environment for learning.

Legal literacy enables students to become cautious while interacting with strangers, refrain from sharing personal information, and understand concepts such as consumer rights, cyber safety, and child protection. It empowers them to recognize and report violations, seek redressal, and participate meaningfully in civic life.

CONCLUSION

As Albert Einstein once said, —The value of education is not the learning of many facts but the training of the mind to think.‖ Legal literacy trains young minds to think critically, act responsibly, and live empowered lives. It is not merely an academic subject—it is a tool of liberation.

If this article sparks even the smallest change in schools, or inspires even a single child who reads it, then it will have attained its true purpose. Legal literacy is not a luxury—it is a necessity. And it is high time we recognized it as such.

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