

**NATIONAL LAW UNIVERSITY, JODHPUR
FIFTEENTH CONVOCATION ADDRESS BY
HON'BLE MR. JUSTICE PANKAJ MITHAL, CHIEF JUSTICE,
RAJASTHAN HIGH COURT ON 15TH JANUARY, 2023**

उपस्थित भारत भाग्य विधाताओं / Young, bright and shining future of our country,
Dear Students,

Prof. Poonam Saxena, Vice-Chancellor, National Law University

Hon'ble Judges of the High Court,

Members of the General Council, Executive Council, Academic Council,

Registrar, faculty members, parents, graduating students,

Esteemed Members of the Bar,

Ladies and Gentlemen.

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I am profoundly delighted to address the Fifteenth Convocation of this institution that has secured a peerless reputation in imparting quality legal education and has groomed young prodigies like you.

It is heartening to see you all assembled over here- hope and aspiration writ large upon your beaming faces as you cross over from the academic threshold into a new professional world. Heartiest congratulations are due to all of you for being able to tide over the impediments and challenges of the last year and a half and emerge victorious today. The justifiable pride of this occasion is perceptible in your shining eyes, and I am privileged to be able to witness this moment.

The world around us is changing faster than we can grasp through any flight of imagination, and we, the sedate, old professionals need the urgent attention and involvement of young Turks like you to be meteors across the dark sky, giving direction as well as Hope. In this context, the Father of our Nation had very wisely remarked, "*Youth are agents for transformation.*" The nation and the entire globe sees youth as the ambassador of change and succor in these uncertain times.

In the past few years, the entire ontology and pedagogy of education has undergone a metamorphosis. Teacher-taught symbiotic relationship, classroom ethos, peer group interaction has all transformed beyond imagination and we now have the very perceptible and very invasive presence of technology and social media in the classroom. There is fear that the ready presence of search engines will obliterate the student requirement of imbibing and learning but as was wisely said by Albert Einstein, *“In the midst of every challenge lies an opportunity.”*

This new saga of education, brought into gestation by technology and the challenges of the last two and half years of health hazard, is not just about the requisite tools of learning but about what is the ultimate purpose of education. Is it only pursuit of knowledge for its own sake or attainment of professional prowess? No. The larger issue emerging from education is not professional or personal but it is social and national- it is about equity and diversity and social justice. It is about how far does educational content and pedagogy, especially in the sphere of legal education, lead us in the fulfillment of our aspirations as a nation. An educated citizenry is the greatest asset for any democratic society. It will lead the nation in the correct direction and act as a pole star, always giving direction and Hope to our nation.

Amongst all spheres of education, it is Law which elicits our prime interest and attention today. Law has been regarded as the most utilitarian study, and simultaneously regarded as a spiritual science. The calling of law commands devotion, dedication, steadfastness and total fidelity. The legal profession is regarded as a noble profession and quite distinct from any trade or business. Nobility of the profession lies in the selfless efforts of the legal community to uphold the ideals of the society and the relentless exertions to serve the society. Law is one of the greatest healing profession. While medicine heals the body, the law heals social rifts. Law is an instrument which through its rules and regulations maintain order and peace in the society.

Lawyers, as guardians of the law, play a vital role in the preservation of society. They are integral part of our system of administration of justice. They constitute the subtle nerves of the spine of the nation as their role is extremely vital and sacrosanct. The lawyers, as a class, have

the constitutional obligation to see that the rule of law is maintained. Since the lawyers possess skills in law besides in-depth knowledge in other fields, they are glorified with the title “Learned”. Justice ‘Abbot Parry’ described seven lamps of advocacy such as (i) Honesty (ii) Courage (iii) Industry (iv) wit, (v) Eloquence, (vi) Judgment and (vii) Fellowship.

The basic traits of law are maintenance of social order, assurance of social justice, public order conjoint with progressive attitude and the blanket security of equality for all. It is to be borne in mind that law is the soul of life. It is challenging.

In this context, it is appropriate to quote Justice V.R. Krishna Iyer who, in his inimitable style, pronounced-

"Law, without lawyer, loses its locomotion. Lawyer, without law, misses his function. That is why a lawyer is an officer of Justice – not only of court."

Across ages and civilizations, the opinion that there is no other class of people who can lead us well in public life as lawyers, is unanimous. The lawyers, as a class, have the constitutional obligation to see that the rule of law is maintained. A lawyer is a better upholder of law on all occasions, in all circumstances and at all times than the rest of the citizenry. It would not be an unwarranted rhetoric to say that a lawyer is a “man for all seasons”. As we are celebrating 75 years of our Independence from colonial domination, we must remember and pay homage to the able lawyers who worked tirelessly for our nationalist revival, deftly organized our exemplary freedom movement and gave us the bonanza of holding our heads high amongst the polity of nations and the boon of being a ‘Sovereign Socialist Secular Democratic Republic’.

The modern-day lawyer has a significant global identity. He/She plays an important role because of constant evolution of the jurisprudence of international trade and economic law which consist of environmental, intellectual property and cyber laws, international taxation, transfer pricing and competitive arbitral adjudication. The newer realms in a lawyer’s tryst now include Artificial Intelligence and Cybernetics, Technology Transfer and IP related issues in access to medicine.

You are fortunate that you are graduating from an institution that has prepared and shaped you exceptionally well. The days ahead will be harbingers of many surprises and crisis and how one responds to challenges is the surest test of one's mettle. Your weapons have to be focused with alertness because individual inertia has no room in that space, nothing can be written on water. It may appear difficult, but you have been trained here to face those obstacles and emerge as successful protagonists.

It is opportune at this juncture to quote Francis Bacon, known jurist and Lord Chancellor of England who wrote that, "*Studies teach not their own use; but that is a wisdom without them, and above them, won by observation.*" It is perennially true that books will not teach their own use but it is a skill which will be garnered by experience and perseverance. In the crucible of this university, acquisition of knowledge along with spirited peer group interaction has tremendously furthered your self-understanding and self-realization which in turn shall have a larger societal impact in the years ahead.

Like a caterpillar blossoming into a multihued butterfly, conventional study of law has proliferated into a diverse, multipronged, multidisciplinary law school education which offers fertile prospects in multidimensional spheres of life. While the conventional university law departments and the law colleges had adopted a strait-jacketed approach in preparing traditional lawyers and legal planners, the unique position of National Law Schools and National Law Universities in India (which have been called miniature *islands of excellence*) enables them to share the social responsibility to contribute in their own way towards nation building and national development.

From drawing up International Agreements, critiquing Regional Trade Agreement & Drafting Free Trade Agreements to protecting national interests on international platforms; from penning patent applications and protecting masterpieces from copyright infringement to concluding international negotiations on crucial issues of concern and working diligently for intellectual property rights; from bio technology to traditional knowledge and bio diversity issues; from commerce and trade to critical issues of human rights enforcement- the law school graduates have done it all and scaled levels of progress hitherto unthought-of and yet

the future is full of wondrous possibilities still waiting to be explored provided the young lawyer unites individual ambition with societal advancement.

In order to give you a brief overview of the difference between the sheltered life you have led at the University and the challenges which await you in the professional sphere, let me quote the famous novelist Henry James who talked about ‘telling’ as a primary narrative method and ‘showing’ as the superior narrative technique where the audience/readers were free to draw their own conclusions and lessons. The academic phase which has just attained fruition with this degree in your hand, is akin to ‘telling’ where learning, performance, evaluation have all been done like a perfectly attuned orchestra. Now, gradually unveiled before you all will be the impediments of the real world, which shall sometimes challenge, at others disappoint but also have its epiphanic moments. Here, the narratology ordains ‘showing’ and ‘performing’ so let the show begin.

Finally, while congratulating the graduating students entering in the next phase of their lives, I would like to advise them to adhere to the legal ethics, code of conduct and maintain the honour and dignity of the legal profession to serve the cause of justice and promote rule of law, by maximum use of the skill, knowledge and legal education acquired from this premier institution. Always keep in mind that learning does not stop at University rather it begins after it and it is unending. While your one responsibility as a student ends, another responsibility starts and there are always more opportunities to grow and learn. Whichever profession within the legal arena you may choose to undertake, approach the future with an open mind and be willing to learn from those you encounter. Whether it is your boss, a coworker, or mentor, always be open to learning from others. Everyone’s journey is different and no one has the same destination in the end. The future is in your hands. Moving forward, you control your destiny and you will have to have your own back.

I once again congratulate the distinguished scholars on whom the university has conferred degrees and medals. I felicitate the students graduating today and wish them all success in life. May this Convocation Day be an auspicious beginning to a new decade wherein you scale many pinnacles and surmount hurdles to stand confident and filled with self-

esteem! I am confident that the legal education you have been imparted here in the National Law University through your learning within and through your internships across the country, would continue to be a part of your lives as you seek to upgrade your skills, acquire new knowledge and improve your career opportunities and well-being.

In the end, I would like to add that as you all know "वेद सर्वज्ञानमयो" and to our belief define law of nature; most of our moral principles emanates from the Vedas, such as, अहिंसा परमोधर्म, सत्यमेव जयते, यतो धर्म ततो जयः. Our scriptures and Vedas also says "Let the king appoint, as members of the court of justice, hon'ble man of tried integrity who are able to bear the burden of administration of justice and who are well versed in the sacred laws, rules of prudence who are noble and impartial towards friends or foes." In short, several legal principles are based upon the age old sutras contained in the scriptures "वेदोऽखिलो धर्ममूलम ।"

Thus, I would request the Vice Chancellor and the faculty members to include as a part of the legal history "Vedic Jurisprudence" in the syllabus so that the new generation of the lawyers may have the foundation based upon the strong Indian cultural and traditional principles of jurisprudence.

I call upon the youth present here to enter in the new life not only as an iron man with nerves of steel or gigantic will and sharp intellect but also as men with golden heart and beautiful mind as well, having a strong moral character. This alone will help in building a strong nation.

Thank You.

Vande Matram.