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## Reviewed Article

# From Classroom to Courtroom: Enhancing Legal Education in India Through a Robust Mooting Culture

## A Must Step for Robust Mooting Culture

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### Abstract

In this paper we argue that a structured and compulsory mootng programme should become an integral element of legal education in India, particularly within the broader framework of Clinical Legal Education (CLE). Persistent criticism of Indian legal education has focused on the limited advocacy skills, professional readiness, and ethical awareness of new law graduates. Reports such as the *India Justice Report* have highlighted unequal access to skills training across institutions, particularly in areas such as mootng, research, and legal writing. Recent judicial observations regarding the preparedness of graduates for entry into judicial service further underscore the need for systematic reforms in legal education. Drawing on the evolution of CLE in India and on comparative experiences from jurisdictions such as the United States, the United Kingdom, Australia, South Africa, and Canada, this paper examines the pedagogical value of mootng and situates it within contemporary debates on experiential learning. It further explores the historical development of mootng in India, the structural challenges that hinder its widespread adoption, and the disparities that persist between elite and resource-constrained institutions. Based on this analysis, the paper proposes a set of reforms aimed at embedding mootng within CLE through national coordination, faculty development, financial support, and curricular integration. The objective is to demonstrate that mootng, when properly institutionalised, can contribute materially to producing competent, ethically grounded, and practice-ready lawyers in India.

**Keywords:** *Advocacy skill, Clinical Legal Education, Critical Thinking, Experiential Learning, Moot Court Competition, Mooting, Pedagogy.*

### Introduction

Legal education throughout the world is in a state of transition, shaped by the accelerating forces of globalisation, technological advancement, and shifting societal expectations of the legal profession.<sup>1</sup> The traditional model of legal instruction, which was characterised by lectures, rote learning, and end-term examinations has been increasingly criticised for the inability to cultivate the skills required for

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<sup>1</sup> NHS England. (2020). *The NHS long term plan*. NHS England.

contemporary legal practice.<sup>2</sup> New entrants to the legal profession are expected not only to master doctrinal knowledge but also to demonstrate analytical sophistication, persuasive communication, professional judgement, and ethical sensitivity.

Within this broader transformation, experiential learning has gained prominence. Among the various experiential methods, mooted simulated appellate advocacy occupies a particularly important place. Mooting requires students to research a legal problem, analyse conflicting authorities, prepare written submissions, and present structured oral argument before a panel acting as judges.<sup>3</sup> The educational value of these exercises is considerable. Students acquire precision in legal research, clarity in argumentation, courtroom decorum, and the ability to respond to judicial questioning. These skills, essential to the vocation of legal practice, cannot be cultivated through lecture-based teaching alone.<sup>4</sup>

However, despite the recognised value of mooted, its distribution across Indian law schools remains highly uneven. While elite institutions such as National Law Universities (NLUs) and well-resourced private colleges have developed sophisticated mooted cultures, a large proportion of regional and resource-constrained institutions offer only limited exposure to moot courts. The *India Justice Report* and other studies have documented disparities in faculty expertise, infrastructure, funding, and placement opportunities, all of which shape student access to experiential training. Critics argue that these inequalities are reflected in the readiness of graduates entering the profession.<sup>5</sup> This paper is written from the standpoint of academic engagement with Indian legal education, combined with direct involvement in mooted, student coaching, curriculum design, and observation of disparities across institutions. These experiences inform the paper's analysis of existing challenges and its recommendations for reform.

A second critical component of the contemporary pedagogical landscape is Clinical Legal Education (CLE). Globally, CLE is understood to encompass a range of experiential methods such as live-client clinics, simulations, externships, and skills laboratories, through which students learn to apply legal doctrine in real or realistic contexts. In India, CLE is formally recognised by the Bar Council of India's Legal Education Rules (2008),<sup>6</sup> although implementation remains inconsistent. The connection between CLE and mooted is often acknowledged but seldom analysed with conceptual precision. Mooting is a simulated exercise rather than a live-client activity and it does not inherently include a social justice mission, which many scholars consider the cornerstone of CLE. Yet mooted nonetheless shares significant pedagogical ground with CLE; both emphasise active learning, reflective reasoning, courtroom skills, and professional identity formation.

Therefore, in this paper we examine not only the place of mooted within Indian legal education but also the question of whether mooted should be formally situated within CLE or treated as a complementary stand-alone pedagogical tool. The analysis proceeds through a historical overview of mooted in India, an assessment of comparative practices in other jurisdictions, and a detailed exploration of the structural barriers that impede the development of a uniform mooted culture. The paper concludes by proposing a series of reforms aimed at democratising access to mooted, strengthening CLE, and improving the overall quality and equity of Indian legal education.

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<sup>2</sup> Krannich, J. M., Holbrook, J. R., & McAdams, J. J. (2008). Beyond thinking like a lawyer and the traditional legal paradigm: Toward a comprehensive view of legal education. *Denver University Law Review*, 86, 381–426.

<sup>3</sup> Baskind, E. (2024). *Mooting: The definitive guide to a key legal skill*. Routledge.

<sup>4</sup> Mathur, S. (2017). Evaluating skills development through moot courts. *Indian Journal of Legal Education*, 4(2), 54–68.

<sup>5</sup> Tata Trusts. (2019). *India Justice Report 2019*. Tata Trusts.

<sup>6</sup> Bar Council of India. (2008). *Legal Education Rules, 2008*. *Gazette of India*.

## Conceptual Foundations

### Understanding Clinical Legal Education

CLE has developed over several decades as a response to the limitations of traditional lecture-based legal instruction. In its classical form, legal education relied heavily on doctrinal exposition and examinations that assessed a student's ability to recall principles rather than apply them. Scholars working in the field of legal pedagogy, including Gary Bellow, Frank Bloch,<sup>7</sup> Stephen Wizner, and Margaret Barry, have argued that such an approach fails to cultivate the practical judgement, ethical awareness, and analytical maturity required for professional practice.<sup>8</sup> CLE thus arose from the recognition that students learn most effectively when they are placed in situations that demand active engagement with law in context.

CLE encompasses a broad range of experiential methods. The most prominent are live-client clinics, in which students work under supervision on real cases involving individuals or communities who often lack access to formal legal representation.<sup>9</sup> Other forms include simulation-based courses, interview and counselling exercises, negotiation and mediation workshops, externships with legal institutions, and trial-advocacy programmes. Across these methods, CLE seeks to integrate skills development, ethical reasoning, and reflective practice.<sup>10</sup> Through these activities, students are encouraged to consider the social implications of legal rules, the responsibilities of professional conduct, and the role of lawyers in promoting justice.

In India, CLE has been formally recognised by the Bar Council of India (BCI) through its Legal Education Rules of 2008 and the subsequent Mandatory CLE Guidelines of 2014 and 2019.<sup>11</sup> These regulations identify practical training as a compulsory component of legal education and list moot courts, internships, and legal-aid programmes as vehicles through which students may acquire experiential learning. While these provisions represent an important acknowledgment of the value of CLE, their implementation has varied widely. Several National Law Universities and well-resourced private institutions have established structured clinics, dedicated faculty, and partnerships with legal organisations, thereby offering students sustained opportunities for experiential learning. By contrast, many regional and underfunded colleges have found it difficult to meet even the minimum regulatory requirements, owing to constraints of infrastructure, staffing, and institutional support.<sup>12</sup>

The pedagogical objectives of CLE in the Indian context mirror those recognised internationally. CLE aims to build proficiency in core lawyering skills, promote ethical sensitivity, foster social responsibility, and strengthen students' capacity for independent and reflective reasoning.<sup>13</sup> When effectively

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<sup>7</sup> Bloch, F., & Prasad, S. M. R. K. (1997, June). The cross-national trends of India and United States on institutionalizing a social justice mission to clinical legal education. *University of Washington Law Review*, 12–21.

<sup>8</sup> Wilson, R. J. (2017). *The global evolution of clinical legal education: More than a method*. Cambridge University Press.

<sup>9</sup> Boersig, J., Marshall, J., & Seaton, G. (2002). Teaching law and legal practice in a live client clinic. *Newcastle Law Review*, 6, 51.

<sup>10</sup> Tanveer, A., & Kumar, R. (2025). *Clinical legal education: Bridging theory and practice through experiential learning and client-centered skills*.

<sup>11</sup> Ghosh, Y., & Chakraborty, A. (2025). Preparing lawyers for global legal practice: A road map for introducing mandatory continuing legal education in India. *International Journal of Clinical Legal Education*, 32(2), 37–52.

<sup>12</sup> Sharma, J., & Yadav, R. K. (2025, May 8). Navigating the digital frontier: The role of law school IP clinics in education, access to justice, and policy innovation. *Access to Justice, and Policy Innovation*.

<sup>13</sup> Wilson, R. J. (2017). *The global evolution of clinical legal education: More than a method*. Cambridge University Press.

designed, CLE can bridge the gap between theoretical study and the practical demands of the profession. However, the success of CLE depends heavily on the presence of trained supervisors, clear learning outcomes, and adequate institutional resources. Where these are absent, CLE risks becoming a formal requirement discharged through token exercises rather than meaningful educational engagement.

A central issue in the Indian discourse on CLE is the relationship between clinical training and mooting. Although mooting is included among the BCI's mandatory practical components, many institutions treat it separately from live-client clinics. This divergence reflects broader questions about whether simulated exercises should be classified as clinical activities and whether they serve the social-justice mission commonly associated with CLE. To address these questions, it is necessary to examine mooting as a pedagogical method and to consider the ways in which it aligns with or diverges from the objectives of CLE.

### **Mooting as a Pedagogical Method**

Mooting is one of the oldest forms of experiential learning in legal education and continues to be central to the development of advocacy skills. A moot court simulates appellate proceedings in which students prepare written submissions and present oral argument on a hypothetical problem.<sup>14</sup> This activity requires students to research legal authorities, interpret statutes and cases, identify issues, construct reasoned arguments, and respond to judicial questioning. Mooting therefore engages both analytical and communicative skills and exposes students to the structure and discipline of appellate advocacy.

The educational merits of mooting are well recognised. Participation in moots enhances clarity of thought, precision in legal reasoning, and the ability to apply doctrine to complex fact situations. Moots also develop oral communication skills, courtroom etiquette, and confidence in structured public speaking. Through repeated rounds of practice and refinement, students cultivate habits of preparation, intellectual discipline, and critical self-reflection.<sup>15</sup> Additionally, mooting introduces students to professional norms of civility, decorum, and ethical presentation, which are essential elements of legal practice.

Mooting further contributes to teamwork, as most competitions require collaboration between researchers, brief-writers, and oralists. It also encourages engagement with comparative and international materials, particularly in competitions that address cross-border disputes or specialised areas such as trade law, arbitration, or human rights.<sup>16</sup> These experiences expand students' horizons and prepare them for participation in an increasingly interconnected legal world. Despite its value, mooting is inherently a simulated exercise and lacks certain elements characteristic of live-client work. It does not involve real clients, factual uncertainty, or direct exposure to the social realities that animate many legal disputes.<sup>17</sup> Nevertheless, the intellectual rigour and communicative discipline cultivated through mooting place it firmly within the wider landscape of experiential learning.

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<sup>14</sup> Snape, J., & Watt, G. (2010). *How to moot: A student guide to mooting*. Oxford University Press.

<sup>15</sup> Parsons, L. (2016). Competitive mooting as clinical legal education: Can real benefits be derived from an unreal experience? *Australian Journal of Clinical Education*, 1.

<sup>16</sup> Wishart, G. (2024). Mooting: An undergraduate's perspective. *LJMU Student Law Journal*, 3.

<sup>17</sup> Baskind, E. (2024). *Mooting: The definitive guide to a key legal skill*. Routledge.

## Can Mooting Be Classified as CLE?

Whether mooting should be classified as a form of CLE is a question that has generated considerable debate, both in India and internationally. A useful starting point is the recognition that CLE has no single universal definition. In some jurisdictions, CLE is understood narrowly as work involving real clients and community-oriented service. In others, it is defined more broadly as any structured experiential activity that enables students to apply doctrine in practice-like settings.<sup>18</sup> Under the narrow definition centred on live-client engagement, mooting would not constitute CLE, because it does not involve direct interaction with clients, nor does it necessarily advance a social-justice mandate. However, under the broader and increasingly adopted conception of CLE as experiential, skills-based learning, mooting may be regarded as a legitimate component of clinical training, particularly with respect to research, writing, advocacy, and professional identity formation.

Many jurisdictions adopt a blended approach, treating mooting as an essential experiential method that complements, but does not replace, live-client clinics. This paper adopts a similar position. Mooting aligns closely with several objectives of CLE, notably the development of legal reasoning, structured communication, and reflective professionalism. At the same time, mooting lacks the community engagement and social-justice orientation that define classical clinical programmes. It is therefore best understood as a complementary strand within CLE rather than a substitute for live-client work.

## Historical Development of Mooting in India

### The Early Period: Limited and Informal Practice (Pre-1990s)

Before the major reforms of the late twentieth century, mooting in India existed in a largely informal and undeveloped state. Most law faculties operated within conventional university structures, and instruction relied heavily on lectures, examinations, and textbook-based learning. Moot court exercises did exist in some institutions, but they were conducted irregularly and without a standardised pedagogical purpose.<sup>19</sup> Faculty members often lacked experience in advocacy or exposure to appellate practice, and few had received training in clinical or experiential teaching methods. Moot problems, where assigned, tended to be simplistic, and students rarely prepared written submissions or engaged in structured oral argument.

Infrastructure posed an additional barrier. Only a small number of universities possessed designated moot courtrooms, and law libraries were unevenly equipped, making research difficult. Access to international case law, academic journals, or comparative materials was limited, particularly before the widespread availability of digital resources.<sup>20</sup> Mooting therefore remained peripheral, often regarded as an extra-curricular activity rather than an essential element of professional formation.

### The Era of Reform and Expansion (1990–2010)

The transformation of mooting began with the establishment of the National Law School of India University (NLSIU), Bengaluru, in 1987 and, later, the broader network of National Law Universities

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<sup>18</sup> Parsons, L. (2016). Competitive mooting as clinical legal education: Can real benefits be derived from an unreal experience? *Australian Journal of Clinical Education*, 1.

<sup>19</sup> Ballakrishnen, S. (2009). Where did we come from? Where do we go? An enquiry into the students and systems of legal education in India. *Journal of Commonwealth Law and Legal Education*, 7(2), 133–154.

<sup>20</sup> Anthal, D., & Kumar, R. (2025). *Revolutionizing clinical legal education in India through corporate social responsibility*.

(NLUs). These institutions introduced the five-year integrated law degree, which placed greater emphasis on research, writing, and skills training. Within this new model, mooting was given a more prominent and structured place.<sup>21</sup> By the mid-1990s, many NLUs had established Moot Court Societies or Committees responsible for organising training sessions, internal selection rounds, and university-level competitions. This era saw the introduction of regular intra-college moots designed to prepare students for national competitions. Faculty members and alumni with litigation experience began to contribute to student training, bringing a higher level of professionalism to the practice.

The period also witnessed the emergence of national-level moot competitions such as the Bar Council of India Moot and prestigious university-hosted events. Indian teams started to take part in international competitions, most notably the Philip C. Jessup International Law Moot Court Competition.<sup>22</sup> Such participation exposed students and institutions to global standards of legal research, memorial drafting, and advocacy. The influence of comparative experience grew, and institutions began to prepare students systematically for specialised moots in areas such as international trade, commercial arbitration, space law, and human rights. This period thus marked the institutionalisation and early professionalisation of mooting in India.

### Consolidation and Global Integration (2010–Present)

From 2010 onwards, mooting in India experienced rapid expansion and diversification. A greater number of law schools both NLUs and private universities invested in formal training systems, moot courtrooms, and faculty coordination.<sup>23</sup> Student-run committees became more sophisticated, establishing tiered selection processes, research workshops, and mentoring networks. Alumni networks played an increasingly important role, particularly for international competitions, where sustained preparation and financial support are critical. This era also witnessed the growing specialisation of moot competitions. Students began to participate in moots focused on maritime law, international humanitarian law, environmental law, investment arbitration, taxation, and constitutional litigation.<sup>24</sup> Such diversity encouraged students to engage with complex legal sources, comparative jurisprudence, and contemporary debates beyond the standard curriculum.

The expansion of digital resources, including online databases and virtual libraries, significantly reduced earlier research limitations. Furthermore, the COVID-19 pandemic led to the temporary adoption of virtual mooting, which, despite its challenges, widened participation by reducing travel costs and enabling institutions with limited resources to compete more readily.<sup>25</sup> However, the shift to digital platforms also highlighted the stark digital divide between well-resourced and under-resourced institutions.

Despite the visible progress, disparities remain substantial. While some universities have developed mature and well-funded mooting cultures, a large number of regional colleges continue to struggle with limited staff, insufficient training, and inadequate infrastructural support. The absence of national

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<sup>21</sup> Sharma, R., & Singla, L. (2019). Awakening the NLU conscience: A case study of diversity in Indian law schools. *Journal of Indian Law and Society*, 10, xiii.

<sup>22</sup> Almond, H. H., Jr. (1997). Strengthening the Philip C. Jessup International Law Moot Court Competition. *ILSA Journal of International & Comparative Law*, 4, 635.

<sup>23</sup> Patil, A., Shinde, R., Bhale, A., & Biradar, A. (2021). Endeavoring through the emerging trends in education: Indian legal education. *Turkish Online Journal of Qualitative Inquiry*, 12(6).

<sup>24</sup> Sharma, N. (2017). Clinical legal education in India: A contemporary legal pedagogy. *Indian Journal of Law and Justice*, 8, 165.

<sup>25</sup> Odeku, K. S. (2020). Conducting law pedagogy using virtual classroom in the era of COVID-19 pandemic: Opportunities and existing obstacles. *Journal of Educational and Social Research*, 11.

coordination has resulted in uneven standards, irregular assessment methods, and significant barriers for students who wish to participate in external competitions. These inequalities underscore the need for a more systematic approach to strengthening mootings across the legal education landscape.

## Clinical Legal Education in India Today

### Implementation Variability Across Institutions

CLE in India today presents a picture of notable ambition but uneven realisation. The Bar Council of India's Legal Education Rules of 2008 created a formal framework for practical training by requiring all institutions to offer courses on professional ethics, drafting, pleading, moot courts, and legal aid.<sup>26</sup> These regulations marked an important shift towards experiential learning. Yet the degree to which institutions have been able to implement meaningful CLE varies widely, reflecting broader disparities in resources, staffing, and institutional priorities.

A group of well-resourced institutions principally the National Law Universities and certain private universities has established structured clinical programmes. These institutions often maintain dedicated Legal Aid Clinics, collaborations with local courts or Non-Governmental Organisations, supervised live-client work, and specialised simulation-based courses. Their faculty frequently includes individuals with practice experience or advanced training in clinical pedagogy, enabling them to design and deliver courses with clear learning objectives and assessment methods.

However, many colleges across the country struggle to meet even the minimum requirements. Several face severe shortages of qualified faculty, limited research resources, and inadequate infrastructural facilities such as moot courtrooms, interview spaces, or legal databases. In some institutions, practical training is reduced to brief lectures or symbolic exercises, detached from real or realistic legal work.<sup>27</sup> As a result, students graduate with uneven exposure to essential lawyering skills, depending more on the institution's capacity than on a standardised national vision for clinical education.

### Educational Benefits of CLE and Mooting

Despite these disparities, both CLE and mootings demonstrably contribute to the quality of legal education in India. The principal strength of CLE lies in its capacity to develop core lawyering skills. Through clinical activities, students learn to interview clients, gather facts, identify issues, draft documents, analyse ethical dilemmas, and reflect upon their role as future legal professionals.<sup>28</sup> Exposure to live-client work, when available, fosters an understanding of the social contexts in which law operates and encourages students to consider issues of access to justice and public service.

Mooting contributes to this broader pedagogical landscape by sharpening appellate advocacy skills. It requires intensive research, careful analysis of precedent, precise drafting of written submissions, and disciplined oral presentation. While simulated, mootings nevertheless cultivates habits of mind that are central to effective legal practice. It teaches students to construct coherent legal arguments,

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<sup>26</sup> Ahmad, S., & Kumar, R. (2025). *Transforming legal education in India: The role of clinical legal education and trial advocacy*.

<sup>27</sup> Deepak, C., Arun, G., Ashok, Y., Sajjad, H., & Yogesh, S. (2025). Moot court for teaching-learning of court procedures in MBBS students in central region of India: An educational interventional study. *Prof. S. K. Dhatarwal Forensic Medicine, PGIMS, Rohtak, Haryana*, 19(2), 45.

<sup>28</sup> Bandyopadhyay, S. (2023). Clinical legal education: A tool for advancing human rights in India. *Brainwave: A Multidisciplinary Journal*, 4(2), 435–443.

anticipate counter-positions, and respond to judicial questioning with clarity and composure.<sup>29</sup> Mooting also promotes teamwork, time management, and professionalism, which complement the ethical and reflective components developed through CLE.

When CLE and mooting function together, they provide a balanced pedagogical framework: CLE exposes students to ground-level realities and client-facing tasks, while mooting introduces them to structured reasoning, procedural discipline, and the dynamics of appellate advocacy. Both forms of experiential learning contribute to the development of professional identity—a critical yet often underemphasised aspect of legal education. Through engagement with clients, judges, and peers, students gain insight into the responsibilities, expectations, and norms of the legal profession.

## Persistent Structural Barriers

Several structural barriers impede the development of robust CLE and mooting cultures across Indian law schools. Resource disparities remain the most prominent challenge. A significant number of institutions lack basic infrastructure such as well-equipped libraries, access to legal databases, moot courtrooms, or facilities for client interviewing. Financial constraints also prevent many colleges from sending student teams to national or international moot competitions, limiting participation to institutions capable of covering travel and registration expenses.<sup>30</sup>

Faculty capacity poses another challenge. Many institutions face shortages of staff trained in advocacy, clinical supervision, or skills-based teaching. Without adequate faculty development programmes, the quality of instruction in practical components remains inconsistent. Additionally, doctrinal courses often occupy the majority of the curriculum, leaving limited time for experiential learning. In some cases, practical subjects are scheduled towards the end of the programme, diminishing their potential impact on the overall educational experience.

Assessment practices also require improvement. Some institutions rely on superficial or formalistic evaluations that do not adequately measure students' skills. Effective clinical teaching requires continuous feedback, reflective exercises, and structured assessment criteria, all of which demand institutional commitment.<sup>31</sup> These barriers collectively contribute to an uneven landscape in which a minority of institutions produces practice-ready graduates while many others struggle to provide basic training. Addressing these disparities is essential for strengthening both CLE and mooting, and for ensuring that all law graduates regardless of institutional background – enter the profession with a foundational level of competence.

## Global Based Standards: A Comparative Approach

Comparative study provides valuable insight into how different jurisdictions structure advocacy training and integrate experiential learning into their law curricula. While each system operates within its unique historical and regulatory context, several common patterns emerge: a commitment to systematic skills training, institutional support, national coordination, and a culture that values

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<sup>29</sup> Lowenstein, M. (2020). *Mooting learning opportunities: Students' challenges, emotions and feedback for improvement*.

<sup>30</sup> Parsons, L. (2016). Competitive mooting as clinical legal education: Can real benefits be derived from an unreal experience? *Australian Journal of Clinical Education*, 1.

<sup>31</sup> Tanveer, A., & Kumar, R. (2025). *Clinical legal education: Bridging theory and practice through experiential learning and client-centered skills*.

advocacy as an essential professional competency. Examining these jurisdictions helps illuminate both the strengths and gaps within the Indian approach.<sup>32,33</sup>

## The United States

The United States represents one of the most mature systems of experiential legal education. Since the mid-twentieth century, American law schools accredited by the American Bar Association (ABA) have incorporated clinical and skills-based training as part of the standard curriculum.<sup>34</sup> Most institutions require first-year students to take credit-bearing courses in legal research, writing, and advocacy. These foundational courses typically include simulated argument before instructors or practitioners, making advocacy training a universal experience.<sup>35</sup>

Beyond the first year, nearly every law school hosts competitive moot court boards or appellate advocacy programmes. Students may join these bodies through selection rounds, and those who do often participate in national competitions in constitutional law, evidence, criminal procedure, or international law. Importantly, advocacy training is not confined to competitions. Upper-level offerings include trial advocacy, negotiation, mediation, and client counselling courses, often supervised by practising lawyers or judges.<sup>36</sup> This system ensures that students receive structured, progressive exposure to multiple forms of advocacy, from basic research to courtroom simulation.

Institutional culture plays a central role. American law schools treat advocacy as a core professional skill rather than a supplementary activity. The presence of dedicated advocacy centres, well-resourced legal writing departments, and extensive alumni networks sustains this orientation. The result is a model in which every graduate acquires at least foundational competence in research, writing, and oral argument.

## The United Kingdom

In the United Kingdom, mooting has long been a staple of undergraduate legal education. Many universities integrate mooting into substantive law modules, including contract law, public law, and torts.<sup>37</sup> These embedded exercises enable students to practice argumentation in direct connection with doctrinal material. At the same time, robust student-run moot societies organise internal and inter-university competitions, offering additional opportunities for practice.

The vocational stage of legal education further strengthens advocacy training. The Bar Practice Course (BPC), formerly the Bar Professional Training Course, includes mandatory assessments in civil and criminal advocacy.<sup>38</sup> Students undertake structured simulation in examination-in-chief, cross-examination, submissions, and appellate argument. Many students also engage with the Inns of Court professional associations that provide mooting opportunities, scholarships, mentoring, and exposure

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<sup>32</sup> Law Commission of India. (2017). *Report on legal education and professional standards*. New Delhi: Law Commission of India.

<sup>33</sup> Rao, C. (2019). Professional identity and moot courts in India. *Journal of Legal Education*, 68(3), 415–437.

<sup>34</sup> Stevens, R. B. (2001). *Law school: Legal education in America from the 1850s to the 1980s*. The Law Book Exchange, Ltd.

<sup>35</sup> American Bar Association. (2012). *Report on clinical legal education in the US*. American Bar Association.

<sup>36</sup> Knerr, C. R., Sommerman, A. S., & Rogers, S. K. (2001). Undergraduate appellate simulation in American colleges. *Journal of Legal Studies Education*, 19(1), 27–62.

<sup>37</sup> Wishart, G. (2024). Mooting: An undergraduate's perspective. *LJMU Student Law Journal*, 3.

<sup>38</sup> Duncan, N. (2019). Prepared for practice? Assessment for the Bar. In *Perspectives on the scholarship of assessment and learning in law* (p. 79).

to practising barristers.<sup>39</sup> This multi-tiered structure ensures that mooting is not an isolated activity but part of a wider developmental path spanning undergraduate and professional stages. Advocacy is treated as essential preparation for practice, grounded in both doctrinal understanding and ethical responsibility.<sup>40</sup>

## Australia

Australian legal education places clear emphasis on the development of practical competencies. The “Priestley 11,” a set of core knowledge areas required for admission to legal practice, indirectly shapes advocacy training by emphasising problem-solving, interpretation of authorities, and application of doctrine.<sup>41</sup> Law schools frequently embed mooting into compulsory legal method or research courses in the first year.

In addition, national coordination plays a significant role. The Australian Law Students’ Association (ALSA) administers national competitions with standardised rules and assessment criteria.<sup>42</sup> These competitions attract broad participation from universities across the country and ensure uniform expectations regarding written submissions and oral advocacy. Many institutions also maintain advocacy units or centres devoted to coaching, research, and the study of legal pedagogy. Importantly, advocacy is understood holistically. Students often receive training in written advocacy, negotiation, mediation, and client interviewing alongside mooting. This integrated approach contributes to the development of versatile graduates who are prepared for diverse career paths.

## South Africa and Canada

South Africa and Canada offer models that blend doctrinal, clinical, and advocacy training in distinctive ways. In South Africa, mooting is frequently integrated into CLE programmes. Students may first engage in appellate simulations before taking part in live-client work under supervision.<sup>43</sup> This sequential structure allows students to develop confidence and analytical discipline before confronting the complexities of real cases. Mooting is commonly used to prepare students for appearances before university law clinics, community advice offices, or legal aid centres.

Canada adopts a similar balancing approach. First-year students typically undertake mandatory courses in legal research, writing, and oral advocacy.<sup>44</sup> Many universities maintain strong mooting traditions, particularly in specialised areas such as constitutional law, trial advocacy, and international law. Upper-level experiential options often include externships, judicial clerkships, and intensive clinics. The Canadian model demonstrates how mooting can serve as an early foundation for broader experiential learning.

## Lessons for India

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<sup>39</sup> Lowenstein, M. (2020). *Mooting learning opportunities: Students’ challenges, emotions and feedback for improvement*.

<sup>40</sup> Webb, J., et al. (2010). *Clinical legal education in the UK: A history of innovation and transformation*. UKCLE.

<sup>41</sup> Zhang, S., Luo, J., & Guo, P. (2025). A new era of the Australian legal education: In the context of a global trend of new technology. In *Technology, legal education and legal profession in China and Australia: Opportunities and challenges* (pp. 71–95). Springer Nature Singapore.

<sup>42</sup> Zhang, S., Luo, J., & Guo, P. (2025). Legal education in Australia. In *Technology, legal education and legal profession in China and Australia: Opportunities and challenges* (pp. 9–33). Springer Nature Singapore.

<sup>43</sup> Fourie, E. (2016). Constitutional values, therapeutic jurisprudence and legal education in South Africa: Shaping our legal order. *Potchefstroom Electronic Law Journal/Potchefstroomse Elektroniese Regsblad*, 19(1).

<sup>44</sup> Rochette, A. (2011). *Teaching and learning in Canadian legal education: An empirical exploration*.

A number of themes emerge from the comparative landscape (See *Table 1*):

1. **Early and universal exposure:** In most jurisdictions, all students receive structured advocacy training early in their legal education.
2. **Institutional support and professional involvement:** Dedicated advocacy centres, alumni networks, and practitioner-judges strengthen programmes.
3. **National coordination:** Competitions and evaluation criteria are often standardised.
4. **Integration with curriculum:** Mooting is commonly embedded within existing courses, not treated solely as an extracurricular activity.
5. **Progressive training:** Students develop skills in a staged manner, moving from basic research to advanced advocacy.

These features highlight opportunities for reform in India, where mooting remains unevenly distributed and inconsistently integrated. Adopting elements of comparative models could help establish a more coherent national framework and elevate the general standard of advocacy training across the country.

**Table 1. Comparative Overview of Advocacy Training**

Jurisdiction	Early Training	Mandatory	Mooting Integration	National Coordination	Practitioner Involvement
United States	Yes (1st-year research & writing)	(1st-year & advanced)	Moot courts + advanced simulations	Moderate (ABA standards)	Extensive (judges, lawyers)
United Kingdom	Yes, often within modules	within	Undergraduate Inns of Court	High (BPC standards)	Strong
Australia	Yes (legal method modules)	(legal method)	Embedded + ALSA competitions	Very high	Moderate to strong
South Africa	Yes (clinical sequence)	(clinical)	Mooting as precursor	Moderate (CLE)	Strong in clinics
Canada	Yes (1st-year mandatory advocacy)	(1st-year)	Wide variety of moots	Moderate	Strong

**Source:** Authors' analysis based on literature review, reports, comparative analysis of different countries

## Integration of Mooting into Clinical Legal Education

The relationship between mooting and CLE requires careful explanation, particularly because both activities aim to cultivate essential professional competencies but arise from different pedagogical traditions. CLE, in its classical form, emphasises live-client engagement, social justice, and supervised participation in real legal processes. Mooting, by contrast, is a structured simulation of appellate

advocacy, devoid of direct client interaction.<sup>45</sup> Yet, despite these differences, mooting aligns closely with several objectives of CLE and holds potential to operate as a complementary method within a broader experiential framework.

Mooting contributes significantly to the development of foundational lawyering skills. Its rigorous demands in research, problem analysis, and written and oral argument mirror the competencies cultivated through live-client clinics, albeit in a simulated context. Students learn to identify legal issues, interpret authorities, draft persuasive submissions, and respond to questioning with clarity and composure.<sup>46</sup> These skills are precisely those required for effective representation of clients, whether in trial courts, appellate courts, or alternative dispute resolution settings.<sup>47</sup> Thus, while mooting does not replicate client-facing work, it strengthens students' intellectual readiness for the varied tasks they will encounter in professional practice.

A central argument for integrating mooting within CLE rests on the principle of progressive skills development. In many jurisdictions, students begin with simulations before engaging in live-client work. This staged approach provides an opportunity to build confidence and analytical discipline before confronting the complexities and uncertainties of real cases. Within the Indian context where many students enter law school with limited exposure to public speaking, legal research, or analytical writing mooting can serve as an essential preparatory activity that supports later participation in clinics, legal-aid programmes, or internships. Far from displacing live-client work, mooting strengthens the foundations upon which effective clinical engagement depends.<sup>48</sup>

Another justification for integration lies in the formation of professional identity. Mooting introduces students to courtroom etiquette, forms of address, standards of civility, and the ethical responsibilities associated with presenting arguments before a judicial body. These experiences contribute to the internalisation of professional norms and help students understand the expectations of the legal community.<sup>49</sup> CLE similarly seeks to cultivate reflective and ethically grounded practitioners. Integrating mooting within CLE thus reinforces the broader educational objective of shaping competent, responsible future lawyers.<sup>50</sup>

Nevertheless, conceptual clarity is essential. Mooting should not be treated as synonymous with CLE, nor should it displace the social-justice mission that underlies classical clinical pedagogy. Rather, mooting should be recognised as a distinct but complementary method of experiential learning that supports and enhances the objectives of CLE. Institutions may situate mooting within a wider clinical programme or treat it as a parallel activity that contributes to students' experiential formation.

A coherent integration strategy would adopt a balanced approach: mooting would provide early exposure to structured advocacy and research, followed by live-client work that deepens ethical and contextual understanding. This model would produce graduates who are not only proficient in doctrinal analysis and appellate reasoning but also capable of engaging thoughtfully with clients and

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<sup>45</sup> Baskind, E. (2017). *Mooting: The definitive guide*. Routledge.

<sup>46</sup> Law Commission of India. (2017). *Report on legal education and professional standards*. Law Commission of India.

<sup>47</sup> Baskind, E. (2024). *Mooting: The definitive guide to a key legal skill*. Routledge.

<sup>48</sup> Billings, P. (2017). Evaluating the pedagogic value of mooting and 'nooting' at the administrative appeals tribunal (CTH). *Monash University Law Review*, 43(3), 687–722.

<sup>49</sup> Lynch, A. (1996). Why do we moot: Exploring the role of mooting in legal education. *Legal Education Review*, 7, 67.

<sup>50</sup> Rao, C. (2019). Professional identity and moot courts in India. *Journal of Legal Education*, 68(3), 415–437.

legal institutions. Integrating mooting into CLE, therefore, is not merely an administrative decision; it represents a pedagogical commitment to developing well-rounded, practice-ready professionals.<sup>51</sup>

## Policy and Structural Recommendations

Strengthening mooting and CLE in India requires a combination of national coordination, institutional reform, faculty development, and resource equalisation. The objective is to create a system in which all students regardless of the institution they attend receive meaningful and equitable exposure to advocacy training and experiential learning. The recommendations outlined below draw upon comparative practices, insights from Indian legal education, and the structural challenges identified earlier.

### Establishing a National Mooting Framework

A central policy priority is the creation of a coordinated national framework for mooting, operating either under the Bar Council of India or through an independent consortium of law schools. At present, mooting in India remains largely decentralised, resulting in inconsistent standards, variable judging criteria, and unequal access to competitions.<sup>52</sup> A national framework could develop standard rules for written submissions, oral argument, and scoring. It could also maintain a calendar of accredited competitions, preventing scheduling conflicts and enabling institutions to plan their participation more effectively.

Financial equalisation must be a core feature of this framework. Many institutions lack the resources to support travel, registration fees, or materials for national or international competitions. A modest grant or subsidy system funded through regulator contributions, alumni support, or private partnerships would help ensure that capable students are not excluded for financial reasons. This would significantly broaden participation and strengthen the diversity of the moot community.

### Institutional Reforms within Law Schools

Individual institutions play a crucial role in sustaining a robust mooting culture. Law schools should adopt curricular reforms that provide early and credit-bearing exposure to research, writing, and advocacy. Introducing mooting into first-year legal method or research courses would ensure that all students acquire basic advocacy experience, rather than only those who join competitive teams.

To support this, institutions should invest in training faculty to deliver skills-based teaching. Workshops, certification programmes, and partnerships with practising lawyers or retired judges can strengthen faculty capacity. Law schools should also establish dedicated moot court committees with clear mandates covering internal training rounds, research workshops, and the preparation of students for external competitions. Infrastructure is another essential component. Moot courtrooms, access to legal databases, and well-equipped libraries are indispensable tools for advocacy training. Institutions that lack such facilities will need targeted support, either through internal funding or external grants.

### Incorporating Hybrid and Digital Models

Digital platforms offer significant opportunities for expanding access to mooting. Virtual training sessions, online tutorials, and recorded demonstrations of oral arguments can serve as valuable

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<sup>51</sup> Sen, A. (2022). Mooting and employability in India. *Indian Law Journal*, 45(2), 203–219.

<sup>52</sup> Patil, A., Shinde, R., Bhale, A., & Biradar, A. (2021). Endeavoring through the emerging trends in education: Indian legal education. *Turkish Online Journal of Qualitative Inquiry*, 12(6).

learning tools. Institutions may jointly develop online repositories of memorials, judgment summaries, and research guides accessible to students nationwide. The experience of virtual mootings during the COVID-19 pandemic demonstrated that digital formats can reduce geographical and financial barriers while maintaining high standards of argumentation.<sup>53</sup> A hybrid model combining in-person training with online resources would enable institutions with limited staff or facilities to supplement their programmes and provide continuous exposure to advocacy practice.

### **Benchmarking, Assessment, and Accountability**

Sustainable reform requires clear benchmarks and transparent assessment. Institutions should adopt structured rubrics for evaluating students' written and oral advocacy. Feedback should be systematic, timely, and detailed, enabling students to understand their strengths and areas for improvement. At the policy level, a national annual review could track participation levels, diversity of subject areas, faculty involvement, and outcomes in national competitions. Such reporting would highlight disparities, encourage best practices, and allow regulators to identify institutions requiring additional support.

Integrating these reforms would enhance not only mootings and CLE but also the broader quality and fairness of legal education in India. Coordinated policy, strong institutional commitment, and sustained resource investment are essential to producing a generation of lawyers who are well prepared for the demands of contemporary legal practice.

### **More Data Points (Lately Competitions)**

More than 57 moot competitions take place in India in a single year.<sup>54</sup> India also hosts such SAARC/India qualifying rounds to some international moot courts e.g. the Stetson International Environmental Moot Court Competition SAARC rounds were to be held in January 2025 with winners progressing to those of Stetson International Finals in Florida.<sup>55</sup> A combination of the above activities will guarantee a flow of domestic pipeline into international rounds. The Philip C. Jessup International Law Moot Court Competition (ICJ simulation) routinely attracts between 600 and 800 teams to compete globally, with 674 teams representing about 100 jurisdictions participating in 2024 and a record 803 teams registered across qualifiers in 2025;<sup>56</sup> the Willem C. Vis International Commercial Arbitration Moot in Vienna (established in 1993) and Vis East in Hong Kong (established in 2003)

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<sup>53</sup> Odeku, K. S. (2020). Conducting law pedagogy using virtual classroom in the era of COVID-19 pandemic: Opportunities and existing obstacles. *Journal of Educational and Social Research*, 11.

<sup>54</sup> University of Delhi (CLC). (2005–2025). *K.K. Luthra Memorial Moot Court Competition*. CLC; SASTRA Deemed University. (2004–2025). *Nani Palkhivala Memorial National Tax Moot*. SASTRA; Surana & Surana International Attorneys. (2024). *National Moot Series guidelines and schedule*. Surana & Surana; Stetson University College of Law. (2025); *International Environmental Moot Court Competition – SAARC Rounds*. Stetson University College of Law.

<sup>55</sup> Stetson University College of Law. (2025). *International Environmental Moot Court Competition – SAARC Rounds*. Stetson University College of Law.

<sup>56</sup> International Law Students Association (ILSA). (2024). *Philip C. Jessup International Law Moot Court 2024 – White & Case International Rounds*. ILSA.

together attract well Packed 373 competing teams of 64 countries in 2023;<sup>57</sup> jointly with Vis East, the two tend to attract more than 500 teams year-long.<sup>58</sup>

The annual IBA ICC Moot held in The Hague; 66 of the best teams joining other WTO Members in Geneva at the John H. Jackson WTO Moot Court Competition in 2024;<sup>59</sup> the Oxford Price Media Law Moot attracted 67 teams in 2024, representing 68 jurisdictions;<sup>60</sup> the Manfred Lachs Space Law Moot, whose 2024 World Finals were held in Milan;<sup>61</sup> and the International Maritime Law Arbitration Moot (IMLAM), which is still frequented by common-law jurisdictions. The VIS/VIS East and FDI summer ICC calendar of yearly events each have significant academic planning pivot points: August to October is the selection and intense training of moot teams; September to December are the world-wide pre-moot events; October to January is the national/regional qualifiers of competitions in Stetson, ICC, and numerous Surana & Surana competitions; January to February includes national rounds of the Jessup Nani Palkhivala and price media and WTO regional competitions; March to April, and, are all anchored by the Jessup Price.<sup>62</sup>

There are also the recent years that have demonstrated the performance of Indian institutions in the international arena. Indicatively, in 2024 National Law University Delhi made it to the Quarterfinals of the Jessup International Rounds;<sup>63</sup> NUJS Kolkata placed first in overall list of teams at 2024 FDI Moot Global Rounds in Berlin,<sup>64</sup> Indian teams generally reach advanced rounds of Vis and Vis East and win awards and compete well within Price Media (South Asia) and WTO regional brackets, Indian universities made it into the Stetson International Semi-Final year after year through SAARC rounds. A combination of these outcomes indicates the rising depth of the India mootings ecosystem. However, the elite system has to reach widely and accessible to all the law students and colleges.

Lastly, in order to make things better, institutions and regulators might monitor benchmarking indicators on a regular basis, i.e. once a year. These can be summarised as: (i) aggregate mootings enrolment and retention levels (both on intra- and national- and international-level teams); (ii) subject-area diversity (public international law/ICJ, commercial arbitration, WTO, environmental law, IHL/ICC, space, maritime, media/tech, tax); (iii) the depth of coaching support (faculty, alumni, etc.);

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<sup>57</sup> International Arbitral Centre–Vienna. (2023/2024). *Willem C. Vis International Commercial Arbitration Moot (stats)*. International Arbitral Centre–Vienna; FDI Moot. (2024). *FDI Moot – Berlin Global Rounds*. FDI Moot; Stetson University College of Law. (2023). *Stetson IEMCC International Finals*. Stetson University College of Law; University of Oxford. (2024). *Price Media Law Moot Court*. University of Oxford; WTO/ELSA. (n.d.). *John H. Jackson Memorial Moot Court*. WTO/ELSA.

<sup>58</sup> *Moot court competitions calendar 2023–2025: Jessup, Vis/Vis East, FDI, ICC Moot, Stetson IEMCC, Price Media, WTO/JHMCC, Manfred Lachs*.

<sup>59</sup> WTO/ELSA. (2024). *John H. Jackson Memorial Moot Court Competition*. WTO/ELSA.

<sup>60</sup> University of Oxford. (2024). *Price Media Law Moot Court*. University of Oxford.

<sup>61</sup> International Institute of Space Law (2024). *Manfred Lachs Space Law Moot Court*. International Institute of Space Law.

<sup>62</sup> Organizing Institution/Committee]. (2023–2025). *Moot court competitions calendar 2023–2025: Jessup, Vis/Vis East, FDI, ICC Moot, Stetson IEMCC, Price Media, WTO/JHMCC, Manfred Lachs*.

<sup>63</sup> International Law Students Association (ILSA). (2024). *Jessup 2024 White & Case Rounds results*. ILSA; FDI Moot. (2024). *FDI Moot 2024 Berlin – Global Rounds data*. FDI Moot.

<sup>64</sup> FDI Moot. (2024). *FDI Moot 2024 Berlin – Global Rounds data*. FDI Moot.

(iv) resources parity, especially in terms of travel budgets, access to pre-moots, databases and (v) competitive outputs.<sup>65</sup>

## Conclusions

The evolution of mooting in India reflects broader developments in legal education. Once a marginal co-curricular activity, mooting is now recognised as a powerful pedagogical tool capable of cultivating research skills, advocacy competence, ethical awareness, and professional identity. Yet its benefits remain unevenly distributed across institutions. Without deliberate and coordinated reform efforts, disparities in access to mooting will continue to shape unequal professional outcomes. Comparative experiences show that sustained institutional investment, curricular integration, national coordination, and faculty development are essential to building a strong mooting culture. Integrating mooting within CLE, while maintaining clear conceptual distinctions, would contribute significantly to the preparation of practice-ready lawyers. Such reforms would not only strengthen legal education but also promote fairness, inclusivity, and professionalism within the legal system.

A national commitment to democratising mooting is therefore essential. By drawing on global best practices while addressing India's distinct institutional realities, legal educators, regulators, and the profession can collectively foster a generation of lawyers equipped to meet the demands of an increasingly complex and interconnected legal world.

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<sup>65</sup> Rhode, D. L. (2004). *Access to justice*. Oxford University Press; Galanter, M. (1974). Why the haves come out ahead. *Law & Society Review*, 9, 95–160; International Law Students Association (ILSA). (2008). *Guidelines of contemporary moot court practice*. ILSA.