

RECENT TRENDS IN USING INNOVATORY TECHNOLOGY IMPARTING THE LEGAL EDUCATION IN INDIA

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"I'm increasingly inclined to think that there should be some regulatory oversight, maybe at the national and international level, just to make sure that we don't do something very foolish. I mean with artificial intelligence we're summoning the demon." -- Elon Musk

ABSTRACT

Benjamin Franklin once quoted that "Change is the only constant in life. One's ability to adapt to those changes will determine your success in life." Technology and Legal Education are inextricable entities as they cannot be separated if the motive behind the formulation of laws is to administer justice. This article gives insights into the legal education system in India by locating it within a wider context of form and ways of legal education in the country. Legal education is needed to fulfill the needs of the community, society, and nation as well because advocates are the persons who interpret the law and deal directly with the entire society. The article makes an attempt at the importance of legal education in India and highlights the aims of legal education in India. Law is a multidisciplinary course hence understanding it in various social, economic, political, and scientific ways to fulfill diverse legal needs at home and abroad is its other aim. The article then considers the role of the Bar Council of India in the field of legal education regarding the standard, curriculum, both optional and core courses as with the changing needs of society the task of the lawyers is highly technical and there is an imperative need to have competent lawyers who would be trained in the right culture of legal education. The aim of legal education' said the Gajendragadkar Committee, 'would be to make

[Asian Journal of Multidisciplinary Research & Review \(AJMRR\)](#)

ISSN 2582 8088

Volume 4 Issue 2 [March April 2023]

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the students of law good lawyers who have absorbed and mastered the theory of law, its philosophy, its functions, and its role in a democratic society.' The article also throws light on what innovative technology is used in imparting legal education in the present context of digital India. Innovation is all about how you can use technology to help people impart legal education and become lifelong learners and change-makers. The article concludes with some observations of the authors and ends with a few recommendations at the end that no one beats human intelligence including artificial intelligence.

Keywords: Legal Education — Bar Council of India – Innovatory Technology -Artificial Intelligence- India

1.0 INTRODUCTION

Technology and Legal Education are inextricable entities as they cannot be separated if the motive behind the formulation of laws is to administer justice. In India, Legal Education is regulated and controlled by the Bar Council of India. It is a statutory body created or existed under section 4 of the Advocates Act 1961. This statutory body regulates what courses should be taught as compulsory and what courses should be taught as electives. It would change the curriculum and directs the method of pedagogy too including the mode of conducting examination and awarding degree too. Earlier some universities award a BL (Bachelor of Laws) degree but now all universities in India award the degree with the abbreviation LL.B. (Legum Baccalaureus) and in spite of ML (Master of Laws) now is LL.M. (Legum Magister). There is no evening college to study LL.B. degree either 3 Years or 5 Years course. It is equally applicable to Master of Laws too. Any institution imparting legal education in India must be permitted by the Bar Council of India. The Bar Council of India officially visits and inspects Law colleges either constituent colleges or affiliated law colleges as part of its statutory function of promoting legal education and laying down standards in consultation with the Universities in India and the State Bar Councils respectively. It set the standards for professional conduct and etiquette and advocated · set rules to be followed by disciplinary committees as well as conducting the All India Bar Examination (AIBE) to grant 'Certificate of Practice' to advocates practicing law in India. AIBE 2023 -XVII is conducted by the Bar Council of India on 5th February 2023.

The authors made a maiden attempt to discuss the importance of legal education in the 21st century, the aim of legal education, regulating bodies, and the main sources of law in India, goes with innovatory technology such as AI, Blockchain, Big Data Analysis, and machine-learning to name them few and ends with conclusion and recommendation at the last of his article.

2.0 THE IMPORTANCE OF LEGAL EDUCATION

Rule of law in society to do justice to the people living the society is of immense value or importance which could be achieved only through Legal education via Advocates or Lawyers. Advocates are social scientists who gave leadership to any country or nation. For example, most of our freedom fighters such as Sardar Vallabhbhai Patel, Dr. Rajendra Prasad, Rajaji, etc. were lawyers and were not doctors, engineers, and not people from other fields. It is the reason that they mingle with society at large and have immense knowledge that makes them know the loopholes in the law and applies it to do good for society by safeguarding their rights from arbitral powers. It is due to the perennial struggle of Advocates only that we may enjoy our basic fundamental rights which cannot be waived or disinherited by the government or any other authority. These are the basic human rights a person must receive in order to have freedom in his life and any law or rule which infringes the fundamental rights is made *ultra-virus* to secure justice. Legal education not only provides fairness but creates awareness among individuals of their rights, duties, values, ethics, and morals i.e. it creates consciousness through the law of what is right and wrong and in which direction a person needs to head by following the rule of law. 1826 Top Law Colleges in India imparting LL. B 3YDC and 5 YDC courses which are approved by the Bar Council of India in addition to the Law Universities. The CLAT 2024 will be held in December 2023 for admissions to the five-year integrated BA, LLB (Honour), and LL.M. programs that commence in the academic year 2024-2025 at the 22 participating NLU's," Consortium of NLU's said in a statement.

The birth anniversary of Prof. (Dr) Neelakanta Ramakrishna Madhava Menon, the father of modern clinical legal education in India and the architect of the five-year integrated Law viz., B.A., LL.B.-5YDC, BBM., LL. B-5YDC, B. Com, LL.B.-5YDC, B.Sc., LL.B.-5YDC. NLSUI is a creation and brainchild of the Late Madhava Menon. Now, almost all stages are having

national law universities, and recently The India International University of Legal Education & Research (IIULER), an initiative of the Bar Council of India (BCI) Trust-Pearl First inaugurated in Goa.

3.0 AIMS OF LEGAL EDUCATIONⁱ

The legal profession has always been treated to be a noble profession as advocates are the central pillars of society who help the common man to know his rights and claim them legally by filing cases in competent courts. Legal education is needed to cater to justice in the society and country as well because Advocates are the professionals who interpret the law and deal directly with the entire society.

Even after the independence, the state of legal education remained unsatisfactory for years and there were no changes in the age-old syllabus of courses according to the changed needs of the country. While the Radhakrishnan Committee (University Education Commission 1948-49), the Bombay Legal Education Committee (1949), and the Setalvad Committee (1954) showed their disillusionment and dissatisfaction with legal education in their respective reports and drew attention to its defects and deficiencies, it was the Gajendragadkar Committee (1970) which could be credited for articulating the objectives and aims of legal education in India. The aim of legal education' said the Gajendragadkar Committee, 'would be to make the students of law good lawyers who have absorbed and mastered the theory of law, its philosophy, its functions, and its role in a democratic society.'

Thus, legal education has expanded aims: Its main aim is to make the student familiar with legal concepts such as the process of making laws, settling disputes and courtroom manners, etc., and to provide justice-oriented education and produce competent legal professionals. Since the law is a multidisciplinary subject hence understanding it in various social, economic, cultural, political, and scientific ways to fulfill diverse legal needs at home and abroad is another aim. Its other aim is to give legal knowledge of basic subjects of law with its use in practical terms i.e., it requires study in terms of both theory and practical part to produce Advocates who are equipped for law practice in the global legal environment and who can serve the interests of Indian citizens, business, government, and NGOs and provide transnational legal services in a highly competitive nation. Its aim is to expand teaching by

providing importance on research and publications in the legal field so that students can fight any legal problems which come their way and create new legal knowledge and ideas to meet new challenges facing society.

Lastly, it aims at providing reforms in the legal field as there is an inadequate quality of legal education and infrastructure and a lack of relevant skills training to meet the ever-changing demands of modern India and there is a need of creating clear quality standards for legal education by changing current courses and using the innovatory method in teaching style or pedagogy with fully trained and efficient staff those who articulate well and explain without any phobia of the stage.

4.0 THE SOURCES OF LAW IN INDIA

The legal system is the skeleton of any country. The sources of laws in India are abundant. Foremost, the Constitution of India is the supreme law of the land and covers the way for other laws to be made. It is a grundnorm as per Kelson's theory. Parliament passes legislation on a specific subject matter and so does State legislature which prevails in form of law. Customary practices which are old and accepted by people and is in force since time immemorial become usage that is recognised by law. There is also personnel in India for Hindus, Christians, Jews, and Parsis. There is no special legislation like Special Marriage Act also enacted irrespective of caste creed, or religion one can go for marriage under this act. Both the Government of India and the respective state government enact laws in India. The case decided by courts (superior courts) mostly on the points when there is the absence of any express law acquires the form of law as precedents in the country.

5.0 INNOVATIVE TECHNIQUES IN IMPARTING LEGAL EDUCATION

There are many ways or modes of innovatory technology used or applied in the learning process of legal education. The authors have picked only four to cut short the length and precise his article for this international conference.ⁱⁱ

5.1 Artificial Intelligence

Artificial intelligence technology is anticipated to transform this reality: as a technology trying to understand the spirit of human intelligence and feign and extend human intelligence on this basis, artificial intelligence technology can efficiently complete information collection, regulation sorting, and implementation or imitate the process of legal and logical reasoning by establishing an appropriate computing model in theory, so as to output solutions and the corresponding explanation to the input is created and uploaded for legal issues.

After entering the 21st century, with the rapid development of AI technology, the combination of AI and legal and logical frameworks has become closer and closer. For example, in June 2016, Ross, the first AI lawyer in history supported by Watson, IBM's cognitive computer, was "employed" by an American law firm. It can communicate with lawyers in human language, give people the experience of working with prospective employees, and able to deal with certain bankruptcy consulting issues. In the UK, DoNotPay, a robot advocate or solicitor, can help users to challenge traffic tickets and to prepare legal documents. Now it has expanded to government housing applications, refugee applications, and other legal services. In February 2018, the AI system developed by lawgeex, an Israeli legal technology company, defeated 20 top lawyers with rich experience in standard business contract review competition. After all, AI is on the way, and people need to get on the road as soon as possible. History is set to be drafted in the United States where "the world's first robot lawyer" will defend an alleged traffic rule violator, New York Post reported. Enabled by "DoNotPay"ⁱⁱⁱ application, it will listen to court arguments in real-time and will advice the defendant how to answer via an earpiece. DoNotPay founder and CEO, Joshua Browder was quoted as saying by New Scientist. "And it's not good if it actually twists facts and is too manipulative."

The authors are firm believes that AI cannot replace an Advocate in many fields as far as innovatory technology is concerned because AI is created by a human being but the human being is created by Almighty God.

5.2 Blockchain Technology

Advocates can influence blockchain technology to update, upgrade and abridge their litigation work, digitally sign and unchangeably store legal agreements. Using scripted text, smart contracts, and automated contract management reduces excessive time spent preparing, personalising, and maintaining standard law documents in different formats to reuse. These cost savings are passed on to the customer. Additionally, blockchain democratises access to the justice system by cutting down on consumer intricacy and dropping hefty legal charges.^{iv}

There are several possible Enterprise Ethereum blockchain applications across the legal industry in the world as well as in India. Here are some of the top use cases that ConsenSys has identified: Electronic Signatures - Property Rights - Intellectual Property - - Chain of Custody – Tokenization – Decentralised Autonomous Organisations (DAO) - Automated Regulatory Compliance - Limited Liability Autonomous Organizations (LAO) – Machine-to-Machine Payments - Blockchain-Based Arbitration System. Blockchain technology can solve any problem by making legal documentation accessible and transparent. The cost and friction of generating and securing legal agreements are reduced by creating a contract that can automatically execute based on pre-specified criteria.

5.3 Big Data Analytics

In the legal sector and academy, advocates and scholars utilise artificial intelligence and machine learning to achieve analyses that were once labor-intensive activities. Although technology can, in some cases repeat or copy human decision-making, advocates and scholars play an essential role in accumulating data sets, defining analytical questions, and, most significantly, interpreting the law, and conclusions and presenting them in an available way for wide-ranging clients.^v

Big Data analysis or AI employs machine learning, natural language processing, and other state-of-the-art data science practices in research across a range of disciplines and research topics, including consumer bankruptcies, studies of crime, short selling, Western and EU competition law, and Chinese judicial verdicts. Students yield from their knowledge and practices in the classroom and through labs and other pragmatic learning opportunities.

5.4 Machine Learning

Legal databases which are in the form of machine learning have put the law at everyone's fingertips. At the same time, though its remnants are largely untapped, the amount of data created within law firms keep growing day by day. Responses leveraging AI and machine knowledge – a type of AI that finds patterns in a lot of data – can help advocates gain the information and insights needed to prepare for litigation, draft documents and verify their work products. Technology is enabling fast, accurate research, and cutting down on the time and cost of legal work.^{vi} AI helps expand human skills, but it does not replace human expertise, and incremental innovation through AI will continue to combine with human intelligence to enhance the pursuit of justice. A machine is a machine that is created by the human brain but the human brain has been created by the superpower whether we call Him a God or Almighty whatever it maybe it is only one.^{vii}

6.0 CONCLUSION

Legal education has changed radically over the past decade but still reforms are needed to make it effective and justice-oriented. There are some issues that need to be looked into for fixing holes in our current legal system such as the emphasis should be laid on research and publication activities, the need to reform curriculum, teaching method or style ie., pedagogy at the earnest, trained faculty with innovatory technology, imparting training-based education, the introduction of law subjects at school level as to ensure a basic knowledge of the law to students of all stream, etc. This will help in the growth and development of legal education with an increase in the reputation of the profession to meet the tasks of the field and to grow and contribute by providing the fullest opportunity to law aspirants for the development of the country. Law schools and legal education will have to make greater efforts to move from the traditional methodologies and incorporate practical learning based on live projects. Multidisciplinary collaborations to increase entrepreneurial capabilities, which are a must for law firms or corporate law practice, and technology-integrated law courses to stay up-to-date with the advances in technology for better legal service delivery, are the areas to focus upon.

In the contemporary era, technology and the legal education system, both are inseparable elements. It is hundred percent true that our education system should provide us with the

knowledge of the latest technologies, but as a citizen of India, we are also required to develop a keenness for learning new skills, and innovatory technology and to serve our nation by using our full potential. But artificial intelligence is always less than the human brain or human being because it gives answers to those things which are fed but not those notions or views or opinions which are not fed into it.

Persons are all about learning and understanding from different incidents and past experiences as they are Human Beings. However, AI cannot think, it is lagging behind in this range. The capability to think, shared with feelings such as self-awareness, desire, and ambition, permits humans to master multifaceted reasoning processes. Hence, human beings are superior to Artificial Intelligence (AI).

7.0 RECOMMENDATION

The education of law is not satisfactory to keep cyberspace in the protected palm of the law. Thus, the study of technology is equally important to frame laws concerning the uses and misuse of such technologies. Active use of technology means new clients, stronger work products, and more effective use of time; for law students, it means better job prospects and a smoother transition into practice. Technology is truly renovating the practice of law.

Technology and Legal Education are interwoven entities as they cannot be parted if the motive behind the construction of laws is to administer justice. The new world revolves around the need for technology as a tool for escalating every single attempt to deliver a whole and transparent dispensation of impartiality in the legal field. Advocate is able to contribute to national growth and social change in a very positive manner with his/her legal education. AI helps augment human expertise, but it does not replace human expertise, and incremental innovation through AI will continue to combine with human intelligence to enhance the pursuit of justice. The ever-evolving landscape of Culture, globalisation, liberalisation, and the explosion of technology greatly influence the pace at which law or legal education changes. This in turn involves educational institutes being equipped with technologically advanced curricula and teaching pedagogy.

Hence, it is time to expand the wings of legal education beyond the four walls of traditional learning methodology through the use of innovative technology in digital India. But the authors firmly believe that the sad or bad thing about artificial intelligence is like a human being but it lacks arteries and veins and therefore not more than human intelligence or human being.

ENDNOTES

ⁱ <https://www.legalservicesindia.com/article/1976/Legal-education-system-in-India.html> (Accessed on 9th February 2023).

ⁱⁱ Authors are not an expert either in software or hardware but he knows the application of innovative technology. In other words, the authors are a bit-known electronic gadget savvy in its application and usage only.

ⁱⁱⁱ As a "robot lawyer," DoNotPay is a mobile application that makes use of artificial intelligence to provide legal services. It comes with a subscription cost of \$36 for a period of three months. DoNotPay began in 2015 as a basic chatbot, meant to help users navigate bureaucratic and legal hassles, mostly using conversation templates.

^{iv} <https://consensys.net/blockchain-use-cases/law/> (Accessed on 19th February 2023).

^v <https://www.law.columbia.edu/areas-of-study/data-analytics> (Accessed on 4th March 2023).

^{vi} <https://www.thomsonreuters.com/en/careers/careers-blog/how-ai-and-machine-learning-is-shaping-legal-strategy.html#:~:text= Solutions%20leveraging%20AI%20and%20machine, and%20verify%20their%20work%20products.> (Accessed on 23rd February 2023).

^{vii} Authors are God fearing person, not an atheist or Pegan.



Asian Journal of
Multidisciplinary
Research & Review