

**THE IMPERATIVE ROLE OF SCHOLARLY RESEARCH IN
LEGAL EDUCATION**

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ABSTRACT

Scholarly research is an integral aspect of legal education which can help bridge the gap between learning theoretical frameworks and practical realities. In today's day and age, legal research has evolved itself to transcend beyond doctrinal boundaries by incorporating interdisciplinary approaches to address the various complexities of this globalised and technologically advanced world. With the introduction of Artificial Intelligence, the scope of legal education also needs to evolve beyond physical terrains and to encompass the vast digital landscape. However, this is easier said than done. There are many challenges to this endeavour including digital divide, lack of synchronisation in online learning, infrastructural shortcomings etc. To bridge this gap, fresh research and development hold the potential to serve as catalysts for creativity and innovation further driving advancements in higher education to tackle these obstacles. The National Education Policy lays specific focus on critical thinking and interdisciplinary approaches with an aim to foster innovation while reimagining legal curricula. Additionally, Clinical Legal Education and project-based research have gained prominence which has massively promoted the integration of practical

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skills and collaborative methodologies to make students more equipped to address real-world legal challenges.

In this context, the agenda for scholarly research is not simply to keep pace with the changing contours of law but also includes steering its evolution to ensure that it remains a force for justice, equity, and societal growth. In order to align Indian legal education to international competitive standards, universities can take steps to further and incorporate opportunities like faculty and student exchanges, standardised transnational curricula, and joint degree programs with global institutions. This will not only ensure that India's legal system remains globally competitive and socially relevant, but also innovative. This paper attempts to underscore this need and importance of integrating scholarly research, particularly towards gauging a better understanding of technology, as a cornerstone of modern legal education.

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I. INTRODUCTION

Law is an instrument of social change and thus, naturally exists in a state of perpetual flux and motion in order to perpetually evolve within a dynamic society. The wide and expansive interpretation accorded to “*personal liberty*” under Article 21 of the Constitution of India is a striking example of this evolution of law inspired by the dynamic progress of human society.¹ Over time, the judiciary skilfully infused this provision with profound meaning. Consequently, it has now come to be associated with issues ranging from environmental justice to privacy, demonstrating the law’s capacity to adapt and grow with societal needs and advancements.²

Technology exists as another transformative social element with its relevance increasing by the day, indicating an urgency for law to adapt to it. With the advent of technology, law is no longer confined to the physical realm but has expanded itself into the vast digital space as well. Artificial Intelligence (“**AI**”) for instance is reshaping disciplines across the spectrum—from politics and education to entertainment. Allowing humans to reimagine life as we know it, it has become an essential tool of modern life.

Scholarly research today plays a dual role: it enhances the quality of legal education by fostering critical thinking and also informs evidence-

¹ INDIA CONST. art. 21; *Maneka Gandhi v. Union Of India*, AIR 1978 SC 597 (India).

² Shweta & Tauseef Ahmad, *Transformative Constitutionalism and the Role of Judiciary in India: Balancing the Interest of the People with Societal Reforms*, CONSTITUTIONAL LAW SOCIETY, NATIONAL LAW UNIVERSITY, ODISHA, (May 17, 2019) <https://clsnluo.com/2019/05/17/transformative-constitutionalism-and-role-of-judiciary-in-india-balancing-the-interest-of-people-with-societal-reforms/>.

based policymaking. Once rooted in didactic, lecture-driven methods, legal education has now significantly transitioned to a more conversational and interdisciplinary approach by embracing collaboration across multiple fields of study.³ This transformation reflects the pivotal realisation that law is no longer an isolated discipline but rather is intertwined an intricate web of relationships with other domains. For example, the concept of ‘arrest’ now necessitates exploration of concepts like ‘digital arrest’ a contemporary phenomenon arising from technological advancements.⁴ Without the robust integration of research, law risks becoming irrelevant in the face of rapid societal and technological changes.

While law has moved from an originalist approach focused on strict textual interpretation, to a more liberal, integrative approach that mirrors the evolving beliefs and values of society, legal education must mirror this progression too. There is an urgent need to foster interdisciplinary research that can potentially bridge the gaps between different disciplines and can prepare future legal professionals to engage with complex, multi-dimensional challenges. By embracing interdisciplinary, collaborative, and technology-driven research, legal education can equip graduates and help them build functional skills necessary to thrive in the transnational legal services market.

³ Rose Voyvodic & Mary Medcalf, *Advancing Social Justice Through an Interdisciplinary Approach to Clinical Legal Education: The Case of Legal Assistance of Windsor*, 14 WASH. U. J. L. & POL'Y 101 (2004).

⁴ The Hindu Bureau, *What is 'digital arrest scam' and how can you protect yourself?*, THE HINDU, (Oct. 28, 2024), <https://www.thehindu.com/news/national/digital-arrest-scam-how-to-protect-yourself/article68806494.ece>.

This paper attempts to advocate for a more research-oriented model of legal education. Part II begins with tracing the journey of development of legal education in India while Part III identifies the challenges and hurdles faced by it in present times in its evolved form. Part IV onwards we begin to explore how research is an instrumental and irreplaceable aspect of legal education in present times and transcend into a proper understanding of research holds the potential to transform not just legal education, but is also an imperative tool for solving real-world challenges, in Part V. Further, VI advocates for the adoption of Clinical Legal Education in order to integrate the theory with practice and to promote experiential learning. Part VII advocates for the positive integration of technology into legal education while comparing it with the current trends in legal education in Part VIII before concluding in Part IX.

II. UNDERSTANDING THE MEANING AND EVOLUTION OF LEGAL EDUCATION IN INDIA

In order to understand the higher education system in modern India, it is pertinent to fathom the journey of legal education so far as it will put things in context. Swami Vivekananda, in his visionary writings, profoundly emphasised the transformative power of education in shaping a society.⁵ He firmly believed that the progress of a nation is intrinsically linked to the development of its people and that education should serve as the cornerstone for unlocking human potential to its fullest extent.⁶ For

⁵ A.K. Tiwari, *The Relevance of Swami Vivekananda Education and the Vision in the 21st Century- An Investigative Article*, SSRN (Sept. 8, 2020) https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3662318.

⁶ *Id.*

him, education was not a mere tool for acquiring knowledge but a means to holistic growth, bridging the journey from individual development to societal progress, and ultimately, to universal upliftment. He saw education as a force capable of transcending personal boundaries, nurturing enlightened individuals who contribute to collective harmony and universal welfare. His philosophy underscores the idea that true education is one that elevates not only the intellect but also the spirit, paving the way for a more just, equitable, and interconnected world.⁷

Legal education in India was first seen during the Vedic era where education was associated with dharma and was intended to guide humans in different walks of their lives.⁸ In its nascent stage, it was not formalised and the process of learning was through discovery and self-realisation. The teachings in the Vedas were passed on through Shrutis and Smritis, i.e., through word of mouth.⁹ Even though there were no independent institutions to impart legal education, institutions in ancient India like Takshashila and Nalanda offered education in multiple disciplines and attracted scholars from across the globe.¹⁰ During the Mughal Era, new courts emerged, however, the administration of justice and the manner of operation of these courts was not streamlined and the king had an

⁷ Dr Mohammad Sayid Bhat, *Educational Philosophy of Swami Vivekananda*, 2(2) JRIE 131 (2016).

⁸ Madhubrata Mohanty, *Establishment of Lawyers' Academy to Promote Legal Education - The Need of the Day*, 4(2) ASIAN J. LEGAL EDUC. 176, 181 (2017).

⁹ Nidhi Sharma, *Clinical Legal Education in India: A Contemporary Legal Pedagogy*, 8 INDIAN J.L. & JUST. 165, 181 (2017).

¹⁰ THE FUTURE OF INDIAN UNIVERSITIES: COMPARATIVE AND INTERNATIONAL PERSPECTIVES (C. RAJ KUMAR ed., Oxford University Press 2018).

important role to play.¹¹ These institutional challenges underscored the need for trained professionals, including lawyers and judges, to study the laws and implement them effectively. During the British Raj, the initial legal framework bore similarities to the model established by the Mughals.¹² However, as the system evolved, it became evident that the courts, which were initially presided over by merchants lacking legal expertise, required trained judicial officers to ensure proper administration of justice.

The absence of legal knowledge among these early adjudicators highlighted the necessity of having skilled and knowledgeable judges, paving the way for a more structured and professional judiciary. This shift marked a critical turning point in the development of the Indian legal system, laying the foundation for modern legal education and the professionalisation of the judiciary. However, even then and despite the Regulating Act of 1773,¹³ (often known as the pre-cursor to the Advocates Act 1961¹⁴) and the establishment of the Supreme Court in Calcutta, Indian legal practitioners were not allowed to appear before the Supreme Court as advocates. Attorneys solely included British trained lawyers until 1793.¹⁵ Thus, at that point the importance of scholarly research in legal system was largely overlooked. The criteria for excellence were fastened to one's nationality and place of descent rather than academic or professional merit.

¹¹ Philip B Calkins, *A Note on Lawyers in Muslim India* 3(2) L. & SOC'Y REV. 403, 406 (1969).

¹² Kate Blackwood, *British adapted Mughal systems of justice to establish rule in India*, THE COLLEGE OF ARTS & SCIENCE, (June 26, 2023), <https://as.cornell.edu/news/british-adapted-mughal-systems-justice-establish-rule-india>.

¹³ Regulating Act, 1773, 13 Geo. 3. c. 63 (Eng.)

¹⁴ The Advocates Act, 1961, No. 25, Acts of Parliament, 1961 (India).

¹⁵ A. N. Veeraraghavan, *Legal Profession and the Advocates Act*, 1961 14(2) J. INDIAN L. INST. 228, 231 (1972).

However, over a period of time, conditions ameliorated leading to further developments in the legal landscape. The need of professional legal education became particularly urgent in late 19th century when trained legal professionals were required to assist the British in court related work.¹⁶ This marked the formalisation of legal education in India.¹⁷ Despite this, higher studies in law remained inaccessible for most Indians, as they could only be pursued in Britain by joining the prestigious Inns of Court. For many, this opportunity was financially unattainable, leaving advanced legal education out of reach for the majority.¹⁸

III. INDIAN LEGAL EDUCATION SYSTEM: OBJECTIVES, CURRENT CHALLENGES, AND THE NEED FOR REFORM

It is a trite fact that today's modern educational framework is a reflection of the colonial rule. Most of the judicial and legislative structures standing today were established on the anvil of the British Raj machinery with necessary amends. Various committees like the Radhakrishnan Committee (University Education Commission 1948-49), the Bombay Legal Education Committee (1949), and the Setalvad Committee (1954) expressed their disillusionment and dissatisfaction with legal education in their reports, highlighting its defects and deficiencies.¹⁹ However, it was the Gajendragadkar Committee (1970) that effectively articulated the objectives

¹⁶ Shivani Salunke, *Legal Education in India: Reflecting on the Past for a Brighter Future*, ASIAN J. OF LEGAL EDUC., 1 (2024).

¹⁷ *Id.*

¹⁸ *History of the Legal Profession*, THE BAR COUNCIL OF INDIA, <http://www.barcouncilofindia.org/about/about-the-legal-profession/history-of-the-legalprofession/>.

¹⁹ A.P. Aggarwal, *Legal Education In India* 12(2) J. LEGAL EDUC., 12(2), 231–248 (1959).

and aims of legal education in India, considering the perceived needs of such education in a nation committed to the rule of law, democracy, constitutionalism, social, economic, and political justice, as well as respect for fundamental rights and basic freedoms. As per the Gajendragadkar Committee, the aim of legal education “*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*”.²⁰ The vision of legal education is to provide a justice-oriented education essential to realise the values enshrined under the constitution. Legal education should prepare professionals to handle new challenges of globalisation which is bringing a paradigm shift to legal practice and education. Accordingly so, path-breaking scholarly research, to respond to these new challenges and to resonate with the idea and goals of our constitution, is the need of the hour.²¹

The last few years have seen a sea change in Indian legal education. Statutory bodies like the University Grant Commission (“**UGC**”) and Bar Council of India (“**BCI**”) have played a pivotal role in maintaining checks and balances and ensuring quality education. The concept of National Law Universities (“**NLU**s”) is a remarkable and unique innovation in the realm of legal education, unparalleled anywhere else in the world. Unlike other countries, where law schools are often integrated into multidisciplinary universities, India stands apart by establishing dedicated institutions solely for the study and advancement of legal education.

²⁰ B. C. Nirmal, *Legal Education in India: Problems and Challenges*, 20 *IIUMLJ* 139 (2012).

²¹ National Knowledge Commission, *Report of the Nation 2007*, GOV'T OF INDIA (2007), <https://epsiindia.org/wp-content/uploads/2019/02/Knowledge-Commission-Report-20071.pdf>.

Having said that, it is important to note that legal education and research is inextricably linked with the country's socio-cultural context. The purpose of legal education and research is not merely to impart legal knowledge but also to further the development of the legal system in such a way that the society advances with changes in technology, politics, culture, economy etc; and it is in light of this that the New Education Policy (“**NEP**”) has suggested many reforms to the current education system. It emphasises heavily on critical thinking, problem solving, and practical learning exposure in order to improve students' learning outcomes, particularly for those who come from humble backgrounds. One of the goals of the NEP is to institutionalise research financing, which is crucial for advancing scholarly research in higher education.²²

With the advent of globalisation, legal education has developed multiple dimensions.²³ Online classes, recorded lectures and online evaluations have become the new common. With the inclusion of AI, data analysis, biotechnology in education, the scope of legal education has expanded like never before. In order to facilitate extensive research in higher educational institutions, the National Research Foundation will act as a nodal body to foster a strong research culture and build research capacity in higher education.²⁴ The New Education Policy, 2023 aims to

²² Pavan Mandavkar, *National Education Policy 2020 & Research in Higher Education*, SSRN (2024),

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4715999.

²³ C. Raj Kumar, *Legal Education, Globalization, and Institutional Excellence: Challenges for the Rule of Law and Access to Justice in India*, 20(1) J. GLOB. LEGAL STUD. 221 (2013).

²⁴ *Anusandhan National Research Foundation* (“**ANRF**”), DEPARTMENT OF SCIENCE & TECHNOLOGY (“**DST**”), <https://dst.gov.in/anusandhan-national-research-foundation-anrf>

improve the standards of distance learning by introducing online courses, digital repositories and credit-based Massive Open Online Courses (“**MOOCs**”).²⁵ In fact, an independent agency called the National Education Technology Forum (“**NETF**”) is proposed to be set up in order to promote technological innovation in education, enhancing classroom processes and teacher development.²⁶

Despite these advancements in legal education, several pressing challenges demand immediate attention. One of the most significant issues is the deficient infrastructure in many law schools, both government and private. Many institutions lack an adequate campus to accommodate students, sufficient library spaces, and access to high-quality legal reference material. While remote access to e-libraries has become a valuable resource for students in some institutions, this facility is still absent in many state and private colleges, leaving a significant portion of students without access to essential academic tools. The absence of computer labs, research centres, and moot court rooms only further exacerbates the issue, threatening to deprive deserving students of the practical exposure crucial for a holistic legal education.²⁷

Even in NLUs, which have dedicated research centres for several areas of study, the potential for impactful research remains underutilised due to the burdensome teaching and administrative responsibilities placed

²⁵ *Understanding The New Education Policy In India*, Indian School of Public Policy, ISPP (Feb. 2, 2024), <https://www.ispp.org.in/understanding-the-new-education-policy-in-india/>.

²⁶ *Id.*

²⁷ Tarun Krishna Kumar, *The Plight of National Law Universities in India*, THE WIRE (2019), <https://thewire.in/livewire/the-plight-of-national-law-universities-in-india>.

on faculty members. Systemic issues such as the UGC's lack of recognition for Research Assistant Professors as 'tenure-track' faculty members²⁸ further hinder the development of robust legal scholarship. Additionally, the National Eligibility Test ("NET"), a compulsory requirement for entry-level academic positions, rewards rote learning rather than evaluating fundamental research aptitude,²⁹ significantly undermining its effectiveness as a tool for fostering scholarly inquiry.

The curriculum and syllabi in many law schools also require urgent revamping. Legal education must move beyond traditional doctrinal studies to include policy-oriented, multi-disciplinary, and vocational courses, as envisioned in the NEP. Such courses would not only enrich students' understanding of law's intersection with other fields but also equip them with practical skills to address real-world challenges. Addressing these gaps is essential to build a legal education system that is both inclusive and capable of producing globally competent legal professionals.

IV. RESEARCH – A JOURNEY FROM THE KNOWN TO THE UNKNOWN

Research, inarguably is the lifeblood of legal education. The term originated from the Middle French term 'recherche', meaning, "*to go about*

²⁸ UGC REGULATIONS ON MINIMUM QUALIFICATIONS FOR APPOINTMENT OF TEACHERS AND OTHER ACADEMIC STAFF IN UNIVERSITIES AND COLLEGES AND MEASURES FOR THE MAINTENANCE OF STANDARDS IN HIGHER EDUCATION, 2010, UGC,

https://www.ugc.gov.in/oldpdf/regulations/revised_finalugcregulationfinal10.pdf.

²⁹ John J. Kennedy, *Opening the wrong gates to Phd Aspirants*, THE NEW INDIAN EXPRESS (2024),

<https://www.newindianexpress.com/opinions/2024/Apr/18/opening-the-wrong-gates-to-phd-aspirants>.

seeking". It signifies a systematic and careful examination to discover or explore a particular phenomenon.³⁰ It allows us to effectively dissect the multiple dimensions of law—social, psychological, ethical, technological, and more, thereby, enabling a deeper and more comprehensive understanding of how law regulates and transforms the behavioural aspects of society.

The aim of any research undertaken academically is to move from the known towards the unknown. It involves delving deeper into what already exists and uncovering new knowledge and insights. Research, at its core, is a process of inquiry, and is a journey driven by curiosity and rigour. This process, however, must be both systematic and methodological as, *sans* a structured approach, desired outcomes are unlikely to be achieved. True research is not simply confined to finding answers but is also a quest to challenge existing boundaries, to contribute to the collective understanding, and to help advance knowledge in a meaningful and impactful way. Research can take various forms, ranging from inventive to exploratory, diagnostic to remedial, and even correlational, but the ultimate aim of all research is to step into unfamiliar territory and to understand the unknown.³¹

Legal research has traditionally been associated with doctrinal methodologies. Doctrinal research, which involves the study of legal

³⁰ *Research*, OXFORD ENGLISH DICTIONARY, https://www.oed.com/dictionary/research_n1?tl=true.

³¹ JOY M. MERSKY & DONALD J. DUNN, FUNDAMENTALS OF LEGAL RESEARCH (Foundation Press 8th ed. 2002).

propositions through an analysis of statutes, case laws, and legal reasoning,³² treats law primarily as a set of doctrines rather than a dynamic social phenomenon. However, this traditional view is gradually evolving to yield way to a more holistic and interdisciplinary understanding of law and legal research.

V. TRANSFORMING LEGAL EDUCATION THROUGH RESEARCH: A CALL FOR ACTION

Law is a global phenomenon and cannot be studied in isolation. In fact, as per the Association of American Law Schools Committee in Research, “*Unless new research departures are made, the law schools and the legal profession may well become ineffectual and perhaps redundant in regard to the major legal issues of the day and of the future.*”³³ Research is a *sine qua non* for a successful professional existence, regardless of the field. It is a pursuit of value addition in the current society. It is often defined as a “*process of identifying and retrieving information necessary to support legal decision-making. In its broadest sense, legal research includes each step of a course of action that begins with an analysis of the facts of a problem and concludes with the application and communication of the results of the investigation.*”³⁴ In other words, legal research is a systematic investigation of law related issues and problems. Any issues related to legal philosophy, legal history, comparative study of legal problems can be better understood through legal research. Hence, it involves a systematic

³² Rita Abhavan et al., *A Critical Appraisal of Doctrinal and Non-Doctrinal Legal Research Methodologies in Contemporary Times*, 3(1) INT'L J. CIV. L. & LEGAL R. 8 (2023).

³³ Paul F. Teich, *Research on American Law Teaching: Is there a Case Against the Case System?*, 36 (2) J. LEGAL EDUC. 167 (1986).

³⁴ Mersky & Dunn, *supra* note 31.

examination of legal problems with appropriate methodological framework.

India has emerged as a global leader in recent years, showcasing exponential growth as it transitions from a material-based economy to a knowledge-driven one. This transformation underscores India's commitment to harnessing intellectual capital as a primary driver of development and global influence. To sustain this trajectory, India requires fresh perspectives and ground-breaking innovations in the realm of knowledge creation. It is imperative to bridge the gap between knowledge production and its practical applications by fostering a robust ecosystem that transforms intellectual discoveries into tangible assets, such as patents and copyrighted material. By prioritising research, innovation, and the protection of intellectual property, India can not only strengthen its global standing but also pave the way for a more sustainable and inclusive future rooted in intellectual excellence.

Dr. Manmohan Singh in one his addresses remarked, "*India of the 21st Century will be made in universities and other centres of learning and they shall remake India and the world.*"³⁵ It is in this light that scholarly research must strive to create ideas that will help the address the age old problems of poverty, unemployment, illiteracy and disease and respond to new challenges that India is currently facing.

³⁵ Dr. Manmohan Singh, INDIAN PRIME MINISTER, *India of the 21st century will be built in the classrooms*: PM, Address at the sesquicentennial (150 years) of the University of Madras (Sept. 5, 2008), *in* PMO ARCHIVE (2008), https://archivepmo.nic.in/drmanmohansingh/content_print.php?nodeid=686&nodetype=2.

Traditionally, research in legal education has been doctrinal in nature. Doctrinal research is one that is carried out on a legal proposition by analysing the existing statutory frameworks through legal reasoning or rational deductions.³⁶ Legal education treats law as a doctrine and not as a social fact. The situation is vastly different now with the advent of technology. Legal education now extends far beyond the confines of books and case laws and now is administered in a more interdisciplinary approach.

In a democracy like India, legal education plays a dual role: as a protector and as a facilitator. It needs to be understood that legal education is a tool for social justice. Yet, historically, legal education confined itself to doctrinal inquiries, emphasising the interpretation of statutes and judgments.³⁷ However, now with the rapid advancement of technology and its pervasive influence on society, legal education has expanded its horizons. Law is now increasingly viewed as an interdisciplinary tool that interacts with technology, society, and culture. The shift from doctrinal research to more empirical and interdisciplinary approaches reflects the changing demands of the modern legal landscape. Legal research today actively indulges with the complex and multifaceted issues that transcend traditional boundaries. It deals with the intersection of law with technology, ethics, and numerous other variables which impact societal dynamics. By embracing this broader approach legal research holds the potential to not

³⁶ Mersky & Dunn, *supra* note 31.

³⁷ Joel F. Handler, *The Role of Legal Research and Legal Education in Social Welfare*, 20 STAN. L. REV. (1968).

only advance academic understanding but also to contribute substantively to the resolution of real-world legal challenges in an ever-evolving world.

VI. CLINICAL LEGAL EDUCATION

Legal education has undergone a paradigm shift over the years. It has incredibly evolved from having a predominantly theoretical approach to one that increasingly emphasises on practical training and experiential learning. At the forefront of this transformation is Clinical Legal Education (“CLE”), which serves as an instrumental bridge between the theoretical foundations of law and its practical application. CLE goes beyond imparting substantive legal knowledge. It effectively and productively integrates procedural understanding, ethical considerations, and the professional skills essential for a successful legal career. It equips students to not just learn what the law is, but also to engage with what the law ought to be, fostering a deeper understanding of justice and its application and administration in the society.³⁸

CLE has now become an indispensable part of the undergraduate law curriculum and holds a prominent position in the educational strategies of reputed law schools worldwide. In the United States, often regarded as the birthplace of CLE, nearly 90% of law schools incorporate clinical methods into their teaching, using law school clinics as a foundational tool for blending theory and practice.³⁹ Similar progress has been observed in

³⁸ Hugh McFaul, *Does Clinical Legal Education Need Theory?*, 7(2) ASIAN J. LEG. EDUC. 152 (2020).

³⁹ Wallace J. Mlyniec, *Where to Begin? Training New Teachers in the Art of Clinical Pedagogy* Georgetown University, 18 CLINICAL L. REV. 505 (2012).

countries like Canada, Australia, South Africa, and India, where CLE programs have gained recognition for their value in enhancing legal education. In Canada and Australia, for instance, governmental reviews have lauded the significance of clinical methods, leading to their expansion in law school curricula.⁴⁰ In India, the BCI and the UGC have spearheaded reforms to include practical training components in law programs, many of which stem from the clinical education movement.⁴¹ These efforts align with broader initiatives like the legal aid camps and Lok Adalats, which require robust support from law school clinics for effective functioning.

Despite its growing relevance, CLE faces multiple and significant challenges, including inadequate support from law schools, faculty, and the legal profession. This apathy stems from misconceptions and a lack of understanding about the role and scope of CLE among educators, students, and members of the legal fraternity. Disseminating awareness and sensitising stakeholders to the importance of CLE is imperative to ensure active student participation, faculty involvement, and institutional backing from the bar and the bench. Research on methods to combat the challenges associated with CLE can possibly allow for an effective implementation of CLE in legal education. Further it holds the potential to provide students

⁴⁰ DR. VICKY KEMP, DR. TINE MUNK, & SUZANNE GOWER, *CLINICAL LEGAL EDUCATION AND EXPERIENTIAL LEARNING: LOOKING TO THE FUTURE* (The University of Manchester 2016), <https://hummedia.manchester.ac.uk/schools/law/main/news/Clinical-Legal-Education-Final-Report28.09.2016.pdf>.

⁴¹ Shamnad Basheer & Sroyon Mukherjee, *Regulating Indian legal education: Some thoughts for reform*, SSRN (2010), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1584037.

with an integral opportunity to develop critical analytic skills and problem solving techniques which will guide them in their future endeavours.

The essence of CLE lies in its massive emphasis on ‘learning by doing’ which allows students to engage with real clients, navigate their legal problems, and apply theoretical knowledge to practical scenarios. By enabling students to assume the roles that lawyers play in real life, it prepares them for the multifaceted demands of the legal profession. It combines doctrinal and empirical methods by encouraging students to critically analyse legal doctrines, statutory principles, and exposing them to their operational parameters in real world situations.

Ultimately, CLE effectively integrates experiential learning with traditional methods to offer a holistic approach to legal training which fosters a deeper engagement with the law. It empowers students to approach legal issues with a critical and practical mindset, ensuring that they are not only well-versed in legal principles but are also equipped to and capable of applying them effectively to serve society. By prioritising CLE, law schools can bridge the gap between academic instruction and professional practice, creating a generation of lawyers equipped to navigate the complexities of modern legal systems.

VII. TECHNOLOGY AND LEGAL EDUCATION

The role of technology in the legal field can be analysed on two interconnected levels. *First*, as a transformative tool, it needs to be seen that technology has revolutionised the way legal education is imparted and now serves as a powerful medium to facilitate learning. Right from virtual

classrooms and digital libraries to legal databases and AI-assisted research tools, technology has enhanced accessibility, efficiency, and the overall learning experience for students and professionals alike. *Second*, technology itself has become a critical area of study within the legal curriculum, as the digital landscape continues to reshape societal interactions.⁴² Therefore, understanding emerging fields such as technology law, data privacy, cybersecurity, and AI is indispensable for a comprehensively imparting legal education.

In this digital age, legal education is not merely aimed at mastering traditional doctrines but is increasingly also focused on equipping students to effectively and skilfully navigate the complexities of the technological era. Thus, technology is both a means of advancing legal education and a subject that demands rigorous academic inquiry in order to ensure that the legal profession remains relevant and responsive to the challenges of a rapidly evolving world.⁴³ Recent incidents of virtual gang rape reported in the Metaverse cannot be ignored.⁴⁴ It is important that there is scholarly research in the legal field on this subject because it is pertinent to ensure that students are prepared for the rapidly growing impact of technology on society and hence, the law. Scholars have suggested that there should be a

⁴² Ryan Whalen, *Defining Legal Technology and its Implications*, 30(1) INT'L J. LAW & INFO. TECH. 47 (Spring 2022).

⁴³ *Id.*

⁴⁴ The Hindu Bureau, *Virtual Gang Rape Reported in the Metaverse; Probe Underway*, THE HINDU (Jan. 4, 2024), <http://www.thehindu.com/sci-tech/technology/virtual-gang-rape-reported-in-the-metaverse-probe-underway/article67705164.ece>.

“*whole of curriculum, or immersion, approach to digital literacies*” and many of them consider digital technologies a “*broader context of law*”.⁴⁵

Technology is revolutionising the legal field, transforming the way legal services are delivered, last visited, and understood. It is streamlining processes that were once time-consuming and complex, enabling greater efficiency, accuracy, and accessibility. Tools like AI and Machine Learning are assisting in legal research by quickly analysing vast amounts of data, identifying relevant case laws, and even predicting legal outcomes based on precedent.⁴⁶ Document automation software is simplifying the drafting of contracts and agreements, freeing up valuable time for legal professionals to focus on more complex tasks.⁴⁷

Courtrooms, too, are witnessing a technological transformation with the advent of virtual hearings, e-filing systems, and digital evidence management, making justice delivery faster and more accessible, particularly in remote or underserved areas.⁴⁸ Blockchain technology is ensuring the integrity and security of legal transactions, especially in areas like intellectual property and contract law. Moreover, technology is fostering greater transparency and inclusivity in legal processes by democratising access to legal information through online platforms and legal-tech start-ups.⁴⁹

⁴⁵ Kate Galloway, *A Rationale and Framework for Digital Literacies in Legal Education*, 27 (1) LEGAL EDUC. REV. (2017).

⁴⁶ Whalen, *supra* note 42.

⁴⁷ *Id.*

⁴⁸ *Digitization of Courts*, PRESS INFORMATION BUREAU (2023).
<https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1896034>.

⁴⁹ Whalen, *supra* note 4.

Beyond these operational improvements, technology is enabling legal professionals to address emerging challenges such as cybersecurity, data privacy, and AI regulation, ensuring that the law evolves alongside societal advancements.⁵⁰ In essence, technology is not just a tool for efficiency; it is a catalyst for innovation, reshaping the very fabric of the legal landscape and preparing it for the demands of a digital future.

VIII. CURRENT TRENDS IN LEGAL RESEARCH

Pure or basic research has been in trend since the beginning of legal education, which has immensely contributed in generating new theories and having a better understanding of the legal processes in the society. It is a method to find out ways to make law better and more effective instrument for achieving the larger good.⁵¹ Another notable trend in legal research is the growing prominence of project-based research. Traditionally, research in the legal domain was confined to a limited number of scholars; however, universities worldwide are now heavily investing in dedicated budgets, directors, and multidisciplinary teams to foster innovative legal inquiry. Numerous governmental and private agencies, such as the Indian Council of Social Science Research, Department of Justice, National Commission for Women, and State Human Rights Commissions, are offering significant funding for such research initiatives, underscoring the importance of legal scholarship in addressing societal issues.

⁵⁰ *Id.*

⁵¹ Ernest M. Jones, *Some Current Trends in Legal Research*, 15(2) J. LEGAL EDUC., 121 (1962).

A consequence of this trend is the growing reliance on foundational support for legal research. While such support offers substantial resources, it is not without its very own challenges. The potential for bias, driven by the foundational agenda, which may compromise the objectivity of research, threatens to sometimes steer it towards narrative-building rather than impartial inquiry. Additionally, when the funding comes from international organisations, there is a high risk that the research scope may align with the priorities of global legal studies, potentially sidelining domestic concerns or perspectives.

Another noteworthy development in legal research is the increased emphasis on interdisciplinary collaboration.⁵² This reflects the growing recognition of the interconnectedness of law with other fields, leading to collaborative efforts between legal scholars and researchers from disciplines such as psychiatry, political science, anthropology, sociology, and economics.⁵³ A significant milestone in this movement was observed in 1956 when academics from diverse fields in the United States convened with legal professors to explore the possibilities and limitations of interdisciplinary work in law and social sciences.⁵⁴ Such collaborations have paved the way for richer, more holistic legal research, addressing complex societal issues through a multidisciplinary lens.

⁵² K. Rajashree et al., *Advancements in Legal Education in India: Challenges and Opportunities for Interdisciplinary Research*, 8(1) ASIAN J. LEG. EDUC. 66 (2021).

⁵³ Mathias M. Siems, *The Taxonomy of Interdisciplinary Legal Research: Finding the Way out of the Desert*, 7(1) J. COMMONW. L. & LEGAL EDUC. 5 (2009).

⁵⁴ *Id.*

Therefore, as we look at the present day, it is unmistakable that legal research is occupying an increasingly important role in shaping policies and legal frameworks, highlighting its role as a dynamic and adaptive field that is increasingly collaborative and globally connected.⁵⁵

IX. CONCLUSION

In conclusion, the importance of scholarly research in legal education cannot be overstated. As globalisation continues to transform international relations and the very nature of the legal profession, it is imperative for legal education to evolve in tandem with these changes or risk being rendered redundant and outdated. The introduction of AI as a tool for legal education holds immense potential, but its benefits must be distributed equitably and strategically in order to bridge the existing digital divide. While online courses have expanded access to education, they also still grapple with challenges such as a lack of synchronisation between teacher and student, and coherence in content delivery, all of which need to be comprehensively and carefully addressed to ensure effective learning.

Research and development act as the driving forces behind creativity and innovation, playing a pivotal role in addressing the challenges of globalization and competition in higher education. In this regard, the NEP is a visionary step that has introduced a new dimension to paradigmatic research in India's higher education sector, emphasising the importance of interdisciplinary approaches and collaboration.

⁵⁵ Richard C. Donnelly, *Some Comments Upon the Law and Behavioral Science Program at Yale*, 12(1) J. LEGAL EDUC. 83 (1959).

Staying relevant in a rapidly changing global market, legal educators and regulatory authorities requires that we restructure legal education to prepare graduates for transnational legal services. Implementing a standardised transnational curriculum, encouraging semester exchange programs, and fostering collaborations between local and international institutions are crucial measures. Joint degree programs and partnerships with globally recognised institutions like the NLUs, National Institutes of Technology and Indian Institutes of Technology can significantly enhance the quality of legal research and education. These initiatives are not only necessary to equip future lawyers to compete on a global scale but will also go a long way in ensuring that India's legal education remains a beacon of innovation and excellence in the 21st century.