

ETHICO-LEGAL DIMENSIONS OF GENERATIVE AI IN LEGAL EDUCATION: A CRITICAL APPRAISAL

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ABSTRACT

The emergence of Generative Artificial Intelligence (Gen AI) has profoundly altered the landscape of Indian legal education. This paper critically examines the ethical, legal, and pedagogical implications of integrating Gen AI into law schools and judicial processes. It explores how AI technologies challenge traditional methods of legal reasoning, authorship, and epistemic autonomy while simultaneously offering opportunities for innovation and inclusivity. Through rulings, the paper illustrates the judiciary's cautious engagement with AI tools. It highlights the risks of academic misconduct, plagiarism, and the "authorial crisis" emerging from AI-generated works that elude existing regulatory definitions. Furthermore, it critiques the phenomenon of epistemic colonization, where Western-trained AI models subtly impose Euro-American jurisprudential norms on Indian legal education. The discussion underscores the absence of comprehensive regulation by the Bar Council of India and the University Grants Commission, whose frameworks have yet to address AI-specific ethical and legal concerns. The paper concludes that while Gen AI promises efficiency and democratization of knowledge, its unchecked use threatens jurisprudential sovereignty and academic integrity. It calls for a multi-level response including mandatory disclosure of AI use, curriculum reforms emphasizing AI ethics, and transparent governance mechanisms to align AI integration with constitutional and ethical values in Indian legal education.

Keywords: Generative AI, Legal Education, Indian Judiciary, Academic Integrity, Constitutional Values

INTRODUCTION

The introduction of Gen AI, specifically language models such as the ChatGPT, has fast permeated the education systems across the globe, & Indian legal education finds itself at a crossroads.¹ The landscape of the legal pedagogy is being redefined in real-time as law schools, bar councils, and the courts start to engage with these tools. The use of this revolutionary technology is, however, taking place in a normative and regulatory vacuum. The prospect of increased research and the pedagogical efficiency has to be a balanced against grave suspicions of academic integrity, epistemic vulnerability, unequal access, and ethical brittle. Indian legal education system, traditionally endowed but reform-scattered, has to contend with a technology that promises to democratize knowledge, as well as possibly deskill an entire generation of legal minds. This requires a theoretical, jurisprudentially attentive confrontation with the ethico-legal provocation of the Gen AI in the classroom and elsewhere.

JUDICIAL ENCOUNTERS WITH AI: BETWEEN CURIOSITY AND CAUTION

Indian courts have also started to interact with AI systems directly, although the epistemology of the law is still approaching this new technology with caution. In *Zakir Hussain v. State of Manipur*,² the court significantly relied on the ChatGPT to comprehend intricate jurisprudence, indicating an experimental readiness to involve artificial intelligence in the adjudicative thought process. The Hon'ble Punjab and Haryana High Court did same, using the ChatGPT during a bail hearing to offer comparative insights, albeit emphasizing that decision should ultimately be made on judicial discretion rather than algorithmic recommendation. Nevertheless, the courts have been cautious too.³ The court dismissed AI-generated references in a trademark case brought by Christian Louboutin, cautioning against the hallucinatory outputs and imaginary cases. Such rulings demonstrate that the judicial branch is cognizant of the possibilities and perils of Gen AI,

¹ Daniel Holcombe, Generative Artificial Intelligence (Gen-AI) in Undergraduate Literature Courses, 108 *Hispania* 39 (2025), <https://doi.org/10.1353/hpn.2025.a953555>.

² WP(C) No. 70 of 2023.

³ In a First, Punjab and Haryana High Court Uses ChatGPT to Decide Bail Plea, *Times of India*, <https://timesofindia.indiatimes.com/india/in-a-first-punjab-and-haryana-high-court-uses-chat-gpt-for-deciding-upon-bail-plea/articleshow/99070238.cms> (last visited June 14, 2025).

and a jurisprudential conflict exists between the technological advancement and the need to get a doctrinal precision.⁴

DISRUPTIONS IN LEGAL PEDAGOGY AND EPISTEMOLOGY

Generative AI has severely upset the Indian legal pedagogy landscape. Historically, the legal reasoning has been developed through intense studies in text, precedent, and analytic writing. However, the Gen AI tools have increasingly become a crutch among students in drafting research papers, answering problem questions and even in writing the moot memorials. Even though this has the potential of increasing efficiency and access to information, it has the danger of eliminating the very skills that the legal education is supposed to build, argumentation, interpretation, and critical thinking. There is an increasing anecdotal and institutional evidence that AI is being deployed to cheat and not to supplement legal learning. It is especially troubling in a legal culture in which reasoning rather than memoriter recitation is idealized. By providing ready-digested responses and mechanical lines of the reasoning, the Gen AI will promote a kind of passive learning that will affect the very purposes of jurisprudential inquest and the mindful practice.

ACADEMIC INTEGRITY, PLAGIARISM, & AUTHORIAL CRISIS

The implementation of the Gen AI in the legal education has revealed the significant loopholes in ethical and regulatory systems that govern the field of legal education. The historical concept of plagiarism, which is considered to be the direct copying of another person, becomes insufficient when facing the AI-generated works. As AI generates allegedly original text based on the information synthesized across large datasets, the current plagiarism detection software does not recognize such submissions as concerning. This became graphically evident in the 2024 when a law student in Jindal Global University was accused of misconduct after more than 80% of his assignment was

⁴ Christian Louboutin Relies on ChatGPT to Fight Lawsuit, HC Calls AI Grey Area, *Indian Express*, <https://indianexpress.com/article/cities/delhi/christian-louboutin-relies-on-chatgpt-to-fight-lawsuit-hc-calls-ai-grey-area-8912338/> (last visited June 14, 2025).

found to be AI-generated.⁵ The student contested the disciplinary measure in Hon'ble Punjab and Haryana High Court by relying on Section 2(d)(vi) of the Copyright Act, 1957 that stated that the final work had the imprimatur of human authorship. The case highlights the fact that there is an urgency in the reconceptualization of authorship in the AI era.

DATA BIAS, EPISTEMIC COLONIZATION, AND THE QUESTION OF JURISPRUDENTIAL AUTONOMY

A second dimension of Gen AI in Indian legal education that is under-theorized yet important is the issue of epistemic colonization. The vast majority of Gen AI models are trained using mostly Western legal databases and, thus, incorporate the Euro-American jurisprudential logic into their generated text.⁶ As a result, when law students in India ask the AI about the constitutional meaning or the statutory interpretation, the response can be filled with information about foreign jurisdiction that does not reflect Indian legal culture, constitutional principles, or social norms. That was recognized in a judicial comment by Former CJI D.Y. Chandrachud, who stated that the AI tools could help with procedural efficiency but could not usurp the value-driven and context-specific reasoning that is central to Indian constitutionalism.⁷ It is not only a risk of doctrinal inaccuracy, but of a more gradual undermining of jurisprudential sovereignty. Thoughtless application of Gen AI can raise a generation of lawyers who are accustomed to think in the paradigm of a foreign legal culture, thereby dispossessing the emancipatory promise of the Indian legal tradition.

INSTITUTIONAL AND REGULATORY GAPS

Institutional or regulatory developments have not kept pace with the introduction of Generative AI in Indian legal education. This regulatory inertia has left a major vacuum in which law schools, educators and students lack a framework to understand what an

⁵ A Law Student Just Sued OP Jindal University for Failing Him on AI Use, *NDTV*, <https://www.ndtv.com/ai/a-law-student-just-sued-op-jindal-university-for-failing-him-on-ai-use-6966045> (last visited June 14, 2025).

⁶ Am. Bar Ass'n, Task Force on Law and Artificial Intelligence, *AI and Legal Education Survey Results* (2024), <https://www.americanbar.org/news/abanews/aba-news-archives/2024/06/aba-task-force-law-and-ai-survey/> (last visited June 14, 2025).

⁷ AI Can Assist but Cannot Replace Human Judgment, Says Former CJI Chandrachud, *Economic Times*, <https://m.economictimes.com/news/india/ai-can-assist-but-cannot-replace-human-judgment-says-former-cji-chandrachud/articleshow/118607172.cms> (last visited June 14, 2025).

acceptable, ethical or legally compliant use of AI tools in academic and professional settings is. The statutory body responsible for regulation of legal education in India, Bar Council of India (BCI) under Advocates Act, 1961 has not as yet released any guidelines or position papers on the pedagogical and professional implications of AI use in legal learning contexts. This is especially deafening since the Council is mandated by Section 7(1)(h) of the Advocates Act to facilitate legal education and to establish standards of curricula in various institutions. Without guidance provided by the BCI, institutions must make do with creating ad hoc responses, which tend to be reactive and disciplinary, as opposed to anticipatory and pedagogically effective.⁸

Likewise, the University Grants Commission (UGC), which regulates the standards of academic integrity through UGC (Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions) Regulations, 2018, has not yet changed its system to reflect the explicit consideration of AI-generated content.⁹ These rules are very narrow definitions of plagiarism as copying without attribution and they do not take into consideration the complications that the AI-generated work brings. For instance, in a case where a student turns in work produced by ChatGPT or some other Gen AI model, the product may not technically “resemble” published works, but is nonetheless a form of authorship dislocation and the intellectual appropriation. The existing regulatory framework thus, is technologically outdated and normatively underinclusive.

⁸ Anil Balan, Ethical Considerations in AI Adoption, in *AI and Legal Education* 18 (2025), <https://doi.org/10.4324/9781003607397-2>.

⁹ *Id.*

CONCLUSION AND RECOMMENDATIONS

The introduction of Gen AI in Indian law school education is a reckoning point. The technology itself holds extraordinary potentials as far as innovation, inclusion, and efficiency are concerned; nevertheless, its uncontrolled and ethically dubious application presents significant threats to legal pedagogy, institutional equity, and jurisprudential identity. Law schools in India should not only learn to live with Gen AI but also critically respond to its promises and perils, control its abuse, and integrate its application into a humanistic, constitutional, and ethical paradigm. The courts have already warned about the blind acceptance of AI-generated content, and the legal academy should do the same. The task is not to resist AI in every possible way, as the line between human reasoning and machine assistance is becoming increasingly thin, but to take legal education back as an environment of critical, ethical, and context-sensitive learning.

In view of the issues, multi-level approach is needed to control Gen AI in legal education in India. A binding code of conduct that necessitates the disclosure of AI use in academic submissions needs to be enforced in all law schools. It is time to implement curriculum changes that would establish courses on AI ethics, legal data governance, and critical algorithmic studies that will prepare students to approach technology as knowledgeable lawyers. The transparency requirements need to be applied, AI systems employed in education should reveal the data sources and decision-making process.

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